

**Division 7: STANDARDS FOR  
SPECIFIC USES**

## **Chapter 22.106**    Standards for Specific Uses and Activities

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### 22.106.010 **Purpose**

This Chapter establishes standards for specific uses that are permitted or conditionally permitted in one or more zones. These uses shall be developed and operated in compliance with this Chapter.

### 22.106.020 **Applicability**

Each land use and activity covered by this Chapter shall comply with the regulations contained in this Chapter, in addition to any applicable standard for individual zones or other applicable provisions of this Title 22 and any state or federal regulations.

- A. **Location.** Uses that are subject to the standards in this Chapter shall be located only where allowed by:
  - 1. A zone in Division 3;
  - 2. A combining or supplemental zone in Division 4;
  - 3. A special management area in Division 5; or

4. A community standards district in Volume II (Community Standards Districts), except where Volume II applies different requirements to a specific use.

**B. Application Requirements.** Uses that are subject to the standards in this Chapter are allowed where authorized by the specific permit or review per Subsection A, above, except when a different permit or review requirement is established by this Chapter for a specific use.

### 22.106.030 Alcoholic Beverage Sales

**A. Applicability.** This Section applies to the following establishments in all zones where permitted:

1. Establishments that do not currently, but propose to, sell alcoholic beverages for either on-site or off-site consumption;
2. Establishments that currently sell alcoholic beverages, but which propose to change the type of alcoholic beverages to be sold, by changing the type of retail liquor license within a license classification;
3. Establishments that currently sell alcoholic beverages, if the establishment substantially changes its mode or character of operation, which includes, but is not limited to:
  - a. A 10-percent increase in the floor area devoted to alcoholic beverage sales or inventory, or
  - b. A 25-percent increase in the linear shelf space used for the display of alcoholic beverages; and
4. Establishments that either have been abandoned or have discontinued operations for more than 90 consecutive days.

**B. Exceptions.** This Section shall not apply to:

1. Tasting rooms and remote tasting rooms (Section 22.106.590); or
2. Wineries (Section 22.106.620).

**C. Findings.**

1. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600-foot radius; and
2. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area; and

3. The requested use at the proposed location will not result in an undue concentration of similar establishments, provided that:
  - a. A separation of not less than 500 feet shall not be construed as undue concentration;
  - b. The public convenience or necessity for selling alcoholic beverages for off-site consumption may outweigh the fact that it is located within a 500-foot radius of any other establishment selling alcoholic beverages for either on-site or off-site consumption; and
  - c. If the location is within 500 feet of another such establishment, the shelf space devoted to alcoholic beverages shall be limited to not more than five percent of the total shelf space in the establishment; and
4. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community; and
5. The requested use at the proposed location will not make the exterior appearance of the structure inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

**D. Additional Standards for the Sale of Alcoholic Beverages in conjunction with the Sale of Motor Vehicle Fuel.** The sale of alcoholic beverages in conjunction with the sale of motor vehicle fuel shall comply with the following standards:

1. Alcoholic beverage sales shall be limited to beer and wine only;
2. No alcoholic beverages shall be displayed within five feet of the cash register or the front door unless it is in a permanently affixed cooler;
3. No advertisement of alcoholic beverages shall be displayed at motor fuel islands;
4. No self-illuminated advertising for alcoholic beverages shall be located on buildings or windows;
5. No sale of alcoholic beverages shall be made from a drive-thru window;
6. No display or sale of alcoholic beverages shall be made from an ice tub; and
7. If the sale of alcoholic beverages between the hours of 10:00 pm and 2:00 a.m. is granted as part of the Conditional Use Permit, employees on duty shall be at least 21 years of age in order to sell beer or wine.

