

MAYWOOD ZONING ORDINANCE

An ordinance providing for the regulation of land use in the City of Maywood, including description of permitted uses, prescription of area requirements, and standards of development for buildings, structures, improvements, and premises in the land use zones



MAYWOOD ZONING ORDINANCE

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SECTION 1000 GENERAL PROVISIONS

1010 INTRODUCTORY PROVISIONS

1010.10 Authority for this Ordinance

This Ordinance is adopted pursuant to Article XI, Section 7, of the Constitution of the State of California and in compliance with the requirements of Title 7 of the Government Code, Planning and Zoning Law.

1010.20 Short Title

This Ordinance shall be known as the "Maywood Zoning Ordinance."

1010.30 Relationship to Other Ordinances

- A. The provisions of this Ordinance shall not be interpreted to repeal, amend, modify, alter, or change any other ordinance that is not specifically repealed, amended, modified, altered, or changed.
- B. Nothing in this Ordinance shall be interpreted to authorize the use of a lot or parcel in any way that is in violation of any other applicable statute, ordinance, or regulation.
- C. When provisions of various adopted ordinances are different, the more restrictive provisions shall apply.
- D. The rights given by any permit, license, or other approval under any ordinance repealed by this Ordinance shall be continued, but in the future such rights shall be exercised in accordance with the provisions of this Ordinance.
- E. Any use existing in violation of the Maywood Zoning Ordinance, as amended, upon the effective date of this Ordinance shall continue to be a violation unless the standards it violated have been modified and the use conforms to the standard as modified.

1010.40 Purpose

The purposes of this Ordinance are:

- A. To encourage, classify, designate, regulate, restrict, and segregate the highest and best location and use of buildings, structures, and land;
- B. To limit the height, number of stories, and size of buildings and other structures hereafter designed, erected or altered;
- C. To regulate and determine the size of yards and other open spaces;
- D. To regulate and limit the density of population;
- E. To facilitate adequate provisions for community facilities, such as transportation, water, sewage, schools, and parks; and
- F. To promote health, safety, welfare, and general prosperity with the aim of preserving a wholesome, serviceable, and attractive community.

1010.50 Effect of Ordinance

A person shall not use any premises except as specifically permitted by and subject to the regulations and conditions of this Ordinance. Wherever this Ordinance prohibits the **use** of premises for a particular purpose, those premises and any improvements on those premises shall not be used for that purpose, and no structure or improvement shall be constructed, altered, or moved onto the premises which is designed, arranged, or intended to be occupied or used for that purpose.

1010.60 Effective Date

This Ordinance shall become effective in full force thirty (30) days from its adoption, as provided by law.

1020 SCOPE

1020.10 Minimum Requirements of this Ordinance

The provisions of this Ordinance shall be interpreted and applied as the minimum requirements for the promotion of the public health, safety, comfort, convenience, morals, and general welfare.

1020.20 Reference to Any Portion of this Ordinance

Wherever reference is made to any portion of this Ordinance, or to any other law or ordinance, the reference shall apply to that law or ordinance and any amendments or additions made thereto.

1020.30 Severability of Any Portion of this Ordinance

If any provisions (or portions of any provisions) of this Ordinance or its applications to any person or circumstance are held to be invalid, the remainder of the Ordinance and the application of that provision to other persons or circumstances shall not be affected.

1020.40 Nonconformities Created by this Ordinance

- A. Any use established or conducted, or any building or improvement lawfully existing as a nonconforming structure prior to the effective date of this Ordinance, shall be allowed as **a nonconforming use or structure**. If that use or structure is to be amortized, the termination date shall be computed from the original date the Ordinance creating the nonconformity was adopted.
- B. A use or structure which is not in violation of any provision of this Ordinance but is nonconforming because it does not meet revised standards of development may be changed or expanded as provided in Section 5080 (Nonconforming Uses), subject to all other ordinances and laws.

1030 DELEGATION OF AUTHORITY

1030.10 Administration and Enforcement

The Planning Commission is hereby vested with the power and duty of administering and enforcing this Ordinance, subject to the review and affirmation powers of the City Council.

1030.20 Delegation of Power or Duty by the Commission

The Commission may authorize or instruct a public officer, a deputy of the public officer, or a person authorized pursuant to law by the officer, to exercise or perform administrative powers or duties entrusted to the Commission. The public officer, deputy, or other authorized person shall exercise or perform all such powers and duties as instructed by the Commission or City Council, unless this Ordinance expressly provides otherwise.

SECTION 2000 TERMINOLOGY AND DEFINITIONS

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2020

DEFINITIONS

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2010 **TERMINOLOGY**

For the purposes of carrying out the intent of this Ordinance, the following words, phrases, and terms shall have the meaning ascribed to them in this Section.

2010.10 **Boards of Authority**

- A. The word "**Council**" shall mean the City of Maywood City Council, the governing body of the City.
- B. The word "**Commission**" shall mean the City of Maywood Planning Commission.
- C. The term "**Design Review Board**" shall mean the City of Maywood Design Review Board.

2010.20 **Conjunctions**

Unless the context clearly indicates to the contrary, the following conjunctions shall be interpreted as follows:

- A. "**And**" indicates that all connected items or provisions shall apply.
- B. "**Or**" indicates that the connected items or provisions may apply singularly or in any combination.
- C. "**Either...or**" indicates that the connected items or provisions shall apply singularly but not in combination.

2010.30 **Context**

Unless the context clearly indicates to the contrary, other words and phrases shall be construed as set forth in this Ordinance.

2010.40 **Gender**

References in the masculine or feminine are interchangeable.

2010.50 **Jurisdictions**

- A. The word "**City**" shall mean the City of Maywood.
- B. The word "**County**" shall mean the County of Los Angeles.
- C. The word "**State**" shall mean the State of California.

2010.60 Mandatory/Discretionary

The word "**shall**" is mandatory, not discretionary. The word "**may**" is permissive and discretionary.

2010.70 Plural/Singular

Unless the context clearly indicates to the contrary, words in the singular and plural are interchangeable.

2010.80 Tenses

Unless the context clearly indicates to the contrary, words in the present and the future tense are interchangeable.

2010.90 Use

The word **use** and its various forms include arrange, design, construct, alter, convert, rent, lease, occupy, or intend to utilize, unless the context clearly indicates to the contrary.

2010.100 Zoning Ordinance/Ordinance

Zoning Ordinance or **Ordinance** refers to the whole of this document, which is an adopted Ordinance of the City of Maywood, setting forth provisions and regulations of land use and development within the **City**, unless the text is clearly referencing a separate ordinance.

2020 DEFINITIONS

For the purpose of carrying out the intent of this Ordinance, the following words, terms, and phrases shall have the meaning ascribed to them in this section.

2020.10 "A" Words, Terms, and Phrases

Abandoned - The cessation of the use of a property by the owner with the intention neither of transferring rights to the property to another owner nor of resuming the use of the property.

Abutting - Parcels of land or structures having a common boundary with one another except those parcels or structures having no common boundary other than a common corner.

Access - The place or way by which pedestrians or vehicles are provided safe, adequate, and usable ingress and egress to a property or use as required by this Ordinance.

Accessory Building - A building detached from the principal building on the same lot and customarily incidental and subordinate to the principal building.

Accessory Use - A use of land or of a building or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot with such principal use.

Acreage, Gross - The total land area within a defined boundary. Gross acreage measurements are made to the centerline of abutting streets.

Acreage, Net - That portion of gross acreage exclusive of streets and all public lands and rights-of-way.

Addition - Any construction that is attached to an existing building and which increases the size of a building or facility in terms of site coverage, height, length, width, or gross floor area.

Adjacent - Structures or parcels of land which are separated only by an alley, street, highway, or recorded easement.

Adjoining - see "**Abutting**".

Administrative Adjustment Permit - A special permit which will allow minor adjustments to certain requirements set forth in the Zoning Ordinance, as more

particularly described in Section 5110, when it can be shown that strict compliance would be impractical or undesirable in meeting the purpose and intent of the ordinance and that the adjustment will not have an adverse effect on the adjoining properties. An Administrative Adjustment Permit is granted at the discretion of the Director of Planning and Building, subject to limitations set forth in the Zoning Ordinance, and is not the automatic right of any applicant.

Advertising Structure - A structure existing, erected, or maintained to serve exclusively as a stand, frame, or background for the support or display of signs.

Agent - Any person showing notarized written verification that he or she is acting for, and with the knowledge and consent of, a property owner.

Alley - An unnamed service way less than 40 feet wide providing a secondary means of public access to abutting property and not intended for general traffic circulation.

Alteration - Any change or rearrangement in the supporting members of an existing building, such as bearing walls, columns, beams, girders or interior partitions, as well as any change in doors or windows, or any enlargement to or diminution of a building or structure, whether horizontally or vertically, or the moving of a building or structure from one location to another.

Amendment - A change in wording, context, substance, or zoning maps of this Ordinance when such changes are adopted in the manner prescribed by law.

Amenity - A natural or man-made feature which enhances a particular property.

Amusement Park - An outdoor facility which may include structures and buildings where there are various devices for entertainment, including rides, booths for the conduct of games or sale of items, and buildings for shows and entertainment.

Animal - Unless otherwise stated, **animal** includes birds, fish, mammals, and reptiles.

Animal Kennel - Any structure or premises in which animals are kept, boarded, bred or trained.

Antenna - The outdoor portion of the receiving or transmitting equipment used for the receiving or transmitting of television, radio, or similar waves through space.

Apartment - One or more rooms with private bath and kitchen facilities comprising an independent self-contained dwelling unit in a building containing more than two dwelling units.

Apartment House - A structure containing four or more apartment units which is intended for rental purposes.

Applicant - A person who requests in writing the approval of a lease, permit, license, certificate, or other entitlement for use from one or more public agencies.

Application - The form and information submitted by an applicant for purposes of requesting an entitlement to use or develop property.

Appraised Value - Appraised value shall mean the market value of the structure as reported by the owner and based upon the market value of comparable structures in the City. Where the City and owner do not agree upon the appraised value based upon said comparables, appraised value shall mean the value reported by a qualified appraiser, approved by the City, hired by the owner to determine the value of the structure.

Assessor - The Assessor of the County of Los Angeles.

Athletic Field - A field established for non-professional recreational activities such as youth sports and adult recreational leagues.

Automobile Detailing - An establishment which performs hand-washing, waxing, and interior cleaning of passenger vehicles.

Automobile Service Station - A retail place of business engaged primarily in the sale of petroleum products, goods, and services required in the operation and maintenance of motor vehicles under one and one-half ton capacity (as defined by the California Motor Vehicle Code) and in which maintenance, minor repairs, washing, and lubrication services are conducted wholly within the service station building.

Automobile Wrecking - The dismantling or wrecking of one or more used motor vehicles or trailers; or storage, sale, or dumping of one or more dismantled or partially dismantled, obsolete or wrecked vehicles or their parts.

Automobile/Trailer Sales Area - The use of any building, land area or other premise for the display and sale of new or used automobiles, panel trucks or vans, trailers, or recreation vehicles and including any warranty repair and other repair service conducted as an accessory service.

Automobile/Truck Dealers - A facility which sells automobiles and trucks of one ton or less capacity, both new and used, and includes the repair of same. Trucks of more than one ton capacity shall not be included in this term.

Automobile Repairing - A facility which provides repair service to such vehicles including tire shops, muffler shops, transmission shops, upholstery and accessory

shops. Automobile repairing includes the repair of trucks of less than one ton capacity.

2020.20. "B" Words, Terms, and Phrases

Bachelor Apartment - An efficiency apartment unit which contains three or fewer rooms, including the kitchen and bathroom. Also called a "studio apartment."

Bank - An establishment for the custody, loan, exchange, or issue of money, for the extension of credit and for facilitating the transmission of funds; includes savings and loans and automatic teller facilities.

Basement - A space wholly or partly underground and having more than one-half of its height, measuring from its floor to its ceiling, below the average adjoining grade; if the finished floor level directly above a basement is more than five feet above grade, such basement shall be considered a story.

Bedroom - Any habitable room other than a bathroom, kitchen, dining room, or living room.

Bikeway - A paved pathway, usually separated from streets and sidewalks, designed to be used by bicyclists.

Billboard - A sign which directs attention to a business, commodity, service, or entertainment which is conducted, sold, or offered at a location other than the premises on which the sign is located.

Billiard Parlor, Family - Any place of business where any of several games are played on a table by driving small balls against one another or into pockets with a cue and where alcoholic beverages are not offered for sale. Such place of business may include, as an accessory use, any mechanical amusement device not otherwise prohibited by this Ordinance.

Block - A unit of land bounded by streets or by a combination of streets and public land, railroad rights-of-way, waterways or any other barrier to the continuity to development.

Body or Hearing Body - The individual or group duly authorized to grant changes to, relief from, or special consideration under this Ordinance.

Buffer Areas - An area of land used to visibly separate one use from another or to shield noise, lights or other possible nuisances.

Building - Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any individual, animal, process, equipment, goods or materials of any kind or nature.

Building, Accessory - A detached subordinate building, the use of which is customarily incidental to that of the land or main building and which is located on the same lot or parcel as the main building or principal use.

Building, Main - A building within which is conducted the principal use permitted on the lot as provided by this Ordinance.

Building Coverage - The relationship between the ground floor area (footprint) of the building(s) and the net lot area. See **Lot Coverage** for specific definition.

Building Height - The vertical distance by which a building or other structure, or portion thereof, extends above **grade** as defined herein to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the ridge of the highest gabled, pitched, or hipped roof. The measurement may be taken from the highest adjoining sidewalk or ground surface within a five-foot horizontal distance to the exterior wall of the building, when such sidewalk or ground surface is not more than 10 feet above grade. The height of a stepped or terraced building is the maximum height of any segment of the building. Screened mechanical and electrical towers, chimneys, and other integral parts of the building or structure occupying no more than five percent of the roof area shall be excluded from the measurement.

Building, Historic - A building listed individually on the National Register of Historic Places, or by a state or county agency charged with recognition or preservation of historic structures, or by resolution of the City council as having significant local or regional historical importance and value to the community.

Building Pad - The level area within a lot designated for the location of the primary building or use and all accessory structures and uses.

Building Site - A lot, or contiguous lots of land in single, multiple, or joint ownership (exclusive of all rights-of-way and all easements, except open space easements, that prohibit the surface use of the property by its owner), which provides the area and open spaces required for construction of a building or buildings, and which abuts a public or private street or alley, or easement.

Bus Turnout - A paved indentation at the side of a roadway designed to allow buses to pick up and discharge passengers.

2020.30. "C" Words, Terms, and Phrases

Caretaker's Residence - A dwelling unit accessory to a principal use located on the same site and intended for occupancy by a caretaker, security guard, servant, or similar position generally requiring residence on the site.

Carport - A roofed structure providing space for the parking or storage of motor vehicles and enclosed on not more than two sides. A carport must include for each parking space a lockable storage area containing a minimum of 100 cubic feet.

Cellar - See "**Basement**".

Cemetery - Property used for the interring of the dead including columbariums, crematoriums, mausoleums, and mortuaries when operated in conjunction with and within the boundary of a cemetery.

Centerline - The centerline of a street as referred to in this Ordinance shall mean the right-of-way centerline as established by the County Engineer of the County, by the City Engineer of the City, by the State Division of Highways of the State of California. If no such centerline has been established or in any case in which the foregoing definition is not applicable, the **Commission** shall designate the centerline.

Certificate of Occupancy - A document issued by the director of building inspection allowing the occupancy or use of a building and certifying that the structure or use has been constructed or will be used in compliance with all the applicable municipal codes and ordinances.

Child Day Care Home, Large - A single-family dwelling with the accessory daytime care of seven (7) to twelve (12) children.

Child Day Care Home, Small - A single-family dwelling with the accessory daytime care of one (1) to six (6) children.

Church - An institution providing facilities for worship or the assemblage of the public for worship, including personal counseling and education and the building or buildings where such activities take place.

Clinic - An establishment where patients are admitted for examination and treatment by one or more physicians, dentists, psychologists or social workers but the patients are not lodged overnight.

Club - A group of people organized for a common purpose to pursue common goals, interests, or activities and usually characterized by certain membership

qualifications, payment of fees and dues, regular meetings, and a constitution and by-laws.

Cluster Development - A development design technique that concentrates buildings in specific areas on the site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive features.

Commercial Use - An activity, normally retail sales, carried out for monetary gain.

Common Area - Land in a residential development held in common and/or single ownership and not reserved for the exclusive use or benefit of an individual tenant or owner.

Common Facility - A non-commercial use established primarily for the benefit and enjoyment of the community in which it is located, typically utility or service use oriented.

Communal Housing - Housing for non-family groups with common kitchen and dining facilities but without medical, psychiatric or other care including boardinghouses, lodginghouses, dormitories, fraternity/sorority houses, communes, and religious homes.

Community Care Facility - See **Residential Care Facility**.

Community Center - A facility operated by the City which provides recreational, cultural or other similar activities.

Conditional Use Permit - An approval which may be granted by the Planning Commission which is required for a conditional use to be permitted in a district or zone.

Conditional Use - A use permitted in a particular zoning district only upon showing that such use in a specified location will comply with all the conditions and standards for the location or operation of such use as specified in the development code and authorized by the planning commission.

Condominium - A building or group of buildings owned by all the owners on a proportional basis with a specific benefit of ownership being the right to occupy an individual dwelling unit located within the structure(s).

Contiguous - See "**Abutting**".

Convalescent Facility - A facility licensed by the State which serves seven or more people and which provides bed care and in-patient services for persons requiring regular medical attention, and persons aged or infirm and unable to care for

themselves. Convalescent facility includes alcohol and drug rehabilitation centers but does not include facilities which provide surgical or emergency medical services.

Convalescent Hospital - A facility providing long-term nursing, dietary and other medical services to convalescents or invalids but not providing surgery or primary treatments such as are customarily provided in a hospital. A convalescent hospital must be licensed as such by the State.

Convenience Commercial Center - A retail/service commercial center to provide goods and merchandise to the immediate surrounding area. These centers are approximately two to three acres in size with the intention of serving a specific local need.

Convenience Market - A retail food market providing goods and other services on an extended hour basis.

Conversion - The creation of separate ownership of existing real property and the space within residential, industrial, or commercial buildings thereon.

Coop - A place of confinement, usually in the form of a cage or small enclosure, used in conjunction with the keeping of animals.

Corner Cutoff Area - A triangular area at the corner of the lot which abuts the intersecting rights of way. The area is bounded by the sides which are measured along the property lines of 17 feet and the hypotenuse of those sides. See Figure 2020.30.

Country Club - A club organized and operated primarily for social and outdoor recreation purposes, including incidental accessory uses and structures.

Courtyard - Any open space, unobstructed from ground to sky, other than a yard, that is on the same lot with and bounded on two or more sides by the walls of a building.

Curb Grade - The level of the established curb in front of a building, as measured at the center of the frontage.

2020.40. "D" Words, Terms, and Phrases

Dance Floor - A dance floor is an area in excess of 300 square feet or in excess of 15 percent of the public area of a building, used as a dance area, whether as a primary or accessory use.

Dancehall - A public hall which is primarily and predominately devoted to dancing.

Day Care Facility - A facility which provides nonmedical care to a person of any age who is in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual on less than a 24-hour basis. This type of facility includes Child Day Care Facility as defined by the State Health and Safety Code.

Decibel - Or "db" is a unit measure of sound pressure level.

Dedication, Offered - That portion of land which is irrevocably offered to the City for future public rights-of-way which has no prospective future date for construction to City standards and/or notice of completion.

Defensible Space - A physical space which is made usable and safe by means of a design encouraging pedestrian circulation, visual access and the elimination of visually obstructed areas.

Demolish - To remove more than seventy-five percent (75%) of the exterior walls of an existing building or structure, as measured by the linear length of the walls.

Density Bonus - A density increase of up to twenty-five percent (25%) over the otherwise allowable residential density under the applicable land use element of the General Plan.

Density - The number of families, individuals, dwelling units, or housing structures per unit of land.

Design - Design means: 1) architectural features; 2) street alignments, grades and widths; 3) drainage and sanitary facilities and utilities, including alignments and grades thereof; 4) location and size of all required easements and rights-of-way; 5) fire roads and fire breaks; 6) lot size and configuration; 7) traffic access; 8) grading; 9) land to be dedicated for park or recreation purposes; and 10) such other specific requirements in the plan and configuration of the entire project as may be necessary or convenient to insure conformity to or implementation of the General Plan or any adopted specific plan.

Detached Building - A building which does not have a wall of four feet or more in length in common with another building.

Detention Basin - A storage facility for the temporary storage of storm water runoff.

Developer - The person or firm who prepares acreage for development and installs sufficient improvements to facilitate further subdivision of the property and construction of authorized uses. In the case of larger acreage there may be a master developer who sells property to several builders. With smaller acreage, the developer may be the original land owner or an individual builder.

Development Plan - A map or maps, along with supporting text and data, statistics, or tables which describe the entitlement and associated conditions that were approved in accordance with the requirements of the applicable plan allowing the use of a described parcel of land.

Development - The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any structure; any mining, excavation, landfill or land disturbance, and any use or extension of the use of land.

Discount Store - A high volume, low cost store advertising a wide variety of merchandise for sale at less-than-retail cost. Discount store includes only those business facilities containing 30,000 square feet or more of leasable space.

Distribution - A use engaged primarily in distribution of manufactured products, supplies, and equipment, including incidental storage and sales activities, but exclusive bulk storage of materials which are flammable or explosive.

Division Wall - A wall constructed on or near the property line between parking, commercial or less restricted zones and the residential zones as a condition precedent to the approval of a building plan or the issuance of a Building Permit for construction on commercial or less restricted zones.

Drive-In Operation - An operation or business in which any goods, wares, merchandise, or services are sold and delivered to persons while such persons are occupants of vehicles. Drive-in operation also includes drive-in or drive-thru restaurants as defined under Section 2020.180.

Drive-In Theaters - An outdoor movie theater where patrons view movies or any other form of entertainment on a screen or stage from their vehicles.

Driveway, Residential - A paved drive, of maximum width 20 feet, which connects, by shortest distance, the garage, carport or other approved vehicle storage area on the same lot as the driveway to the point of that lot's access from a street or highway.

Driveway, Other - A private drive which provides access for vehicles to a parking space, garage, or other structure.

Dwelling or Dwelling Unit - One or more rooms designed, occupied or intended for occupancy as separate living quarters, with one kitchen, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a person or single family maintaining a household.

Dwelling Group - A group of three or more detached buildings used as one-family, two-family or multiple-family dwellings located on a single lot, together with all of the open spaces required by this chapter but not including tourist courts, motor courts, or motels or any other commercial uses.

Dwelling, Multiple-Family - A building or portion thereof used and/or designed as a residence with separate dwelling units for two or more families living independently of each other.

Dwelling, Single-Family - A detached building not to contain more than one kitchen which, regardless of form of ownership, is designed and/or used to house not more than one family including all domestic employees of such family.

Dwelling, Three-Family (Triplex) - A building containing three dwelling units designed and/or used to house not more than three families living independently of each other.

Dwelling, Two-Family (Duplex) - A building containing two dwelling units designed and/or used to house not more than two families living independently of each other.

2020.50. "E" Words, Terms, and Phrases

Easement - A grant of one or more of the property rights by the property owner to and/or for use by the public, a corporation, or another person or entity.

Eave - The projecting lower edges of a roof overhanging the wall of a building.

Educational Institution - An institution such as a private or public school, college, or university qualified by the State Board of Education to give general academic instruction.

Elevation - A flat scale drawing of the front, rear, or side of a building or structure.

Emergency Shelter - A dwelling area provided on a short-term basis by a non-profit organization for the temporary housing of persons.

Employees' Quarters - Quarters for the housing of agricultural and domestic employee when such quarters are located upon the same land occupied by their employer.

Enclosed - A covered space fully surrounded by walls, including windows, doors, and similar openings or architectural features, for a space of not less than 100 square feet fully surrounded by a building or walls exceeding eight feet in height.

Equipment Rental Yard or Contractor Yard - A use providing for maintenance, servicing, or storage of motor vehicles, equipment, or supplies; or for the dispatching of service vehicles; or distribution of supplies or construction materials required in connection with a business activity, public utility service, transportation services, or similar activity. The term "contractor yard" shall include a construction materials yard, vehicular service center, or similar use.

Existing Use - The use of a lot or structure at the time of the enactment of a zoning ordinance.

Explosive - Any substance which creates a sudden and rapid chemical or nuclear reaction characterized by the production of noise, heat, or violent expansion of gases. As used in this ordinance such a substance shall have an explosive power equal to or greater than ordinary black gunpowder. Such substances include but are not limited to blasting caps; detonating, fulminating, or electric caps; gunpowder; and dynamite. Such substances do not include fixed ammunition for small arms.

2020.60. "F" Words, Terms, and Phrases

Facade - The exterior wall of a building exposed to public view or that wall viewed by persons not within the building.

Family - One or more persons related by blood or legal status or a group of not more than five persons, excluding servants, not related by blood or legal status, living together as a single housekeeping unit in a dwelling unit.

Fence - A self-supporting solid or open barrier intended to enclose or mark a boundary.

Final Site Plan - A precise, detailed plan developed to identify the location and arrangement of land uses, improvements, structures, and landscaping consistent with the approved Specific Plan. This plan will provide detailed information to ascertain the character and quality of the proposed development.

Floor Area Ratio - The numerical value arrived at when dividing the gross floor area of all buildings on a lot by the gross lot area.

Floor Area, Gross Usable - The gross floor area minus the primary entrance lobby to a building, courts, utility and elevator cores, stairwell and bathrooms.

Floor Area, Gross - The total horizontal area, in square feet, including the exterior walls of all floors of a structure.

Floor Area, Net - The total of all floor areas of a building, excluding stair wells and elevator shafts, equipment rooms, interior vehicular parking or loading; and all floors below the first or ground floor, except when used or intended to be used for human habitation or service to the public.

Frontage - The length of that portion of a lot abutting a street.

2020.70. "G" Words, Terms, and Phrases

Game Courts - An area covered or paved with natural or artificial materials and including equipment or facilities for specific recreational activities.

Garage - A deck, building, or structure; or part thereof; which is enclosed on not less than three sides and is used or intended to be used for the parking and storage of vehicles.

Garage, Private - A garage for the sole use of the occupants of the main building.

Garage, Public - A garage where vehicles are parked or stored for remuneration, hire or sale.

General Plan - The adopted **General Plan** of the **City** which is the official statement of policy relative to physical development within the corporate boundaries.

Grade, Natural - The elevation of the ground surface in its natural state, before man-made alterations.

Grade - The average of the finished ground level at the center of all walls of a building. Where such walls are parallel to and within five feet of a sidewalk, grade shall be measured at the sidewalk.

Gradient - The degree of vertical deviation of a surface from the horizontal, usually expressed in percent or degrees and determined by dividing the vertical rise by the horizontal run.

Grading, Contour - A grading concept designed to result in earthforms and contours which resemble natural terrain characteristics, with generally curving, non-linear slope banks having variations in the slope ratios of the horizontal and vertical curves.

Greenbelt - An open area which may be cultivated or maintained in a natural state surrounding development or used as a buffer between land use or to mark the edge of an urban or developed area.

Group Home - Any residential care facility which is licensed by the State for six or fewer persons who are mentally disordered or otherwise handicapped or supervised.

Guest Parking - Parking spaces provided with a residential unit for intermittent use by visitors.

Guest Room - Any rented or leased room without a kitchen which is used or designed to provide sleeping accommodations for one or more guests in hotels or motels.

2020.80. "H" Words, Terms, and Phrases

Handicapped Housing - Any housing which is designed and physically improved to accommodate physically handicapped persons.

Hazardous - Hazardous, as used in Section 4080, relates to real property which because of its unusual topography, soil condition, or other natural conditions, may be dangerous to persons or property when used or developed. If it appears that real property, when used or developed, may cause loss or injury to persons or property, then it is deemed hazardous for the purpose of Section 4080/

Health Club - A commercial enterprise or public facility which contains equipment and facilities for athletic, fitness and similar activities. Health club includes such businesses as gyms, health spas, and dance and aerobic studios.

Height, Building - The vertical distance of a structure measured from the average elevation of the finished grade within 20 feet of the structure to the highest point of the structure.

Hertz - A unit measurement of frequency, numerically equal to cycles per second.

Highway - As used in this Ordinance, includes parkways, major highways, secondary highways, and freeways.

Home Improvement Center - A retail service engaged in providing retail sale, rental, service, or related repair and installation of home improvement products, including building materials, paint and wallpaper, carpeting and floor covering, decorating, heating, air conditioning, electrical, plumbing, and mechanical equipment, roofing supplies, yard and garden supplies, home appliances, and similar home improvement products.

Home Occupation - Any accessory activity carried out for gain which is conducted within a dwelling unit or an accessory structure to the unit where the principal use of the dwelling unit must be a residential use and the home occupation must be incidental to the residential use of the dwelling unit.

Homeowners Association - A community association which is organized within a development in which individual owners share common interests and responsibilities for open space, landscaping, and/or facilities.

Hospital - An institution consisting of a facility licensed by the State Department of Public Health for the provision of clinical, temporary or emergency service of a

medical, obstetrical or surgical nature to human patients, including overnight care of patients.

Hotel - A residential building designed or used to be rented for occupancy by guests for dwelling, lodging, or sleeping purposes containing six or more guest rooms or suites of rooms not containing cooking facilities, but not including any building in which human beings are housed or detained under legal restraint or which is used as a drug or other rehabilitation center.

Household Pet - A domesticated animal maintained in residence.

Housing, Low Cost -

- A. Housing which is leasing for a monthly rent of not more than thirty percent (30%) of the total monthly household income of low income households (defined to be a household earning less than eighty percent (80%) of the county median income); or
- B. Housing which is selling for a total purchase price not exceeding two and one-half times the annual household income of a low income household.

Housing, Moderate Cost -

- A. Housing which is leasing for a monthly rental of not more than thirty percent of monthly household income of a moderate income household (defined to be a household earning not more than one hundred twenty percent (120%) of the county median income); or
- B. Housing which is selling for a total purchase price not exceeding two and one-half times the annual household income of a moderate income household.

Housing, Very Low Cost -

- A. Housing which is leasing for a monthly rental of not more than thirty percent of monthly household income of a very low income household (defined to be a household earning not more than fifty percent (50%) of the county median income); or
- B. Housing which is selling for a total purchase price not exceeding two and one-half times the annual household income of a very low income household, adjusted for family size.

2020.90. "I" Words, Terms, and Phrases

Improvement - Any item which becomes part of, placed upon or affixed to real estate.

Industry - Any field of economic activity including forestry, fishing, hunting and trapping; mining; construction; manufacturing; transportation, communication, electric, gas and sanitary services; and wholesale trade.

Infrastructure - Basic facilities and services needed to sustain residential and commercial activities.

Institutional Use - A non-profit or quasi-public use of institution such as a church, library, public, or private school, hospital, or municipally owned or operated building, structure, or land used for public purpose.

2020.100. "J" Words, Terms, and Phrases

Junk or Salvage Yard - Any area, lot, parcel, building or structure or part thereof used for the storage, collection, processing, purchase, sale or abandonment of wastepaper, rags, scrap metal or other scrap, or discarded goods, materials, machinery, or two or more unregistered, inoperable motor vehicles, or other type of junk.

2020.110. "K" Words, Terms, and Phrases

Kennel - An establishment in which more than four dogs or domesticated animals more than four months old are housed, groomed, bred, boarded, trained or sold.

Kitchen - A room or portion thereof containing facilities designed or used for the preparation of food, including but not limited to a sink and stove, oven, microwave oven, range and/or hot plate.

2020.120. "L" Words, Terms, and Phrases

Land Use Plan - A plan showing the existing and proposed location, extent and intensity of development of land to be used in the future for varying types of residential, commercial, industrial, agricultural, recreational, educational and other public and private purposes or combination of purposes.

Landscaping Plans - A plan which indicates the type, size and location of vegetative and accent material proposed for the landscaping of a site including all irrigation and other devices necessary to maintain such landscaping.

Landscaping - An area devoted to or developed and maintained predominately with native or exotic plant materials including lawn, ground cover, trees, shrubs, and other plant materials; and also including accessory decorative outdoor landscape elements such as pools, fountains, paved or decorated surfaces (excluding driveways, parking, loading, or storage areas).

Laundromat - A place of business or businesses containing coin or bill operated machines for the washing, dry cleaning or drying of clothing, drapery or other fabrics. Laundromat shall not include coin or bill operated machines contained within an apartment or condominium building or complex, available for use by the residents, and not available to the public.

Loading Space - An off-street space or berth on the same lot with a building or contiguous to a group of buildings for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials and which abuts a street, alley, or other appropriate means of access.

Lot - A parcel of land which abuts upon at least one public street and:

- A. Is shown as a lot in a subdivision recorded as a final map on a plat recorded in the office of the County Recorder of Los Angeles County; or
- B. The dimensions of which are defined by a record of survey recorded pursuant to the provisions of the Subdivision Map Act in the Office of the County Recorder of Los Angeles County; or
- C. Is registered under the Land Title Law and held under separate ownership from adjacent property on the effective date of this ordinance.

Lot, Corner - A lot or parcel of land abutting upon two or more streets at their intersection, or upon two parts of the same street forming an interior angle of less than 135 degrees.

Lot, Flag - A lot having access to a street by means of a private driveway access easement, or a parcel of land not meeting the requirements of this Ordinance for lot width, but having a dimension of at least 20 feet at its narrowest point.

Lot, Interior - A lot other than a corner lot.

Lot, Key - The first interior lot to the rear of a reversed corner lot which is not separated therefrom by an alley.

Lot, Reversed Corner - A corner lot in which the side lot line adjacent the street is substantially a continuation of the front lot line of the nearest lot to its rear.

Lot, Substandard - Any lot which does not meet the minimum required dimensions; the area of any easement which restricts the normal usage of the lot may be excluded.

Lot, Through - A lot which fronts upon two streets which do not intersect at the boundaries of the lot.

Lot Area, Gross - The total area, measured in a horizontal plane, included within the lot lines of a lot.

Lot Area, Net - The area within the lot lines of a lot exclusive of any dedications for public rights-of-way, parks, school sites, open space, surface rights easements, or other impediments which prevent the property owner from constructing a structure on that portion of the site.

Lot Coverage - The percentage of the net area of a lot which is covered by the primary structure and all roofed accessory structures as viewed from a plan perspective.

Lot Depth - The average linear measurement between the front and rear lot lines when measured at 90 degree angles from the front lot line.

Lot Line - The lines bounding a lot as defined herein.

Lot Line, Front - The line separating the narrowest street frontage of the lot from the street right-of-way.

Lot Line, Rear - The lot line opposite and most distant the front lot line; or in the case of an irregularly shaped lot, a straight line not less than 10 feet long, within the lot, and most nearly parallel to and at the maximum distance from the front lot line.

Lot Line, Side - Any lot lines other than the front or rear lot lines.

Lot Width - The average linear distance between side lot lines when measured at a 90 degree angle to the front lot line.

2020.130. "M" Words, Terms, and Phrases

Manufactured Home - A manufactured home is a detached single-family dwelling with all of the following characteristics:

- A. Designed for long term occupancy, and containing sleeping accommodations, a flush toilet, a tub or shower bath, and kitchen facilities, with plumbing and electric connections provided for attachment to an outside system;
- B. Designed to be transported after fabrication on its own wheels, or on a flat bed or other trailer or detachable wheels; mobile homes do not move by means of an internal power source;
- C. Delivered to the site where it is to be occupied as a complete dwelling, including major appliances and furniture, and ready for occupancy except for minor and incidental unpacking and assembly operations, location on foundation, connections to utilities, and other incidental preparations for occupancy.

Manufacturing - A use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, and packaging of such products, and incidental processing of extracted or raw materials.

Marquee - A permanent roof structure attached to and supported on a building projecting over a building setback line.

Master Roadway Plan - A plan contained in the City of Maywood General Plan which designates adopted and proposed routes for all streets and arterial highways within the City of Maywood.

Maximum Lot (Building) Coverage - The maximum area of the lot that may be covered by buildings and roofed structures. This may be expressed in square footage or as a percentage of the minimum lot area.

Medical Clinic - See "Clinic".

Merger - The joining of two or more contiguous parcels of land under one ownership into one parcel pursuant to the Subdivision Map Act.

Microwave Station - A building housing equipment necessary for the receiving, amplifying, or transmitting of microwave signals, including necessary antenna systems, along a communications route which employs microwave frequencies assigned by the Federal Communications Commission.

Mini-Warehouse - A structure containing separate storage spaces of varying sizes, leased, or rented on an individual basis.

Minimum Net Lot Area - The amount of land that must be contained in a lot for a dwelling unit to be built on that lot. This ratio is typically applied in multiple-family zones. In single-family zones, it is the same as minimum lot size.

Mixed Use - The development of a tract of land, building, or structure with two or more different uses such as, but not limited to, residential, office, manufacturing, retail, public, or entertainment in a compact urban form.

Mobile Home - See "Manufactured Home".

Mobile Home Park - Any area or tract of land where two or more mobile home lots are rented or leased or held out for rent or lease.

Mobile Home Subdivision - Any mobile home park where spaces are owned instead of rented, leased, or held out for rent.

Motel - An establishment otherwise defined as a hotel with at least twenty-five percent (25%) of all rooms having direct access to the parking areas without the necessity of passing through the main lobby of the building.

Motor Vehicle - A machine capable of self-propulsion, with or without human guidance, whether for the performance of work or as a mode of transportation.

2020.140. "N" Words, Terms, and Phrases

Natural Grade - The elevation of the ground surface in its natural state before man-made alterations.

Neighborhood Center - A shopping center which provides essential retail goods and services to residents in the immediate vicinity of the center.

Nightclubs, Taverns, Bars - A use providing preparation and retail sales of alcoholic beverages, as licensed by the Alcoholic Beverage Control, which may include dancing and floor shows.

Noise, Ambient - Means the all-encompassing noise level associated with a given environment, being a composite of sounds from all sources, excluding an alleged offensive noise, at the location and approximate time at which a comparison with an alleged offensive noise is to be made.

Nonconforming Land - A parcel the size, dimensions or use of which was lawful prior to the adoption, revision or amendment of the zoning ordinance, but which fails by reason of such adoption, revision or amendment, to conform to the present requirements of the zoning district.

Nonconforming Structure - A structure or building the size, dimensions or location of which was lawful prior to the adoption, revision or amendment of the zoning ordinance, but which fails by reason of such adoption, revision or amendment, to conform to the present requirements of the zoning district.

Nonconforming Use - A use or activity which was lawful prior to the adoption, revision or amendment of the current zoning ordinance, but which fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning district.

Nursery School - A school providing day care for pre-elementary school age children.

Nursing Home - An extended or intermediate care facility licensed or approved to provide full-time convalescent or chronic care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves.

2020.150. "O" Words, Terms, and Phrases

Off-Street Parking Space - A temporary parking area for a motor vehicle that is not located on a dedicated street right-of-way.

Office, Professional - A use providing professional or consulting services in the fields of law, architecture, design, engineering, accounting, and similar professions.

On-Street Parking Space - A temporary storage area for a motor vehicle which is located on a dedicated street right-of-way.

Open Space, Active - Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated or reserved for public or private use or enjoyment, or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space which contains recreational facilities such as pools and swimming areas, game courts and other game areas, playing fields, equipment, and facilities required for various activities.

Open Space, Common - Land within or related to a development, not individually owned or dedicated for public use, which is designed and intended for the common use or enjoyment of the residents of the development and may include such complementary structures and improvements as are necessary and appropriate.

Open Space, Passive - Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated, or reserved for public or private use or enjoyment, or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space which is established in order to preserve the natural and aesthetic qualities of the area and may be used for nonstructured recreational activities.

Open Space, Private - An open space, fenced or otherwise, which is reserved for the exclusive use by the occupants of a single specified dwelling unit.

Open Space, Public - Open space owned by a public agency and maintained by it for the use and enjoyment of the general public.

Overhang, Roof - The part of a roof or wall which extends beyond the facade of a lower wall.

Overhang, Vehicle - The portion of a vehicle extending beyond the wheel stops or curb.

Overlay Zone - A set of zoning requirements that is described in the text of this Ordinance, is mapped, and is imposed in addition to those requirements of the underlying district.

Owner of Property - The owner of record on any parcel of real property as designated on the county assessor's tax roll, or a holder of a subsequently recorded deed to the property, or one who is otherwise deemed an owner under State law, including trustee of property held in trust.

2020.160. "P" Words, Terms, and Phrases

Parapet - The extension of the main walls of a building above the roof level.

Parcel - See "Lot."

Parcel Map, Tentative - A map made for the purpose of showing the design and improvement of a proposed subdivision and the existing conditions in and around it.

Parcel Map, Vesting - A map which meets the requirements of Section 66452 State Planning Law and which confers a vested right to develop in compliance with standards described in Section 66474.2 of this law.

Parking Area, Private - An area, other than a street, designed or used primarily for the parking of private vehicles and not open to general public use.

Parking Area, Public - An area, other than a private parking area or street, used for the parking of vehicles and available for general public use, either free or for remuneration.

Parking Space - An area with minimum dimensions as established in the parking standards for a district, which is accessible and available for the parking of one vehicle.

Parking - The stopping or stationary location of a vehicle without the operator present.

Parks, Public - An open space intended for public recreational use which is operated by the City.

Permanent - A use or occupancy of a structure or land which is continuous and is not intended to be terminated in the foreseen future.

Permitted Use - Any use allowed in a zoning district by right and subject to the restrictions applicable to that zoning district.

Permit - Written governmental permission issued by an authorized official, empowering the holder thereof to do some act not forbidden by law, but not allowed without such authorization.

Person - An individual, firm, copartnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver, syndicate, the federal or state government, city, county, district, or any other group or combination acting as an entity.

Petroleum Bulk Plant - Any premises used for the wholesale distribution and storage of gasoline, oil, or petroleum products but not including the storage or transmission of liquid petroleum gas.

Phase - Any contiguous part or portion of a project which is developed as a unit in the same time period.

Pilaster - An upright architectural member that is structurally a pier, but architecturally is treated as a column.

Plat - A map representing a tract of land, showing the boundaries and location of individual properties and streets.

Plot Plan - A diagram of a lot, as seen from above, showing the outline of all structures on the lot and indicating the distance of the structures from the borders of the lot.

Plot - A single unit parcel of land.

Police Power - The authority of government to exercise controls to protect the public health, safety, morals, and general welfare of which zoning is one form.

Porch - A covered pedestrian entrance to a building which is located on the first floor level .

Porte Cochere - A roofed structure open on three sides, through which a vehicle may be driven and which is attached to a principal use building by a continuous roof leading to the principle entrance.

Preliminary Site Plan - A preliminary plan developed to identify the location and general relationships between: land uses, improvements, structures, circulation systems, landscaping and design elements, as related to a "planning unit."

Premises - A lot or building site, or a specified portion of a lot or building site, that contains the structures and the open space needed for the location, maintenance and operation of the use of the property.

Principal Use - The primary or predominant use of any lot.

Private Club - A building and related facilities owned or operated by a corporation, association, or group of individuals established for the fraternal, social, educational, recreational or cultural enrichment of its members and not primarily for profit, and whose members meet certain prescribed qualifications for membership and pay dues.

Project - The entire parcel of real property, including all structures thereon, all or part of which undergoes, or is proposed to undergo construction, demolition, or a change in ownership status.

Public Services Offices or Uses - Those offices or uses established by any governmental or public entity other than the City which are established to provide direct service to the public and which attract substantial volumes of vehicular and pedestrian traffic to the particular location in providing such direct service to the public. Examples of public service offices and uses include, but are not limited to, the following:

- A. Department of Social Welfare;
- B. Department of Motor Vehicles;
- C. Department of Human Resources Development;
- D. Internal Revenue Service;
- E. Social Security Administration;
- F. Courts;
- G. Jails and similar detention facilities; and
- H. Hospital established and maintained by public entities.

Public Utility Service Center - Any buildings or premises used by the administration, maintenance, and installation crews for public utility repair including parking for vehicles under one and one-half (1 and 1/2) tons rated capacity, but not including warehouses or storage yards.

2020.170. "Q" Words, Terms, and Phrases

Quasi-Public - A use owned or operated by a non-profit, religious, or charitable institution and providing education, cultural, recreational, religious, or similar types of public programs.

2020.180. "R" Words, Terms, and Phrases

Recorder - Shall mean the Recorder of the County of Los Angeles.

Recreational Vehicle - A vehicular portable structure without permanent foundation, which can be towed, hauled, or driven which is primarily designed as temporary living accommodations for recreational, camping, and travel use and includes but is not limited to travel trailers, truck campers, camping trailers, and self-propelled motor homes.

Recreational Vehicle Park - An area used or intended to be used for camping by recreational vehicles.

Recyclable Material - A reusable material including but not limited to metals, glass, plastic and paper, which are intended for reuse, manufacture 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 Health and Safety Code of the State of California.

Recycling Facility - A center for the collection and/or processing of recyclable materials. A recycling facility includes scrap metal dealers, aluminum and plastic beverage container collection facilities, paper recycling centers, etc. A recycling facility does not include storage containers or processing activity on the premises of a residential, commercial or manufacturing use, and used solely for the recycling of material generated by the residential property, business or manufacturer. Recycling facilities may include collection facilities and processing facilities as defined in this Chapter.

Recycling, Bulk Reverse Vending Machine - A machine that is larger than fifty square feet; is designed to accept more than one container at a time, and will pay by weight instead of by container.

Recycling, Certified Recycling Center or Certified Processor - 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.

Recycling, Collection Facility - A facility for acceptance by donation, redemption, or purchase of recyclable materials from the public. Such a facility does not use power-driven processing equipment, except as permitted elsewhere in this chapter. Collection facilities include the following:

A. Reverse vending machine(s), fifty square feet or less;

B. Small collection facilities which occupy an area of not more than five hundred square feet, may include:

- i. A mobile unit,
- ii. Bulk reverse vending machines or a grouping of reverse vending machines which is larger than fifty square feet but smaller than five hundred square feet,
- iii. Kiosk type units which may include permanent structures,
- iv. Unattended containers placed for the donation of recyclable materials;

C. Large collection facilities, which may occupy an area of more than five hundred square feet or are located on separate property not appurtenant to a host use and may include permanent structures.

Recycling, Convenience Zone - An area within a one-half mile radius of a supermarket. A "supermarket" for the purpose of this chapter means a "full-line, self-service retail store with gross annual sales of two million dollars or more, and which sells a line of dry, grocery, canned goods, or non-food items and some perishable items."

Recycling, Mobile Recycling Unit - An automobile, truck, trailer or van, licensed by the Department of Motor Vehicles, which is used for the collection of recyclable materials which previously contained beverages (pursuant to the California Beverage Container Recycling and Litter Reduction Act of 1986). A mobile recycling unit also means the bins, boxes or containers transported by automobiles, trucks, vans or trailers, and used for the collection of recyclable materials.

Recycling, Processing - 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.

Recycling, Processing Facility - A building or enclosed space used for the collection and processing of recyclable materials.

Reverse Vending Facility - A center for the collection and/or processing of recyclable material grouping more than one reverse vending machine at a site in order to accept and temporarily store all three container types.

Recycling, Reverse Vending Machine(s) - An automatic 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 clip with a value not less than the container's redemption value as

determined by the State of California. A Reverse Vending Machine may sort and process containers mechanically provided that the entire process is enclosed within the machine. Reverse vending machines shall not occupy an area larger than fifty square feet and shall not be higher than eight feet in height.

Recycling, Industrial Collection and Processing Facility - A facility that accepts stores or processes recyclable materials whether or not maintained in connection with another business. Processing includes but is not limited to sorting, cleansing, baling, briquetting, crushing, compacting, grinding, shredding, sawing, shearing and sorting of recyclable materials, and the heat reduction or melting of such materials.

Residence - See "**Dwelling**".

Residential Care Facility - Any family home, group care facility, or similar facility with six or fewer persons which provides 24-hour non-medical services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual.

Residential Second Unit - An attached or detached residential dwelling unit, which provides complete independent living facilities for one or more persons. Such unit shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family primary dwelling unit is situated. This term shall have the same meaning as the definition set forth in California Government Code Section 65482.2 (i)(4), as it may be amended from time to time.

Resource Recovery - The process of obtaining materials or energy, particularly from solid waste.

Restaurant - An establishment where food and drink is prepared, served, and consumed primarily within the principal building.

Restaurant, Fast Food - A restaurant which supplies food and beverages, primarily in disposable containers, which is characterized by high automobile accessibility, self-service, and short stays by customers.

Restaurant, Walkup - Any establishment where food or beverages are sold to the consumer and provision is made for their serving and consumption to and by patrons outside the confines of the main building.

Retail - The selling of goods, wares, or merchandise directly to the ultimate consumer.

Retention Basin - A pond, pool, or basin used for the temporary or permanent storage of water runoff.

Right-of-Way - A corridor, either public or private, on which a right of passage has been recorded.

Room - An area of a building fully enclosed by walls, windows, doors, a roof, and floor excluding bathrooms, kitchens, closets, hallways, and service porches.

Room, Primary - A living room, dining room, or family room.

Room, Secondary - All rooms other than primary rooms.

2020.190. "S" Words, Terms, and Phrases

Salvage - The utilization of waste materials.

Sanitarium, Health - An institution where patients, other than the mentally disoriented or mentally incompetent, are housed and where medical or post-surgical treatment is provided.

Sanitarium, Mental - An institution for the recuperation and treatment of the mentally disordered or mentally incompetent victims of mental disorders or drug addiction.

Sanitary Sewers - Pipes that carry only domestic or commercial sewage and into which storm, surface, and ground waters are not intentionally admitted.

Satellite Dish Antenna - A parabolic or disc shaped antenna of either solid or mesh construction intended for the purpose of receiving communications from orbiting satellite transceivers.

Screening - A method of visually shielding or obscuring one abutting or nearby structure or use from another by fencing, walls, berms or densely planted vegetation.

Second Hand Store - Any premises used for the sale or handling of used goods including establishments for the sale or trade of used clothing, furniture and appliances.

Senior Citizen Housing Complexes - Senior citizen housing means licensed or unlicensed housing for persons 55 years of age or older, and includes such housing facilities as retirement villas, apartments, condominiums, etc. Senior citizen housing does not include state licensed rest homes, group homes, convalescent hospitals, etc., which are regulated by other provisions of this Ordinance.

Senior Citizen Housing, Congregate Care - Senior citizen housing which provides meal service at a central dining facility but does not provide 24-hour services or supervision.

Setback Line - A line within a lot parallel to and measured from a corresponding lot-line, forming the boundary of a required yard and governing the placement of structures and uses on the lot.

Shopping Center - A group of three or more commercial establishments planned, constructed and managed as a total entity with customer and employee parking provided on-site, provision for goods delivery, site and aesthetic considerations, and protection from the elements.

Sidewalk - A paved surface or leveled area paralleling and usually separated from the street used as a pedestrian walkway.

Sign - Any sign made of cloth, metal, paint, paper, wood, or other material of any kind whatsoever placed for advertising, identification or other purposes on the ground or on any bush, tree, rock, wall, post, glass, fence, building, structure, vehicle or any place whatsoever. The term placed shall include constructing, erecting, posting, painting, printing, tacking, nailing, gluing, sticking, carving, or otherwise fastening, affixing, or making visible in any manner whatsoever.

Sign, Abandoned - Signs advertising a business which has abandoned the premises for ninety days or more, an activity which ended five or more days previous or a building which has been demolished.

Sign, Accessory - Any sign other than outdoor advertising.

Sign, Animated - Any sign or part of a sign which changes physical position by any movement or rotation or which gives the visual impression of movement or rotation.

Sign, Area -

A. Monument Sign or Roof Sign on Buildings Less than Two Stories. The area of a monument sign or roof sign shall include the entire surface area of the largest face of the sign, excluding therefrom necessary non-illuminated supports, superficial column areas, or uprights beneath the highest portion of sign.

B. Wall Signs and Projecting Signs. The area of a wall sign or a projecting sign shall include the entire area within a single continuous perimeter enclosing the extreme limits of writing, representation, emblem, or any figure or similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed. Where a sign has two or more faces, the area of the smallest shall be excluded in determining the area of the sign.

C. Roof Signs upon Buildings of Two Stories or More. The area of a roof sign upon buildings of two stories or more shall include all letters, emblems, figures within a single continuous perimeter, circular perimeter or perimeter of not more than eight straight connecting lines.

Sign, Attached to a Building - A sign attached to and wholly supported by the wall of a building. This definition includes wall and projecting signs.

Sign, Awning - A sign that is mounted or painted on, or attached to, an awning, canopy, or marquee that is otherwise permitted by ordinance.

Sign, Backdrop Wall - A sign placed on a freestanding wall to the rear or side of an open display business such as, but not limited to, vehicle, boat, or plant nursery sales or equipment rental.

Sign, Banner - A promotional activity sign with wording or symbols.

Sign, Combination - Any sign incorporating any combination of the features of ground, roof or projecting signs; often termed a fin sign.

Sign, Construction - A temporary sign placed on a premises while construction is taking place on that premises. The sign may indicate the names of the architects, engineers, landscape architects, contractors, or similar artisans, and the owners, financial supporters, sponsors, and similar individuals or firms having a role or interest with respect to the project.

Sign, Flashing - Any sign incorporating intermittent electrical impulses to a source of illumination, or revolving in a manner which creates the illusion of flashing, excepting time and temperature signs.

Sign, Free-Standing - Any non-movable sign not affixed to a building.

Sign, Freeway Oriented - A freestanding sign for a business which adjoins a freeway right-of-way and which is located within one-thousand, five-hundred feet of the intersection of the freeway off-ramp with the surface street providing access to the premises on which the sign is located.

Sign, General Advertising - See "**Billboard**".

Sign, Ground - Any sign which is wholly or partly supported by a structural element which is not an integral part of a building. This definition includes pole signs, freestanding signs and pylon signs.

Sign, Identification - A sign giving the nature, logo, trademark or other identifying symbol; or any combination of the name, symbol and address of a building, business, development or establishment of the premises where it is located.

Sign, Integrated Development - A sign that identifies a group of contiguous activities having combined lot frontage and having on-premises public parking held in common but not identifying individual activities.

Sign, Menu Board - A sign that is displayed for the use of drive-thru or fast food restaurant patrons to identify the food and prices available on the site.

Sign, Monument - A sign that is displayed directly on the ground or on a base which is the same width as the sign.

Sign, Outdoor Advertising - The use of signage to solicit public support for or direct public attention to the sale, lease, hire, or use of any goods, products, or services.

Sign, Painted - A sign painted on a wall or window.

Sign, Pennant - A promotional activity sign without wording or symbols.

Sign, Political - A temporary sign announcing or supporting political candidates or issues.

Sign, Portable - A freestanding sign not permanently located upon a foundation.

Sign, Projecting - A sign that is wholly or partly dependent upon a building for support and which projects more than 12 inches from such building.

Sign, Roof - A sign that is mounted or painted on the roof of a building or which is wholly dependent upon a building for support and which projects above the point of a building with a flat roof, the eave line of a building with a gambrel, gable or hip roof, or the deck line of a building with a mansard roof.

Sign, Special Event - Any sign made of cloth, paper, or plastic taking the form of a banner, balloon, kite, placard, pennant or similar device, or painted on a window area, which advertises an irregular event such as a seasonal sale or grand opening.

Sign, Temporary - Any sign of cloth, paper, or similar material.

Sign, Wall - A sign fastened to or painted in a parallel manner on the wall of a building or structure in such a manner that the wall becomes the supporting structure for or forms the background surface of the sign. The sign shall not project more than 12 inches beyond the vertical wall or it shall be considered a projecting sign.

Sign, Wind - Any sign or device in the nature of a series of two or more banners, flags, or other objects, fastened in such a manner as to move upon being subject to pressure by wind or breeze.

Sign, Window - A sign which is painted on, or attached to, the interior side of window or glass doors, or which is inside a window and mounted within one foot of a window.

Sign Projection - The distance which an attached sign extends beyond a building face, or a ground sign extends beyond a street property line. A wall sign shall not be deemed to project.

Signable Area - As applied to wall signs, shall be the area of one rectangle on a wall, within the required height limits, which is unbroken by major architectural features such as doors, windows, columns or architectural protrusions.

Site - Any plot or parcel of land or combination of contiguous lots or parcels of land.

Site Plan - A plan drawn to scale showing uses and structures proposed for a parcel of land as required by the applicable regulations including lot lines, streets, building sites, reserved open space and other specific development proposals.

Slope - See "**Gradient**".

Slope Bank - A man-made natural slope steeper than 15 percent.

Solar Access - A property owners right to have the sunlight shine on his land.

Solar Energy Systems - A complete design or assembly consisting of a solar energy collector, energy storage facility, and components for the distribution of transformed energy.

Solid Fence - A wood or masonry fence with no openings.

Solid Waste Disposal Facility - Any facility or location authorized by Los Angeles County where disposal of solid waste occurs.

Specific Plan - A fully planned community, with all design controls, servicing requirements, and financing techniques incorporated into the plan, which is adopted with a self-contained regulatory text and serves to implement the General Plan in more detail.

Stable, Private - A building or portion of a building used to shelter and feed horses or ponies which are used exclusively by the occupants of the property on which the stable is situated.

Stable, Public - A stable other than a private stable.

Standards, Development - The physical design and development portion of this Ordinance controlling such items as building coverage, yard areas, height of structures or floor area ratios.

Story, Full - That portion of the building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between the floor and the ceiling above it, and including those basements used for the principal use. A basement or underground parking lot shall be considered a story if the vertical distance from the average adjoining grade to its ceiling is over five feet.

Street - A public vehicular right-of-way, other than an alley, secondary or major highway, parkway, or freeway which affords a primary means of access to abutting property.

A. **Private** - 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.

B. **Public** - 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.

Structural Alterations - Any change in the supporting members of a structure such as the bearing walls or partitions, columns, beams or girders, floor joists or roof joists, roof rafters, foundations, piles, or similar components.

Structure - A combination of materials assembled in a form for use, occupancy, or ornamentation whether installed on, above, or below the surface of land or water and requiring a fixed location or attached to something having a fixed location.

Subdivision - The division of any unit or units of improved or unimproved land, or any portion thereof, which is shown on the latest equalized county assessment roll as a unit or as contiguous units, for the purpose of sale, lease or financing, whether immediate or future except for leases of agricultural land for agricultural purposes. Such division may be executed by any person, partnership, firm, or corporation. Property shall be considered as contiguous units, even if it is separated by roads, streets, utility easement or railroad right-of-way. "Subdivision" includes a condominium project, a community apartment project, or the conversion of five or more existing dwelling units to a stock more existing dwelling units to a stock cooperative.

Subdivision, Tract - A subdivision which creates five or more parcels to be developed as a whole by an owner or builder.

Substantial Improvement - Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50% of the appraised value (as defined in this Ordinance) of the structure either (a) before the improvement or repair is started, or (b) if the structure has been damaged and is being restored, before the damage occurred. For the purpose of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

Swap Meet - A business or businesses conducted for the purpose of selling new or used merchandise in a parking lot, drive-in theater, or common room or rooms where two or more individual sellers rent, lease, or otherwise purchase the right to sell their products at the location. **Swap Meet** shall include flea markets. **Swap Meet** does not include any enclosed multiple tenant structure except those developed in accordance with the standards outlined for swap meets in Appendix C of this Ordinance.

2020.200. "T" Words, Terms, and Phrases

Temporary Structure - A structure without any foundation or footings which is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.

Temporary Use - A use established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period.

Topography - The configuration of a surface area which shows relative elevations.

Tot Lot - An improved and equipped play area for small children.

Townhouse - A dwelling unit with one or two common walls, and which has direct exterior access, private yards and no common floors or ceilings with other units.

Toxic - Capable of producing injury, illness, or damage to humans, domestic livestock, or wildlife through ingestion, inhalation, or absorption through any body surface.

Tract House - A dwelling in a residential development containing houses similar in size and appearance.

Tract - An area, parcel, site, piece of land, or property which is the subject of a development application.

Trailer, Construction - A trailer, the use of which is incidental to new construction on a site, including but not limited to temporary office space for the direction of onsite construction activities.

Trailer, Travel - A vehicle other than a motor vehicle, which is designed or used for travel or recreational purposes which does not at any time exceed eight feet in width and forty feet in length and which may be moved upon a public highway without either a special permit or a chauffeur's license without violating any provisions of the California Vehicle Code.

Transitional Area - An area which acts as a buffer between two land uses of different intensity.

Truck Repair - A facility which provides repair service to trucks of a one-ton or greater capacity. Such repair service includes tire shops, transmission shops, brake repair shops, upholstery shops, and the like.

Truck Sales - A facility which sells trucks of greater than one-ton capacity, both new and used, including the repair of same.

Truck Stops - A facility intended to provide services to the trucking industry, and includes, but is not limited to the following activities: the dispensing of fuel, repair shops, automated washes, restaurants, and motels all as part of the facility.

Truck Terminal - A lot, lot area, or parcel of land used, designed, or maintained for the purpose of storing, parking, refueling, repairing, dispatching, servicing, or keeping motor trucks and associated equipment together with those facilities necessary to service, dispatch, store, or maintain the aforementioned vehicles, their cargos and crews.

2020.210. "U" Words, Terms, and Phrases

Ultimate Right-of-way - The right-of-way shown as ultimate on an adopted precise plan of highway alignment, or the street right-of-way shown within the boundary of a recorded tract map, a recorded parcel map or a recorded Planned Community development plan. The latest adopted or recorded document in the above case shall take precedence. If none of these exist, the ultimate right-of-way shall be considered the right-of-way required by the highway classification as shown on the Master Plan of Highways. In all other instances, the ultimate right-of-way shall be considered to be the existing right-of-way in the case of a public street.

Use - The purpose for which land or a building is occupied, arranged, designed, or intended; or for which either land or building is, or may be, occupied or maintained.

Use, Permitted - A use listed by this ordinance as a permitted use within that district and permitted therein as a matter of right when conducted in accord with the regulations established by this Ordinance.

Use, Principal - A use which fulfills a primary function of a household, establishment, institution, or other entity.

Utility, Private or Public -

A. Any agency which, under public franchise or ownership, or under certificate of convenience and necessity, provides the public with electricity, gas, heat, steam, communication, rail transportation, water, sewage collection, or some other similar service.

B. A closely regulated private enterprise with an exclusive franchise for providing a public service.

Utility Services - Establishments engaged in the generation, transmission and/or distribution of electricity, gas or steam, including water and irrigation systems, and sanitary systems used for the collection and disposal of garbage, sewage, and other wastes by means of destroying or processing materials.

2020.220. "V" Words, Terms, and Phrases

Variance - Permission to depart from a provision of the zoning ordinance when, because of special circumstances applicable to the property, strict application of the ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning. Any variance granted will assure that the adjustment granted will not constitute a special privilege.

Vehicle, Disassembled - A vehicle without hoods, doors, fenders, body panels, headlights, trunk lids, tires, wheels, windows, or windshields.

Vehicle, Wrecked - A vehicle with dented areas in excess of one square foot, rusted exterior body parts or broken glass parts.

Vested Right - A right which has been legally established and cannot be revoked by subsequent conditions or changes in law without due process of law.

2020.230. "W" Words, Terms, and Phrases

Wall, Screen - A substantial solid barrier intended to enclose, separate or surround. Typically, a screen wall is four inches or more in thickness.

Window - An opening in a wall of a building designed to allow light and/or ventilation into a room of a building, and enclosed by casement or sash containing glass or other similar transparent or semitransparent material.

Wing Wall - An extension of a wall of a building beyond that enclosing the space within the building.

2020.240. "X" Words, Terms and Phrases

Xeriscape - Landscaping characterized by the use of vegetation which is drought resistant and low water use in character.

2020.250. "Y" Words, Terms, and Phrases

Yard - An open space on a built lot that, except as otherwise provided in this chapter, is unoccupied or unobstructed from the ground upwards. When a yard dimension is given, it represents the minimum horizontal distance between the lot line from which the distance must be measured and a line parallel to the lot line.

Yard, Exterior Side - The side yard of a corner lot which is adjacent to public right-of-way.

Yard, Interior Side - The side yard of a corner lot which is adjacent to the key lot or interior lot.

Yard, Required Front - The space extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and a line parallel thereto on the lot.

Yard, Required Rear - The space extending across the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and a line parallel thereto on the lot.

Yard, Required Side - The space between the main building and the side lot line, extending from the front yard to the rear yard; the measured distance of the yard shall represent the shortest distance between the side line of the lot and that portion of the main building nearest said line from which the measurement is taken.

2020.260. "Z" Words, Terms, and Phrases

Zero Lot Line - The location of a building on a lot in such a manner that one or more of the building's sides rest directly on a lot line.

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

Zoning Map - The map or maps which are a part of the Zoning Ordinance and delineate the boundaries of zone districts.

SECTION 3000 ESTABLISHMENT OF ZONES

3010 ESTABLISHMENT OF ZONES

3010.10 Zones Established

3020 MAPS

3020.10 Zoning Map

3020.20 Uncertainty of Boundaries

SECTION 3000 ESTABLISHMENT OF ZONES

3010 ESTABLISHMENT OF ZONES

3010.10 Zones Established

The following zones are established in order to carry out the purpose of this Ordinance:

- R-3 Residential
- RS Residential, Specialty (Overlay)
- C Town Center Commercial
- CM General Commercial/Manufacturing
- CC Civic Center (Overlay)
- M Manufacturing
- OS Open Space
- PF Public Facilities

3020 MAPS

3020.10 Zoning Map

The Zoning Map of the City of Maywood dated October 8, 1990, or as amended, and on file with the City Clerk, is herein adopted by reference and shall hereafter exist pursuant to and as an integral part of this Ordinance.

3020.20 Uncertainty of Boundaries

Where uncertainty exists as to boundaries of any zone shown upon the Zoning Map, or any part thereof, the following provisions shall apply:

- A. Where boundaries are indicated as approximately following lot lines or the right-of-way lines of highways, streets, or alleys, such lines shall be construed to be the boundaries.
- B. In the case of unsubdivided property where a zone boundary divides a lot, the location of such boundaries, unless said boundary is indicated by dimensions or legal description, shall be determined by use of the scale appearing on the Zoning Map.
- C. Where a public highway, street, or alley, or any portion thereof, is officially vacated or abandoned, the area comprising such vacated highway, street or alley shall acquire the zone classification of the property to which it reverts.
- D. Areas in railroad rights-of-way, other than those clearly zoned on the Zoning Map, shall be deemed to be in the R-3 (Residential) zone and shall be permitted to be used solely for the purpose of accommodating tracks, signals, other operative devices, and the movement of rolling stock.

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4010 RESIDENTIAL (R-3)

4010.10 Intent and Purpose

The Residential (R-3) district is established in order to provide high quality, attractive, and livable residential neighborhoods in Maywood. Such residential areas seek to maintain the character of the City which consists of single family detached and attached dwelling units at densities of up to 20 units per acre.

4010.20 Permitted Uses

Permitted uses in the R-3 district are largely residential but may include uses which are customarily or appropriately associated but accessory to the residential use of the property. Appendix A, Table of Permitted Uses, lists permitted uses in the R-3 district.

4010.30 Permitted Accessory Uses

Accessory uses in the R-3 district may include home occupations, recreational facilities, and other such uses clearly recognized in practice and use as necessary to the primary residential use. Appendix A, Table of Permitted Uses, lists those uses permitted as accessory uses.

4010.40 Uses Requiring a Conditional Use Permit

Certain uses may not be suitable in every location in the City and therefore require discretionary review through the Conditional Use Permit process. Appendix A, Table of Permitted Uses, lists those uses permitted as conditional uses in the R-3 district. These uses include accessory parking serving adjacent commercial or industrial development.

4010.50 Required Area

The minimum lot area for development is 5,000 square feet. The Council may require larger lot sizes in appropriate circumstances.

4010.60 Minimum Lot Width

The minimum lot width shall be 40 feet for lots with only one dwelling unit or with a primary dwelling unit and a second dwelling unit constructed pursuant to the provisions of Appendix C, Section 10, of this ordinance.

4010.70 Maximum Lot Coverage

Building coverage of the net lot area shall not exceed 65 percent.

4010.80 Maximum Density

The maximum number of permitted dwelling units shall be 20 per acre. The following shall be used to determine the number of units allowed on a lot of specified size:

<i>Lot Area in Square Feet</i>	<i>Maximum Dwelling Units</i>
0 - 5,000	1
5,001-6,500	2
6,501-8,500	3
8,501-11,000	4
11,001 or greater	One additional dwelling unit for each additional 2,000 sq. ft. of lot area

* Irrespective of its square footage, a lot with less than 50 feet in width can only have a single-family dwelling or a primary dwelling unit and a second dwelling unit constructed pursuant to the provisions of Appendix C, Section 10, of this ordinance.

4010.90 Height Limit

No structure shall exceed a height of two stories or 35 feet, whichever is greater.

4010.95 Minimum Dwelling Unit Size

The following minimum dwelling unit sizes shall apply:

<i>Number of Bedrooms in Square Feet</i>	<i>Minimum Size</i>
1. Bachelor and 1 bedroom	675
2. 2 bedrooms	850
3. 3 bedrooms	1,025
4. Per each additional bedroom	175

Residential Second Units constructed pursuant to the provisions of Appendix C 10 shall be exempt from these requirements and shall conform to the requirements specified in Appendix C 10 B Second Units.

4010.100 Yards – General

Yards shall be provided for the general purpose of improving light, air circulation, access, and general aesthetic improvements.

4010.110 Use of Yards

The following uses are prohibited in the required front and side yards of the R-3 district:

- A. Parking or storage of a car, boat, trailer, camper, or other vehicle for a period exceeding four consecutive hours except on the paved driveway which directly accesses a garage or carport; or
- B. Storage of any kind.

4010.120 Front Yards

A. General Requirement

All lots shall have a minimum required front yard setback of 25 feet.

B. Exceptions

The City of Maywood has modified front yard setback requirements in certain areas of the City. In such areas, new development shall adhere to the required setbacks as modified by the City Council. These areas are identified in Appendix D of this Ordinance.

4010.130 Side Yards

A. Interior Side Yards

1. First Story

Interior side yards shall be a minimum of 10 percent of the lot width. Such width shall not be less than three feet, nor shall it be required to exceed five feet, unless otherwise required by the City's building code.

2. Second Story

The required minimum setback for a second story shall be five feet. At the discretion of the Planning Director or, in the case of discretionary permits, the hearing body, may permit a staggered setback for the first and second stories.

B. Exterior Side Yards

When a side yard abuts public right-of-way, the minimum required setback shall be 10 feet.

4010.140 Rear Yards

A. First Story Construction

The first story shall maintain a minimum rear yard setback of 10 percent of the lot depth, but in no case shall the rear yard be less than 15 feet.

B. Second Story Construction

The second story shall maintain a minimum rear yard setback which exceeds the required first story setback by at least three feet.

4010.150 Minimum Design Standards

Every new building constructed on a lot shall maintain the roof line and general architectural style, including significant details, of existing structures on the lot.

4010.160 Privacy Standards

A. Building Separation

1. Residential structures on the same lot shall maintain a minimum separation of at least 10 feet.
2. Accessory structures shall maintain a minimum separation of at least six feet from other structures on the same lot.

B. Visual Screening

All windows of adjacent residential units shall be screened from windows of the adjacent units. Screening is to be achieved by appropriate placement of windows in adjacent units and through discretionary placement of landscaping. Windows shall be placed according to the following criteria:

1. Windows shall be offset or angled in a way that prevents a direct view into an adjacent residential unit; or
2. Windows should be located no closer to one another than permitted by Table 4010.160.

**TABLE 4010.160
WINDOW PLACEMENT STANDARDS-
LINEAR DISTANCE IN FEET**

	Window Size		
	Less than 5 square feet	5 or greater but less than 10 square feet	10+ square feet
Less than 5 square feet	5	10	15
5 or greater but less than 10 square feet	10	20	30
10+ square feet	15	30	45

4010.170 Open Space and Landscaping Standards

A. Required Space Per Unit

1. A minimum of 200 square feet of open space shall be provided for each dwelling unit.
2. In addition, a minimum of 100 square feet shall be provided as private usable open space for ground floor units. Upper story units shall have no less than 80 square feet of private usable open space per unit. Such space shall be directly accessible from the unit.
3. Required front and side yards and driveways cannot be included in the calculation to satisfy the open space standard.
4. Patios and balconies used to satisfy private open space requirements shall have a minimum area of 80 square feet and no dimension less than eight feet.

B. Common Open Space

1. When common space for the use of all residents on the lot or in the development is used to partially satisfy the 200 square foot requirement, the common space shall be conveniently accessed by all units.
2. Common open space areas shall have no dimension less than 10 feet.

C. Landscaping

1. All required open space areas on a lot which are not devoted to buildings, driveways, game courts, swimming pools, or other such uses shall be landscaped.
2. The required front yard shall contain no less than one tree of a size which requires a 15-gallon size container.
3. All landscaped areas shall be maintained in a neat and healthy condition.

4010.180 Access to Buildings Shall Be Maintained

- A. No accessory structures or architectural features shall be designed or constructed in a way that would obstruct access to any primary buildings or accessory living quarters.
- B. Fences or walls shall provide a gate or other suitable opening no less than 30 inches in width to provide access to primary or accessory structures.
- C. A minimum of six feet of clear and open space shall be maintained between permitted projections on main buildings.

4010.190 Accessory Structures and Uses

A. Location

Accessory structures shall be located only in rear and interior side yards.

B. Height

Accessory structures shall not exceed a height of 12 feet.

C. Separation

As per Section 4010.160, accessory structures shall maintain a minimum separation of six feet from all other structures.

D. Setbacks

Setback requirements and restrictions on projection are set forth in Table 4010.190, Accessory Structures in Yards.

**TABLE 4010.190
ACCESSORY STRUCTURES SETBACKS**

ACCESSORY STRUCTURE	FRONT	REAR	SIDE
	SETBACKS	MINIMUM DISTANCE REAR PROPERTY LINE; PROJECTIONS SHALL NOT EXCEED 5'	MINIMUM DISTANCE TO SIDE PROPERTY LINE (a)
Breezeways	Not permitted in front yard	5'0"	5'0"
Carports	Not permitted in front yard	30" for Support Columns	30" for Support Columns
Garage	20'0"	3'0" but no less than 15' from centerline of alley	3'0"
Lamppost	Property line	Property line	Property line
Solar collector	Not permitted in front yard	Property line	3'0"
Utility enclosures and equipment	Not permitted in front yard	3'0"	3'0"

(a) On a corner lot, structures shall not be permitted in the exterior side yard.

E. Swimming Pools

Swimming pools which are capable of holding water to a depth of 18 inches or deeper shall be located only in side or rear yards and shall be surrounded by walls or fences no less than six feet in height.

4010.200 Fences, Walls and hedges

1. Interior Side and Rear Lot Lines

Walls and fences constructed within the required interior side of rear yards shall not exceed a height of six feet.

2. Exterior Side Lot lines

Solid walls and fences shall not exceed a height of four feet within five feet of the exterior side lot line.

3. Height Within the Required Front Yard

- a. Solid fences and walls constructed within the required front yard shall not exceed 36 inches in height.
- b. Pilasters used in the construction of a fence in a required front yard shall not exceed 48 inches in height. Wrought iron in a fence constructed with pilasters shall not exceed 66 inches in height.
- c. Fences constructed entirely of wrought iron shall not exceed a height limit of 72 inches.
- d. Chain link fences shall not exceed a height of 48 inches.
- e. Ornamental pickets, regardless of material, which compose a fence shall not exceed two inches in width nor be spaced less than four inches apart.
- f. Fences constructed under permit but made nonconforming as a result of the 1989 amendment to Section 88.02.a. of the 1966 Zoning Ordinance are exempt from amortization.
- g. Corner cut-off provisions contained in Section 4070.100 shall apply.

4010.210 Second Units

Residential second units may be permitted as per the provisions of Appendix C, Section 10, of this ordinance.

4010.220 Manufactured Homes

Manufactured homes, as certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.) and as defined under the California Health and Safety Code, Section 18551, shall be

permitted as a single-family residence, subject to the following special conditions:

- A. Every mobile home shall stand on a permanent foundation.
- B. The exterior siding shall consist of either wood or stucco, as determined by the Director of Planning and Building. In determining the material to be used, the Director shall consider the types of construction materials used on existing houses in the immediate neighborhood.
- C. The roof shall have a pitch of not less than two inches vertical run by 12 inches horizontal run.
- D. The unit shall conform to all other development and use requirements applicable to primary units in the R-3 zone district.

4010.230 Condominium Developments

Condominium developments may be permitted by Conditional Use Permit, subject to the special development and use conditions specified in Appendix C of this Ordinance (see "Condominium Developments").

4010.240 Other Applicable Regulations

The following additional Sections of this Ordinance shall apply to development in the R-3 district:

- 4070 - Development Standards Applicable to All districts
- 4080 - Performance Standards
- 4090 - Right-of-Way Dedication
- 4100 - Parking and Loading
- 4110 - Signs

4020 RESIDENTIAL, SPECIALTY (RS)

4020.10 Intent and Purpose

The City recognizes the special housing needs of the senior citizen population in terms of housing affordability, accessibility to medical care, and proximity to retail and service commercial uses. The Residential Specialty (RS) district is established as an overlay district as a means of creating opportunities for development of higher density senior citizen housing in areas near needed services and facilities.

4020.20 Permitted Uses

The primary permitted use shall be senior citizen housing. The underlying zone district shall determine other uses permitted, unless otherwise indicated in Appendix A, Regulation of Uses by Zone District.

4020.30 Qualifications

In order for a project to qualify as a senior citizen development, every dwelling unit within the development shall be occupied by at least one person 55 years of age or older, and the entire project shall be developed in accordance with the development standards set forth in this Section. A deed shall be recorded against the property indicating the senior citizen status of the project.

4020.40 Development Standards - General

Unless otherwise modified by the provisions of this Section, the development standards for the R-3 zone district shall apply to senior citizen housing developments.

4020.50 Required Area and Dimensions

A minimum lot size of 10,000 square feet shall be required for senior citizen housing developments.

4020.60 Maximum Lot Coverage

Lot coverage shall not exceed 70 percent.

4020.70 Maximum Density

The maximum permitted density shall be 48 units per acre. The City Council shall determine the maximum permitted density, and that density shall be indicated on the zoning map by a suffix to the zone designation (for example, R3-RS-48). Where no such numbers are indicated on the zoning map, the maximum permitted density shall be determined by Site Plan Review.

4020.80 Height Limit

The maximum permitted height shall be 50 feet or four stories, whichever is greater.

4020.90 Minimum Dwelling Unit Size

The following minimum dwelling unit sizes shall apply:

<i>Type of Unit</i>	<i>Minimum Size</i>
Bachelor	350 sq.ft.
One bedroom	500 sq.ft.
Two bedroom	650 sq.ft.
Three+ bedroom	800 sq.ft.

4020.100 Special Requirements

The following special features shall be incorporated into all senior citizen housing projects.

A. Handicapped Access

All on-site facilities shall be accessible to the handicapped. This requirement shall also apply to any drop-off zones, bus stops, sidewalks, and similar features constructed in conjunction with the project.

B. Handicapped Units

At least 10 percent of the residential units shall be adaptable for the handicapped. Those units shall meet the standards set forth by Title 24, Part II of the California Administrative Code.

C. Elevators

Elevators shall be provided in all buildings which exceed one story in height. The number of elevators provided shall be consistent with building code requirements.

D. Recreation Facilities

Common recreational facilities or a recreation building shall be provided.

4020.110 Medical Facilities

Medical facilities, if provided, shall not occupy more than 20 percent of the gross floor area of the development. The facilities shall be available only to residents of the development.

4020.120 Parking and Loading

Parking and loading facilities shall be provided as required by Chapter 4100 of this Ordinance. However, up to a 20 percent reduction in the required number of parking spaces may be allowed if the responsible approving body deems such a reduction to be appropriate. An additional five percent reduction may be allowed if the project includes and maintains an alternative transportation program for project residents. In no case, however, shall the total reduction in required parking spaces exceed 25 percent.

4025 HOUSING FOR VERY LOW INCOME AND LOWER INCOME HOUSEHOLDS

4025.10 Intent and Purpose

The City of Maywood recognizes that affordable housing is a scarce resource in the community and is committed to providing incentives which encourage development of such housing. This section establishes provisions that will work toward meeting the City's housing goals for very low income and lower income households, as outlined in the Maywood General Plan. These provisions include housing density bonus regulations, and regulations that permit non-senior housing for very low and lower income households in the Residential Specialty (RS) Overlay district.

Authority for the density bonus provisions is contained in Section 65915 of the Government Code. In the event any inconsistency arises between the provisions of this section and the Government Code, the Government Code provisions shall prevail.

Subsection 4025.70 below is not intended to exclude senior citizen housing from the RS Overlay district. The primary permitted use within the RS Overlay district, in accordance with subsection 4020.20 of this Ordinance, will continue to be senior citizen housing. However, subsection 4025.70 responds to the special housing needs of very low and lower income households, as described in the Maywood General Plan Housing Element.

4025.20 Definitions

For the purposes of this section, the following terms shall be defined as follows:

1. "Very low income" and "lower income" shall have the meanings assigned to these terms in Sections 50105 and 50079.5, respectively, of the State Health and Safety Code. "Very low income" equals zero (0) to 50 percent of the County Median Family Income. "Lower income" equals 51 to 80 percent of County Median Family Income.
2. "Affordable rent" shall have the meaning assigned to this term in Section

65915(c) of the Government Code. The term also applies to mortgages.

3. "Density bonus" shall mean a density increase of 25 percent over the otherwise maximum allowable residential density in the Residential (R-3) zoning district. In calculating the density bonus units, all fractional units shall be rounded to the next highest whole number.

4025.30 Participation Requirements for Density Bonus

Developers of residential housing projects may receive a density bonus, provided the developer meets all of the following participation requirements:

1. At least 20 percent of the total housing units in the development shall be provided for lower income households, or ten (10) percent of the total housing units for very low income households, or 50 percent of the total housing units for qualifying senior citizen households.
2. The units must be made available to qualifying households for a minimum of 30 years, or any longer time period specified in loan agreements or subsidy programs associated with the development project.
3. To ensure compliance with the provisions of this section, the developer shall execute a deed restriction, or other type of documentation acceptable to the City, that identifies the housing units subject to the affordability restrictions and all other terms and conditions applicable to those units under this program.
4. Where affordable units are provided in the same development as market rate units, the affordable units shall be dispersed throughout the housing development.
5. The affordable units shall be constructed to resemble and be compatible with the market rate units built in the same development.

4025.40 City Incentives to Encourage Participation in Density Bonus Program

- A. To encourage affordable housing development throughout Maywood, the City, in addition to offering a density bonus, will offer

participating developers at least one additional incentive. More than one incentive may be granted, at the City's discretion, from subsection 4025.40(B) below. The types and level of incentives allowed for a single development project will depend upon the project site and the development proposed, and will be subject to negotiations between the City and the developer.

- B. The City may offer the following incentives and concessions:
1. Relaxation or other modification of zoning standards regulating such items as setbacks, distances between building, required parking, projections into yards, and the like. No separate Variance application will be required for any modification of standards. However, the approved plans and application shall identify the zoning standards modifications which have been incorporated into the project.
 2. Modification of architectural regulations ordinarily applied to a residential development project.
 3. The reduction or waiving of development and/or environmental review fees.
 4. "Fast-track" processing of the development application.
 5. City participation in the financing of public improvements required for the project.
 6. Modification of public works improvement requirements.

4025.50 Project Review Procedures for Density Bonus

- A. All project applications for which a density bonus is being requested shall be subject to the following project review procedures.
1. A pre-application meeting shall be held between the project developer and the Building and Planning Director, or his designee. The purpose of the meeting will be to review any preliminary development plans prepared by the developer and to discuss the additional project incentives the City will offer the developer.
 2. In the event the developer requests a waiver or modification of zoning standards required under Section 4010 [Residential (R-3)] of this

Ordinance, the developer shall be required to show that the waiver or modification is necessary to make the housing units economically feasible.

3. Following the pre-application meeting, the developer shall submit the type of application ordinarily required for the type of project proposed (for example, a site plan for a multi-family residential development), and the project shall be subject to those applicable review procedures.
- B. No special application for the density bonus shall be required. However, in the project record, the Building and Planning Department shall note that a density bonus has been granted, and the approved plans and application shall identify concessions granted and any special conditions imposed on the project to insure unit affordability.

4025.60 Density Bonus Program Administration

The responsible Housing Authority will establish procedures for administration of the affordable units once they have been constructed. The program or guidelines will include provisions which insure that residents of the affordable units meet the

4025.70 Non-Senior Housing for Very Low and Lower Income Households in the Residential Specialty (RS) Overlay District

Non-senior housing for very low and lower income households, as defined in subsection 4025.20, shall be permitted in the Residential Specialty (RS) Overlay district, subject to Planned Unit Development (PUD) review and approval, as defined in Section 5125 (Planned Unit Development) of this Ordinance.

4030 COMMERCIAL (C AND CM)

4030.10 Intent and Purpose

The C and CM districts are intended to permit the range of commercial uses in areas which are appropriate for such uses consistent with the General Plan Land Use Policy Map. The Town Center Commercial designation may be implemented by the C district, which allows for commercial services and sale of goods. The services or goods may be of a local, community, or regional nature. The General Commercial designation may be implemented by the CM district. The uses permitted in CM tend towards local uses; however, the CM district permits small scale industrial uses which have a commercial character.

4030.20 Permitted Uses

A. Town Center Commercial (C)

Uses permitted in the C district include local and community-serving commercial establishments. All uses in this district must be operated within an enclosed building. The intent of this district is to provide for commercial businesses which serve the neighborhoods and general Maywood community.

B. General Commercial/Manufacturing (CM)

Uses permitted in the CM district include the complete range of commercial uses. The CM district also permits limited and restricted manufacturing and wholesaling uses. CM uses shall be restricted to enclosed buildings unless otherwise specified.

C. List of Permitted Uses

Appendix A, Regulation of Uses by Zone District, lists uses permitted in the C and CM districts. No lot or parcel may have incompatible uses.

4030.30 Permitted Accessory Uses

Uses permitted as accessory to a primary use are listed in Appendix A, Regulation of Uses by Zone District.

4030.40 Uses Requiring a Conditional Use Permit

Uses which are permitted subject to a Conditional Use Permit are listed in Appendix A, Regulation of Uses by Zone District.

4030.50 Required Area

A. Minimum Required

A minimum net lot area of 5,000 square feet and a minimum lot width of 50 feet shall be required for each type of use.

B. Exceptions

The Council may establish minimum net lot areas in excess of 5,000 square feet when larger lot areas are considered necessary for a particular area or use.

4030.60 Maximum Lot Coverage

No lot or parcel of land shall contain development which covers more than 90 percent of the net lot area.

4030.70 Floor Area Ratio

A. C District

The floor area ratio (FAR) of development in the C district shall not exceed 0.30.

B. CM District

1. The FAR of development in the CM District shall not exceed the ratio established for the lot area by the Council. This ratio may be established between 0.25 and 0.5.

2. The Council shall establish the maximum FAR with the recommendations of the Department of Planning and Building and the Planning Commission.
3. The maximum permitted FAR shall be indicated on the Zoning Map by a suffix to the zone designation (for example, CM-0.40). Where no such designation is indicated, the maximum permitted FAR shall be 0.30.

4030.80 Height Limit

Principal structures shall not exceed three stories or 45 feet in height, whichever is less.

4030.90 Front Yards

No front yard shall be required. However, specialized entry treatment, including a specified setback, may be required through the Site Plan Review process.

4030.100 Side Yards

A. General Requirement

No side yards are required unless specified by subsection 4030.100.B.

B. Exceptions

1. Where a side yard abuts public right-of-way, a landscaped setback of not less than five feet from the right-of-way shall be provided. A corner cutoff area shall be provided as required by Section 4070.100.
2. Where a side yard abuts a residential district, a landscaped setback of not less than six feet for the first story of the commercial building and three additional feet per each additional story shall be provided.

4030.110 Rear Yards

No rear yard setback shall be required.

4030.120 Building Projections into Yards

All required yards shall remain open and unobstructed except for those projections permitted by Section 4070.90.

4030.130 Accessory Uses and Structures

Accessory structures shall be developed with the same setbacks as required for principal structures.

4030.140 Fences, Walls, and Hedges

A. Walls Adjacent to Residential Districts

Lots which are located adjacent to residential districts shall provide a solid wall along the property line, unless a primary commercial structure is situated on the property line. The wall shall not be less than six feet nor more than eight feet in height and shall be constructed of six-inch thick decorative block masonry or other material as approved by the Director of Planning and Building.

B. Other Walls, Fences, or Hedges

1. Heights of walls, fences, or hedges within the required front yard, corner cutoff area, or abutting a residential front yard shall not exceed three feet, unless otherwise specified. Open fences which do not obstruct visibility shall not exceed a height of six feet.
2. Other walls, fences, or hedges shall not exceed a height of eight feet.
3. In the C district, no barbed wire or other similar sharp materials shall be used on fences, walls, or hedges. In the CM district, such materials are permitted subject to Conditional Use Permit review and approval.
4. All fences and walls shall be constructed in conformance with Chapter 4 of Title 8 of the Maywood Municipal Code.

4030.145 Outdoor Display and Storage

A. Prohibited With Exceptions

No accessory outdoor display or storage shall be permitted in the C and CM districts except as provided for in Appendix A and as follows:

1. Christmas trees and wreaths
2. Flowers associated with a florist shop
3. Vehicles for sale, lease, or rent, or associated with an automobile repair shop
4. Garden equipment and supplies for sale, lease, or rent
5. Building materials for sale
6. Accessory goods and materials that can be displayed safely and properly, with the exception of adult materials, may be displayed in the common areas
7. Furniture may be displayed with a Temporary Use Permit

B. Restriction of Permitted Outdoor Use

The following restrictions shall apply to the accessory outdoor storage of goods and materials permitted by subsection A above.

1. No outdoor display or storage shall exceed six feet in height.
2. No outdoor display or storage shall be placed on the sidewalk or within any other public right-of-way.
3. The outdoor display and storage of garden equipment and supplies and building materials shall be permitted only within the side and rear yard areas.
4. The primary business must be located at least 25 feet from a public street
5. Outdoor displays must be located immediately adjacent to the primary business= building.
6. The primary business to which the outdoor display is accessory must be at least 12 feet away from any other business, which has outdoor display(s).

7. Merchandise for sale may be displayed in private walks in such a manner that complies with the provisions of California Title 24, Accessibility Standards.
8. Only merchandise that is part of and owned by the primary business of the establishment shall be displayed.
9. No merchandise shall be displayed or stored in areas that encroach into the required parking spaces or driveway aisles unless authorized by the City through the issuance of a Temporary Use Permit.
10. The time for the outdoor display of merchandise shall be limited to the hours of operation of the primary business.
11. Outdoor displays shall be limited to weekends and recognized holidays (including Mother=s Day and Valentine=s Day).

4030.150 Landscaping

- A. Every setback from a public right-of-way shall be landscaped with a planting border.
- B. The total landscaped area of a lot or development shall cover not less than two percent of the gross lot or project area, whichever is larger. Landscaped areas for parking shall not count towards the two percent.
- C. Landscaping shall consist of drought-resistant plant materials. A minimum of one tree per 40 linear feet of street frontage shall be provided. Low shrubs or groundcover shall be planted on the remaining areas.
- D. All frontages, interior courts, open space areas, and boundary areas that are not covered with buildings, pavement, or other impervious surface shall be landscaped.
- E. Required landscaped areas and landscaping shall be maintained in a neat, clean, and healthy condition. Water conserving automatic irrigation systems shall be used to maintain landscaping.
- F. Required trees shall be of a size which requires at least a 24gallon container.

4030.160 Other Applicable Regulations

The following additional Sections of this Ordinance shall apply to development in the C and CM districts:

- 4070 - Development Standards Applicable to All Districts
- 4080 - Performance Standards
- 4090 - Right-of-Way Dedication
- 4100 - Parking and Loading
- 4110 - Signs

4040 MANUFACTURING (M)

4040.10 Intent and Purpose

The intent and purpose of the Manufacturing (M) district is to provide areas within the City of Maywood that are suitable for manufacturing and industrial processes. Certain areas, due to their size or location, may also be appropriate for general commercial uses which would be inappropriate in other areas of the City due to their size or intensity. The district regulations seek to provide opportunities for industrial and manufacturing uses while maintaining the integrity, safety, and enjoyment of Maywood's predominantly residential atmosphere. Due to the proximity of the M district to residential districts, the City also seeks the development of attractive and well-designed structures.

4040.20 Permitted Uses

The M district permits light manufacturing uses characterized by limited use of hazardous materials and chemicals and uses which do not create excessive noise, objectionable odors, dust, smoke, vibration, radiation, glare, or light. Appendix A, Regulation of Uses by Zone District, lists uses permitted in the M district.

4040.30 Permitted Accessory Uses

Premises in the M district may be used for accessory uses, provided such uses are established on the same lot or parcel of land, are incidental to, and do not substantially alter the character of the principal use. Some accessory outdoor storage of materials or goods is permitted. Appendix A, Regulation of Uses by Zone District, lists uses permitted as accessory uses.

4040.40 Uses Requiring a Conditional Use Permit

Certain retail and other uses are permitted subject to a Conditional Use Permit. Appendix A, Regulation of Uses by Zone District, lists uses requiring Conditional Use Permit approval. No lot or parcel may have incompatible uses.

4040.50 Required Area

The minimum net lot size shall be 5,000 square feet. The Council may establish a larger minimum lot size in appropriate cases.

4040.60 Minimum Lot Width

No lot shall be established or utilized which is less than 50 feet in width.

4040.70 Maximum Lot Coverage

The maximum amount of lot coverage shall be 90 percent of the lot area.

4040.80 Floor Area Ratio

- A. The floor area ratio (FAR) of development in the M district shall not exceed the ratio established by the City Council. The maximum permitted FAR shall be indicated on the Zoning Map by a suffix to the zone designation (for example, M-0.35). Where no such designation is indicated, the maximum permitted FAR shall be 0.40.
- B. The Council shall establish maximum FARs with the recommendations of the Department of Planning and Building and the Planning Commission. In establishing the FARs, the Council shall also consider relevant policies contained in the General Plan.

4040.90 Height Limit

No building shall exceed a height of three stories or 45 feet, whichever is less.

4040.100 Front Yards

No front yard shall be required. However, specialized entry treatment, including a specified setback, may be required through the Site Plan Review process.

4040.110 Side Yards

No side yard shall be required except in the following circumstances:

A. Abutting Right-of-Way

When a side yard abuts public right-of-way or private access easements, a landscaped setback of not less than five feet shall be provided.

B. Abutting a Residential District

When a side yard abuts a residential district, a minimum setback of 25 feet shall be provided.

4040.120 Rear Yards

No rear yard setback is required except when the rear lot line abuts a residential district. In such cases, a minimum setback of 15 feet shall be provided.

4040.130 Building Projections into Yards

Required yards shall remain open and unobstructed from the ground to the sky, except as otherwise permitted in Section 4070.90.

4040.140 Accessory Uses and Structures

Accessory structures shall be developed with the same setbacks as required for principal structures.

4040.145 Outdoor Display and Storage

A. Permitted Outdoor Display in Front Yard

Only the following accessory goods and materials may be displayed in the front yard area:

1. Christmas trees and wreaths
2. Flowers associated with a florist shop
3. Vehicles for sale, lease, or rent
4. Garden equipment and supplies for sale, lease, or rent

B. Restriction of Permitted Front Yard Outdoor Use

The following restrictions shall apply to the outdoor storage of goods and materials permitted by subsection A above:

1. No outdoor display or storage shall exceed six feet in height.
2. No outdoor display or storage shall be placed on the sidewalk or within any other public right-of-way.
3. No outdoor display or storage shall occupy any part of required parking area.

C. Permitted Outdoor Display and Storage in Rear and Side Yards

Materials and goods may be displayed and stored in rear and side yard areas subject to the following regulations:

1. Any outdoor area used for display or storage shall be completely enclosed by a solid masonry wall not less than five feet and not more than eight feet in height.
2. No outdoor display or storage shall exceed the height of the wall constructed to screen the materials.
3. No outdoor display or storage shall be placed on the sidewalk or within any other public right-of-way.
4. No outdoor display or storage shall occupy any part of required parking area.

4040.150 Fences, Walls, and Hedges

A. Adjacent to a Residential District

Where an M district use is located adjacent to a residential district, a solid masonry wall shall be provided along the property line abutting the residential district, unless a primary industrial or commercial structure is situated on the property line. The height of the wall shall not be less than six feet nor shall it be over eight feet. The wall shall be constructed of six-inch thick decorative block or other material as permitted by the Director of Planning and Building.

B. Other Walls, Fences, or Hedges

1. Heights of walls, fences, or hedges within the required front yard, corner cutoff area, or abutting a residential front yard shall not exceed three feet. Open fences which do not obstruct visibility shall not exceed a height of eight feet.
2. All other walls, fences, and hedges shall not exceed a height of eight feet.

C. Sharp Materials

Barbed wire and razor ribbon are the only sharp materials which are permitted. Such materials are restricted to the top of the fence or wall and shall be no less than eight feet above grade level.

D. Construction

All fences and walls shall be constructed in conformance with Chapter 4 of Title 8 of the Maywood Municipal Code.

4040.160 Landscaping

- A. Every setback from a public right-of-way shall be landscaped with a planting border.
- B. The total landscaped area of a lot or development shall cover not less than two percent of the gross lot or project area, whichever is larger. Landscaped areas for parking shall not count towards the two percent.
- C. Landscaping shall consist of drought-resistant plant materials. A minimum of one tree per 40 linear feet of street frontage shall be provided. Low shrubs or groundcover shall be planted on the remaining areas.
- D. All frontages, interior courts, open space areas, and boundary areas that are not covered with buildings, pavement, or other impervious surface shall be landscaped.
- E. Required landscaped areas and landscaping shall be maintained in a neat, clean, and healthy condition. Water conserving automatic irrigation systems shall be used to maintain landscaping.

- F. Required trees shall be of a size which requires at least a 24gallon container.

4040.170 Other Applicable Regulations

The following additional Sections of this Ordinance shall apply to development in the C and CM districts:

- 4070 - Development Standards Applicable to All Districts
- 4080 - Performance Standards
- 4090 - Right-of-Way Dedication
- 4100 - Parking and Loading
- 4110 - Signs

4050 OPEN SPACE (OS)

4050.10 Intent and Purpose

The Open Space (OS) district is established to provide recreation and open space opportunities for City residents; to preserve and protect resources; and to prevent incompatible development of areas that should be preserved for historic, conservation, or public health and safety reasons. This designation is generally only applied to public lands.

4050.20 Permitted Uses

The primary permitted uses in the Open Space district are public parks and recreation facilities. Appendix A, Regulation of Uses by Zone District, lists the uses permitted by right in this district.

4050.30 Permitted Accessory Uses

Permitted accessory uses are limited to those clearly subordinate and related to a recreation or public resource use. Appendix A, Regulation of Uses by Zone District, lists the accessory uses permitted in the Open Space district.

4050.40 Uses Requiring a Conditional Use Permit

The City recognizes that certain uses require discretionary review to determine if that use is compatible with, or through the imposition of conditions, can be made compatible with, surrounding uses. The uses subject to Conditional Use Permit Review are listed in Appendix A, Regulation of Uses by Zone District.

4050.50 Development Standards

A. Required Setbacks

Any permanent primary or accessory building provided in the Open Space district shall maintain a minimum setback of 20 feet from any property lines.

B. Building Height

No permanent building shall exceed a height of one story or 20 feet, whichever is greater.

4050.60 Fences, Walls, and Hedges

Fences, walls, and hedges shall not exceed a height of eight feet, not including any barbed wire or similar materials. Barbed wire and razor ribbon shall be the only sharp materials permitted atop fences and walls, and such materials shall be permitted only where the barbed wire or razor top is eight feet or higher above grade level.

4050.70 Landscaping

There are no minimum landscaping requirements. However, public parks shall be appropriately landscaped and provided with shade trees.

4060 PUBLIC FACILITIES (PF)

4060.10 Intent and Purpose

The Public Facilities district is established to facilitate construction of public and quasi-public uses in appropriate areas of the City and to ensure that new development of such sites are developed in a manner compatible with surrounding land uses.

4060.20 Permitted Uses

Uses permitted must be of a public or quasi-public nature such as public schools, libraries, civic centers, and utility distribution stations. Appendix A, Regulation of Uses by Zone District, lists all uses permitted by right in the Public Facilities District.

4060.30 Permitted Accessory Uses

Permitted accessory uses shall be limited to those clearly subordinate to and normally associated with a public or quasi-public use. Appendix A, Regulation of Uses by Zone District, lists all permitted accessory uses in the Public Facilities District.

4060.40 Uses Requiring a Conditional Use Permit

The City recognizes that certain uses, due to the nature of the use, require discretionary review to ensure the use is compatible with, or through the imposition of conditions, can be made compatible with surrounding uses. Such uses require Conditional Use Permit review pursuant to the provisions of Section 5100 of this Ordinance. Appendix A, Regulation of Uses by Zone District, lists all uses subject to Conditional Use Permit review in the Public Facilities District.

4060.50 Required Area

The minimum lot size shall be 7,500 square feet.

4060.60 Minimum Lot Width

The minimum lot width shall be 50 feet.

4060.70 Floor Area Ratio

The maximum floor area ratio shall be 0.50 for any use.

4060.80 Height Limit

The maximum height limit shall be 45 feet or three stories, whichever is less.

4060.90 Front Yards

A minimum front yard setback of 10 feet shall be provided, unless otherwise indicated in Appendix D of this Ordinance.

4060.100 Side Yards

A. General Requirement

No side yards are required unless specified by subsection 4060.100.B.

B. Exceptions

1. Where a side yard abuts a public right-of-way, a landscaped setback of not less than five feet from the public right-of-way shall be provided. Corner cutoffs shall be provided as required by Section 4070.100.
2. Where a side yard abuts a residential district, a minimum landscaped setback of 15 feet shall be provided.

4060.110 Rear Yard

In all cases, the required rear yard setback shall be 10 feet.

4060.120 Building Projections into Yards

All required yards shall remain open and unobstructed except for those projections permitted by Section 4070.90.

4060.130 Accessory Uses and Structures

Accessory structures shall comply with the setback requirements applicable to primary structures.

4060.140 Fences, Walls, and Hedges

- A. Heights of fences, walls, and hedges within the required front yard, corner cutoff area, or abutting a residential front yard shall not exceed three feet, unless otherwise specified. Open fences which do not obstruct visibility shall not exceed a height of four feet.
- B. Other walls, fences, or hedges shall not exceed a height of eight feet.
- C. Barbed wire shall be the only permitted sharp material. Such material shall be permitted only atop fences, walls, and hedges eight feet or greater in height.
- D. The height limit provisions of this Section shall not apply to fences constructed on public school properties or public parks and playgrounds, or properties containing jail facilities.

4060.150 Landscaping

- A. All required front and side yard areas shall be landscaped with live plant
- B. The total landscaped area of a lot or development shall cover not less than two percent of the net lot area. Landscaped parking areas shall not count toward the two percent.
- C. All landscaped areas shall be maintained in a neat, clean, and healthy condition, and shall be regularly watered.

4060.160 Other Applicable Regulations

The following additional Sections of this Ordinance shall apply to development in the Public Facilities district:

- 4070 - Development Applicable to All Districts
- 4080 - Performance Standards
- 4090 - Right-of-Way Dedication
- 4100 - Parking and Loading
- 4110 - Signs

4065 CIVIC CENTER (CC)

4065.10 Intent and Purpose

The Civic Center (CC) district is an overlay district created to facilitate construction of civic buildings.

4065.20 Permitted Uses

Any use permitted in the underlying zone district shall be permitted in the Civic Center overlay zone. Appendix A, Table of Permitted Uses, indicates the uses permitted. Also, civic buildings expressly intended for occupancy and use by City businesses shall be permitted. These uses include, but are not limited to, City Hall, police stations, fire stations, community recreation buildings, civic auditoriums, or any combination such facility.

4065.30 Development Standards

Unless specifically modified by the provisions of this Section, buildings and uses within the Civic Center overlay zone shall comply with the development standards and use conditions applicable to the underlying zone district.

4065.40 Required Area

A minimum lot size of 10,000 square feet shall be required for any permitted civic use.

4065.50 Floor Area Ratio

The maximum floor area ratio shall be 0.50 for any civic use.

4065.60 Height Limit

The maximum permitted height for civic buildings shall be three stories or 45 feet, whichever is greater. All other buildings shall conform to the height requirements established for the underlying zone district.

4065.70 Yards

Civic buildings shall provide the same yard areas as required for the Commercial (C) zone district.

4065.80 Parking

Off-street parking shall be provided as required by Section 4100. However, total required parking for a civic building or use may be reduced by up to 20 percent if parking demand studies adequately demonstrate that such a reduction will continue to meet all parking needs without adversely impacting surrounding land uses.

4070 DEVELOPMENT STANDARDS APPLICABLE TO ALL DISTRICTS

4070.10 Intent and Purpose

The specific and detailed development standards included in this Section are general in nature and apply to all zoning districts unless otherwise indicated. Some of the standards in this Section are provided as a minimum standard and may be superseded in certain cases by more stringent standards in particular districts. The primary intent of this Section is to provide a minimum standard of design for the City.

4070.20 Maintenance of Properties and Stipulated Mitigation Measures Required

All physical facilities within the City, including those required by this Ordinance or amendments thereto, shall be kept and maintained in a neat, clean, orderly, operable, and usable condition. Physical facilities include buildings, paving, fences, walls, landscaping, and any other structures or living natural features.

4070.30 Nuisances

Neither the provisions of this Ordinance nor the granting of any permit provided for in this Ordinance authorizes or legalizes the maintenance of any public or private nuisance.

4070.40 Identification of Front Lot Lines

Occasionally, a lot fronts on more than one street. In such cases, the following requirements shall be observed in identifying the front lot line. Figure 4070.40 provides visual clarification to the following provisions.

- A. When a through lot exists between two developed lots which both front the same street, the front lot line shall be on that street.
- B. When a lot is surrounded by vacant lots or developed lots which front either street, the following criteria shall apply:
 - 1. Where one street is of a more intense classification than the other, the lot line fronting the street with the more intense classification shall be the front lot line.

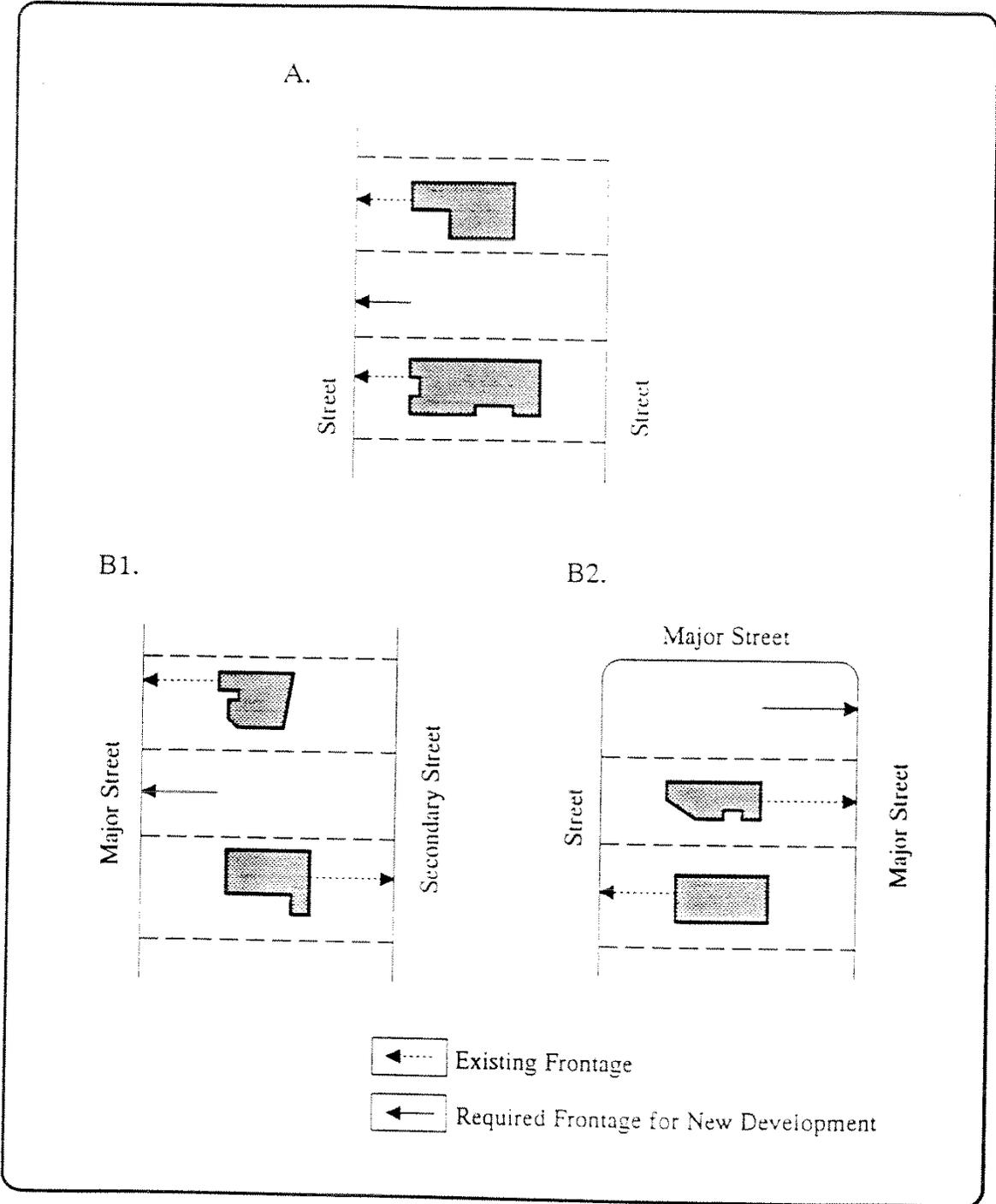


Figure 4070.40
 Identification of Front Lot Lines

2. If the lot in question is a corner lot and both streets are of the same classification, the narrower of the two frontages shall be designated the front lot line.
3. The Planning Director shall make the determination when the above criteria cannot be applied to the particular situation.

4070.50 Determination of Front Yards

Figure 4070.50 provides visual clarification of the following provisions.

A. Through Lots

Both ends of a through lot shall have a setback equal to the front yard setback required by the zone district.

B. Key Lots

The depth of the required front yard of a key lot shall not be less than the average depth of the street-abutting yards of the adjoining interior and reversed corner lots. The garage portion of the primary structure shall require a minimum front yard setback of not less than 20 feet.

4070.60 Determination of Rear Yards

A rear yard setback may include one-half but not more than 15 feet of an abutting alley.

4070.70 Yard Requirements Modified by Ordinance

When the yard setbacks on a lot have been modified by a previous ordinance and existing development on the same block and street conform to the modified yard setbacks, new development may also observe those previously modified standards. Appendix D details areas where yard setbacks have been modified.

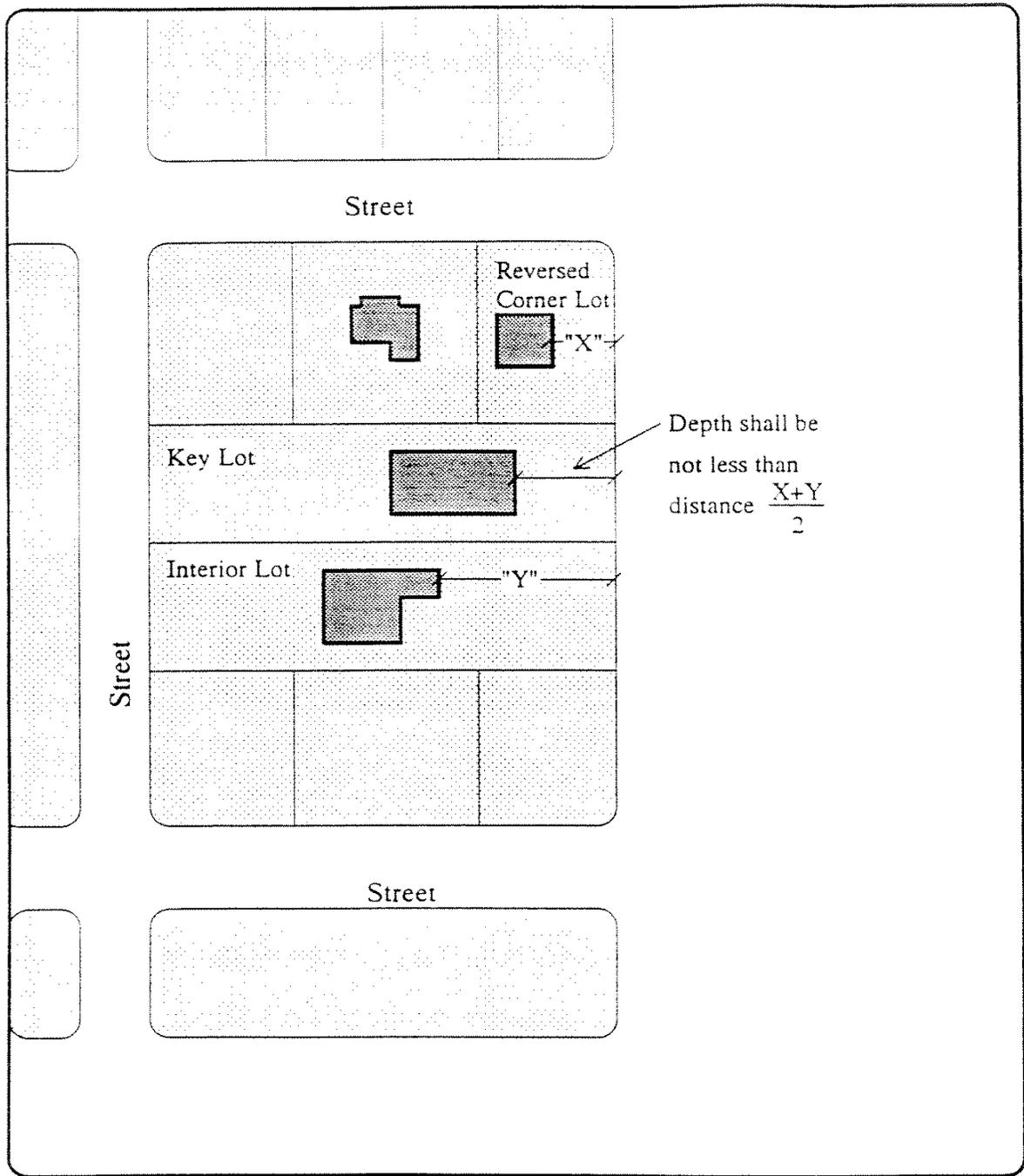


Figure 4070.50
Front Yard Dimension - Key Lot

4070.80 Required Lot Standards Reduced by Public Use

A. Area

1. If a portion of a conforming lot or parcel of land is acquired by any means which may include dedication, purchase, or condemnation, or for any public use which may include recreation, services, or utilities, that lot or parcel shall be considered conforming as long as the area is reduced to no less than 75 percent of the minimum required area. In no case, however, shall the lot contain less than 2,500 square feet.
2. The Planning Commission shall have the authority to reduce the 2,500 square foot provision to 2,000 square feet pursuant to all the conditions and procedures relating to Variances found in Section 5100 of this Ordinance, Conditional Use Permits and Variances.

B. Width

If a conforming lot or parcel is acquired by any means, including dedication, purchase, or condemnation, or for any public use which may include recreation, services, or utilities, that lot or parcel shall be considered conforming as long as the width is not reduced by more than 30 percent. In no case, however, shall the lot width be reduced below 35 feet.

4070.90 Encroachments into Yards

The items indicated in Table 4070.90, Permitted Encroachments into Required Yard Areas, may be placed in required yards subject to the conditions placed upon those items by the table.

**Table 4070.90
Permitted Encroachments into Required Yard Areas**

ITEM	FRONT	REAR	SIDE
	MAXIMUM PROJECTION INTO FRONT YARD AREA	MAXIMUM PROJECTION INTO REAR YARD AREA	MAXIMUM PROJECTION INTO SIDE YARD AREA(a)
Antennas	Not permitted	Property line	Property line
Architectural protrusions	2'6"	2'6"	2'6"
Awnings	4'0" No vertical supporting structures	3'0"	2'6"
Balconies or Stairways	2'6"	2'6"	2'6"
Barbecues (not to exceed 6'6" in height)	Not permitted	Property line	Property line
Basement below grade	Property line	Property line	Property line
Bay windows	2'6"	2'6"	2'6"
Chimneys (maximum 5' width)	2'0"	2'0"	2'0"
Cornices, eaves and roof overhangs	2'6"	2'6"	2'6"
Decks at grade	6'0"	6'0"	6'0"
Decks above grade, not to exceed first story or 7'6"	Not permitted	6'0"	6'0"
Eaves	2'6"	2'6"	2'6"
Patio covers including columns	Same as balconies	2'6"	2'6"
Porch	6'0"	3'0"	6'0"
Porte Cochere	Permitted by Site Plan Review Only		
Roof deck (b)	Not permitted	2'6"	Not permitted
Satellite Dishes	Not permitted	(c)	(c)
Stairway landings	6'0"	6'0"	6'0"
Window-mounted air conditioners	Not permitted	3'0"	2'6"

(a) On a corner lot, projections permitted in a front yard setback also apply to a street side yard.

(b) The deck and its railing shall not exceed the building height limit for the applicable zone district.

(c) Refer to Section 4070.110.

4070.100 Corner Cut-Off Areas

- A. In all zones, a corner cut-off area shall be provided at the intersection of all streets, as described in Section 2020.30 of this Ordinance.
- B. Nothing shall be placed or allowed to grow in the corner cut-off area in a manner which obstructs visibility or threatens vehicular or pedestrian safety. Open fences are permitted within the corner cut-off, provided safety and visibility can be maintained.

4070.110 Satellite Dishes, Microwave Dishes, and Solar Panels

The following regulations shall apply to satellite and microwave dishes in excess of two feet in diameter and to all solar panels.

A. Location Restricted

Satellite and microwave dishes and solar panels shall not be placed at any location on any property which can be seen from a public street from a height of six feet or less. Microwave receiving dishes operated by any cable television company holding a valid franchise permit with the City shall be exempt from these provisions.

B. Other Requirements

Such dishes and panels shall comply with building and permitting requirements specified in Section 8-1.10 of the Maywood Municipal Code.

4080 PERFORMANCE STANDARDS

4080.10 Intent and Purpose

The purpose of performance standards is to permit a degree of flexibility in placement of uses, particularly commercial and industrial uses, while protecting the environment and integrity of surrounding developments.

4080.20 Noise

Any existing or proposed uses which generate sounds that are or may be considered a nuisance or hazard to any adjacent property due to the intermittence, beat, frequency, or shrillness of the sounds, shall have the source of the noise muffled or otherwise controlled so that the noise is subdued to acceptable levels. Construction work is exempt from this requirement during the period a valid building permit is in force.

4080.30 Particulate Matter

Any existing or proposed use shall not discharge excessive particulate matter into the atmosphere for a period that exceeds three minutes in any one hour. The following standards establish maximum acceptable levels:

A. Smoke

The density reading designated as Number 1 on the United States Bureau of Mines Ringelmann Chart is the maximum acceptable level.

B. Dust, Dirt, and Ash

Any level which can or may cause damage to the health of any individual, animal, or plant or physical soiling or discoloration of the surfaces of any structure or material which is located outside the property lines of the lot or parcel from which the particulate matter is emanating.

4080.40 Odors, Toxics, and Noxious Matter

Any existing or proposed use which produces odors, toxic gases, or noxious matter in such quantities as can or may be readily detectable at any point outside the property lines of the premises and when such

emissions are or may become a public nuisance or hazard, the use shall be modified to prevent such releases.

4080.50 Vibration

Any existing or proposed use which generates vibrations that can or may be considered a nuisance or hazard on any adjacent property shall be cushioned or isolated to prevent generation of such vibrations.

4080.60 Glare

Any existing or proposed use that constitutes or may be considered a nuisance or hazard on any adjacent property due to emittance of excessive light or glare from mechanical or chemical processes or from reflective materials used or stored on the site shall be shielded or otherwise modified to prevent such emissions.

4080.70 Heat, Radiation, and Electromagnetic Disturbances

Any existing or proposed use that can or may generate excessive heat, electrical disturbances, or radioactive emissions that can or may be considered hazardous or a nuisance shall be shielded, contained or otherwise modified to prevent such generations, disturbances, or emissions.

4090 RIGHT-OF-WAY DEDICATION

4090.10 Dedication and Improvement

- A. No building or structure shall be used until all required dedications and improvements on abutting rights-of-way have been made. Improvements include curbs, gutters, sidewalks, paving, and drainage. All improvements shall be constructed to the specifications and in the manner prescribed by the City Engineer.
- B. In lieu of dedication, the City Council may accept an agreement to dedicate. Such agreement shall be signed by all persons having any right, title, interest, or lien in the property, or any portion thereof, to be dedicated. The signatures on such agreement shall be acknowledged, and the City Council shall record such agreement in the office of the Los Angeles County Recorder.

4090.20 Exceptions

The following uses are exempt from the requirements of Section 4090.10:

- A. One two-family or two one-family dwellings and their accessory uses;
- B. Electrical distribution and transmission substations;
- C. Gas measurement, pumping, metering, and control stations;
- D. Oil wells;
- E. Telephone repeater stations;
- F. Temporary uses permitted by this Ordinance; and
- G. Other similar uses which are projected to generate no more than 20 vehicle trips per day.

4090.30 Dedication Standards

Highways, streets, and alleys shall be dedicated to the standards established by the City Engineer. In no case shall dedication of right-of-way be required to the extent that parcels or lots are reduced in area to the point of being undevelopable, as defined in Section 4070.80, Required Lot Standards Reduced by Public Use.

4090.40 Agreement to Improve

- A. In lieu of the required improvements, the City Council may accept from any responsible party an agreement to make the specified improvements.
- B. Such contracts shall be accompanied by surety deposits which may include cash, negotiable bonds, or savings and loan certificates or shares. The surety deposit shall equal the cost of the agreed upon improvements. Where savings and loan certificates or deposits are deposited, the owners thereof shall assign the certificates or shares to the City. Such deposit and assignment shall be subject to and in compliance with the provisions and conditions of the Municipal Code of the City.
- C. If the estimated cost of the improvements equals or exceeds one thousand dollars, the applicant may file a corporate surety bond with the City in lieu of the deposit. Such corporate surety bond shall guarantee the adequate completion of all of the improvements in a penal sum equal to the estimated cost.
- D. In cases where the stipulated time within which improvements were to be made expires, the Council may grant additional time as it considers appropriate.
- E. Should the responsible person fail to complete any improvement within the agreed upon time, the Council may determine that the agreed upon improvement is incomplete and may cause a portion of the deposit or surety bond to be forfeited to the City. Such forfeiture shall not exceed the amount required to complete the agreed upon work and expenses incurred by the City as a result of the default. Not less than ten days prior to such a determination, the Council shall serve the person with written notice. If the written notice is delivered by mail, it must be registered and shall be served not less than twenty days prior to the determination.

4090.50 Existing Structures Exempt

All existing structures and any alterations or enlargements to existing improvements on the lot which do not exceed one-half the current assessed value of existing improvements are exempt from the requirements of dedication or improvement of right-of-way. "Assessed value" means the value of the improvements as reported on the latest tax roll of the Los Angeles County Assessor.

4090.60 Adequate Rights-of-Way

The City Council may grant a modification to the provisions of this Chapter 4090, Right-of-Way Dedication, thereby relieving the applicant from compliance with all or a portion of the provisions thereof, subject to the following findings:

- A. The required improvements are included in a budgeted City project or within an approved assessment district; or
- B. The City Engineer is unable to furnish grades within a reasonable time; or
- C. The required construction would create a drainage or traffic problem; or
- D. The City Engineer determines current improvements to be satisfactory.

All requests for modifications shall be made in the form of a Variance application, as specified in Section 5100, Conditional Use Permits and Variances.

4100 PARKING AND LOADING

4100.10 Intent and Purpose

The City recognizes the need for adequate off-street parking and loading facilities to reduce the level of on-street parking along congested streets; to ensure that vehicle movement and loading activities associated with a use do not interfere with circulation on public rights-of-way; and to ensure that interior site circulation does not interfere with vehicular or pedestrian movement.

4100.20 Applicability

- A. The provisions of this section shall apply to all proposed land uses, buildings, and structures and shall be the minimum standards for all off-street parking and loading facilities.
- B. These provisions shall also apply when an existing residential building is altered or enlarged to add new bedrooms, residential units, senior citizen's units, or guest rooms. Also, at the time the building is altered or enlarged, additional parking spaces shall be provided for the existing units if existing parking is substandard and does not conform to the provisions of this section.
- C. These provisions shall also apply when a non-residential use is intensified by an increase in floor space, seating capacity, or change in use.

4100.30 Site Plan and Building Permit Required

- A. A site plan shall be submitted for all required parking facilities with the exception of parking provided for a single, single-family residential unit. The plan shall consist of a detailed layout of the parking facility, accurately dimensioned, showing all required parking spaces, landscaped areas, driving aisles, ingress/egress points, etc. The site plan shall be submitted and reviewed in conjunction with any other associated land use application, or in the case where no other application is required, a site plan shall be submitted and processed pursuant to the provisions of Section 5120 (Site Plan Review).

- B. No parking facility or driveway shall be established until a building permit for the facility or driveway has been obtained in accordance with applicable provisions contained in the Building Code.

4100.40 Encroachment Into Right-of-Way Prohibited

Land within the right-of-way of a proposed street or highway, or within the planned ultimate right-of-way on a street or highway proposed to be widened, shall not be used to provide required parking and loading facilities.

4100.50 Location of Parking and Loading Facilities

A. Parking - Residential Uses

Required parking facilities for residential uses shall be located on the same lot or parcel of land as the use the parking facilities are intended to serve. The facilities shall be conveniently and safely located on the site.

The Commission may approve alternate parking facilities where vehicular access to a garage, carport, or other required automobile storage space on the same lot or parcel of land is not possible from any street, highway, or alley. Such restrictions to access may be due to topographical or other physical conditions. Access may be so difficult to achieve that to require such access may be determined unreasonable in the opinion of the Planning Commission. An application for a Variance shall be filed by the party requesting consideration in this regard.

B. Parking- Non-Residential Uses

Required parking for non-residential uses shall be located:

1. On-Site. On the same lot or parcel of land as the use which the facilities serve; or
2. Off-Site. On a lot(s) or parcel(s) of land (“subservient lot”) located on the same block as the lot supporting the use the parking facilities serve (“principal lot”) whether or not under the same ownership provided that:
 - a. The owner(s) of the subservient lot execute and record in the office of the County Recorder of Los Angeles County, California, an agreement, approved by the City Attorney, as a

covenant running with the land for the benefit of the City and the principal lot, providing that such owner(s) of the subservient lot and their heirs, assigns, or successors in interest will continue to maintain the parking facilities so long as the building or use they intended to serve is maintained, and the permitted use under this Section will cease if the offsite parking facilities are not maintained as such; and

- b. No more than twenty percent (20%) of the total number of parking spaces required for the use is located at the off-site location or subservient lot; and
 - c. The parking spaces leased must not be required for, or available to, any other property.
 - d. Restricted parking signs approved by the Director of Building and Planning are posted at the off-site location or subservient lot approved pursuant to Subsection a. and Subsection b. above; or
3. On a lot or parcel of land separated only by an alley (20 feet wide or less) from the lot or parcel supporting the use the parking facilities serve, provided:
- a. That said lots or parcels are under the same ownership; and
 - b. That said lots or parcels would be contiguous if not separated by the alley; and
 - c. That direct vehicular and pedestrian passage between said lots or parcels would be possible if the alley were vacated; and
 - d. That the parking is located not more than 200 feet from the use it is intended to serve; or
4. On a non-adjacent lot on the same block as the lot supporting the use the parking facilities serve, provided that the non-adjacent lot is under the same ownership. Same ownership, as used herein, includes property subject to a binding recorded lease for not less than 10 years from commencement of use. The parking spaces leased must not be required for, or available to, any other property.

C. Loading - All Uses

Required loading facilities shall be located on the same lot or parcel of land as the use served.

4100.60 Number of Parking Spaces Required

A. Required Spaces

Table 4100.60 specifies the number of off-street parking spaces required for specific uses. The requirement for a use not specifically mentioned shall be the same as for a specified use which has similar traffic-generating characteristics. The Director of Building and Planning shall determine what constitutes similar traffic-generating characteristics.

B. Fractional Spaces

If the calculation of required parking spaces results in a fractional number, that number shall be rounded up to the next whole number.

C. Calculation of Floor Area

Where required parking calculations are based on floor area, any interior building floor space devoted to parking, including parking access driveways and ramps, shall be excluded.

**TABLE 4100.60
NUMBER OF PARKING SPACES REQUIRED**

Use	Required Number of Spaces
Residential Uses	
Single-family residence 3 or fewer bedrooms	2 covered spaces
Single-family residence 4 or more bedrooms	2 covered spaces for first 3 bedrooms, then 1 uncovered space/bedroom for each additional bedroom
Duplex, Triplexes	2 covered spaces/unit for first 3 bedrooms, then 1 space/bedroom for each additional bedroom, plus 1/2 guest space/unit
Apartments - 3 or fewer bedrooms	2 covered spaces/unit, plus 1/2 guest space/unit
Apartments - 4 or more bedrooms	2 covered spaces/unit for first 3 bedrooms, then 1 space/bedroom for each additional bedroom, plus 1/3 guest space/unit
Mobile home Park	1 space/trailer site, plus 1 guest space/2 trailer sites
Second Unit	1 uncovered space/unit
Senior Citizen Housing Complex	1 space/2 units
Assembly Uses	
Church, chapel, religious facility, cemetery, mortuary	1 space/3 fixed seats, and 1 space/21 SF of assembly area where there are no fixed seats 18 inches of continuous bench area = 1 seat

Use	Required Number of Spaces
Cinemas - Multiple Screen	1 space/5 seats, plus 7 spaces for employees
Cinemas - Single Screen	1 space/3 seats, plus 5 spaces for employees
Performance Theatres	1 space/4 fixed seats
Union Halls, Lodges, Clubs	30 spaces/1,000 SF of gross assembly floor area
Automotive Uses	
Service and Repair	3 spaces/service bay
Washing Facility	Equivalent of 5 spaces/1 space of internal washing capacity Spaces may be provided in open paved area for drying cars
Washing Facility - Self Service	Equivalent of 2.5 spaces/wash bay Spaces may be provided in open paved area for drying
Commercial Uses - Retail and Service	
Furniture Stores, Bulk Goods	2 spaces/1,000 SF of indoor GFA

Use	Required Number of Spaces
General Retail with less than 25,000 SF-GFA	4 spaces/1,000 SF-GFA
General Retail with 25,000 SF or greater	See Shopping Center
Hotels and Motels	1 space/guest room without kitchen facilities, plus additional parking as required for auxiliary uses 2 spaces/guest room with kitchen facilities, 1-1/2 of which must be covered
Laundromat	1 space/2 washing machines and 1 space/1 super-capacity washing machine. Laundromats are not permitted in shopping centers with 25,000 SF-GFA or greater.
Plant Nurseries	1 space/1,000 SF indoor GFA, plus 1 space/1,000 SF gross outdoor retail area
Outdoor Sales, including lumber yards, car sales, salvage yards	1 space/1,000 SF gross outdoor retail area, plus additional parking as required for indoor sales area

Use	Required Number of Spaces
Restaurants	
Dine-in	1 space/300 SF-GFA, with a minimum of 5 spaces in all cases
Fast Food	1 space/300 SF-GFA, with a minimum of 5 spaces in all cases
Take-out (no fixed seats)	1 space/300 SF-GFA
Shopping Center (25,000 SF or greater)	3 Spaces/1,000 SF-GFA regardless of tenant use, with the following exceptions:
Cinemas in shopping centers with less than 100,000 SF-GFA	3 spaces/100 seats in addition to Figure 4100.60 requirements
Cinemas in shopping centers with 100,000 to 199,000 SF-GFA	No additional parking required for first 450 seats, then 3 spaces/100 seats for seating above 450 seats
Cinemas in shopping centers with 200,000 or more SF-GFA	No additional parking required for first 750 seats, then 3 spaces/100 seats for seating above 750 seats
Office space occupying less than 50 percent of total shopping center GFA	1 space/300 SF of office GFA
Restaurant areas occupying more than 15 percent of total shopping area GFA	Parking shall be provided as required above for restaurants

Use	Required Number of Spaces
Educational Facilities	
Day Care, Nursery School	1 space/2 employees, plus 1 space/5 children, based on facility capacity
Elementary and Junior High School	1.5 spaces/classroom, plus 1 space/5 fixed seats in auditorium, gymnasium or similar public assembly facility (35 SF=5 fixed seats)
High School	8 spaces/classroom
College or University	1 space/employee, plus 4 spaces/10 students based on maximum classroom capacity
Trade School, Business School, Adult Education	2 spaces/3 people based on maximum number of students and staff, or 1 space/35 SF of instruction GFA
Libraries, Museums, Art Galleries	4 spaces/1,000 SF-GFA
Health Care Facilities	
Convalescent Hospital, Rest Home, Sanitarium	1 space/2 beds, plus if employee residence facilities are provided onsite, additional parking in accordance with applicable residential requirements
Hospitals (providing acute care, clinical, surgical, teaching, research and office services)	1 space/3 patient beds
Medical Center (providing acute care, clinical, surgical, teaching, research and office services)	1 space/3 patient beds
Medical and Dental Offices	1 space/250 SF-GFA
Veterinary Office	1 space/250 SF-GF

Use	Required Number of Spaces
Industrial Uses	
General Manufacturing and Processing Uses (not including buildings used exclusively for warehouse purposes)	1 space/400 SF of industrial/manufacturing area, plus 1 space/250 SF of office use, plus 1 space/1,000 SF of warehouse area
Warehouses used exclusively for storage	1 space/1,000 SF of warehouse area, plus 1 space/250 SF of office use
Mini-Storage Warehouse	1 space/2,500 SF-GFA
Office Uses	
Business and Professional (except medical offices)	1 space/250 SF-GFA
Financial Services (banks, savings and loans, credit unions)	1 space/250 SF-GFA

Use	Required Number of Spaces
Recreation Uses	
Arcades, Pool Halls, Bingo Halls	1 space/250 SF-GFA
Bowling Alley	3 spaces/lane, with auxiliary uses calculated separately
Dance Halls	1 space/7 gross SF dance floor area
Driving Range	1 space/tee, with other uses calculated separately
Golf Course - Regulation and Pitch and Putt	9 spaces/hole, with other uses calculated separately
Gym, Spa, Health Club	1 space/200 SF gross recreation floor area
Miniature Golf	1.5 spaces/hole, with other uses calculated separately
Skating Rink - Ice or Roller	1 space/100 SF gross recreation area, with other uses calculated separately
Swimming Pool - Commercial	1 space/1,000 SF of lot area, plus 1 space/2 employees, but a minimum of 10 spaces in all cases
Tennis Courts	3 spaces/court, with other uses calculated separately

D. Handicapped Parking

Parking for handicapped persons shall be provided pursuant to the provisions of Title 24 of the California Administrative Code. Handicapped spaces shall be provided in addition to those spaces otherwise required by this section.

E. Compact Car Parking

Compact car parking shall be allowed only for commercial, office, industrial, and manufacturing uses. The percentage of compact car parking spaces may consist of:

1. Up to 10 percent of the total number of required spaces; or
2. Up to 15 percent of the total number of required spaces, if the applicant can demonstrate through the Site Plan Review or Conditional Use Permit process (depending on the level of review required for the use associated with that parking) that the proposed use and the anticipated parking requirements would be best served by including such additional compact car spaces.

In calculating the percentage of compact car spaces, required handicapped parking spaces shall not be included in the total number of required spaces.

4100.70 Combined Parking and Loading Facilities

A. For Uses on Separate Parcels

Required parking facilities may be provided collectively for two or more buildings or uses located on separate parcels of land, provided that the total combined number of spaces and the amount of landscaping, drive areas, and other requirements are no less than those requirements for the sum of the individual uses. Whether or not the separate parcels of land are under the same ownership, the owner(s) of the separate parcels of land shall execute and record an agreement, approved by the City Attorney, as a covenant running with the land for the benefit of the City and the parcels of land granting each other reciprocal easements for the joint use and maintenance of parking areas, landscaping, drive areas, and other related requirements.

B. For Separate Uses on the Same Parcel

In instances where two or more uses are properly located on the same parcel of land, all parking and loading facilities, including combined parking facilities, shall equal the sum total requirements for the various individual uses calculated separately.

4100.80 Exclusivity of Facilities

Parking and loading facilities designated for one use may not be counted or considered as also providing required parking and loading facilities for any other use.

4100.90 Parking Facility Layout and Dimensions

Parking facilities shall be designed to conform to the following minimum standards:

A. Access

Easily accessible and adequate ingress and egress shall be provided from and to a street, highway, or alley.

B. Parking Space Dimensions

The minimum size of standard parking space shall be nine feet wide and 20 feet long (9' X 20'). The minimum size of a compact parking space shall be seven and one-half feet wide and 15 feet long (7' ½" X 15'). For an enclosed or covered parking area such as a garage or carport, the parking spaces next to a wall or other structural element shall have an additional one-foot (1') in width. For example, a two-car garage or carport, the clear interior dimensions shall be 20 feet by 20 feet (20' X 20').

C. Driveways

Driveways providing access to parking facilities shall have the following dimensions:

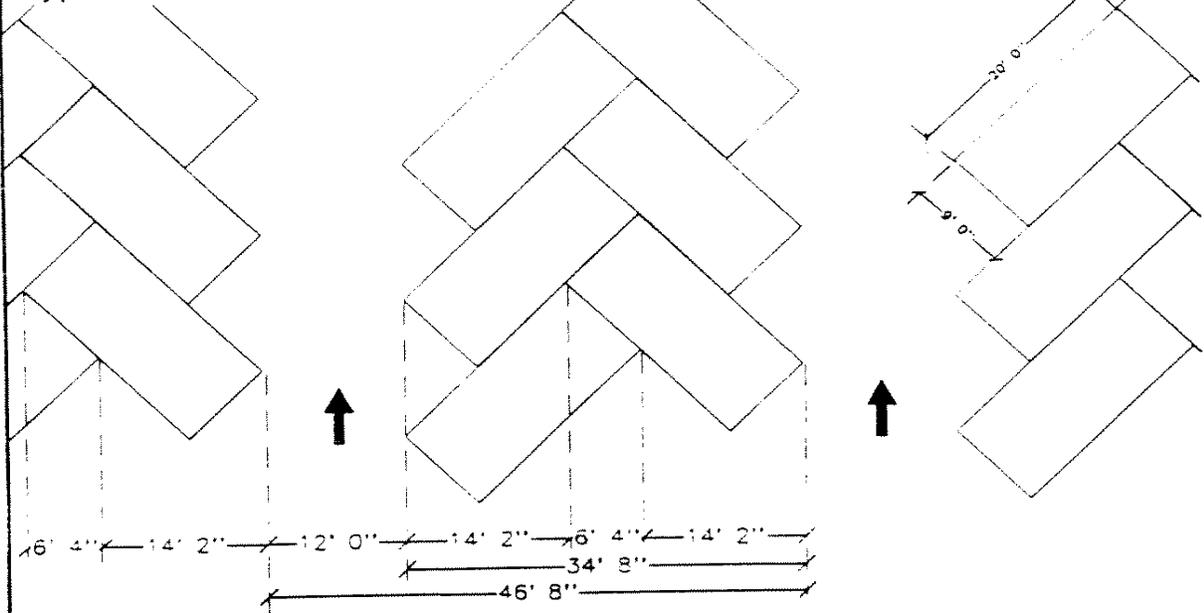
1. **Non-Residential Uses** - The minimum width shall be 12 feet for one-way traffic and 20 feet for two-way traffic. Where one-way drives exist, directional signs and arrows shall be provided.

2. **Residential Uses (5 or fewer units)** - The minimum width shall be 10 feet.
3. **Residential Uses (more than 5 units)** - The minimum width shall be 10 feet for one-way traffic and 18 feet for two-way traffic. Where one-way drives exist, directional signs and arrows shall be provided.
4. **Limit on Residential Driveways** - For all residential uses, the driveway must lead directly to a garage, carport, or other approved parking facility. The number of permitted driveways shall be one per 50 feet of lot frontage, or fraction thereof, not to exceed a total of two driveways.

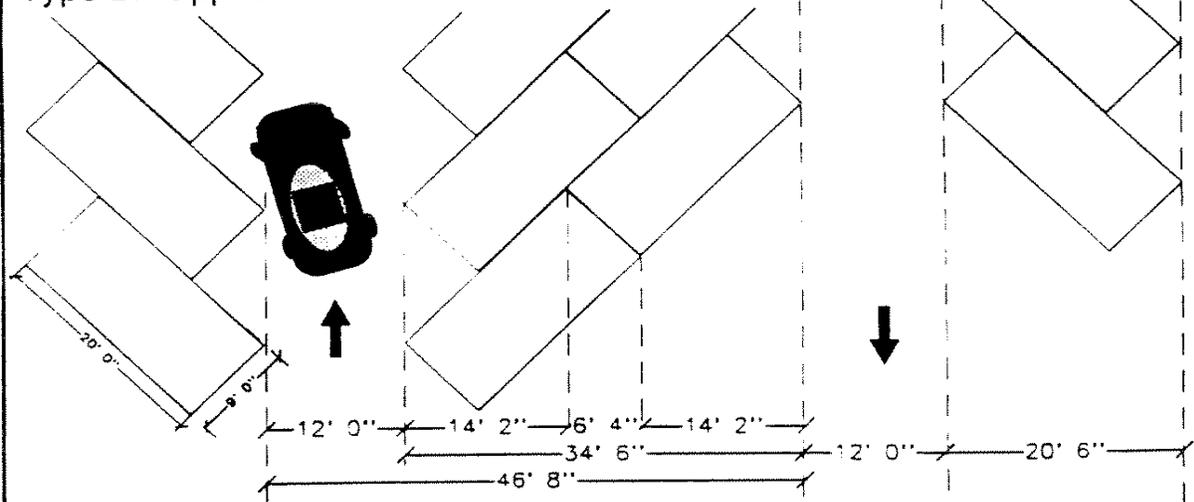
D. Maneuvering Areas

The dimensions of interior circulation drives and other maneuvering areas shall be as shown on Figures 4100.90(a) through 4100.90(g).

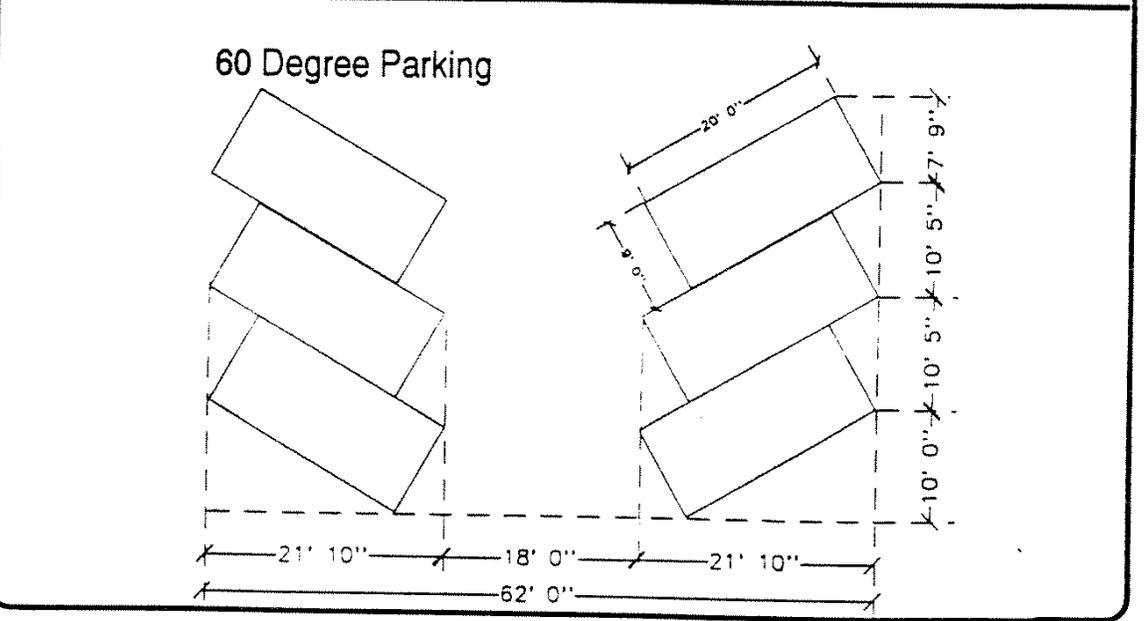
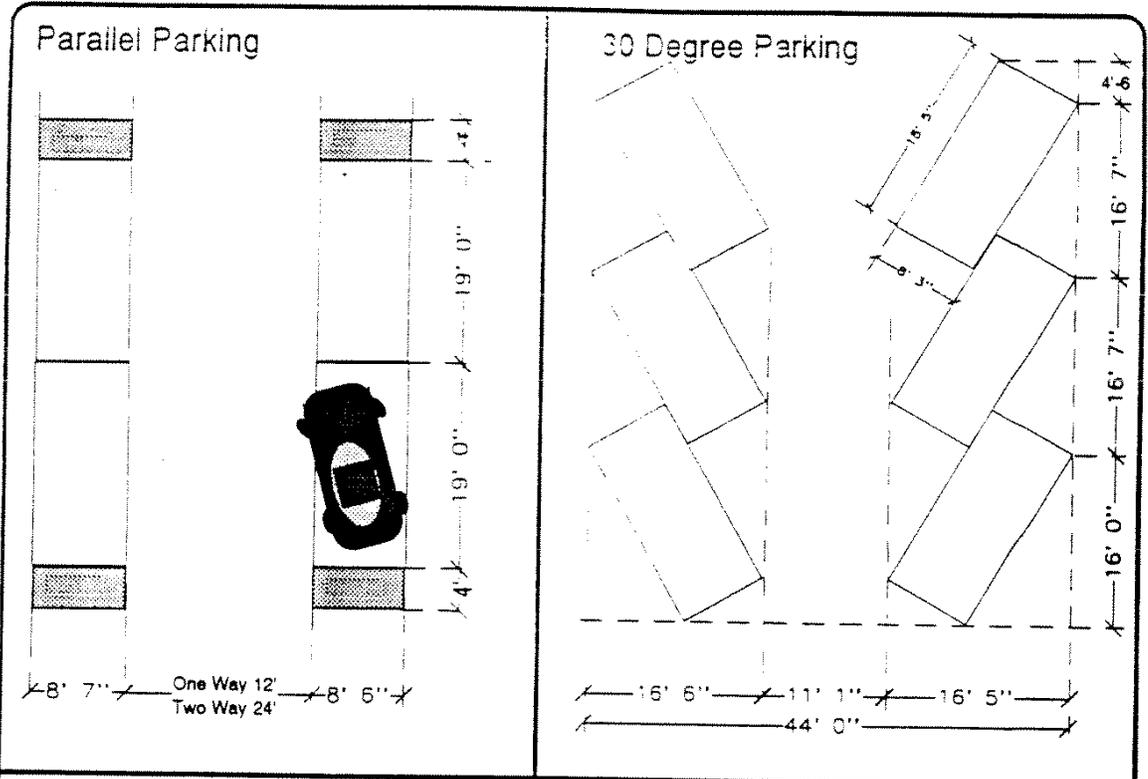
Type A. Same Direction of Travel in all Aisles



Type B. Opposite Directions in Alternate Aisles



Figures 4100.90(c) and (d)
Herringbone Parking



Figures 4100.90(e), (f), and (g)
Parallel and
30 and 60 Degree Parking

E. Backing into Street Prohibited

Wherever required parking is provided for six or more vehicles, the parking spaces and access drives shall be designed so that vehicles can move into and out of the parking area without backing onto a street or highway.

F. Turn Around Area

Any required garage, carport, or parking space located more than 100 feet from the street or highway from which access is taken, and served by a driveway or aisle less than 20 feet wide, shall have an adjacent vehicle turn around area.

G. Back-up Clearances

Back-up clearances for residential garages, carports and surface parking spaces shall be a minimum of 25 feet from any property line, structure or obstacle to allow for safe maneuvering.

4100.100 Parking Facility Development Standards

A. Paving

All required parking spaces and associated driveways shall be paved with:

1. Concrete surfacing to a minimum thickness of three and five eighths inches (3-5/8") and shall include expansion joints as necessary; or
2. Asphalt-type surfacing compacted to a minimum thickness of one and one-half inches (1-1/2"), laid over a base of crushed rock, gravel, or similar material compacted to a minimum thickness of three inches (3").
3. All newly constructed residential driveways and parking areas shall be concrete as specified in paragraph 1 above.

B. Parking Space Delineation

Wherever six or more vehicle parking spaces are required, each space shall be clearly marked with paint or other easily distinguishable material.

C. Bumper Guards or Wheel Stops

All required parking spaces, except those provided in a garage or carport, shall have a bumper guard or wheel stop to protect any adjacent building, fence, wall, landscaped area, or vehicle.

D. Screen Wall - Front Yards

Required parking for non-residential facilities for six or more vehicles located adjacent to the front lot line shall provide a wall 30 inches minimum height and 42 inches maximum height parallel to the front lot line. The wall shall be constructed in a manner to screen the parking from view and shall not be closer than five feet to the front lot line.

E. Lighting

Lighting of outdoor parking areas shall be designed and maintained in a manner to prevent glare or direct illumination from intruding into any adjacent residential zone.

F. Landscaping

The following landscape provisions shall apply to all unenclosed parking facilities.

1. A minimum of two percent of the interior parking area shall be landscaped. This landscaping shall not count towards the required two percent for the lot.
2. Wherever a screen wall is provided and is set back from the lot line, the open area between the wall and the lot line shall be landscaped with live plant material which shall be continuously maintained. This landscaping shall not count toward the required two percent interior landscaping of the parking area but will count towards the required two percent for the lot.
3. A minimum of one tree per 10 parking spaces shall be provided. Each tree shall be of a size which requires at least a 15 gallon container and shall be of a species that provides a broad canopy. The trees may be clustered, but a minimum of one cluster per 100 feet of parking row or double row shall be provided.
4. All interior landscaped areas shall be protected and enclosed in a concrete curb no less than six inches in height.
5. All landscaping shall be maintained and shall be irrigated with water conserving automatic irrigation systems.

4100.110 Parking in Required Front Yard Limitation

In a residential zone, no portion of the required front yard area shall be developed or used for vehicular off-street parking other than that portion occupied by the driveway. The driveway shall not exceed 20 feet in width. This restriction shall apply to automobiles, trucks, buses, trailers, boats, recreational vehicles, and motorcycles.

4100.130 Loading Facilities - Development Standards

Off-street loading facilities shall be provided for all commercial, office, industrial and warehousing land uses. The following provisions shall apply to all required loading facilities.

A. Location

Loading facilities shall be located on the same site as the building served and shall not in any way block vehicular movement to or from a street, driveway, or parking space.

B. Minimum Dimensions

The minimum dimensions for any required loading area shall be 10 feet wide, 25 feet long, and 14 feet of unobstructed vertical height.

C. Number of Spaces Required

Table 4100.130.C indicates the minimum number of loading spaces required for all uses. At the time of project review, additional spaces may be required if determined necessary to adequately serve the use.

**TABLE 4100.130
LOADING SPACES REQUIRED**

Building Size (gross floor area)	Number of Spaces
less than 20,000	1
20,001 - 50,000	2
50,001 or more	3

D. Turning Radius

All loading areas shall be provided with an adequate turning radius. An adequate turning radius means one which will enable a vehicle to maneuver without backing into the street or to access the loading area without backing into the area from the street.

E. Screening

All loading areas shall be screened from adjacent residential zones by a solid masonry wall no less than six feet in height.

4110 SIGNS

4110.10 Intent and Purpose

This section is established to regulate the location, design, quality of materials, construction, illumination, and maintenance of signs and sign structures. The City finds that the regulation of signs is necessary to provide an orderly display of advertising; to improve the appearance of Maywood; and to protect pedestrians and motorists from hazards associated with confusing signage.

4110.20 Permit Required

A permit shall be required to place, erect, construct, or otherwise maintain a sign in conformance with the provisions of this section, unless the sign is expressly exempted from these provisions. A reasonable fee may be charged for the sign permit, as established by City Council action.

4110.30 Exempt Signs

The following signs are exempt from the provisions of this section:

- A. Official notices issued by any court, public body, or public officer.
- B. Notices posted by any public officer in performance of a public duty, or for any person in giving legal notice.
- C. Traffic, directional, warning, or informational signs.
- D. Official signs used for emergency purposes.
- E. Public telephone signs.
- F. Temporary advertising signs required or authorized by the public authority having jurisdiction over sign permits.

4110.40 Maintenance and Safety

All signs shall be maintained in a neat and orderly condition, and no sign shall be permitted or operated in a manner that endangers the safety of any person or vehicle.

If the Director of Building and Planning, or his designee, finds that a sign is in disrepair, threatens public safety, or is otherwise in violation of this ordinance, he shall seek correction of the violations as provided for in this ordinance and in the Municipal Code. The Director shall notify the sign owner in writing that appropriate corrections must be undertaken or the sign will be removed.

4110.50 Prohibited Signs

The following signs and mechanical and electrical equipment are prohibited:

- A. Signs or sign structures which by color, wording, or location resemble or conflict with any traffic control sign or signal.
- B. Signs that create a safety hazard by obstructing a clear view of pedestrian or vehicular traffic.
- C. Signs that glare, flash, reflect, blink, or appear to do any of the foregoing. However, public service signs stating time and temperature may be permitted.
- D. Signs on or over public property, except when authorized by the appropriate government agency.
- E. Signs that identify or advertise a product or business no longer on the premises. The signs shall be blanked out within 60 days after the closing of the business.
- F. Signs painted on the rear wall of buildings, on fences, on walls, on roofs, or on other surfaces not specifically permitted by this section.
- G. Special event signs, except as provided for in Section 4110.70.H.
- H. Flags, banners, pennants, and paper signs, except as provided for in Section 4110.70.H.
- I. Signs attached to a motor vehicle or trailer which is conspicuously parked or left standing, unless the vehicle or trailer is being used for a bona fide delivery or other vehicular purposes away from a fixed place of business.

- J. String lights, including lights used for outlining, except in connection with permissible temporary or seasonal business activities. This section shall not prohibit holiday lights between Thanksgiving and New Year's Day.
- K. Advertising statuary.
- L. Lamps or incandescent lights are prohibited from use in any sign. These would include, but not necessarily be limited to:
 - 1. Stroboscopic lights
 - 2. Spot lights
 - 3. Revolving beacons
 - 4. Any lamp with internal metallic deflectors
 - 5. Any lamp with external reflectors
 - 6. Any exposed lamp or bulb with rated wattage in excess of 25 watts.
- M. Advertising of individual products, except as provided in Section 4110.60.
- N. Easel or A-frame type signs.
- O. Any other sign, sign structure, or advertising device which is not specifically permitted by the zoning regulations or which may have been erected in violation of the laws in effect at the time of erection.

4110.60 Permitted Signs

Table 4110.60 indicates the types of signs permitted within the specific zone districts, subject to conditions of use and development standards for the signs outlined in Section 4110.70.

**TABLE 4110.60
PERMITTED SIGNS**

Type of Sign	Zone District					
	R-3	C	CM	M	OS	PF
Billboards	X	C	C	C	X	X
For Sale/Rent	P*	P*	P*	P*	P*	P*
Freestanding	X	P	P	P	X	X
Identification	X	P	P	P	X	P
Mural	C	C	C	C	C	C
Name plates	P*	P*	P*	P*	P*	P*
Revolving	X	P	P	P	X	X
Roof	X	P	P	P	X	X
Special Event						
N Pennants, banners, paper signs	X	P	P	X	X	X
N Balloons and other tethered objects	X	C	C	X	X	X
Subdivision	P	X	X	X	X	X
Temporary						
Construction	P	P	P	P	P	P
Garage Sale	P*	X	X	X	X	X
Political	P*	P*	P*	P*	P*	P*
Window – Interior	X	P	P	P	X	X
Window – Seasonal	X	P	P	X	X	X
Abbreviations: P = Permitted C = Conditional Use Permit required X = Not permitted * = No sign permit required						

4110.70 Sign Use Conditions and Development Standards

The following conditions and standards shall apply to all permitted signs and conditionally permitted signs.

A. Billboards

1. No billboard shall be erected or maintained on any lot whose principal street frontage lies within 200 feet of a public school, church, courthouse, public library, or city hall fronting on the same street.
2. No billboard shall be erected or maintained within 100 feet of any other freestanding sign.
3. No more than one billboard shall be maintained for each 500 feet of street frontage. Intersecting streets right-of-way shall be included in the 500-foot frontage measurement.
4. Billboard structures shall conform to the setback requirements of the zone district in which they are located.
5. No roof-mounted billboards shall be permitted.
6. The maximum height of any sign structure shall be 30 feet, measured from the finished grade of the lot.
7. The maximum size sign face for single-face signs shall be 300 square feet, with maximum dimensions of 12 feet by 25 feet. The maximum size sign face for each face of a double-face signs shall be 300 square feet, with maximum dimensions of 12 feet by 25 feet, and the distance between the faces of a double-face sign shall not exceed 18 inches.

B. For Sale and For Rent Signs

1. Such signs shall be located only upon the property which is for sale or rent.
2. Such signs shall have a maximum size of six square feet and shall not be illuminated.

3. Such signs shall be removed within 30 days after the sale or rental of the property.

C. Freestanding Signs

1. Only one freestanding sign shall be permitted for each 350 linear feet of lot frontage of the lot on which the sign is located.
2. No part of any such sign shall be less than eight feet above ground level or shall be located or constructed in any manner which would constitute a hazard to pedestrian or vehicular traffic on public or private property.
3. No freestanding sign shall project over public property.
4. In the C, CM, and M zones, freestanding signs shall be limited to a maximum height of 25 feet, measured from the finished grade of the lot on which the sign is located. A height of 35 feet may be permitted subject to Conditional Use Permit approval.
5. The maximum size of the sign face shall not exceed 150 square feet. A larger size may be permitted subject to Conditional Use Permit approval.
6. Where a shopping center contains six or more businesses on a parcel of land one acre in size or larger, and where that parcel is under one ownership, the allowable sign face may be increased an additional 100 square feet, and the maximum sign height may be 35 feet. A larger sign face may be permitted subject to Conditional Use Permit approval.
7. Where an industrial center or business park contains more than six businesses on a parcel of land one acre in size or larger, and where that parcel is under one ownership, the allowable sign face area may be increased to 200 square feet.

D. Identification Sign

Identification signs located on the side of a building shall not exceed 25 percent of the area of the building wall on which they are located. Greater coverage may be permitted with Conditional Use Permit approval.

E. Name Plates

1. Information presented on the name plate shall be limited to the name, address, and telephone number of the persons in residence or business.
2. Sign size shall not exceed two square feet in area.

F. Revolving Signs

Any revolving sign, or any portion of which is designed to revolve, shall not exceed a rotating speed of eight revolutions per minute. The sign shall conform to all other development standards for its type.

G. Roof Signs

1. No more than one roof sign, with a maximum of two sign faces, per building shall be permitted.
2. No part of any roof sign shall extend more than 10 feet above the highest part of the building roof upon which the sign is displayed.
3. Maximum sign area shall be 50 square feet per sign face.

H. Special Event Signs

1. Special event signs shall be of professional quality, and paper signs shall be encased in a wood or metal frame.
2. All special signs shall require a permit from the Building and Planning Department for each special event occurrence. Such signs shall be permitted a maximum of two times per one year period and shall not be displayed more than 180 days in that one year period.

3. Any person dissatisfied with the decision of the Director of Building and Planning or the Planning Commission has the right to appeal the decision pursuant to Section 5140 of this ordinance.

I. Subdivision Signs

Signs advertising the initial sale or lease of residential units in a subdivision shall not exceed 100 square feet in area and 10 feet in height. Such signs shall be removed within 30 days of the sale of the last unit.

J. Temporary Signs - Construction

Signs displaying the names of businesses involved in the ongoing construction of a building may be posted on the construction site. No more than three such signs shall be posted on any one site. Individual signs shall be limited in sign area to 32 square feet and sign height to 10 feet.

K. Temporary Signs - Garage Sales

1. Maximum sign size shall be four feet by six feet.
2. The sign shall be located only in the front yard setback area.
3. Such signs shall be posted no sooner than three days prior to such sale and shall be removed within 24 hours after the sale.

L. Temporary Signs - Political

1. Maximum sign size shall be four feet by eight feet.
2. Only two such signs shall be permitted per lot.
3. In residential zones, such signs shall be permitted only within the front yard setback area, and a minimum setback distance of five feet shall be maintained from the lot line.

4. In all other zones, such signs located in windows or on walls may cover an additional 25 percent of the wall or window space beyond the restrictions for permanent signs.
5. Such signs shall be removed within 10 days following the applicable election.

M. Window Signs - Interior

1. Information presented on window signs shall be limited to the identification of the business, the telephone number, and hours of operation.
2. No paper signs shall be permitted unless they are special event signs.
3. The total signage area shall not exceed 25 percent of the area of the window or glass space of the associated business. This total shall pertain to permanent and special event signs. However, temporary political signs and seasonal signs may cover additional area, as noted in Sections 4110.70.L and 4110.70.N, respectively.

N. Window Signs - Seasonal

1. Seasonal signs are permitted provided total signage in the window for all permanent and temporary signs does not exceed 50 percent of the total window area.
2. Such signs shall not be posted for longer than 45 days.

4110.80 Non-Conforming Signs

- A. The City Council hereby determines that the public peace, safety, morals, and welfare require that all signs and advertising structures be constructed and erected subject to the provisions of this section. All signs and advertising structures constructed after the effective date of this section which do not comply with this section are hereby declared to be public nuisances and may be abated in the manner provided by the Maywood Municipal Code, Section 6-4.02.

- B. Any sign constructed prior to January 27, 1987 which was valid at the time of its erection or construction, but which now does not conform to the requirements of this section, shall either be removed or brought into conformity within the time period prescribed in Schedule 1 and Schedule 2.

1. Schedule 1

<i>Type of Sign</i>	<i>Period for Removal</i>
Non-professional painted signs, banners, and temporary signs	3 months

2. Schedule 2

<i>Sign Value</i>	<i>Period for Removal (Sign and Structure)</i>
Less than \$500	1 year
\$500 - \$1,000	1-1/2 years
\$1,001 - \$3,000	2 years
\$3,001 - \$6,000	2-1/2 years
\$6,001 and over	3 years

- C. Non-conforming signs may not be:

1. Changed or altered to another non-conforming sign.
 2. Structurally altered so as to extend the sign's useful life.
 3. Expanded.
 4. Re-established after discontinuance for 90 days or more.
 5. Repaired, when repairs exceed 50 percent of the reasonable replacement value of the existing sign or support structure, unless the repairs are made to make the sign conform to the provisions of this Section 4110.
- D. All illegal signs shall be removed or made to conform to Chapter 4110 within 30 days of the sign owner receiving a written notice that the sign is illegal.

- E. The Director of Planning and Building, or his designee, shall not permit non-conforming signs and shall cause the abatement of any sign in the City which fails to meet the requirements of this Chapter 4110 or any other applicable law. Signs shall be abated for which no required permit has been obtained, which are a public nuisance, which have been abandoned, or which have been amortized under the provisions of Section 4110.08.B.

4120 RECYCLING FACILITIES

4120.10 Intent and Purpose

The purpose of this Chapter is to establish a comprehensive set of standards and regulations for the establishment and operation of redemption and recycling facilities in Maywood.

4120.20 Definitions

For the purposes of this chapter, the following words, phrases and terms shall have the meaning ascribed to them in this Section:

Bulk Reverse Vending Machine - A machine that is larger than fifty square feet; is designed to accept more than one container at a time, and will pay by weight instead of by container.

Certified Recycling Center or Certified Processor - 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.

Collection Facility - A facility for acceptance by donation, redemption, or purchase of recyclable materials from the public. Such a facility does not use power-driven processing equipment, except as permitted elsewhere in this chapter. Collection facilities include the following:

- E. Reverse vending machine(s), fifty square feet or less;
- F. Small collection facilities which occupy an area of not more than five hundred square feet, may include:
 - v. A mobile unit,
 - vi. Bulk reverse vending machines or a grouping of reverse vending machines which is larger than fifty square feet but smaller than five hundred square feet,
 - vii. Kiosk type units which may include permanent structures,
 - viii. Unattended containers placed for the donation of recyclable materials;

C. Large collection facilities, which may occupy an area of more than five hundred square feet or are located on separate property not appurtenant to a host use and may include permanent structures.

Convenience Zone - An area within a one-half mile radius of a supermarket. A "supermarket" for the purpose of this chapter means a "full-line, self-service retail store with gross annual sales of two million dollars or more, and which sells a line of dry, grocery, canned goods, or non-food items and some perishable items."

Mobile Recycling Unit - An automobile, truck, trailer or van, licensed by the Department of Motor Vehicles, which is used for the collection of recyclable materials which previously contained beverages (pursuant to the California Beverage Container Recycling and Litter Reduction Act of 1986). A mobile recycling unit also means the bins, boxes or containers transported by automobiles, trucks, vans or trailers, and used for the collection of recyclable materials.

Processing - 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 Facility - A building or enclosed space used for the collection and processing of recyclable materials.

Recyclable Material - A reusable material including but not limited to metals, glass, plastic and paper, which are intended for reuse, manufacture 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 Health and Safety Code of the State of California.

Recycling Facility - A center for the collection and/or processing of recyclable materials. A recycling facility includes scrap metal dealers, aluminum and plastic beverage container collection facilities, paper recycling centers, etc. A recycling facility does not include storage containers or processing activity on the premises of a residential, commercial or manufacturing use, and used solely for the recycling of material generated by the residential property, business or manufacturer. Recycling facilities may include collection facilities and processing facilities as defined in this Chapter.

Reverse Vending Facility - A center for the collection and/or processing of recyclable material grouping more than one reverse vending machine at a site in order to accept and temporarily store all three container types.

Reverse Vending Machine(s) - An automatic 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 clip with a value not less than the container's redemption value as determined by the State of California. A Reverse Vending Machine may sort and process containers mechanically provided that the entire process is enclosed within the machine. Reverse vending machines shall not occupy an area larger than fifty square feet and shall not be higher than eight feet in height.

Industrial Collection and Processing Facility - A facility that accepts, stores or processes recyclable materials whether or not maintained in connection with another business. Processing includes but is not limited to sorting, cleansing, baling, briquetting, crushing, compacting, grinding, shredding, sawing, shearing and sorting of recyclable materials, and the heat reduction or melting of such materials.

4120.30 Permits Required

No person shall establish and operate a redemption and recycling facility without first obtaining a permit pursuant to the provisions set forth in this Chapter and in Appendix "A", "Regulation of Uses by Zone and District." An administrative permit shall be valid for a period of three (3) years, after which time the operator shall be required to obtain a new permit in order to continue operating the redemption and recycling facility. A subsequent permit may not be approved if there is evidence that the operator failed to comply with the requirements established in the first permit.

4120.40 Criteria and Standards.

Those recycling facilities permitted with a conditional use permit or with an administrative permit shall meet the applicable criteria and standards contained herein.

4120.41 General Requirements

All of the permitted recycling facilities shall comply with the following requirements:

- A. No recycling facility or center shall be located so as to encroach onto the public right-of-way, or be located so that any patron or customer utilizing the facility is required to be in a public right-of-way.
- B. No garbage or food wastes shall be permitted at the recycling facility site. If any incidental amounts of biodegradable refuse materials enter the site, it shall be removed by the next working day or within forty-eight hours of entering the site, whichever is sooner.
- C. Liquid wastes, hazardous and biodegradable materials, including, but not limited to, food, beverages, drugs, cosmetics, hazardous chemicals, poisons, medical wastes, syringes, needles, pesticides and other similar materials shall not be permitted on the site.
- D. The owner/operator of the recycling facility shall prevent or eliminate immediately any nuisance created by dust, odors, blowing material, graffiti, litter, pond water, noise or other nuisance.
- E. All buildings, structures and equipment within the recycling facility site shall be rodent-proof and any rodent infestation shall be controlled immediately. In the event of an infestation, the owner/operator shall hire a licensed pest control company and provide the City with proof of treatment.
- F. Any infestation or accumulation of flies or other insects of public health significance shall be immediately controlled.
- G. In anticipation of emergency situations (breakdown of equipment, power failure, etc.), the owner/operator shall make provisions to ensure that non-salvageable waste materials on the site will be properly contained and that no continuous storage be allowed.
- H. The owner/operator shall ensure that any representative of a regulatory governmental agency, including the City of Maywood, has access to the recycling facility site at any reasonable time for the purpose of obtaining information or inspecting the operation of the facility.
- I. The Director of Building and Planning or his/her designee may authorize minor modifications and/or minor exemptions to any of the design and improvement standards contained herein.
- J. Each permitted recycling facility shall file a monthly report, by no later than the 10th day of the following month, with the City, in a form

provided by the City, stating the type and amount of materials collected and the location of their final disposal.

4120.42 Specific Requirements

Each classification of permitted recycling facility shall comply with the following requirements:

- A. Reverse Vending Machine(s). Reverse vending machines do not require additional parking spaces for recycling customers and may be permitted in Convenience Zones located in the C, CM and M zones, provided that they comply with the following standards:
 1. Shall be established in conjunction with a commercial or industrial use or community service facility which is in compliance with the zoning and building codes of the City of Maywood and the Fire Code of the County of Los Angeles.
 2. Shall be limited to one reverse vending machine facility per commercial or industrial use.
 3. Shall be located within thirty feet of the entrance to the commercial structure or in a suitable space at the discretion of the Director of Building and Planning and shall not obstruct pedestrian or vehicular circulation.
 4. Shall not occupy parking spaces required by the primary use, driveway access or fire lanes on the lot.
 5. Shall occupy no more than fifty square feet of area per installation, including any protective enclosure, and shall be no more than eight feet (8') in height.
 6. Shall be constructed and maintained with durable waterproof and rustproof material.
 7. The owner/operator of the host business shall be responsible for the maintenance and cleanliness of the machine.
 8. Shall be clearly marked, in English and Spanish, to identify the type of material to be deposited, shall give operating instructions, and shall identify the telephone number of the operator or responsible person to call for maintenance or repair.

9. Shall not exceed a sign area of four square feet per machine, exclusive of operating instructions.
 10. Shall be maintained in a clean, graffiti and litter-free condition on a daily basis.
 11. Operating hours shall be at least the operating hours of the host use.
 12. Shall be illuminated to ensure comfortable and safe operation if operating hours is between dusk and dawn.
 13. All utility lines servicing the machines shall be placed in adjacent walls or underground and screened from public view.
 14. The operator shall provide the City with a recordable lease agreement, which includes a clause allowing the lease/operator and his/her employees to use the existing sanitary facilities located on the site. The lease agreement shall be reviewed and approved by the Director of Building and Planning and the City Attorney and, upon their approval, the operator shall file for recordation the lease agreement with the County Recorder's Office. No portable sanitary facilities are allowed.
 15. Owner/operator shall prepare and submit a Site and Operations Plan describing the location of the equipment, parking, signage, schedule of operation, provisions for site inspection and security, type of materials to be accepted and any other information deemed necessary by the Director of Building and Planning.
 16. At the expiration of the permit, the reverse vending machine shall be removed from the site on the day following permit expiration.
 17. Violation of any of the above conditions shall constitute grounds for revocation of the permit by the issuing authority.
- B. Bulk Reverse Vending Machine(s), Mobile Recycling Unit(s) and Small Collection Facilities. Bulk reverse vending machines, mobile recycling units and small collection facilities may be permitted in C, CM, and M zones, provided they comply with the following minimum conditions:
1. Shall be established in conjunction with an existing commercial use, industrial use or community service facility which is in

compliance with the zoning and building codes of the City of Maywood and the Fire Code of the County of Los Angeles.

2. Shall be no larger than five hundred square feet.
3. Shall maintain a minimum distance of 1,000 feet from one another in the C and CM zones.
4. Shall be set back as far from any public right-of-way as determined by the Director of Building and Planning and shall not obstruct pedestrian or vehicular circulation.
5. Shall accept only glass, metals, plastic containers, papers and reusable items.
6. Shall use no power-driven processing equipment except for the reverse vending machines.
7. Shall use containers that are constructed and maintained with durable waterproof and rustproof material, shall be covered when the site is not attended, and shall be secured from unauthorized entry or removal of materials and shall be of a capacity sufficient to accommodate materials collected during the collection schedule.
8. The operator/owner of the host use shall be responsible for the maintenance and cleanliness of the facility.
9. Shall store all recyclable material in containers or in the mobile unit vehicle, and shall not leave materials outside of containers when attendant is not present.
10. Shall be maintained free of graffiti and litter and any other non-recyclable materials. Mobile facilities, at which vehicles or containers are removed at the end of each collection day, shall be swept at the end of each collection day.
11. Shall not exceed noise levels of 50 dBA between the hours of 7:00 a.m. and 10:00 p.m., 40 dBA between the hours of 10:00 p.m. and 7:00 a.m. as measured at the property line of residentially zoned or occupied property, otherwise shall not exceed 55 dBA.
12. Unattended facilities located within three hundred feet of a property zoned for residential use shall operate only between the hours of 9:00 a.m. and 7:00 p.m.

13. Containers for the twenty-four-hour donation of materials shall be at least three hundred feet (300') from any property zoned for residential use; access, such as driveways, to the containers shall be located at least one hundred and fifty feet (150') from residentially zoned areas.
14. Containers shall be clearly marked to identify the type of material which may be deposited.
15. The facility shall be clearly marked, in English and Spanish, to identify the name and telephone number of the facility operator and the person to call for maintenance and cleanliness of the facility, the hours of operation and shall display a notice stating that no material shall be left outside the recycling enclosure or containers.
16. Signs may be provided as follows:
 - a. Recycling facilities may have identification signs with a maximum of sixteen square feet.
 - b. Signs must be consistent with the character of the location.
 - c. Directional signs, bearing no advertising message, may be installed with the approval of the Director of Building and Planning if necessary, to facilitate traffic circulation, or if the facility is not visible from the public right-of-way.
 - d. A-Frame signs are strictly prohibited.
 - e. The Director of Building and Planning may authorize increases in the number and size of signs upon findings that they are compatible with adjacent businesses.
17. Occupation of parking spaces by a bulk reverse vending machine, a mobile recycling unit or a small collection facility may not reduce available parking spaces below the minimum number required by the primary host use unless all of the following conditions exist:
 - a. The facility is located in a convenience zone or a potential convenience zone as designated by the California Department of Conservation, and
 - b. A parking study shows that existing parking capacity is not already fully utilized during the time the recycling facility will be on the site.

18. Mobile recycling units shall have an area clearly marked to prohibit other vehicular parking during hours when the mobile unit is scheduled to be present.
 19. At the expiration of the permit, the bulk reverse vending machine, the mobile recycling unit or the small collection facility shall be removed from the site on the day following permit expiration.
 20. All utility lines servicing the bulk reverse vending machine, the mobile recycling unit or the small collection facility shall be placed underground.
 21. The bulk reverse vending machine, the mobile recycling unit or the small collection facility shall be located and constructed so as not to create an unsightly appearance. Landscaping or screening from public view may be required by the Director of Building and Planning to insure compatibility with surrounding land uses.
 22. The operator shall provide the City with a recordable lease agreement, which includes a clause allowing the lease/operator and his/her employees to use the existing sanitary facilities located on the site. The lease agreement shall be reviewed and approved by the Director of Building and Planning and the City Attorney and, upon their approval, the operator shall file for recordation the lease agreement with the County Recorder's Office. No portable sanitary facilities are allowed.
 23. Owner/operator shall prepare and submit a Site and Operations Plan describing the location of the equipment, parking, signage, schedule of operation, provisions for site inspection and security, type of materials to be accepted and any other information deemed necessary by the Director of Building and Planning.
 24. Violation of any of the above conditions shall constitute grounds for revocation of the permit by the issuing authority
- C. Large Collection Facilities. A large collection facility is permitted in the M zone. The facility must provide the following standards:
1. Meet the standards and requirements of the zone that the facility is located in.
 2. The facility shall be located no less than three hundred feet (300') from property zoned for residential use.

3. The facility shall be screened from the public right-of-way by operating in an enclosed building or by an opaque fence at least eight feet in height with landscaping, as approved by the City Planning Commission or its designee, and be compatible with surrounding structures.
4. All exterior storage of materials shall be kept in sturdy containers which are covered, secured and maintained in good condition. Storage containers for flammable material shall be constructed of nonflammable material. No storage shall be visible above the height of the fencing.
5. A large collection facility may accept used motor oil for recycling from the generator in accordance with Section 25250.11 of the Health and Safety Code of the State of California. Oil storage must be kept in containers approved by the Director of Building and Planning and by the County of Los Angeles Fire Prevention Bureau.
6. The site shall be maintained free of graffiti, litter and any other undesirable materials, and shall be cleared of loose debris on a daily basis.
7. In addition to the parking required by manufacturing uses as stated in Chapter 4100, Parking and Loading, of the MZO, parking spaces shall be provided on the site for six vehicles or the anticipated peak customer load, whichever is higher, plus one parking space for each commercial vehicle operated by the recycling facility.
8. Noise levels shall not exceed 60 dBA between the hours of 7:00 a.m. and 10:00 p.m., 55 dBA between the hours of 10:00 p.m. and 7:00 a.m. as measured at the property line of residentially zoned property, or otherwise shall not exceed 65 dBA from 7:00 AM to 10:00 PM and 70 dBA from 10:00 PM to 7:00 AM in commercially zoned properties.
9. If the property lines of the facility are located within three hundred feet (300') of property zoned for residential use, the facility shall not operate between the hours of 7:00 p.m. and 7:00 a.m. on weekdays and 6:00 p.m. and 9:00 a.m. on Sundays and legal holidays.
10. Any containers provided for after-hours donation of recyclable materials shall be located at least three hundred feet (300') from

any property zoned for residential use, shall be of sturdy, rustproof construction, shall have sufficient capacity to accommodate materials collected and shall be secured from unauthorized entry or removal of materials.

11. Collection areas shall be kept free of graffiti and litter and other undesirable material, and the containers shall be clearly marked, in both English and Spanish, to identify the type of material that may be deposited. The facility shall display a notice, in both English and Spanish, stating that no material shall be left outside the recycling containers.
 12. The facility shall be clearly marked, in both English and Spanish, with the name and telephone number of the facility operator and the hours of operation. Identification and informational signs shall meet the standards of the zone; directional signs, bearing no advertising message, may be installed with the approval of the Director of Building and Planning.
 13. Power-driven processing, including aluminum foil and can compacting, baling, plastics shredding or other light processing activities necessary for efficient temporary storage and shipment of material, may be approved through the conditional use permit process.
 14. Owner/operator shall prepare and submit a Site and Operations Plan describing the location of the equipment, parking, signage, schedule of operation, provisions for site inspection and security, type of materials to be accepted and any other information deemed necessary by the Director of Building and Planning.
 15. Violation of any of the above conditions shall constitute grounds for the revocation of the permit by the issuing authority.
- D. Processing Facilities. A processor is permitted in the M zone; provided, that:
1. The facility meets all standards and requirements of the zone in which the facility is located.
 2. The facility shall be located no less than three hundred feet (300') from property zoned for residential use.
 3. Power-driven processing shall be permitted, provided all noise level requirements are complied with. Processing activity is limited

to baling, briquetting, crushing, compacting, grinding, shredding and sorting of source-separated recyclable materials and repairing of reusable materials.

4. A processing facility may accept used motor oil for recycling from the generator in accordance with Section 25250.11 of the Health and Safety Code of the State of California. Oil storage must be in containers approved by the Director of Building and Planning and by the County of Los Angeles Fire Prevention Bureau.
5. All exterior storage of materials shall be kept in sturdy containers which are covered, secured and maintained in good condition. Storage containers for flammable material shall be constructed of nonflammable material. All storage areas shall be screened from public view and landscaped in a manner to be approved by the Director of Building and Planning or his/her designee. Any enclosures shall be compatible with adjacent buildings. No stored materials shall be visible from the public right-of-way.
6. The site shall be maintained free of graffiti, litter and any other undesirable materials, and shall be cleared of loose debris on a daily basis and shall be secured from unauthorized entry and removal of materials when attendants are not present.
7. In addition to the parking spaces required for manufacturing use as stated in Chapter 4100, Parking and Loading, of the MZO, sufficient parking spaces shall be provided on site for the anticipated peak load of customers. If the facility is open to the public, additional parking spaces shall be provided for a minimum of ten customers or the peak load, whichever is higher, plus one parking space for each commercial vehicle operated by the recycling facility.
8. Noise levels shall not exceed 50 dBA between the hours of 7:00a.m. and 10:00 p.m., 40 dBA between the hours of 10:00 p.m. and 7:00 a.m. as measured at the property line of residentially zoned property, or otherwise shall not exceed 65 dBA.
9. If the property lines of an open facility are located within six hundred feet (600') of property zoned for residential use or three hundred feet (300'), if the processor operates within a wholly enclosed building, the facility shall not be in operation between the hours of 7:00 p.m. and 7:00 a.m. and shall be closed on Sundays and legal holidays. The facility shall be administered by on-site personnel during the hours the facility is open.

10. Any containers for after-hours donation of recyclable materials shall be at least six hundred feet from any property zoned or for residential use; shall be sturdy, rustproof construction; shall have sufficient capacity to accommodate materials collected; and shall be secure from unauthorized entry or removal of materials.
11. Access, such as driveways and parking, to the after-hours containers shall be located at least three hundred feet (300') from residentially zoned areas.
12. Designated areas for placing donated materials shall be kept free of litter and any other undesirable material. The containers shall be clearly marked, in both English and Spanish, to identify the type of material that may be deposited. Facility shall display, in both English and Spanish, a notice stating that no material shall be left outside the recycling containers.
13. The Signs for the facility shall be installed pursuant to approved sign criteria by the Director of Building and Planning. Painted signs on walls are prohibited. The facility shall provide signage indicating the name and phone number of the facility operator and the hours of operation.
14. No dust, fumes, smoke, vibration or odor above ambient level shall be detectable on neighboring properties.
15. Owner/operator shall prepare and submit a Site and Operations Plan describing the location of the equipment, parking, signage, traffic routes, schedule of operation, provisions for site inspection and security, type of materials to be accepted and any other information deemed necessary by the Director of Building and Planning.
16. No oil, grease, petroleum products or other harmful hazardous or noxious liquids shall be allowed to run off the yard or absorb into the ground.
17. The facility shall comply with all applicable requirements as stipulated by the National Pollutants Discharge Elimination System (NPDES).
18. Violation of the conditions in this section shall constitute grounds for revocation of the permit by the issuing authority.

- E. Industrial Collection and Processing Facility. An industrial collection and processing facility is permitted in the M zone, provided that:
1. The facility meets all standards and requirements of the zone in which the facility is located.
 2. The subject site is eighty-seven thousand one hundred twenty square feet (two acres) or greater in area.
 3. The facility shall be located no less than three hundred feet (300') from property zoned for residential use.
 4. The facility is not located on a primary arterial highway such as Atlantic Avenue and Slauson Avenue as defined in the Maywood General Plan.
 5. The facility may accept used motor oil for recycling from the generator in accordance with Section 25250.11 of the Health and Safety Code of the state of California. Oil storage must be in containers approved by the Director of Building and Planning and by the County of Los Angeles Fire Prevention Bureau.
 6. No oil, grease, petroleum products or other harmful hazardous or noxious liquids shall be allowed to run off the yard or absorb into the ground.
 7. The facility shall comply with all applicable requirements as stipulated by the National Pollutants Discharge Elimination System (NPDES).
 8. Power-driven processing shall be permitted, provided all noise level requirements are complied with. The facility activity may include but is not limited to baling, briquetting, crushing, compacting, grinding, shredding, sawing, shearing and sorting of recyclable materials and the heat reduction or melting of such materials.
 9. All exterior storage of material shall be in sturdy containers which are covered, secured and maintained in good condition. Outdoor storage area(s) shall be screened from adjacent commercial properties or streets or other public rights of way by a minimum fifteen-foot (minimum ten-foot when adjacent to industrial properties), solid decorative masonry wall, subject to the approval of the Director of Building and Planning. No storage, excluding

truck trailers shall be visible above the height of the wall from street elevation.

10. The facility shall provide a minimum five-foot landscape/irrigated buffer along all street frontages. Such landscaping shall be subject to the approval of the Director of Building and Planning. Landscaping and/or additional screening shall be provided as deemed necessary by the Director of Building and Planning.
11. The site shall be maintained free of graffiti, litter and any other undesirable materials, and shall be cleared of loose debris on a daily basis and shall be secured from unauthorized entry and removal of materials when attendants are not present.
12. In addition to the parking spaces required for manufacturing use as stated in Chapter 4100, Parking and Loading, of the MZO, sufficient parking spaces shall be provided on site for the anticipated peak load of customers. If the facility is open to the public, additional parking spaces shall be provided for a minimum of ten customers or the peak load, whichever is higher, plus one parking space for each commercial vehicle operated by the facility.
13. Noise levels shall not exceed 50 dBA between the hours of 7:00 a.m. and 10:00 p.m., 40 dBA between the hours of 10:00 p.m. and 7:00 a.m. as measured at the property line of residentially zoned property, and otherwise shall not exceed 65 dBA.
14. If the property lines of an open facility are located within six hundred feet (600') of property zoned for residential use or three hundred feet (300'), if the processor operates within a wholly enclosed building, the facility shall not be in operation between the hours of 7:00 p.m. and 7:00 a.m. and shall be closed on Sundays and legal holidays. The facility shall be administered by on-site personnel during the hours the facility is open.
15. Any containers for after-hours donation of recyclable materials shall be at least six hundred feet (600') from any property zoned for residential use; shall be of sturdy, rustproof construction; shall have sufficient capacity to accommodate materials collected; shall be secure from unauthorized entry or removal of materials; and shall be screened from public and street elevation view.
16. Access, such as driveways and parking, to the after-hours containers shall be located at least three hundred feet (300') from residentially zoned areas.

17. Designated areas for placing donated materials shall be kept free of litter and any other undesirable material. The containers shall be clearly marked, in both English and Spanish, to identify the type of material that may be deposited. The facility shall display, in both English and Spanish, a notice stating that no material shall be left outside the recycling containers.
18. Signs for the facility shall be installed pursuant to approved sign criteria by the Director of Building and Planning. Painted signs on walls are prohibited. The facility shall provide signage indicating the name and phone number of the facility operator and the hours of operation.
19. No dust, fumes, smoke, vibration or odor above ambient level shall be detectable on neighboring properties.
20. Owner/operator shall prepare and submit a Site and Operations Plan describing the location of the equipment, parking, signage, traffic routes, schedule of operation, provisions for site inspection and security, type of materials to be accepted and any other information deemed necessary by the Director of Building and Planning.
21. Violation of the above conditions shall constitute grounds for revocation of the conditional use permit by the issuing authority.

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5020 INTERPRETATION, ADMINISTRATION AND ENFORCEMENT

5020.10 Director Interprets Ordinance

- A. The Director of Planning and Building is hereby charged with the duty of providing interpretations of the Zoning Ordinance to members of the public and other government agencies, offices, or jurisdictions.
- B. The interpretation of the Director are subject to the policy directives of the Planning Commission and City Council.
- C. Any appeal of decisions by the Director shall be made pursuant to Section 5140, Appeal Procedures.
- D. Interpretations made by the Director with regard to permitted uses or required parking shall be recorded in writing. The record shall be kept in the office of Planning and Building and shall be available to the public upon request.

5020.20 Planning Commission Administers Ordinance

The Planning Commission of the City of Maywood has been established by Ordinance Nos. 408 and 459 and is charged by the Council with the duties of administering the Zoning Ordinance, making recommendations to the City Council on matters governed by the Ordinance, and initiating amendments to the Ordinance when necessary to promote the public health, safety, or welfare.

5020.30 Procedure for Enforcement

When any use or structure is found to be unlawful under the provisions of this ordinance, the Commission may request the City Attorney or City Prosecutor to commence appropriate civil or criminal proceedings for the discontinuation or removal of the illegal use or structure in the manner prescribed by law.

5020.40 Investigation or Inspection of Property

Any official appointed by the Commission or its authorized representatives may enter any premises, building, or structure at any reasonable hour, pursuant to an inspection warrant or with permission of a person lawfully entitled to possession thereof, for investigation or inspection as to whether or not any portion of such premises, building, or structure is being used in violation of this Ordinance. Every person who denies, prevents, obstructs or attempts to deny, prevent, or obstruct such access is guilty of a misdemeanor.

5030 PENALTY FOR VIOLATION OF THIS ORDINANCE

5030.10 Conviction of Crime Continued

When a person was convicted of a crime pursuant to an ordinance, that conviction shall remain in effect, provided the current Ordinance, as amended, continues to prohibit the act or use for which the person was convicted.

5030.20 Each Day of Violation is a Separate Punishable Offense

Each separate day, or any portion thereof, during which any violation of this Ordinance occurs or continues shall constitute a separate offense and upon conviction thereof shall be punishable as herein provided.

5030.30 Penalties

- A. A violation of Section 4010.110, Use of Yards in Residential Zones, shall constitute an infraction, and conviction for such infraction shall be punishable by a fine of not less than ten dollars (\$10.00), nor more than fifty dollars (\$50.00)
- B. A violation of any provision of this Ordinance or of any approved Conditional Use Permit or Variance granted hereunder shall constitute a misdemeanor. Conviction for such a misdemeanor shall be punishable by a fine not to exceed one thousand dollars (\$1,000.00), or by imprisonment in the County Jail for not to exceed six (6) months, or by both such fine and imprisonment.

5040.10 Who May Initiate an Application

Public review proceedings may be initiated by the Council, Commission, or any person who is able to demonstrate a legal vested interest in the proposed application. The authorized agent of any person with a legal vested interest may also initiate an application.

5040.20 Acceptance of Applications by the Commission

- A. The Commission or its authorized representatives shall accept applications made by those persons with standing to make such an application upon receipt of fees prescribed by resolution of the Council.
- B. When final action has taken place on an identical application within the preceding six months and the conditions surrounding that application have not changed, the Commission or its authorized representative shall reject the application.

5040.30 Time Limit for Processing of Applications

When an application has been accepted as complete by the Commission, it shall be scheduled for public hearing so that final action may be achieved within six months of acceptance of the application, except for applications requiring environmental review. Those applications requiring environmental review pursuant to Section 21080 of the Public Resources Code, Application to Discretionary Projects, shall be scheduled to achieve final action within one year of acceptance of the application as complete, pursuant to Section 21100.2 of the Public Resources Code, Time Limits, and Section 65950 of the Government Code, Time Limits for Lead Agency.

5040.40 Applications for Review Procedures

- A. Applications for review procedures shall be made on a form prescribed by the Commission and shall contain the following information and such other information as is requested by the

Commission or its authorized representatives. The accuracy of all information, maps, and lists submitted shall be the responsibility of the applicant. The Commission or its authorized representatives may reject any application that does not supply the following information:

1. Name and address of the applicant.
2. Evidence that the applicant:
 - a. Is the owner of the premises involved, or
 - b. Has written permission of the owner or owners to make the application, or
 - c. Is or will be the plaintiff in an action of eminent domain to acquire the premises involved, or
 - d. Is a public agency negotiating to acquire a portion of the premises involved.
3. Location of subject property (address or vicinity).
4. Legal description of the property involved.
5. The nature and specifics of the requested Amendment, Conditional Use Permit, Variance, Site Plan Review, or Design Review.
- B. The following requirements shall apply to applications for Conditional Use Permits, Site Plan Review, and Design Review:
 1. Indicate the nature, condition, and development of adjacent uses, buildings, and structures and the effect the proposed use may have on those uses, buildings and structures.
 2. Explain why the requested use will not cause negative impacts, endanger or otherwise imperil the public health, safety or general welfare, and will not be materially detrimental to the property of other persons located in the vicinity of the proposed use.
 3. Provide a site plan indicating the area and dimensions of the proposed site for the requested use, and the location and dimensions of all uses, structures, yards, walls, fences, parking and loading facilities, landscaping, and other development features.

The following additional information may be requested:

4. Architectural renderings and plans, including elevations and proposed facade materials and colors.
5. Plans indicating the dimensions and state of improvement of the adjoining streets and highways providing access to the proposed site of the requested use.
6. Descriptions of other permits and approvals secured in compliance with the provisions of other applicable ordinances.
7. Ownership information as follows:
 - a. Two (2) copies of a map, drawn to scale, showing the location of all property included in the request, the location of all highways, streets, and alleys and the location and dimensions of all lots or parcels of land within a distance of 300 feet from the exterior boundaries of the subject property. One (1) copy of said map shall indicate where such ownerships are located.
 - b. A notarized list of the names and addresses of all persons who are shown on the latest available assessment roll of the County of Los Angeles as owners of property within a distance of 300 feet from the exterior boundaries of the area actually to be occupied by the use.
8. Such other information as the Commission may require.
- C. An application for Variance shall include evidence to substantiate the basis for approval as provided in Section 5100.50, Basis for Approval or Denial of a Variance.
- D. The Commission shall give the applicant written notice within 30 days of the filing of the application informing the applicant that the application has been accepted as complete or that the application requires further information. This notice shall be given pursuant to Sections 65940 through 65944 of the Government Code.

5040.50 Procedure for Applications in Transition Period

When an application was initiated prior to the adoption of the Ordinance as amended, the processing of the application may continue uninterrupted. From the time the Ordinance is adopted, the application shall proceed pursuant to the provisions of the amended Ordinance. An application shall be considered properly initiated if any one of the following tests can be met:

- A. A completed application has been filed, including all required documents;
- B. The Commission has determined on its own initiative to hold a hearing;
- C. A hearing has been held; or
- D. A recommendation has been made.

5050 NOTICE AND CONDUCT OF PUBLIC HEARING

5050.10 Notice of Hearings for Review of Applications

No less than ten (10) days prior to the date of a hearing on applications for an Amendment, Variance, or Conditional Use Permit, the Commission shall give notice including the time, place, identity of the hearing body or officer, nature of the application, the general location of the property under consideration and shall observe the noticing requirements set forth as follows:

- A. A copy of the notice shall be posted in two places in the City of Maywood.
- B. The notice shall be mailed first-class and postage prepaid to the applicant; to the property owner or the owner's agent; to all persons whose names and addresses appear on the latest available assessment roll of the County of Los Angeles as owners of property within a distance of 300 feet from the exterior boundaries of the property for which the application is filed; to anyone filing a written request for notification; and to such other persons whose property might, in the Commission's judgment, be affected by the establishment of the use or zone requested.
- C. If the Commission finds that the posting and mailing of notices prescribed elsewhere in this Section may not give sufficient notice to the required property owners, then additional notices shall be posted at such locations as are deemed best suited to reach the attention of and inform those persons who may be affected.
- D. When the proposed use or amendment affects more than 1,000 property owners, the City may provide notice by placing a display advertisement in a newspaper circulated within the City of Maywood.
- E. The notice shall be sent to public officers, departments, bureaus, or agencies which are determined by the Commissions to be affected by the application or otherwise appropriate. In the case of a hearing for the manufacture or storage of hazardous materials, such notification must include the Police Chief and Fire Chief.
- F. When a Negative Declaration is recommended for adoption pursuant to Section 21080 (C) of the Public Resources Code,

Negative Declarations, notice of the hearing shall be given no less than 21 days prior to the hearing date, as set forth in Section 21091 of the State Public Resources Code which sets forth minimum review periods for a Negative Declaration.

5050.20 Notice of Hearings for Revocations

The Commission, in giving notice of a public hearing to revoke a Variance, Conditional Use Permit, or Nonconforming Use, shall observe the noticing requirements set forth as follows:

- A. Notification shall be provided as prescribed in Section 5050.10.
- B. The Commission shall serve the owner of the premises involved written notice of such hearing, either in the manner required by law for the service of summons, or by registered or certified mail, return receipt requested.

5050.30 Continuances

If, for any reason, testimony on a case cannot be heard or completed at the time set for such hearing, the chairman of the hearing body may continue or extend the hearing to another time. Before adjournment or recess, the chairman shall publicly announce the time and place at which the hearing will be continued; no further notice shall be required.

5050.40 Rights of Applicant

During any public hearing, the applicant for the subject application shall have the following rights:

- A. The right to be represented;
- B. The right to provide testimony under oath;
- C. The right to present evidence; and
- D. The right to cross examine opposing witnesses.

5060 FEES AND DEPOSITS

5060.10 Filing Fees and Deposits

Each applicant for an Amendment, Variance, Conditional Use Permit, Site Plan Review, or other relief provided for in this Ordinance shall pay those fees and costs as established by resolution of the Council.

5060.20 Deficiencies and Refunds

The following provisions apply when full payment has not been made for an application or when an application is withdrawn:

- A. In any case where a deposit is required, if the actual cost of publication and/or posting of notice is more than the amount deposited by the applicant, the applicant shall deposit the balance; if the cost is less, the balance of the deposit shall be refunded to the applicant.
- B. If any application or petition is withdrawn, as provided in Section 5070.10, prior to the publication of the notice of hearing, the City shall refund the filing fee and all deposits if any were made.
- C. In all other cases, no refund shall be made after the notice of hearing has been posted.

5070 PROCEDURE FOR WITHDRAWAL OF AN APPLICATION

5070.10 How and When an Application May Be Withdrawn

Any application or petition for a Variance, Conditional Use Permit, or Amendment may be withdrawn at any time prior to a public hearing by filing with the Commission a written request for withdrawal. The request for withdrawal shall be signed by all persons who signed the original application or their designated agents or successors. Any such application or petition may be withdrawn after commencement of a hearing thereon, with approval of the hearing body.

5080 NONCONFORMING USES AND STRUCTURES

5080.10 Scope of Nonconforming Regulations

The following regulations shall apply only to those nonconforming uses and structures which are not otherwise in violation of this or any other ordinances at the time this Ordinance or any amendment thereto becomes effective.

5080.20 Continuation of Nonconforming Uses and Structures

A nonconforming use may be maintained and continued through the amortization period, provided there is no alteration or addition to any structure, nor any enlargement of area, space, or volume occupied by or devoted to that use, except as otherwise provided in this Ordinance.

5080.30 Repairs and Alterations to a Nonconforming Structure

Ordinary repairs and maintenance may be made to a nonconforming structure as required to maintain the public health, safety, and general welfare.

5080.40 Permitted Expansions and Alterations

The following exceptions to this Ordinance are provided for the extension, expansion, or enlargement of a nonconforming use or structure. These exceptions set forth the only allowable alterations for nonconforming uses or structures and shall not be construed to authorize the modification of any provisions of this Ordinance nor to extend the termination date of the subject nonconforming use.

- A. When a subsequently adopted ordinance or regulation requires alterations, those alterations shall be permitted.
- B. When a use is nonconforming because it does not meet off-street parking or loading requirements for the number of parking and loading spaces, alterations or expansions may be permitted provided that all parking and loading facilities are increased to meet the standards required by this Ordinance.

- C. Additions may be made to a nonconforming structure which is nonconforming because it does not meet the requirements for yards, building height, or dimensions for parking and loading. However, the proposed addition shall meet the requirements in effect at the time the application for the addition is made.

5080.50 Repair of Damaged or Partially Destroyed Structures

- A. Any nonconforming structure or structures in the R-3 zone district which are damaged or destroyed by fire, explosion, act of God, act of a public enemy, collapse, or any other casualty or calamity, may be reconstructed to the conditions which existed prior to the casualty or calamity, provided the structure or structures existed as legally established structures. All such construction or repairs shall be started within one (1) year from date of damage and shall be pursued diligently to completion. Otherwise, the legal nonconforming status of the structure or structures shall be lost.
- B. Any nonconforming structure or structures in non-residential zone districts which are damaged or partially destroyed by fire, explosion, act of God, act of a public enemy, collapse, or any other casualty or calamity, may be reconstructed, provided the damage to the structure does not exceed 50 percent of the appraised value (as defined by this Ordinance) or the damaged structure. All such construction or repairs shall be started within one (1) year from date of damage and shall be pursued diligently to completion. Otherwise, the legal nonconforming status of the structure or structures shall be lost.
- C. In determining the appraised value of any nonconforming structure, the cost of land or any factors other than those concerning the nonconforming structure itself shall not be considered.

Appraised value, for the purpose of this section, shall mean the market value of the structure as reported by the owner, based upon the market value of comparable structures in the City. Where the City and owner do not agree upon the appraised value based on said comparables, appraised value shall mean the value reported by a qualified appraiser, approved by the City, hired by the owner to determine the value of the structure.

- D. A nonconforming structure may be repaired or reconstructed to a size no larger than that which existed at the time the damage occurred.
- E. If, in the process of repairing or reconstructing a nonconforming structure, certain nonconformities can be brought into conformance, they shall be brought into conformance.
- F. Repair or reconstruction of damaged nonconforming structures shall not extend the specified amortization date of the structure nor the nonconforming use it houses.

5080.60 Structures Under Construction

Construction which is underway on a structure at the time this Ordinance is adopted may be completed and the structure then used in accordance with provisions of this Ordinance or any amendments thereto, provided that:

- A. A valid building permit has been issued prior to the effective date of this Ordinance; and
- B. The construction or proposed use of the building or structure is not in violation of any other ordinance or law; and
- C. The building or structure is completed within:
 - 1. One year from the date of the ordinance if the construction is less than three stories in height and not more than 70,000 square feet in floor area. One additional month shall be permitted for each 15,000 square feet in excess of 70,000 square feet but not to exceed 100,000 square feet.
 - 2. One and one-half years from the date of the ordinance if the construction is three or more but less than seven stories in height and not less than 100,000 square feet in floor area. One additional month shall be permitted for each additional 15,000 square feet in excess of 100,000 square feet but not to exceed 150,000 square feet.
 - 3. Two years from the date of this ordinance, if the construction is seven stories or more in height and not less than 150,000 square feet in floor area. One additional month shall be permitted for

each 15,000 square feet or each story in excess of 150,000 square feet or seven stories; and

- D. The building or structure is completed in accordance with the plans and specifications in accordance with which the building permit was issued.

5080.70 Nonconforming Uses Limit Other Uses

When a nonconforming use or structure exists on any parcel of land, no new use or structure may be established on the property unless it is located so that the parcel of land can be legally subdivided into smaller parcels of land. The proposed use or structure will be allowed on the subdivided parcels which does not support the nonconforming use or structure.

5080.80 Termination of Nonconforming Uses

Any of the following violations of this Ordinance shall immediately terminate the right to operate a nonconforming use:

A. Termination by Discontinuance

Discontinuance for six or more successive months of a nonconforming use shall terminate the right to operate the nonconforming use.

B. Termination by Amortization

The following amortization provisions set forth in this Subsection B shall not apply to nonconforming residential uses and structures in the R-3 zone which are nonconforming only with respect to development standards including, but not limited to, lot size, lot width, required yard areas, required setbacks, building height, lot coverage, density, building separation, required open space, landscaping, or required parking.

1. Two Amortization Schedules

Two separate amortization schedules are provided in this Ordinance. The first amortizes uses and structures established under the Ordinance adopted April 26th, 1966 or subsequent ordinances. The second amortizes uses and structures established under this Ordinance and subsequent ordinances causing nonconformities.

2. Schedule for 1966 Ordinance and All Amendments Thereto

The following nonconforming uses and structures shall be discontinued and removed from their sites within the time specified, except when extended or revoked as otherwise provided for in this Ordinance. All specified times shall be measured from the effective date of the ordinance that established the use as nonconforming, unless otherwise indicated.

- a. Where the property is unimproved - one year.
- b. Where the property is unimproved except for structures of a type for which the City Building Code does not require a building permit - three years.
- c. Where the property is unimproved except for structures which contain less than 100 square feet of gross floor area - three years.
- d. Outdoor advertising signs and structures - as provided for in the State of California Business and Professions Code.
- e. A nonconforming use housed in a structure designed to serve a use permitted in the zone - five years.
- f. One to five residential units on a parcel of land in the C or CM zone, whether combined with another use or not - 30 years or such longer period of time as provided in part h of this subsection. Notice of this provision shall be recorded in the Office of the County Recorder against each property.
- g. Automobile body and fender repair shops, automobile painting shops, and paint spray booths - five years.
- h. Structures not otherwise amortized in this section shall be amortized according to the following schedule. The time periods of this schedule shall be measured from the building's date of construction.
 1. Type IV and Type V building, as defined by the Building Code (light incombustible frame and wood frame), used as:

- a) One-family, two-family, three-family, or multiple family dwellings, or other buildings used for residential occupancy - 35 years;
 - b) Stores and factories - 25 years;
 - c) Any other building - 25 years.
2. Type III buildings, as defined by the Building Code (heavy timber construction and ordinary masonry), used as:
- a) One-family, two-family, three-family, or multiple family dwellings, offices, or hotels - 40 years;
 - b) Structures with stores below and residences, offices, or hotels above - 40 years;
 - c) Warehouses, stores, and garages - 40 years;
 - d) Factories and industrial buildings - 40 years;
3. Type I and Type II buildings, as defined by the Building Code (fire resistive), used as:
- a) One-family, two-family, three family, or multiple family dwellings, offices, or hotels - 50 years;
 - b) Theaters, warehouses, stores, and garages - 50 years;
 - c) Factories and industrial buildings - 50 years.
4. The amortization of structures provided for by this subpart h of Section 5080.80.C.2 shall in no case be amortized less than 20 years from the date of the Ordinance which renders them nonconforming.
- i. Any nonconforming use or structure not listed above -20 years.

3. Schedule for Current Ordinance

All nonconforming uses and structures made nonconforming by the adoption of this Ordinance or subsequently enacted ordinance shall be discontinued, removed, or made conforming within five years of the date of adoption of this Ordinance or the subsequent ordinance, unless said ordinance specifically provides for a shorter or longer period of time.

C. Public Utilities and Publicly-Owned Uses

Nonconforming public utilities and publicly-owned uses are not subject to nonconforming provisions except as follows:

1. Additional nonconformities or increases in the extent to which a use or structure is nonconforming are prohibited.
2. The site upon which a use was located at the time the use was rendered nonconforming shall not be increased in size.

D. Termination by Revocation

A nonconforming use may be revoked following a public hearing and a subsequent notice of the revocation pursuant to the provisions governing revocations provided for in Section 5150, Revocations.

- E. Educational institutions, public and private.

Nonconforming educational institutions, both public and private, are exempt from the provisions contained in this section regulating nonconforming uses and structures.

5080.90 Extensions for Amortized Nonconforming Uses and Structures

A. Request for Review

A property owner may request an extension of time for a use which is to be terminated. An application must be filed with the Commission requesting the extension of time. The application must be made before the date of expiration for the nonconforming use or within 60 days of notice of expiration, whichever occurs later.

B. Application and Procedure

Except as otherwise provided in this Section, the application and all procedures relative to notification, public hearing, and appeal shall be the same as for an Amendment. These provisions are found in Section 5040.40 A and B, Applications for Review Procedures.

C. Burden of Proof

In addition to the information required in the application, the applicant shall substantiate to the satisfaction of the Commission and the City Council that the nature of the use and the property are such that to require removal of the structure or termination of the use would impair vested property rights to such an extent as to be an unconstitutional taking of property.

D. Findings and Decision

1. After a public hearing, the Commission shall make a recommendation to the Council and the Council may grant an extension with such conditions as are deemed necessary to protect the public health, safety, and general welfare and to assure compliance with the provisions and standards included in this Ordinance; and
2. In making such determination, the Commission may recommend and the Council shall find that the nature of the use and the property are such that to require removal of the structure or termination of the use would a) impair vested property rights to such an extent as to be an unconstitutional taking of property, or b) negatively impact the needs and interests of a residential neighborhood.

5090 AMENDMENTS

5090.10 Scope of Amendment

This Ordinance may be amended to amend zone boundaries or to add, remove, or modify regulations pursuant to Title 7 of the Government Code.

5090.20 Procedural Duties Regarding Amendments

- A. When an application for an amendment to the text or graphics of this Ordinance has been made by a person with standing to make such an application, the Commission shall schedule the proposed amendment for a public hearing pursuant to Section 5040.30 of this Ordinance.
- B. The Commission shall transmit a written recommendation to the Council within 40 days of the first hearing held before the Commission. The Commission may request an extension not to exceed 60 days for review of special circumstances. The recommendation of the Commission may be for approval or denial.
- C. The Commission may continue a hearing in order to consider new or revised information as it deems necessary. A continuance shall not extend the period of time permitted by state law for the City to render a final decision.
- D. Upon receiving the recommendation of the Planning Commission, the City Council shall make a determination and take final action on the application. This action shall take place pursuant to Section 5040.30 of this Ordinance.

5090.30 Decision of the Council

The Council may approve or deny an application for an Amendment to the Ordinance. The Council's action shall be final.

5100 **CONDITIONAL USE PERMITS AND VARIANCES**

5100.10 **Intent and Purpose**

A. Conditional Use Permit

The City recognizes that certain uses, due to their nature, intensity, or size are not appropriate in every location and circumstance. The Conditional Use Permit provides the City with a means to review uses that may require mitigation or may not be suitable for a given location.

B. Variance

The City provides the Variance procedure to permit appropriately mitigated developments on property which is constrained, not because of land use, but because of the size, shape, topography, or other constraining factors, strict interpretation of the Ordinance would deny the property development rights enjoyed by other properties within the same zone.

5100.20 **Authority of Hearing Bodies**

The Planning Commission shall have the authority to hear and act upon a Conditional Use Permit or Variance request as provided herein and pursuant to Title 7 of the Government Code.

5100.30 **Procedural Requirements**

A. Recommendation by Design Review Board

Upon acceptance of the application as complete, Planning Department staff shall forward relevant portions of the application to the Design Review Board. The Design Review Board shall review and make a recommendation to Planning Department staff pursuant to Section 5130, Design Review.

B. Recommendation by Planning Department Staff

Planning Department staff shall receive the recommendation of the Design Review Board, incorporate those recommendations into the Site Plan Review pursuant to Section 5120, Site Plan Review, and transmit a

recommendation for site plan and design to the Commission within 30 days of receiving the Board's recommendation.

C. Action by Commission

1. A public hearing shall be scheduled before the Planning Commission and notice given pursuant to Section 5050 of this Ordinance.
2. The Commission shall hear and take action upon an application for a Conditional Use Permit or Variance pursuant to Section 5040.30 of this Ordinance.
3. The Commission may refer the application back to the Board or Planning staff for further review. Such referral shall be accompanied with clear directives for recommended changes to the site plan or design features of the project. Referral may occur no more than one time each to the Board or Planning staff.
4. The Commission shall act to approve, conditionally approve, or deny an application for a Conditional Use Permit or Variance. Notice of the Commission's decision shall be filed with the City Clerk not more than 15 days following the Commission's decision, and a copy of the decision shall be mailed to the applicant. The City Clerk shall place the notice of decision as a consent calendar item on the next agenda of the City Council.

D. Action by Council

The decision of the Commission is considered final, and no further action by the Council is required unless, within 10 days after the item appears on the Council's consent agenda, the applicant or an interested party files an appeal or a member of the Council chooses to set the matter for hearing before the Council. The appeal or hearing shall be noticed as provided in Section 5050 and action taken pursuant to Section 5040.30.

5100.40 Basis for Approval or Denial of a Conditional Use Permit

The Commission shall consider applications for a Conditional Use Permit and may, with such conditions as are deemed necessary, approve the use, provided the use will not jeopardize, adversely affect, endanger, or otherwise constitute a menace to the public health, safety or general

welfare, or be materially detrimental to the property of other persons located in the vicinity of such use.

A. In making such determination, the Commission (and City Council on appeal) shall find that the proposed use is in general accord with the following principles and standards:

1. The proposed conditional use is consistent with the General Plan.
2. The nature, condition and development of adjacent uses, buildings and structures have been considered, and the proposed conditional use will not adversely affect or be materially detrimental to the adjacent uses, buildings, or structures.
3. The site for a proposed conditional use is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features prescribed in this Ordinance and required by the Commission or Council in order to integrate the use with uses in the neighborhood.

B. Conditions imposed by the Commission (and Council on appeal) for a conditional use may involve any pertinent factors affecting the establishment, operation, or maintenance of the requested use, including, but not limited to:

1. Special yards, open spaces, and buffer areas.
2. Fences and walls.
3. Parking facilities, including vehicular ingress and egress and the surfacing of parking areas and driveways to specified standards.
4. Street and highway dedications and improvements including sidewalks, curbs, and gutters.
5. Landscaping and maintenance of grounds.
6. Regulation of nuisance factors such as noise, vibrations, smoke, dust, dirt, odors, gases, noxious matter, heat, glare, electromagnetic disturbances and radiation.
7. Regulation of operating hours for activities affecting normal neighborhood schedules and functions.
8. Regulation of signs.

9. A specified time period within which development must begin.
 10. Provisions for a bond or other surety that the proposed conditional use will be removed on or before a specified date.
 11. A site plan indicating all details and data as prescribed in this ordinance subject to the provisions of Section 5100 (Site Plan Review).
 12. Such other conditions as will make possible the development of the proposed conditional use in an orderly and efficient manner and in accord with all goals and policies of the General Plan which are the intents and purposes of this Ordinance.
- C. The Commission shall deny the requested Conditional Use Permit where the findings indicate that the applicant has failed to show:
1. That the requested use will not be materially detrimental to the property of other persons located in the vicinity, or a menace to the public health, safety, or general welfare; and
 2. That reasonable restrictions or conditions to permit the establishment of the proposed use would prevent, detriment, or menace as indicated.

5100.50 Basis for Approval or Denial of a Variance

The Commission (and Council on appeal) may grant a Variance with such conditions as are deemed necessary to protect the public health, safety, and general welfare and assure compliance with the provisions and standards included in this Ordinance.

- A. In making such determination, the Commission or Council shall find that the proposed use is in general accord with the following principles and standards:
1. That there are practical difficulties or unnecessary hardships created by strict application of the Ordinance due to circumstances applicable to the property; and

2. In granting the Variance, the spirit of the Ordinance will be observed, public safety secured, and substantial justice done; and
 3. The Variance does not grant special privileges which are not otherwise available to surrounding properties and will not be materially detrimental to the public welfare or to the property of other persons located in the vicinity; and
 4. The Variance places suitable conditions on the property to protect surrounding properties and not permit uses which are not otherwise allowed in the zone.
- B. Conditions imposed by the Commission or Council for a Variance may involve any pertinent factors affecting the establishment, operation, or maintenance of the requested use, including, but not limited to:
1. Granting the Variance for a limited time only.
 2. The restriction of certain uses carried out on the property to designated portions of the property or to designated days or times of the day.
 3. The restriction or disallowance of otherwise lawful uses.
 4. The placement of conditions on otherwise lawful uses.

5100.60 Notice of Action Taken

Notification of the action taken by the Planning Commission or City Council shall be made either by serving a notice in the manner required by law for the service of a summons or by mailing a written notice using registered or certified mail, postage prepaid with a return receipt requested.

5100.70 Effective Date

An order by the Commission or Council granting or denying a Variance or Conditional Use Permit shall become final and effective 15 days after service of written notice of action upon the owner or operator of the use, whether or not a formal resolution has been adopted by the hearing body.

5100.80 Continuing Validity

A Variance or Conditional Use Permit that is valid and in effect and granted pursuant to the provisions of this Ordinance shall adhere to the land and shall continue to be valid upon change of ownership of the land or any lawfully existing building or structure on the land.

5100.90 Performance of Imposed Conditions

Whenever a Variance or Conditional Use Permit is granted or modified and is subject to one (1) or more conditions, the Commission may require that the applicant to whom the Variance or Conditional Use Permit was granted file with the City a surety bond, a corporate surety bond, a deposit of money, savings and loan certificates, or shares in an amount prescribed for the purpose of guaranteeing the faithful performance of the conditions. Any such deposits or guarantees shall be subject to and in compliance with the provisions and conditions of the administrative code of the City.

5100.100 Insurance Covering a Breach of Imposed Conditions

Where the filing of a bond, deposit of cash, savings and loan certificates, or shares is required to insure compliance with any condition of a Variance or Conditional Use Permit, the Commission may require that the applicant or owners of the property to which such variance or conditional use permit applies, either file a policy of insurance equal in amount to the amount of the required bond or deposit of savings and loan certificates or shares, insuring all persons against any injury or annoyance arising from the breach of said conditions, or:

- A. If a bond is filed, it shall insure all persons against any injury or annoyance arising from the breach of said conditions by including all such persons as obligees.
- B. If money or savings and loan certificates or shares are deposited, the depositor shall also file in writing an agreement with the City that the City may satisfy in whole or in part from such sureties any final judgment, the payment of which would have been guaranteed by such bond or policy of insurance.

5100.110 Expiration of Variance or Conditional Use Permit

A Variance or Conditional Use Permit which is not used after the granting of the permit within the time specified, or within one year if no time is specified, becomes null and void and of no effect, except that:

- A. The Commission may extend such expiration date of any Variance or Conditional Use Permit for a period not to exceed one year.
- B. Where a proposal to acquire land for a governmental enterprise in conjunction with a Variance or Conditional Use Permit has been approved, no time limit shall apply to utilization of said permit, provided that:
 - 1. Within one year of the date of such approval, the governmental agency either acquires the property involved or commences legal proceedings for its acquisition; and
 - 2. Immediately after the acquisition or commencement of legal proceedings for the acquisition of the property, the governmental agency places signs, each with a surface area of not less than 20 square feet but not more than 40 square feet, on the property so that there shall be one such sign facing each street bordering the property. When the property in question is not bounded by a street, the applicant shall erect one sign facing the street nearest the property. Each such sign shall indicate the ownership of the property and the purpose to which it is to be developed. The governmental agency must maintain the signs on the property in good condition until such time as the Variance or Conditional Use Permit privileges are utilized.

5100.120 Termination of Variance or Conditional Use Permit

A Variance or Conditional Use Permit shall cease to be of any force or effect if the use has ceased or has been suspended for a consecutive period of six or more months.

5100.130 Maintenance of a Nuisance Prohibited

Neither the provisions of this Ordinance nor the granting of any Variance or Conditional Use Permit authorizes or legalizes the maintenance of a nuisance, either public or private.

5110 ADMINISTRATIVE MODIFICATION OF STANDARDS

5110.10 Purpose and Intent

Administrative Modifications of Standards is a process provided to permit development on property constrained due to lot size, shape, location, access restrictions, or other physical constraints. The nature of the intended development is such that deviations from Ordinance standards are minor and no impact will occur.

5110.20 Authority of the Director of Planning and Building

In the public interest and when agreed to by the applicant, the Director of Planning and Building may consider and render decisions without public hearing on Variances involving slight modifications to the provisions of this Ordinance for the following purposes:

- A. Reduction of required lot area, minimum floor area requirements, reduction of size of yards, courts, open areas, or landscaped areas by less than 10 percent of the area required by Ordinance;
- B. Increases in the height of fences or walls by not more than 10 percent of the maximum permitted height, except when such fence or wall is located in the required front yard, in which case no Modification of Standards may be granted;
- C. Encroachment of structures into less than 20 percent of the required area of required yards which maintains setbacks of not less than 20 feet to the front lot line, 15 feet to the rear lot line, and five feet to a side lot line. If, however, the encroachment is proposed for an existing main building, such encroachment may be permitted to a distance no less than three feet from a side lot line.

An Administrative Modification shall be permitted subject to the findings required by Section 5110.40.A of this Ordinance.

5110.30 Procedure for Review

- A. An application shall be filed with the Department of Planning and Building pursuant to Section 5040.40.A.
- B. The Director shall have the authority to approve, conditionally approve, or deny an application for an Administrative Modification of Standards.
- C. The provisions of Section 5040.30 notwithstanding, the Director shall review the application and render a decision within one month of accepting the application as complete.

5110.40 Basis for Approval or Denial of Modification

- A. The Director may impose such conditions as are deemed necessary to protect the public health, safety, and general welfare and assure compliance with the provisions and standards included in this Ordinance.
- B. In making such determination, the Director shall find that the proposed use is in general accord with the following:
 - 1. That there are practical difficulties or unnecessary hardships created by strict application of the Ordinance due to circumstances applicable to the property; and
 - 2. In granting the Modification, the spirit of the Ordinance will be observed, public safety secured, and substantial justice done; and
 - 3. The Modification does not grant special privileges which are not otherwise available to surrounding properties and will not be materially detrimental to the public welfare or to the property of other persons located in the vicinity; and
 - 4. The Modification places suitable conditions on the property to protect surrounding properties and does not permit uses which are not otherwise allowed in the zone.

5120 SITE PLAN REVIEW

5120.10 Intent and Purpose

An independent procedure for Site Plan Review is established in order to provide a visual and factual document that may be used to determine and control the physical layout or use of a parcel of land.

5120.20 When Site Plan Review Is Required

- A. When no other discretionary permit is being requested, Site Plan Review shall be required for all residential development and for all commercial or industrial developments exceeding 5,000 square feet.
- B. The construction of a single-family home on a previously subdivided lot and the construction of a residential second unit pursuant to the provisions of Appendix C 10 of this Ordinance are exempt from Site plan review.

5120.30 Procedure for Review

- A. Notice of the hearing shall be given in accordance with the provisions of Chapter 5050 of this Ordinance.
- B. When Site Plan Review is conducted as an independent procedure, Planning Department staff shall review and take action upon the Site Plan after receiving the recommendation of the Design Review Board pursuant to 5130.30.D. Such action shall be taken within 60 days of receiving the Design Review Board recommendation, the provisions of Section 5040.30 notwithstanding.
- C. When Site Plan Review is performed in conjunction with another discretionary permit review, Planning Department staff shall conduct the review and shall make a recommendation to the hearing body which has jurisdiction over the other discretionary permit. The recommendation shall be transmittal no later than 14 days prior to the hearing for the discretionary permit.

5120.40 Basis for Approval

Approval or denial of any Site Plan shall be based upon the following factors and principles:

- A. Every use, development of land, and application of development standards shall take place in compliance with all applicable provisions of this Ordinance.
- B. Every use, development of land, and application of development standards shall be considered on the basis of the suitability of the site for the particular use or development intended. The total development, including the application of prescribed development standards, shall be designed to avoid traffic congestion; insure the public health, safety and general welfare; prevent adverse effects on neighboring property; and shall be in accord with all elements of the General Plan.
- C. Every use, development of land, and application of development standards shall be considered on the basis of suitable and functional development design, but it is not intended that such approval be interpreted to require a particular style or type of architecture.

5120.50 Action Upon Site Plans

Planning Department Staff acting upon any site plan shall make one of the following three decisions:

- A. Approve; or
- B. Approve with conditions; or
- C. Deny the proposed site plan as requested in the application.

5120.60 Notice of Action

- A. Planning Department Staff shall notify the Site Plan Review applicant of the action taken on the application.

- B. Notification of action taken shall be made by first class mail, postage prepaid, or by other means deemed appropriate by the Commission or Council.

5120.70 Variance or Conditional Use Permit Reviews Include Site Plan Review

The Site Plan which is required for every Variance and Conditional Use Permit application shall be considered a part of the application and shall not require separate approval under the provisions of this Section.

5125.10 Intent and Purpose

The Planned Unit Development (PUD) is established to allow flexible design standards that will encourage multi-family affordable housing development in Maywood. A PUD is intended to promote integrated, compatible design of housing for very low and lower income households, as defined in subsection 4025.20 of this Ordinance, within the Residential Specialty (RS) Overlay district.

Inventive site planning and design are encouraged. Zero-lot-line housing, courtyard buildings, shared facilities (e.g., dining, recreation, laundry), common open space, and other creative solutions for providing comfortable, safe, and affordable housing will be considered.

5125.20 Guidelines for Development

Planning Department staff and the Planning Commission shall apply the following guidelines when reviewing PUD applications. These guidelines are not mandatory, but they provide a general foundation from which to analyze proposed developments. The PUD process is not meant to constrain the production of housing, but rather to ensure compatibility with surrounding uses and provide flexibility in development standards.

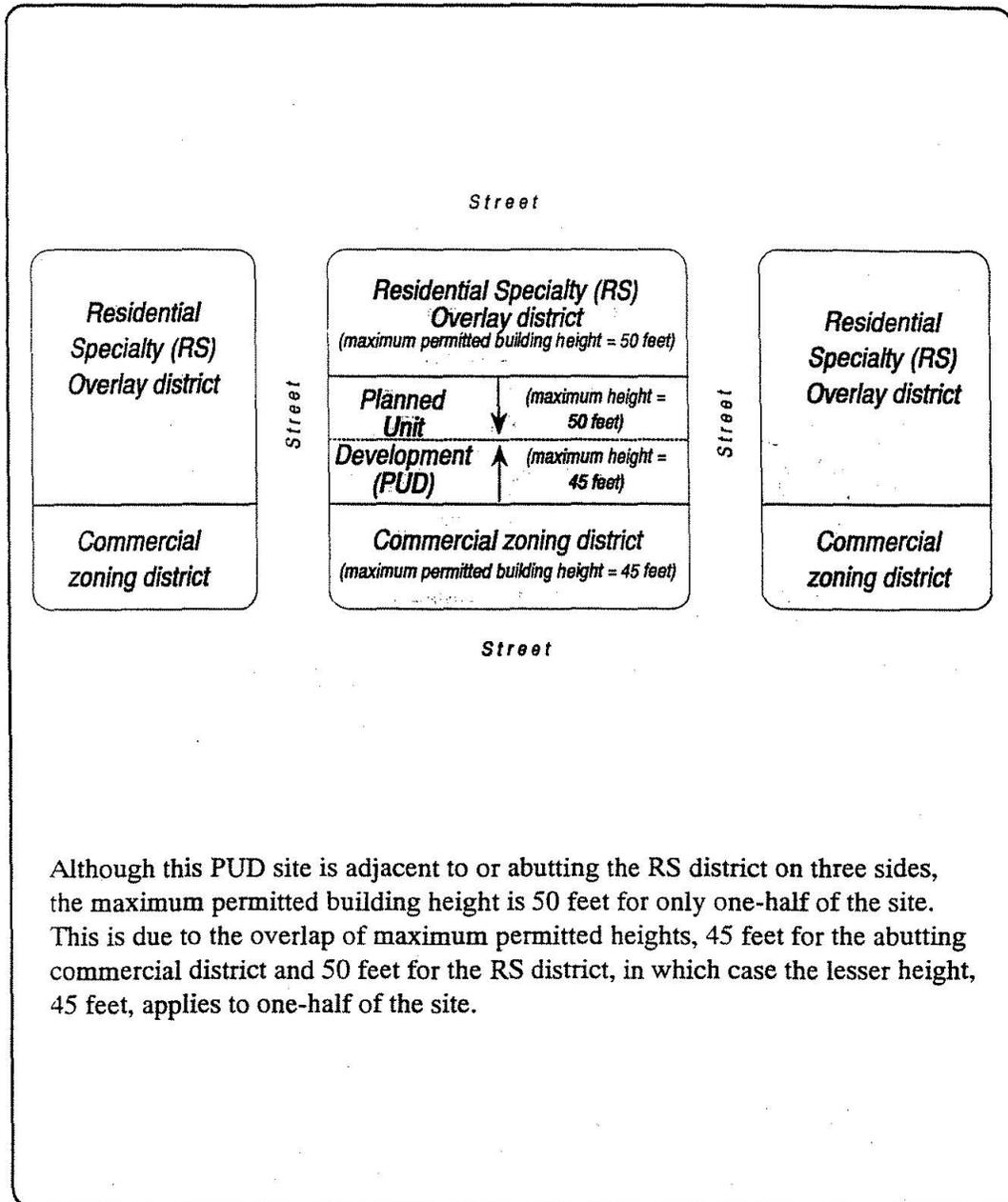
1. Maximum permitted building heights in a PUD may vary and shall reflect the PUD's relationship to abutting and adjacent zoning districts. The maximum permitted building height abutting or adjacent to a commercial zoning district shall be 45 feet; abutting or adjacent to the Residential (R-3) district, 35 feet; and abutting or adjacent to the Residential Specialty (RS) Overlay district, 50 feet. These maximum permitted heights cannot extend for more than 50 percent of the site's perpendicular linear measurement from the property line into the site. If this calculation results in an overlap of maximum permitted heights, the lesser height limit shall apply.

Figure 5125.20 illustrates an example of maximum permitted building heights on a site whose abutting and adjacent zoning is commercial and Residential Specialty (RS) Overlay.

As the figure shows, if a four-sided parcel proposed for PUD development has three property lines abutting or adjacent to a Residential Specialty (RS) Overlay district and one property line abutting or adjacent to a commercial district, then the building(s), or portions of the building(s), nearest the commercial district may be 50 feet in height; and the building(s), or portions of the building(s), nearest the RS district may be 45 feet in height, taking into account the overlap in the maximum permitted heights. These maximum permitted heights can extend, at most, only halfway into the site from the property line that abuts or is adjacent to the respective zoning district.

2. Parking and loading facilities shall be provided as required by Section 4100 of this Ordinance. However, up to a 25 percent reduction in the required number of parking spaces may be allowed if the responsible approving body deems such a reduction to be appropriate.
3. Yard setbacks, and open space and landscaping requirements shall be decided by the hearing body, taking into account the public health and safety, adjacent land uses, and the size and shape of the PUD site.
4. Shadow effects on adjacent residential units shall be minimized.
5. Vehicular access and queuing shall not adversely affect adjacent residences.

FIGURE 5125.20 - EXAMPLE OF MAXIMUM PERMITTED BUILDING HEIGHTS IN A PLANNED UNIT DEVELOPMENT



Although this PUD site is adjacent to or abutting the RS district on three sides, the maximum permitted building height is 50 feet for only one-half of the site. This is due to the overlap of maximum permitted heights, 45 feet for the abutting commercial district and 50 feet for the RS district, in which case the lesser height, 45 feet, applies to one-half of the site.

**Figure 5125.20
Example of Maximum Permitted Building Heights in a Planned Unit Development**

6. Traffic impacts generated by the PUD shall not adversely affect adjacent land uses.
7. Noise impacts attributable to on-site PUD uses shall not adversely affect adjacent uses.

5125.30 Authority of Hearing Bodies

The Planning Commission shall have the authority to hear and act upon a Planned Unit Development (PUD) application as provided herein and pursuant to Title 7 of the Government Code.

5125.40 Procedural Requirements

A. Recommendations by Design Review Board

Upon acceptance of a PUD application as complete, Planning Department staff shall forward relevant portions of the application to the Design Review Board. The Design Review Board shall review and make a recommendation to Planning Department staff pursuant to Section 5130 (Design Review) of this Ordinance.

B. Recommendation by Planning Department Staff

Planning Department staff shall receive the recommendation of the Design Review Board, incorporate those recommendations into its review of the PUD, and transmit a recommendation for site plan and design to the Planning Commission within 30 days of receiving the Board's recommendation.

C. Action by Commission

1. A public hearing shall be scheduled before the Planning Commission and notice given pursuant to Section 5050 (Notice and Conduct of Public Hearing) of this Ordinance.
2. The Commission shall hear and take action upon an application for a PUD pursuant to subsection 5040.30 (Time Limit for Processing of Applications) of this Ordinance.
3. The Commission may refer the application back to the Design Review Board or Planning Department staff for further review. Such referral shall be accompanied with clear directives for recommended changes to the site plan or design features of the project. Referral

may occur no more than one time each to the Board or Planning staff.

4. The Commission shall act to approve, conditionally approve, or deny an application for a PUD. Notice of the Commission's decision shall be filed with the City Clerk not more than 15 days following the Commission's decision, and a copy of the decision shall be provided to the applicant as described in subsection 5125.50. The City Clerk shall place the notice of decision as a consent calendar item on the next agenda of the City Council.

D. Action by Council

The decision of the Commission is considered final, and no further action by the Council is required unless, within ten (10) days after the item appears on the Council's consent agenda, the applicant or an interested party files an appeal, or a member of the Council chooses to set the matter for hearing before the Council. The appeal or hearing shall be noticed as provided in Section 5050 (Notice and Conduct of Public Hearing), and action taken pursuant to subsection 5040.30 (Time Limit for Processing of Applications), of this Ordinance.

5125.50 Basis for Approval or Denial of a Planned Unit Development

- A. The Commission shall consider an application for a Planned Unit Development (PUD) and may, with such conditions as are deemed necessary, approve the development, provided the development will not jeopardize, adversely affect, endanger, or otherwise constitute a menace to the public health, safety, or general welfare, or be materially detrimental to the property of other persons located in the vicinity of such development.
- B. In making such a determination, the Commission (and City Council on appeal) shall find that the proposed PUD is in general accord with the following principles and standards:
 1. The proposed PUD is consistent with the General Plan.
 2. The nature, condition, and development of adjacent uses, buildings, and structures have been considered, and the proposed PUD will not adversely affect or be materially detrimental to the adjacent uses, buildings, or structures.
 3. The site for the proposed PUD is adequate in size and shape to accommodate the yards, walls, fences, parking and loading

facilities, landscaping, and other development features required by City staff or the Commission in order to integrate the development with uses in the neighborhood.

4. The privacy of residences adjacent to the PUD shall not be adversely impacted.
- C. Conditions imposed by the Commission (and Council on appeal) for a PUD may involve any pertinent factors affecting the establishment, operation, or maintenance of the proposed development, including, but not limited to:
1. Special yards, open spaces, and buffer areas.
 2. Fences and walls.
 3. Parking facilities, including vehicle ingress and egress, and the surfacing of parking areas and driveways to specified standards.
 4. Street and highway dedications and improvements including sidewalks, curbs, and gutters.
 5. Landscaping and maintenance of grounds.
 6. Regulation of nuisance factors such as noise and exhaust fumes.
 7. Such other conditions as will make possible the development of the proposed PUD in an orderly and efficient manner and in accord with all goals and policies of the General Plan which are the intents and purposes of this Ordinance.

5125.60 Notice of Action Taken

Notification of the action taken by the Planning Commission or City Council shall be made either by serving a notice in the manner required by law for the service of a summons or by mailing a written notice using registered or certified mail, postage prepaid with a return receipt requested.

5125.70 Effective Date

An order by the Commission or Council approving or denying a PUD application shall become final and effective 15 days after service of written notice of action upon the applicant of the proposed PUD, whether or not a formal resolution has been adopted by the hearing body.

5125.80 Planned Unit Development Project File

A project file for each PUD application shall be created and maintained by the Planning Department in order to document the standards, guidelines, and conditions imposed on the PUD, and, should the PUD application be approved, to monitor implementation of project conditions of approval. This file shall be reviewed and revised if any modification to the PUD is requested in the future by the project applicant or property owner. The file may be consulted by City staff or officials in reviewing other PUD applications. This process will help ensure that future City actions involving PUDs will be consistent with the intent and purpose of this section.

8. Emergency Shelters

- a. As part of the Conditional Use Permit (CUP) application for an emergency shelter, the applicant shall submit a management plan containing management policies and operations, maintenance plans, guest rules and procedures, security procedures, and staffing needs, including job descriptions.
- b. The number of beds or sleeping spaces in an emergency shelter shall not exceed 30.
- c. An emergency shelter shall provide one (1) parking space per employee.
- d. The shelter shall be maintained and operated in a manner that does not interfere with nor disturb operation of adjacent uses. The City may establish curfew restrictions or other limits on hours of operation toward these ends.

13. Transitional Housing

- a. As part of the Conditional Use Permit (CUP) application for transitional housing, the applicant shall submit a management plan containing management policies and operations, maintenance plans, guest rules and procedures, security procedures, staffing needs

(including job descriptions), and screening procedures to ensure that the facility can provide the services required by the potential residents.

- b. Transitional housing may consist of either: (1) a single-family residence converted to allow individual bedrooms for individuals or families, with common kitchen and living areas, or (2) a multi-family residence. Transitional housing must conform to all zoning regulations applicable to the zoning district in which it is located.
- c. In the event the transitional housing consists of a single-family residence, the number of beds in the facility shall be limited to an average of three (3) per bedroom. The following additional requirements shall apply:
 - i. A minimum of ten (10) square feet per bed, or 250 square feet, whichever is greater, shall be provided for common areas. All common areas shall be within the building. Recreation rooms, meeting rooms, dining rooms, or other similar areas approved by the hearing body may be considered common areas. Bathrooms and kitchens shall not be considered common areas.
 - ii. At a minimum, shared shower or bathtub facilities shall be accessible from a common area or hallway.
 - iii. A complete kitchen available for residents shall be available in the facility. Also, a refrigerator and microwave oven shall be provided for every four (4) residents.
- d. A transitional housing facility shall provide one (1) parking space per employee plus one (1) parking space for every four (4) beds.
- e. A transitional housing facility shall be maintained and operated in a manner that does not interfere with nor disturb operation of adjacent land uses. The City may establish curfew restrictions or other limits on hours of operation toward these ends.

5130 DESIGN REVIEW

5130.10 Intent and Purpose

Design Review is intended to promote aesthetic compatibility throughout the community and to provide a method to encourage and implement development of high aesthetic quality.

5130.20 Design Review Board Established

- A. The Design Review Board is hereby established for the purpose of reviewing and making recommendations upon design review applications.
- B. The Design Review Board shall consist of five members as follows: One member from the City Council, one from the Planning Commission, one from the community at large, the City Engineer, and the Director of Building and Planning or his designee.
- C. Members of the Board shall be appointed by majority vote of the City Council.
- D. The tenure of each member of the Design Review Board shall be two years. The first year shall be the counting year for two members and the second year shall be the counting year for the remaining three members. Therefore, the two members of the first year will have short terms.

5130.30 Jurisdiction

The Design Review Board is authorized to consider only the following aspects of a development proposal: exterior elevations, landscaping, signs, relationship to surrounding development, and general overall aesthetic appearance. The Board shall adopt guidelines to assist with its review. The Board may impose conditions as it sees reasonable and necessary, provided the conditions do not conflict with the provision of this Ordinance or any other City ordinance.

5130.40 When Design Review is Required

Any project undergoing Site Plan or Conditional Use Permit review shall be subject to Design Review.

5130.50 Hearing Procedure

- A. The Director of Planning and Building shall forward to the Board architectural plans, landscape plans, sign plans, and the site plan to enable the board to perform its review.
- B. The Design Review Board shall conduct a public meeting to consider the design aspects of a project no less than one month prior to the scheduled date of Site Plan Review or other hearings required for discretionary actions. Notice of the meeting shall be given to the applicant no less than 10 days prior to the hearing; no other notice shall be required.
- C. The Board shall transmit its recommendation to the Director of Planning and Building within 10 days of the final Board hearing on the project. The Board's recommendation shall indicate either approval or specific recommendations for design changes. Recommendations shall stress positive and implementable design changes. The recommendation shall be considered by the hearing body with jurisdiction over any discretionary aspects of the application and shall be incorporated as recommended, or as modified by the hearing body, into the project conditions of approval.

5130.60 Referral Back to Board

Any hearing body may refer a recommendation back to the Board to solicit clarification or additional changes. Referral shall occur only once by a hearing body for a specific project.

5130.70 Appeal of Board's Recommendation

Appeals of the Board's recommendation shall be made to the hearing body with jurisdiction over the related discretionary application.

5140 APPEAL PROCEDURES

5140.10 What Decisions May Be Appealed

Any decision rendered by the Director of Building and Planning, with the exception noted in Appendix C, Section 10 D, may be appealed to the Planning Commission. Any decision rendered by the Planning Commission may be appealed to the City Council. The decision of the City Council is final.

5140.20 When An Appeal Must Be Made

Appeals to the City Council must be made within 10 days from the rendering of the decision which is appealed. Appeals shall be made in writing to the City Clerk.

5150 REVOCATIONS

5150.10 Revocation or Modification of a Variance, Conditional Use Permit or Nonconforming Use

The Commission, on its own motion or of instruction by the Council, may recommend and the Council may revoke or modify any previously granted Variance, Conditional Use Permit, or nonconforming use after holding a public hearing on the matter if any of the following findings are made:

- A. That the Variance, Conditional Use Permit, or nonconforming use was obtained by fraud; or
- B. That the Variance, Conditional Use Permit, or nonconforming use is not being exercised; or
- C. That the Variance, Conditional Use Permit, or nonconforming use has ceased or has been suspended for one (1) year or more; or
- D. That any person making use of or relying upon the Variance, Conditional Use Permit, or nonconforming use:
 - 1. Is violating or has violated any conditions of the Variance, Conditional Use Permit, or nonconforming use; or
 - 2. That the use for which the Variance, Conditional Use Permit, or nonconforming use was granted or permitted is being or has been exercised contrary to the terms or conditions of such approval, or in violation of any statute, ordinance, law, or regulation; or
- E. That the use permitted by Variance, Conditional Use Permit, or nonconforming use is exercised in a way that is detrimental to the public health or safety, or constitutes a nuisance; or
- F. If any provision of a Variance or Conditional Use Permit is held or declared to be invalid, the Variance or Conditional Permit shall be void and all privileges granted thereunder shall lapse.

5150.20 Additional Grounds for the Revocation or Modification of a Nonconforming Use

A nonconforming use may also be revoked, after a public hearing, if the Commission recommends and the City Council finds:

- A. That the condition of any improvements on the property are such that to require the property to be utilized only for those uses permitted in the zone where it is located would not impair the Constitutional rights of any person; or
- B. That the nature of said improvements is such that they can be altered so as to be used in conformity with the uses permitted in the zone in which such property is located without impairing the Constitutional rights of any person.

5150.30 Notice of Action

- A. Notice of the action taken by the Council at a hearing for a revocation or modification of a Variance, Conditional Use Permit, or nonconforming use shall be sent to the person owning or operating the property or use.
- B. Notification of the action by the City Council shall be made either by serving a notice in the manner required by law for the service of a summons, or by mailing a written notice using registered or certified mail, postage prepaid, with a return receipt requested.

5150.40 Effective Date of Revocations

An order by the Council revoking or modifying a Variance, Conditional Use Permit, or nonconforming use, shall become final and effective 15 days after service of written notice of action upon the owner or operator of the use, whether or not a formal resolution has been adopted by the hearing body.

APPENDIX A

REGULATION OF USES BY ZONE DISTRICT

The matrix which follows provides a listing of land uses which are allowed by right or by administrative permit or conditional use permit and those land uses which are prohibited within each of the City's zoning categories. The following symbols are used to describe the relationship of the listed land uses to each zone:

- “P” Indicates that a use is permitted by right.
- “P*” Indicates that a use is permitted by right but that certain development and use conditions apply, as outlined in Appendix B.
- “PA” Indicates that a use is permitted with an administrative permit. (1)
- “A” Indicates that a use is permitted as an accessory use only.
- “C” Indicates that a use requires a conditional use permit.
- “C*” Indicates that a use requires a conditional use permit and that specific development and use conditions apply, as outlined in Appendix B or C.
- “U” Indicates that the underlying zone determines whether or not the use is permitted.
- “O” Indicates that a use is permitted only in conjunction with the appropriate overlay zone.
- “H” Indicates that a use is permitted as a home occupation subject to the requirements of Appendix B.
- “T” Indicates that a use is permitted only as a temporary use.
- “X” Indicates that a use is prohibited.

NOTE: R-3 = Residential; RS = Residential, Specialty Overlay;
CC = Civic Center Overlay; C = Town Center Commercial;
CM = General Commercial/Manufacturing;
OS = Open Space; PF = Public Facilities

- (1) The administrative permit shall be issued by the Director of Building and Planning or his/her designee subject to a fee established by City Council resolution.

A:	R-3	RS	CC	C	CM	M	OS	PF
Abrasives Manufacture	X	X	U	X	X	P	X	X
Adhesives Manufacture	X	X	U	X	X	C	X	X
Adult Entertainment Business	X	X	U	C	C	C	X	X
Agricultural Equipment	X	X	U	X	P	P	X	X
Alcoholic Beverage Sales and Service	X	X	U	C*	C*	C*	X	X
Ambulance Service	X	X	U	X	C	P	X	X
Animal Hospital	X	X	U	X	P	P	X	X
Animal Shelter	X	X	U	X	X	P	X	X
Antique Restoration	H	X	U	X	P	P	X	X
Antique Sales (Refinished)	X	X	U	P	P	P	X	X
Appliance Assembly	X	X	U	X	P	P	X	X
Appliance Sales and Repairs (Household)	X	X	U	X	P	P	X	X
Appliance Sales and Repairs (Small Appliances)	X	X	U	P	P	P	X	X
Arcade	X	X	U	C	C	P	X	X
Art Gallery	X	X	U	P	P	P	X	X
Art Supply Stores	X	X	U	P	P	P	X	X
Athletic Field	C	C	U	P	P	P	A	A
Auction House	X	X	U	X	P	P	X	X
Audio/Visual Products Manufacturing	X	X	U	C	P	P	X	X
Auditorium	X	X	U	X	P	P	A	P
Automobile Body Repair	X	X	U	X	X	C	X	X
Automobile Brake Repair	X	X	U	X	P	P	X	X
Automobile, Electric and Tuneup	X	X	U	P	P	P	X	X
Automobile, General Repair Garage	X	X	U	X	P	P	X	X
Automobile Muffler Shop	X	X	U	X	P	P	X	X
Automobile Painting	X	X	U	X	X	C	X	X

A:	R-3	RS	CC	C	CM	M	OS	PF
Automobile Parts Assembly	X	X	U	X	P	P	X	X
Automobile Radiator Shop	X	X	U	X	P	P	X	X
Automobile Rental	X	X	U	X	P	P	X	X
Automobile Sales, New and Used	X	X	U	X	C*	P*	X	X
Automobile Supply Stores	X	X	U	P	P	P	X	X
Automobile Upholstering	X	X	U	X	P	P	X	X
Automobile Wrecking	X	X	X	X	X	X	X	X
Aviary, Commercial	X	X	U	X	X	P	X	X

B:	R-3	RS	CC	C	C M	M	OS	PF
Bakery, Retail	X	X	U	P	P	A	X	X
Bakery, Wholesale	X	X	U	X	P	P	X	X
Bakery Goods Distributor	X	X	U	X	P	P	X	X
Bank/Savings and Loan	X	X	U	P	P	P	X	X
Barber Shop, Beauty Shop	X	C	U	P	P	P	X	X
Bar/Cocktail Lounge/Tavern	X	X	U	X	C	C	X	X
Beverage Production	X	X	U	P	P	P	X	X
Bicycle Rentals	X	X	U	P	P	P	X	X
Bicycle Manufacture	X	X	U	X	P	P	X	X
Bicycle Sales and Service	X	X	U	P	P	P	X	X
Billiard/Pool Hall	X	X	U	C	P	P	X	X
Blueprinting and Photocopying	X	X	U	C	P	P	X	X
Boat Manufacture	X	X	U	X	X	P	X	X
Boat Rentals	X	X	U	X	C	P	X	X
Boat Repairs	X	X	U	X	C	P	X	X
Boat Sales	X	X	U	X	P	P	X	X
Bone Product Manufacture	X	X	U	X	X	P	X	X
Bookbinding	X	X	U	P	P	P	X	X
Book Stores	X	X	U	P	P	P	X	X
Bottle Washing Plant	X	X	U	X	C	P	X	X

B:	R-3	RS	CC	C	C M	M	OS	PF
Bottling Plant	X	X	U	X	C	P	X	X
Bowling Alley	X	X	U	X	P	P	X	X
Breweries	X	X	U	P	P	P	X	X
Brush Manufacture	X	X	U	X	P	P	X	X
Building Materials Sales	X	X	U	P	P	P	X	X
Building Materials Storage Yard	X	X	U	X	C	P	X	X
Burial Casket Sales	X	X	U	X	P	P	X	X
Burial Casket Manufacturing	X	X	U	X	P	P	X	X
Butcher Shop	X	X	U	C	P	P	X	X
Button Manufacturing	X	X	U	X	P	P	X	X

C:	R-3	RS	CC	C	C M	M	OS	PF
Cabinet Manufacturing	X	X	U	X	P	P	X	X
Cabinet Sales	X	X	U	P	P	P	X	X
Candle Manufacturing	H	H	U	X	P	P	X	X
Candy and Confectionery Manufacturing	H	H	U	P	P	P	X	X
Candy and Confectionery Sales	X	X	U	P	P	A	X	X
Cannery	X	X	U	X	C	P	X	X
Canvas Manufacturing	X	X	U	X	P	P	X	X
Carnival, Circus, or Fair	X	X	U	T	T	T	T	T
Car Wash, Automatic	X	X	U	X	C	P	X	X
Car Wash, Full Service	X	X	U	C*	C*	P	X	X
Car Wash, Self Serve	X	X	U	X	P	P	X	X
Carpentry Shop	X	X	U	X	P	P	X	X
Carpet and Rug Cleaning Plant	X	X	U	X	C	P	X	X
Catering Service	X	X	U	X	P	P	X	X
Cellophane Products Manufacturing	X	X	U	X	P	P	X	X
Cemetery	C	C	U	C	C	C	X	C
Ceramic Products Manufacturing (see Clay)	H	X	U	X	P	P	X	X
Child Care Facility (see also Day Care)	C	C	U	C	C	C	X	X
Children's Homes (Orphanage)	C	C	U	C	C	C	X	X
Christmas Tree Lots	T	T	U	P	P	P	X	X

C:	R-3	RS	CC	C	C M	M	OS	PF
Churches, Temples/Religious Institutions	C*	U	U	C*	C*	C*	X	C*
City Maintenance and Storage Yard	X	X	U	X	C	P	X	P
Civic Center	O	O	P	O	P	P	X	P
Clay Product Manufacturing	X	X	U	X	X	C	X	X
Clock Manufacturing	H	H	U	X	P	P	X	X
Cloth Manufacture	X	X	U	X	P	P	X	X
Clothing Manufacture	X	X	U	X	P	P	X	X
Clothing Rental	X	X	U	P	P	A	X	X
Clothing Sales	X	X	U	P	P	A	X	X
Club, Athletic or Recreational	X	X	U	X	P	P	X	X
Club, With Alcohol Sales	X	X	U	X	C*	C*	X	X
Club, Private	C	C	U	C	C	C	X	X
Coffee Roasting and Packaging	X	X	U	P	P	P	X	X
Coins, Purchase and Sales	X	X	U	P	P	P	X	X
Cold Storage Plant	X	X	U	X	C	P	X	X
Communications Equipment Building	X	X	U	X	P	P	X	P
Community Social Center	C	C	U	X	P	P	A	P
Condominium Development	C*	C*	U	C*	C*	X	X	X
Contractors Equipment Sales and Rental	X	X	U	X	C	P	X	X
Contractor Storage Yard	X	X	U	X	C	P	X	X

C:	R-3	RS	CC	C	C M	M	OS	PF
Construction/Equipment Storage Yard	X	X	U	T	T	T	X	T
Construction Office	T	T	U	T	T	T	X	A
Convalescent Care Facilities	O	C	U	C	C	X	X	X
Convenience Store	X	X	U	P	P	P	X	X
Convents and Monasteries	C	C	U	C	C	C	X	C
Cork Products Manufacturing	X	X	U	X	P	P	X	X
Corrugated Paper Products Manufacturing	X	X	U	X	P	P	X	X
Cosmetic Manufacturing	X	X	U	X	P	P	X	X
Cosmetologist	X	X	U	P	P	P	X	X
Costume Design Studios	H	H	U	P	P	P	X	X
Costume Rentals	X	X	U	P	P	P	X	X
Cutlery Manufacturing	X	X	U	X	P	P	X	X

D:	R-3	RS	CC	C	CM	M	OS	PF
Day Care Facility (12 or more children) (see also Family Day Care)	C	X	U	C	C	C	X	C
Dance Hall/Club	X	X	U	C*	C*	C*	X	X
Dance Studio	X	X	U	X	P	P	X	X
Delicatessen	X	X	U	P	P	P	X	X
Department Store	X	X	U	X	P	X	X	X
Detention Centers	X	X	U	X	X	C	X	C
Detergent Manufacturing	X	X	U	X	X	C	X	X
Die Casting	X	X	U	X	C	P	X	X
Discount Stores	X	X	U	X	P	C	X	X
Distribution Plant	X	X	U	X	C	P	X	X
Drug Store	X	X	U	P	P	C	X	X
Dry Cleaning Plant	X	X	U	X	P	P	X	X
Dry Cleaning Service	X	X	U	P	P	P	X	X
Dwelling Unit, Caretaker	P	U	U	P	P	X	X	X
Dwelling Unit, One-Family	P	U	U	C	X	X	X	X
Dwelling Unit, Two-Family	P	U	U	C	C	X	X	X
Dwelling Unit, Three-Family	P	U	U	C	C	X	X	X
Dwelling Unit, Multiple Family (see also "Condominium")	P	U	U	C	C	X	X	X
Dwelling Unit, Mobile Home	P	U	U	X	X	X	X	X

E:	R-3	RS	CC	C	C M	M	OS	PF
Educational Institution, Private	X	X	U	C	C	C	X	X
Educational Institution, Public	X	X	U	C	C	X	X	P
Electrical Appliance Assembly	X	X	U	X	P	P	X	X
Electrical Sign Manufacturing	X	X	U	X	P	P	X	X
Electrical Distribution and Transmission Substation	X	X	U	C*	C*	P*	X	P*
Electric Generating Station	X	X	U	X	X	C	X	P
Electronics Manufacturing	X	X	U	X	P	P	X	X
Emergency Shelter	X	X	X	X	C*	X	X	X
Employment Agency	X	X	U	P	P	P	X	P
Enamel Products Manufacturing	X	X	U	X	P	P	X	X
Engine Manufacturing	X	X	U	X	P	P	X	X
Equipment Sales and Rentals	X	X	U	X	P	P	X	X
Equipment Storage	X	X	U	X	A	A	X	X
Exhibits, Outdoor	X	X	U	C	C	C	C	P

F:	R-3	RS	CC	C	CM	M	OS	PF
Family Day Care Home, Large (7 to 12 children)	C	C	U	C	C	X	X	X
Family Day Care Home, Small (six or fewer children)	P	U	U	C	C	X	X	X
Feed and Grain Sales	X	X	U	X	P	P	X	X
Film Processing	X	X	U	P	P	P	X	X
Fishing Supply Stores	X	X	U	P	P	P	X	C
Fire Station	X	X	U	X	P	P	X	C
Floor Covering Sales	X	X	U	P	P	P	X	X
Floor Covering Manufacturing	X	X	U	X	P	P	X	X
Florist Shop	X	X	U	P	P	A	X	X
Food Processing	H	X	U	P	P	P	X	X
Freight Terminals	X	X	U	X	C	P	X	X
Frozen Food Locker	X	X	U	P	P	P	X	X
Fuel Storage and Distribution	X	X	U	X	X	C	X	X
Fur Products Manufacturing	X	X	U	X	P	P	X	X
Furniture Manufacturing and Repair .	X	X	U	X	C	P	X	X
Furniture Sales	X	X	U	C	P	P	X	X
Furniture Transfer and Storage	X	X	U	X	C	P	X	X

G:	R-3	RS	CC	C	C M	M	OS	PF
Game Courts (Badminton/Tennis/Racquetball/Other)	A	A	U	P	P	P	A	X
Garage, Public Storage	X	X	U	X	P	P	X	X
Equipment Sales and Service	X	X	U	X	P	P	X	X
Garden Supply Sales	X	X	U	P	P	P	X	X
Gas Distribution, Meter and Control Station	X	X	U	X	C	P	X	P
Gemcutting	H	X	U	P	P	P	X	X
Gift Shop	X	X	U	P	P	A	X	X
Glass and Mirrors, Retail Sales	X	X	U	P	P	P	X	X
Glass Edging and Beveling	H	X	U	X	P	P	X	X
Glass Studio (Stained and others)	H	X	U	P	P	P	X	X
Golf Course and Club House	C	C	U	C	C	C	C	X
Golf Driving Range (not part of golf course)	C	C	U	C	C	C	A	X
Grocery Store, Retail	X	X	U	P	P	P	X	X
Grocery Store, Wholesale	X	X	U	X	P	P	X	X
Group Care Home (six or fewer handicapped persons)	P	P	U	C	C	X	X	X
Gunsmith	H	X	U	X	P	P	X	X
Gymnasium	X	X	U	P	P	P	X	X

H:	R-3	RS	CC	C	CM	M	OS	PF
Hardware Store	X	X	U	P	P	P	X	X
Health Clinic	X	X	U	P	P	P	X	X
Health Club	X	X	X	P	P	P	X	X
Health Food Store	X	X	U	P	P	A	X	X
Heating Equipment Manufacturing	X	X	U	X	P	P	X	X
Helipad or Heliport	X	X	U	C	C	C	X	C
Hobby Supply Shop	X	X	U	P	P	A	X	X
Home and Business Maintenance Service	H	X	U	X	P	P	X	X
Home Improvement Center	X	X	U	X	P	P	X	X
Horses, Boarding and Raising	X	X	U	X	C	C	X	X
Horticultural Services	H	X	U	X	C	C	X	X
Hospital	X	X	U	X	C	C	X	P
Hospital, Convalescent	O	C	U	X	C	X	X	P
Hospital, Nursing	O	C	U	X	C	X	X	P
Hospital, Mental	X	X	U	X	C	X	X	P
Hotels, Single Room Occupancy	O	C	U	X	C	X	X	X
Hotel	X	X	U	X	C	C	X	X

I:	R-3	RS	CC	C	CM	M	OS	PF
Ice Cream Parlor	X	X	U	P	P	A	X	X
Ice Retail Sales	X	X	U	P	P	A	X	X
Ink Manufacturing	X	X	U	X	P	P	X	X
Interior Decorating Service	H	X	U	P	P	P	X	X
Impound Yard	X	X	U	X	X	P	X	X

J:	R-3	RS	CC	C	CM	M	OS	PF
Janitorial Supplies/Sales	X	X	U	P	P	P	X	X
Janitorial Service	H	X	U	X	P	P	X	X
Jewelry Manufacturing	H	H	U	X	P	P	X	X
Jewelry Sales	X	X	U	P	P	A	X	X

K:	R-3	RS	CC	C	CM	M	OS	PF
Kennel	X	X	U	X	C	C	X	X

L:	R-3	RS	CC	C	CM	M	OS	PF
Laboratories, Chemical	X	X	U	X	P	P	X	X
Laboratories, Medical	X	X	U	X	P	P	X	X
Laboratories, Research	X	X	U	X	P	P	X	X
Laundry Service	X	X	U	P	P	P	X	X
Laundromat	X	X	U	P*	P*	P*	X	X
Leather Manufacturing	X	X	U	X	P	P	X	X
Library	C	C	U	P	P	P	X	P
Liquefied Petroleum Gas Sales and Distribution	X	X	U	X	X	C	X	X
Lithographic Service	X	X	U	P	P	P	X	X
Locksmith	H	X	U	P	P	P	X	X
Lodge or Fraternal Hall	C	C	U	X	P	P	X	X
Lumber Yard	X	X	U	X	P	P	X	X

M:	R-3	RS	CC	C	CM	M	OS	PF
Machine and Tool Sales	X	X	U	X	P	P	X	X
Machine Shop	X	X	U	X	P	P	X	X
Machinery Storage Yard	X	X	U	X	C	P	X	X
Mail Order Processing Center	X	X	U	P	P	P	X	X
Marine Supply Stores	X	X	U	X	P	P	X	X
Massage Establishment	X	X	U	C*	C*	C*	X	X
Mattress Manufacturing	X	X	U	X	P	P	X	X
Medical/Dental Clinic	X	A	U	P	P	P	X	X
Medical/Dental Office	X	X	U	P	P	P	X	X
Medical Equipment Sales	X	X	U	X	P	P	X	X
Menageries	X	X	U	X	C	C	X	X
Metal Electroforming and Coating	X	X	U	X	X	C	X	X
Metal Engraving	X	X	U	X	P	P	X	X
Metal Products Manufacturing and Casting	X	X	U	X	P	P	X	X
Microwave Antenna/Tower (35 feet or under in height)	X	X	U	P	P	P	X	P
Microwave Antenna/Tower (over 35 feet in height)	X	X	U	X	C	C	X	C
Mini-Storage Warehouse	X	X	U	X	C	C	X	X
Mobile Home Park	C	C	U	X	X	X	X	X
Mobile Home Sales	X	X	U	X	C	P	X	X
Model Home	A	A	U	A	A	A	X	X

M:	R-3	RS	CC	C	CM	M	OS	PF
Mortuary and Funeral Parlor	X	X	U	X	P	P	X	X
Motel	X	X	U	X	C	C	X	X
Motion Picture Studio	X	X	U	X	P	P	X	X
Motorcycle Sales and Service	X	X	U	X	P	P	X	X
Motor Manufacturing (Electrical)	X	X	U	X	P	P	X	X
Music/Record Store	X	X	U	P	P	A	X	X
Museum	C	C	U	P	P	P	X	P

N:	R-3	RS	CC	C	CM	M	OS	PF
Newsstand	X	X	U	P	P	A	X	X
Newspaper Distribution	X	X	U	X	P	P	X	X
Neon Sign Manufacture	X	X	U	X	P	P	X	X
Newspaper Printer	X	X	U	X	P	P	X	X
Nightclubs	X	X	U	X	C*	C*	X	X
Nurseries, Horticultural	X	X	U	P	P	P	X	X

O:	R-3	RS	CC	C	CM	M	OS	PF
Office (Business and Professional)	H	H	U	P	P	P	X	X
Office Equipment/Supplies Sales	X	X	U	X	P	P	X	X
Oil Drill Equipment Yards	X	X	U	X	X	P	X	X
Oil Pumping Station	X	X	U	X	C*	C*	X	C*
Oil Wells	C*	U	U	C*	C*	C*	X	C*
Optical Products Manufacture	X	X	U	X	P	P	X	X
Optical Products Sales	X	A	U	P	P	A	X	X
Orthopedic Devices Manufacturing	X	X	U	X	P	P	X	X
Orthopedic Devices Sales	X	A	U	P	P	A	X	X

P:	R-3	RS	CC	C	CM	M	OS	PF
Paint and Wallpaper Stores	X	X	U	P	P	P	X	X
Paper Product Manufacturing	X	X	U	X	P	P	X	X
Paper Product Sales	X	X	U	P	P	A	X	X
Parcel Delivery Service	X	X	U	X	P	P	X	X
Parcel Delivery Terminals	X	X	U	X	P	P	X	X
Parking Lot Associated with Commercial or Industrial Use	C*	C*	U	P	P	P	C*	C*
Parking Structure	C*	C*	U	X	P	P	X	C
Parks and Public Recreational Facilities and Equipment	C	C	U	P	P	P	P	P
Pawnshop	X	X	U	X	P	P	X	X
Pest Control Service	X	X	U	X	P	P	X	X
Pet, Household	P*	P*	U	P*	P*	P*	X	X
Pet Grooming	X	X	U	P	P	P	X	X
Pet Shop	X	X	U	P	P	P	X	X
Pet Supply Store	X	X	U	P	P	P	X	X
Petroleum Bulk Plant (see also Liquefied Petroleum)	X	X	U	X	X	C	X	X
Pharmaceuticals Manufacturing	X	X	U	X	P	P	X	X
Photofinishing, Retail	X	X	U	P	P	P	X	X
Photographic Supplies	X	X	U	P	P	A	X	X
Photographic Studio	H	H	U	P	P	P	X	X

P:	R-3	RS	CC	C	CM	M	OS	PF
Plastics Manufacturing	X	X	U	X	P	P	X	X
Plastics Molding	X	X	U	X	P	P	X	X
Plumbing Shop	X	X	U	X	P	P	X	X
Plumbing Supply Yard	X	X	U	X	P	P	X	X
Police/Sheriff Station	X	X	U	P	P	P	X	P
Post Office	X	X	U	P	P	P	X	P
Prefabricated Building Manufacturing	X	X	U	X	X	P	X	X
Propane Dispensing Businesses	X	X	U	X	C*	C*	X	X
Printing and Publishing	X	X	U	P	P	P	X	X
Public Utility Service Yards	X	X	U	C	C	P	X	P

Q:	R-3	RS	CC	C	CM	M	OS	PF

R:	R-3	RS	CC	C	CM	M	OS	PF
Radio/Television Broadcasting Studio	X	X	U	X	P	P	X	X
Radio/Television Sales	X	X	U	P	P	A	X	X
Radio/Television Transmitter (under 35 feet)	X	X	U	P	P	P	X	P
Radio/Television Transmitter (over 35 feet)	X	X	U	X	C	C	X	C
Real Estate Office	X	X	U	P	P	P	X	X
Recording Studio	X	X	U	X	P	P	X	X
Recreational Facilities, Private	C	C	U	P	P	P	P	X
Recreational Vehicle Sales	X	X	U	X	P	P	X	X
Recycling, Bulk Reverse Vending Machine	X	X	X	C	C	A	X	X
Recycling, Industrial Collection and Processing Facility	X	X	X	X	X	C	X	X
Recycling, Large Collection Facility	X	X	X	X	X	C	X	X
Recycling, Mobile Recycling Unit	X	X	X	C	C	A	X	X
Recycling, Processing Facility	X	X	X	X	X	C	X	X
Recycling, Reverse Vending Machine	X	X	A	A	A	A	X	X
Recycling, Small Collection Facility	X	X	X	C	C	A	X	X
Reducing Salon	X	X	U	P	P	P	X	X
Refrigeration Plants	X	X	U	X	P	P	X	X
Refrigeration Repair and Service	X	X	U	X	P	P	X	X
Religious Material Sales	X	X	U	P	P	A	X	X
Residential Care Facility	P	U	U	X	C	X	X	X

R:	R-3	RS	CC	C	CM	M	OS	PF
Restaurant, No Alcohol Sales	X	X	U	P	P	C	X	X
Restaurant, With Alcohol Sales	X	X	U	C*	C*	C*	X	X
Restaurant, Drive-thru	X	X	U	X	P	C	X	X
Rock, Sand, and Gravel Storage and Distribution	X	X	U	X	X	P	X	X
Rubber Products Fabrication (except tires)	X	X	U	X	P	P	X	X
Rug Manufacturing	X	X	U	X	P	P	X	X

S:	R-3	RS	CC	C	CM	M	OS	PF
Sash and Door Manufacturing	X	X	U	X	P	P	X	X
Scales, Public	X	X	U	X	P	P	X	X
Schools, Technical	X	X	U	X	P	P	X	X
Schools, Other - See Educational Institution								
Scientific Instruments Manufacturing	X	X	U	X	P	P	X	X
Scientific Instruments Sales	X	X	U	P	P	A	X	X
Second Hand Store	X	X	U	X	P	P	X	X
Senior Citizen Housing Development	O	P	X	O	O	X	X	X
Second Unit	P	P	X	X	X	X	X	X
Service Station	X	X	U	C	C	C	X	X
Sewage Treatment Plant	X	X	U	X	X	C	X	C
Sheet Metal Shop	X	X	U	X	P	P	X	X
Shoe Repair/Sales	X	X	U	P	P	P	X	X
Shoe Manufacturing	X	X	U	X	P	P	X	X
Shoeshine Stand	X	X	U	P	P	P	X	X
Shooting Galleries	X	X	U	X	C	C	X	X
Silk Screen Shop	X	X	U	P	P	P	X	X
Skating Rink	X	X	U	X	P	P	X	X
Small Animal Hospital	X	X	U	X	P	P	X	X
Soap Manufacturing	X	X	U	X	C	C	X	X

S:	R-3	RS	CC	C	CM	M	OS	PF
Sporting Goods Sales	X	X	U	P	P	A	X	X
Stadium	X	X	U	X	C	C	X	X
Stationery Store	X	X	U	P	P	A	X	X
Stencil Manufacturing	X	X	U	X	P	P	X	X
Steel Fabrication Plant	X	X	U	X	X	C	X	X
Stone Monuments and Tombstone Manufacturing	X	X	U	X	C	C	X	X
Substance Abuse Treatment Center	X	C	U	C	C	C	X	X
Swap Meet	X	X	X	X	C*	C*	X	X
Swimming Pool Supplies/Equipment Sales	X	X	U	X	P	P	X	X
Swimming Pool	A	A	U	P	P	P	A	A

T:	R-3	RS	CC	C	CM	M	OS	PF
Tailor Shop	X	X	U	P	P	X	X	X
Taxidermist	X	X	U	X	P	P	X	X
Telephone Answering Service	H	H	U	P	P	P	X	X
Telephone Repeater Stations	X	X	U	X	P	P	X	P
Terminals and Stations (Taxi, Bus, Limousine, Railroad, etc.)	X	X	U	X	P	P	X	C
Testing Laboratories	X	X	U	X	X	P	X	X
Textiles, Manufacturing/Processing	X	X	U	X	P	P	X	X
Theatres and Places of Public Assembly	X	X	U	X	P	P	A	P
Tile Manufacturing	X	X	U	X	P	P	X	X
Tile Sales	X	X	U	P	P	A	X	X
Tire Rebuilding/Retreading	X	X	U	X	P	P	X	X
Tobacco Shop	X	X	U	P	P	A	X	X
Toiletries Manufacturing	X	X	U	X	P	P	X	X
Tools Manufacturing	X	X	U	X	P	P	X	X
Toy Manufacturing	X	X	U	X	P	P	X	X
Toy Stores	X	X	U	P	P	P	X	X
Trading Stamp Redemption Store	X	X	U	X	P	P	X	X
Transfer, Moving and Storage	X	X	U	X	P	P	X	X
Transitional Housing	X	X	X	X	C*	X	X	X
Tree Surgeon	X	X	U	X	P	P	X	X

Truck Repair	X	X	U	X	X	P	X	X
Truck Sales/Rentals	X	X	U	X	X	P	X	X
Truck Storage	X	X	U	X	X	P	X	X

U:	R-3	RS	CC	C	CM	M	OS	PF
Upholstery Shop	X	X	U	X	P	P	X	X

V:	R-3	RS	CC	C	CM	M	OS	PF
Vending Machine Sales and Service	X	X	U	X	P	P	X	X
Venetian Blinds Manufacture	X	X	U	X	P	P	X	X
Veterinarian	X	X	U	X	P	P	X	X

W:	R-3	RS	CC	C	CM	M	OS	PF
Warehouse	X	X	U	X	P	P	X	X
Watch Manufacture	X	X	U	X	P	P	X	X
Watch Repair	X	X	U	P	P	P	X	X
Water Company Service Yard	X	X	U	X	P	P	X	C
Water Treatment and Distribution Facilities	X	X	U	X	C	P	X	C
Wedding Chapel	X	X	U	C	P	X	X	X
Welding Shop	X	X	U	X	P	P	X	X
Wholesale Business	X	X	U	X	P	P	X	X
Window Shade Manufacture	X	X	U	P	P	P	X	X
Wineries	X	X	U	P	P	P	X	X
Wire Fabrication	X	X	U	X	P	P	X	X
Wood Products Manufacturing	X	X	U	X	P	P	X	X

X:	R-3	RS	CC	C	CM	M	OS	PF

Y:	R-3	RS	CC	C	CM	M	OS	PF

Z:	R-3	RS	CC	C	CM	M	OS	PF

APPENDIX B: REGULATION OF PRINCIPAL USES PERMITTED

The City recognizes that certain uses, although permitted by right in specific zone districts, require additional development standards and use conditions beyond those specified for the applicable zone district. The additional standards are required to ensure that the use is operated in a manner that does not adversely impact surrounding uses. The following uses are subject to the following additional development standards and conditions.

1. Electrical Distribution Substations

- a. Site plan review, pursuant to the provisions of Section 5110, shall be required for all electrical distribution and transmissions substations and similar facilities.
- b. Electrical distribution and transmission substations shall be established only on lots that conform to the minimum lot size requirements of the zone in which they are located. However, in no case shall such facilities be established on lots containing less than 5,000 square feet.
- c. All buildings, structures, and landscaping shall be visually compatible with surrounding development.
- d. All required setback areas shall be landscaped with live plant materials.

2. Entertainment Establishments Providing Dancing, Music, and Similar Activities

- a. Noise levels shall not exceed the standards set forth in the Noise Element of the General Plan or the City Noise Ordinance (whichever is lower) when measured at the nearest residential property lines.
- b. One private security guard shall be provided for each 400 square feet of public area.
- c. Dancing, music, and similar entertainment uses shall be limited to between the hours of 6:00 p.m. and 2:00 a.m.
- d. The City may apply additional requirements or limitations depending on the location, surrounding uses, and other considerations.

3. Home Occupations

- a. The residence in which a home occupation is conducted shall not display any outwardly indication of a business.
- b. Only persons residing in the residence shall be involved in the business; no outside employees shall be permitted.
- c. No more than one room of the residence shall be used for business purposes. Required garages shall not be used for the business in any manner, including storage of materials, and no portion of the business shall be conducted out of doors.
- d. The business shall generate no more than 10 vehicle trips per day.
- e. Only one vehicle related to the business shall be permitted to park on the premises or in the immediate neighborhood. The vehicle shall not exceed a 3/4-ton capacity.
- f. Permitted equipment shall be limited to that normally associated with a residential use.
- g. The business shall not produce any noise, heat, vibration, glare, dust, or odor effects other than those ordinarily associated with a residential use.
- h. No actual retail sales shall be conducted on the premises other than sales by phone or mail.
- i. No signs, other than those permitted by the zone in which the home occupation is conducted, shall be permitted.
- j. All home occupation uses shall obtain and maintain a valid business license.

4. Pet, Household

- a. The number of domestic pets and birds maintained in a dwelling unit shall not exceed the number set forth in the Animal Regulations Ordinance or the City Health Code.
- b. All domestic pets and birds shall be cared for and otherwise maintained as required by the Animal Regulations Ordinance and City Health Code.
- c. No undomesticated wild or dangerous animal, other than cats or dogs, capable of inflicting injury or endangering the health and safety of any person shall be permitted.

5. Laundromats

- a. Site plan review, pursuant to the provisions of Section 5110, shall be required for all new laundromats (as that term is defined in Section 2020.120).
- b. Except as herein set forth, no laundromat shall be open for business except between the hours of 6:00 a.m. and 10:00 p.m. The hours of operation shall be posted in a conspicuous place. No person other than an owner, manager, proprietor or person in charge thereof, and the servants regularly employed in and about the same, may be in such outside of such regular business hours. Any laundromat which has a licensed security guard or California peace officer on the premises full time between the hours of 8:00 p.m. and 6:00 a.m., may operate between the hours of 10:00 p.m. and 6:00 a.m. It shall not be deemed a violation of this subsection if a laundromat causes an attendant to close the doors at 10:00 p.m., prevents additional customers from entering, and removes all customers by 11:00 p.m.
- c. All laundromats shall be maintained in a clean and sanitary manner at all times. Laundromats shall not be used or permitted to be used for sleeping purposes. No persons other than agents of the laundromat and customers actively engaged in washing, drying or folding clothes shall be permitted upon the premises.
- d. Laundromat owners shall be responsible for assuring compliance with the requirements of this section. Regular patrol, at least every two hours, by a competent representative of the laundromat with authority and instructions to assure compliance with these conditions shall be deemed sufficient compliance herewith.

APPENDIX C: REGULATION OF CONDITIONAL USE PERMIT USES

The City recognizes that certain uses, due to the nature of the use, require individual review by the Planning Commission to determine whether the use proposed, or the location of that use, is compatible with, or through the imposition of conditions, can be made compatible with, surrounding uses. Appendix A, Table of Permitted Uses, indicates which uses require Conditional Use Permit Review pursuant to Chapter 5100 of this Ordinance. Uses marked with a C* or which engage in the activities outlined herein shall be subject to the specific conditions indicated below. The Planning Commission, or City Council on appeal, may amend, omit, or add additional conditions as necessary to ensure compatibility.

1. Alcoholic Beverage Sales - General

The following provisions shall apply to all businesses involved in the sale of alcoholic beverages:

- a. A six-foot high masonry wall shall be constructed on any side or rear property line abutting a residentially-zoned property. The wall shall be constructed of six-inch thick decorative masonry block.
- b. Parking area exterior lighting shall be kept at an intensity between one and two foot candles. The lighting shall not shine or direct glare onto adjacent residential properties.
- c. The premises shall be maintained in a litter-free and graffiti-free condition.
- d. The staff and management of the establishment shall not sell or dispense alcoholic beverages to obviously intoxicated persons.
- e. Security shall be provided to ensure that patrons do not cause disturbances on or about the premises.
- f. With regard to the following additional requirements, the following definitions shall be used:
 1. Primary Business - A business in which more than 25 percent of the gross revenues is derived from the sale of alcoholic beverages.

2. Undue Concentration - An area having more than a reasonable number of businesses dispensing alcoholic beverages for off-site and/or on-site consumption. Factors to consider in determining whether an area has an undue concentration are:
 - a. The number of establishments selling alcoholic beverages for off-site consumption within 1,000 feet, 300 feet, and on the same block as the proposed site.
 - b. The number of establishments selling alcoholic beverages for on-site consumption within 1,000 feet, 300 feet, and on the same block as the proposed site.
 - c. The character of the area.
 - d. The consistency of the proposed use with the present and proposed uses in the immediate vicinity.
 - e. Whether the proposed use is to be located within a bona fide shopping center development.
 - f. Whether the proposed operator has the experience and training necessary to assure that the business will not create the types of problems often associated with an overabundance of alcohol-related uses.

2. Alcoholic Beverage Sales - Off-Site Consumption As Primary Business

Establishments whose primary business involves the sale or dispensing of alcoholic beverages for off-site consumption shall comply with the following:

- a. Such businesses shall not be located within 300 feet of a church, school, or other public playground.
- b. Such businesses shall not be located within 1,000 feet of any other establishment dispensing alcoholic beverages for off-site or on-site consumption.
- c. Such businesses shall contain a minimum of 3,000 square feet of floor area.
- d. No service commercial use shall be conducted within the same building.

3. Alcoholic Beverage Sales - Off-Site Consumption As Accessory

Establishments whose primary business is not the sale or dispensing of alcoholic beverages for off-site consumption but which do engage in alcoholic beverage sales for off-site consumption shall comply with the following:

- a. The business shall not be located in an area containing an undue concentration of establishments involved in alcoholic beverage sales.
- b. The business shall not be located in a building containing less than 3,000 square feet of floor area.

4. Alcoholic Beverage Sales - On-Site Consumption As Primary Business

Establishments whose primary business involves the sale or dispensing of alcoholic beverages for on-site consumption shall comply with the following:

- a. Such businesses shall not be located within 300 feet of a church, school, or other public playground.
- b. Such businesses shall not be located within 1,000 feet of any other establishment dispensing alcoholic beverages for off-site or on-site consumption.
- c. Such businesses shall contain a minimum of 3,000 square feet of floor area.
- d. Such businesses shall not be located on the same parcel or lot as a pool hall, arcade, massage parlor, movie theater, or retail store, except within a bona fide shopping center, as defined by this Ordinance.

5. Alcoholic Beverage Sales - On-Site Consumption As Accessory

Establishments whose primary business is not the sale or dispensing of alcoholic beverages for on-site consumption but which do engage in alcoholic beverage sales incidental to food sales shall comply with the following:

- a. The business shall not be located in an area containing an undue concentration of establishments involved in alcoholic beverage sales.
- b. The business shall not be located in a building containing less than 3,000 square feet of floor area.
- c. Such businesses shall not be located within the same building as a pool hall, arcade, massage parlor, movie theater or retail store.

6. Churches

- a. The minimum lot size requirement shall be 40,000 square feet.
- b. All buildings, structures, and landscaping shall be developed in a manner harmonious and compatible with development on surrounding properties.
- c. Exterior parking areas shall be screened with landscaping to consist of hedges, shrubs and/or dense trees.
- d. Establishment of a church does not automatically permit any school, day nursery, kindergarten, or any congregation of persons for purposes other than religious instruction, worship, or guidance. These additional uses shall be subject to the use requirements of the zone in which they are located.

7. Condominium Developments

- a. Condominium developments shall comply with all the standards for use and development applicable to the zone district in which they are located.
- b. Notwithstanding the requirements of Section 5130 of this Ordinance, all condominium developments shall be subject to Design Review.
- c. In addition to the application requirements set forth in Section 5040 of this Ordinance, an application for a condominium development shall include:
 - 1) A tentative subdivision map;
 - 2) Architectural renderings and elevations showing colors, textures, and the exterior treatment of all proposed structures;
 - 3) A landscape plan, including irrigation plans; and
 - 4) Other drawings, plans, or text required by the director of Planning and Building to further define the project.
- d. Conditions, covenants, and restrictions (CC&Rs) shall be submitted to and approved by the City Attorney prior to the effective date of the Conditional Use Permit. Such CC&Rs shall contain provisions assuring the maintenance of common areas by the Condominium Association and shall empower the City to perform such maintenance if not performed by the Association.

8. Massage Establishments

- a. Massage establishments shall not be located within:
 - N 200 feet of any lot zoned solely for residential use; or
 - N 200 feet of any lot supporting any type of public or private elementary, junior high, or high school; or
 - N 200 feet of any lot supporting a City, County, or State owned, operated, or maintained park or playground; or
 - N 200 feet of any adult bookstore or adult motion picture theater, as these terms are defined in the Maywood Municipal Code; or
 - N 200 feet of any other massage establishment; or
 - N The same building as a pool hall, arcade, movie theater, or retail store.
- b. A six-foot high masonry wall shall be constructed along all side and rear property lines, except within the front yard setback, where the wall shall not exceed a height of three feet. The wall shall consist of six-inch thick decorative masonry block.
- c. Exterior lighting of the parking area shall be kept at an intensity of between one and two foot candles. Light and glare shall not spill over onto adjacent properties.
- d. The premises shall be kept in a litter-free and graffiti-free condition.

9. Parking Lot Associated With Commercial or Industrial Use

The following development standards and conditions of use shall apply to commercial parking lots established in the R-3 zone district:

- a. The parking lot must be located immediately adjacent to the commercial or industrial lot it is intended to serve.
- b. The parking facility shall be developed in accordance with the standards contained in Chapter 4100 (Parking and Loading) of this Ordinance.
- c. Parking attendant structures shall be limited in size to 30 square feet in floor area.
- d. No motor vehicle having a rated capacity of more than two tons shall be permitted to use the parking lot.

- e. The parking lot shall not be accessible from any street which primarily serves residential development.
- f. Parking structures shall conform to the setback requirements applicable to primary structures in the R-3 district.

10. Second Units

a. Purpose

These regulations are intended to promote affordable housing as called for in the City of Maywood General Plan. The standards established herein are intended to protect the health, safety and welfare of the existing community and to be compatible with the established pattern of development in the City's R-3 zoning district.

b. Applicability

The applicant for a building permit for a second unit shall be the owner and occupant of the primary dwelling unit of the lot on which the second unit is proposed to be built. The lot on which the second unit is proposed shall contain no more than one (1) single-family dwelling unit, the primary unit, and the lot shall be less than 50 feet in width. The second unit developed under herein shall not be sold or owned separately from the primary dwelling unit.

c. Code Compliance

The property, including the existing primary dwelling unit and all existing accessory buildings and structures shall be inspected by the City to determine compliance with the Zoning Ordinance and the Building Codes. The property owner shall correct all identified code violations to the satisfaction of the Director of Building and Planning (the ADirector@) prior to the issuance of a permit to build the secondary unit.

d. Permit Approval Procedure-Ministerial Action

Applications to build second units will be considered as a ministerial item. A building permit for a second unit shall be issued once the Director (1) determines that there are no outstanding code violations in the property, and (2) verifies that the second unit complies with all zoning and building code regulations contained herein. Within 30 calendar days after the application has been deemed complete, the Director and/or his/her designee shall approve, deny or conditionally approve the permit application.

If the Director denies the application, the applicant may file an Appeal with the City's Chief Administrative Officer on a form provided by the Building and Planning Department. The Appeal must be filed within 15 calendar days of the notice of the Director's decision to deny the application.

e. Permit Application Contents

To be considered complete, an application for approval of a second unit shall include the following: i. A permit application form, provided by the Building and Planning Department. This form shall include a clause stating the Applicant's request for a site inspection to determine whether any outstanding code violations exist on the property. This permit application form shall be signed by the applicant /property owner, under penalty of perjury, accompanied by a fee in the amount established under the City's Fee Resolution: Plot Plan Review.

ii. A Site Plan of the property, drawn to scale and fully dimensional, which shall include, but not limited to, the following:

1. Name of property owner, street address and Assessor's Parcel Number.
2. All streets, sidewalks, driveways, parking areas, patios and other surface areas.
3. All property lines and easements.
4. All existing structures on the subject property and all existing structures on adjacent properties that are within ten feet (10') of the subject property's property lines.

iii. Scaled and fully dimensional floor plans and building elevations for both the existing single-family unit, existing garages/accessory structures, and for the proposed second unit.

f. General requirements and Design Standards

A second unit that is approved pursuant to this Section shall comply with all of the following standards and criteria:

- i. Number of second units. Only one-second unit is permitted for each residentially zoned parcel of less than 50 feet in width containing a primary single-family dwelling.
- ii. Location. A second unit may be attached to or detached from the existing primary dwelling unit.

- iii. The utilities for the second unit shall be metered separately from that of the primary dwelling unit for electricity and gas service.
- iv. Floor area. The floor area of an attached/detached second unit shall not be less than 350 square feet and shall not exceed 850 square feet.
- v. Architectural design, materials and colors. An attached second unit shall match the design, construction materials and color palette of the existing primary dwelling. A detached second unit shall be designed to be architecturally compatible with the primary dwelling unit with respect to styling, roofing, window and door treatment, scale, constructions materials and color palette. There shall not be more than one exterior entrance on the front or any street-facing side of the second unit. Additionally, no exterior stairway shall be located on the front or any street-facing side of the second unit. Manufactured housing is allowed in compliance with the regulations and restrictions herein; however, mobile homes, trailers and recreational vehicles shall not be used as second units.
- vi. Compliance with R-3 Zoning Regulations. All second units shall comply with all applicable Building Code and Fire Code regulations. Detached second units shall meet all setback requirements for primary dwellings in the R-3 Zone, except as provided herein. Attached second units shall meet height and setback requirements established for the existing primary dwelling. The minimum separation between the primary dwelling unit and a detached second unit shall be ten feet (10=). If the property has a detached garage, the second unit shall maintain a separation of six feet (6=) from the existing garage.
- vii. Parking. One additional standard off-site parking space shall be provided for the secondary unit in addition to the off-street parking required for the existing primary dwelling pursuant to Table 4100.60, Number of Parking Spaces Required, of the Maywood Zoning Ordinance. Construction of the required parking space for the second unit shall conform to the standards established in Chapter 4100, Parking and Loading, of the Maywood Zoning Ordinance, except that the additional space may be uncovered. The uncovered parking space meeting this requirement shall be permitted in the setback areas or as a tandem parking, unless the Director of Building and Planning, the City Engineer , and/or the Fire Marshal make specific findings that parking in the setback areas or tandem parking is not feasible based upon specific site, topographical, or fire safety conditions. Parking within the setback areas or the use of tandem parking spaces may not be permissible on parcels with a narrow driveway because emergency access would be restricted. Moreover, any driveway in the parcel shall lead to the garage and may not constitute more than fifty percent (50%) of the frontage of the parcel. No additional

curb cuts may be installed on the same frontage may be installed for the second unit. The parking space for the second unit shall not be located in a manner that blocks access to the parking area for the primary dwelling unit. The City shall not grant an overnight parking permit to a residential second unit.

- viii. Occupancy. The existing primary dwelling unit shall be owner occupied. The second unit may be rented or leased to a tenant(s).
- g. Any approved permit application for a second unit shall become null and void if not built within one (1) year from the date of permit approval, unless the applicant submits a written request for time extension. The Director may grant up to one (1) additional year to extend the approval. Any additional time shall require the filing of a new permit application.
- h. Appeals to the action of the Chief Administrative Officer. Any person aggrieved by the action of the Chief Administrative Officer regarding a second unit permit as provided herein shall have the right to appeal to the City Council. Such appeal shall be filed with the City Clerk within fifteen (15) days after notice in writing of the action by the Director of Building and Planning has been received by the applicant or has been mailed to the applicant=s last known address. The City Clerk shall set a time and place for hearing on such appeal before the City Council and notice of such hearing shall be given to the applicant by mailing the notice, postage prepaid, to the applicant=s last known address at least five (5) days prior to the date set for the hearing. The hearing shall be set within thirty (30) days following receipt of the notice of appeal. The hearing may be continued from time to time by the City Council, as it deems necessary. The City council may, in its discretion, grant or refuse the permit, basing its decision upon the standards set forth in this Appendix C and other provisions of the Zoning Ordinance pertinent to the issuance of a second unit permit.

11. Swap Meets

- a. Swap meets shall be established only in buildings containing 10,000 square feet or more of gross floor area.
- b. The lot on which the business is proposed to be located shall abut one or more of the following streets: Slauson Avenue, Atlantic Boulevard, or Maywood Avenue.
- c. City business licenses and State Seller Permits shall be obtained by every tenant operating a stall space.
- d. No more than one business license shall be granted per 200 square feet of building floor area.
- e. The minimum average square footage of a partitioned cubical or stall space (booth) shall be 200 square feet. The minimum size for an individual stall shall be 100 square feet, and no more than 25 stall spaces shall be permitted to contain 100 square feet.

- f. No adult business, as defined in the Maywood Municipal Code, shall be permitted.
- g. No loudspeakers or sound equipment which can be heard from exterior or semi-public areas shall be used on the premises.
- h. Metal or wood studs and drywall which has been taped, textured, and painted shall be used to partition stall spaces. Each stall space shall be partitioned with partition walls at a height of not less than five feet, six inches. Scissor-type gating shall not be used to separate vendors or vending areas.
- I. All floor areas of tenant spaces, grating for food spaces, shall be covered with a single color and type of high-grade tile or carpeting.
- j. Aisles shall have a minimum width of seven feet.
- k. A minimum of four skylights shall be provided in the roof to allow for increased interior illumination. Each skylight shall have minimum dimensions of four feet by eight feet.
- l. Roll-up painted steel doors shall be provided for each stall. Doors shall be or open gate material or solid steel, painted with graphics.
- m. The premises shall be open for business a minimum of six days per week.
- n. Security personnel shall be provided during hours of operation,
- o. The premises shall contain for public use a minimum of two toilets for females and one toilet and one urinal for males.

12. Used Motor Vehicle Sales

- a. The minimum lot width of any site supporting a used motor vehicle sales business shall be 100 feet.
- b. The minimum lot area shall be 10,000 square feet.
- c. Buffer walls and landscaping shall be as provided as required for the zone district in which the use is located.
- d. A building containing not less than 200 square feet shall be maintained on the lot supporting the business. The building shall be a permanent structure; portable buildings or mobile homes are not permitted.

13. Car Washes, Full Service

- a. The minimum lot width of any site supporting a full service car wash shall be 150 feet.
- b. The minimum lot area of the full service car wash shall be 15,000 square feet.

- c. Buffer walls and landscaping shall be provided as required for the zone district in which the use is located.
- d. Each full service car wash project shall be subject to the Site Plan Review process, as specified in Section 5120, for placement of driveways, structures, buffer walls and landscaping, and consideration of the environmental impact of the car wash.
- e. Not less than 85% of the water used shall be recycled and no water shall reach the sewer system without first being clarified according to the latest technology for car washes.

14. Propane Dispensing Businesses

The following provisions shall apply to all businesses dispensing propane:

- a. Site plan review, pursuant to the provisions of Section 5110, shall be required for all businesses dispensing propane in the City of Maywood.
- b. No business dispensing propane shall be permitted on land which is adjacent to residential property. A separation of not less than fifty (50) feet shall be maintained between the propane dispensing facilities and any residential property.
- c. Propane shall not be dispensed upon any land which contains a minimum lot width less than one hundred (100) feet or a minimum lot area less than ten thousand (10,000) square feet.
- d. A permanent building containing not less than two hundred (200) square feet shall be maintained on the lot supporting the business. No temporary or portable building or mobile home shall be permitted on the same lot as such business.
- e. Dispensing of propane shall not occur from any portable facility or truck and shall only be dispensed from a stationary, fixed facility.