**22.106.040 Amateur Radio Antennas**

- A. **Purpose.** This Section ensures that amateur radio antennas are designed and located in a way that avoids hazards to public health and safety and minimizes adverse aesthetic effects, while reasonably accommodating amateur radio communications.
- B. **Definitions.** Specific term(s) used in this Section are defined in Division 2 (Definitions), under "Amateur radio antennas".
- C. **Applicability.**
1. This Section applies to amateur radio antennas as an accessory use in all zones where permitted.
  2. Amateur radio antennas, antenna structures, and masts in existence as of May 26, 1995, the effective date of this Section, may continue to be used without complying with the provisions of this Section except as provided and shall be considered a legal nonconforming use. Amateur radio antennas, antenna structures, and masts that are a legal nonconforming use shall comply with the development standards of this Section to the extent that they are capable of doing so without modification. Existing amateur radio antennas, antenna structures, and masts may be enlarged, expanded or relocated only if brought into compliance with the development standards of this Section. In the absence of such compliance of proposed expansion, enlargement or relocation, a Discretionary Site Plan Review with Notification application is required.
- D. **Application and Review Procedures.**
1. **Ministerial Site Plan Review.** A Ministerial Site Plan Review application is required for amateur radio antennas, structures and masts that comply with the development standards listed in this Section.
  2. **Discretionary Site Plan Review with Notification.** A Discretionary Site Plan Review with Notification application is required for amateur radio antennas, structures, and masts that request a modification from the development standards listed in this Section.
    - a. Findings. In approving an application, the applicant shall substantiate the following findings:
      - i. That strict compliance with the development standards specified in this Section would unreasonably interfere with the applicant's ability to receive or transmit signals, or would impose unreasonable costs on the operation when viewed in light of the cost of the equipment, or

- ii. That strict compliance with the development standards is not, under the circumstances of the particular case, necessary to achieve the goals and objectives of this Section.
- b. **Conditions.** In approving the application, the Director may impose conditions reasonably necessary to accomplish the purposes of this Section, provided those conditions do not unreasonably interfere with the ability of the applicant to receive or transmit signals, or impose unreasonable costs on the amateur radio operator when viewed in the light of the cost of the equipment.
- c. **Agency Review.** The Director shall refer the application to the Fire Department for review and comment prior to application approval.

#### E. Development Standards.

1. **Lowering Device.** All amateur radio antenna structures, capable of a maximum extended height in excess of 35 feet (inclusive of tower and mast), with the exception of whip antennas, shall be equipped with both a motorized device and a mechanical device, each capable of lowering the antenna to the maximum permitted height when not in operation.
2. **Permitted Height.**
  - a. The height of an antenna structure shall be measured from natural grade at the point the mast touches, or if extended, would touch the ground.
  - b. When in operation, no part of any amateur radio antenna structure shall extend to a height of more than 75 feet above grade of the site on which the antenna structure is installed.
  - c. When not in operation, no part of any amateur radio antenna structure, excepting whip antennas, shall extend to a height of more than 35 feet as measured above grade of the site on which the antenna is installed.
3. **Number Permitted.** One amateur radio antenna structure, and one whip antenna over 35 feet, shall be permitted on each building site.
4. **Siting.** The antenna structure shall be located on-site in a manner which will minimize the extent to which the structure is visible to nearby residents and members of the general public. Antenna structures shall be considered to satisfy this criteria if:
  - a. No portion of the antenna structure or mast is located within any required setback area; and

- b. No portion of the antenna structure or mast is within the front 40 percent of that portion of the building site that abuts a street; and
- c. In the event a building site abuts two or more streets, the antenna structure or mast is not located within the front 40 percent of that portion of the building site where primary access is provided to the property, or within 20 feet of any other abutting street or public right-of-way.

**F. Installation and Maintenance.**

1. All antenna structures shall be installed and maintained in compliance with applicable building standards.
2. All antennas and their supporting structures shall be maintained in good condition.
3. All ground-mounted antennas and their supporting structures shall be permanently installed.

**22.106.050 Ambulance Emergency Services Facilities**

- A. **Applicability.** This Section applies to ambulance emergency service facilities in Zones C-2, C-3, C-M and M-1.
- B. **Ambulance Storage.** No more than two ambulances may be stored on site at any one time.
- C. **Designated Parking.** In addition to required parking for business and professional office use, a designated parking space shall be provided for each ambulance on site.

**22.106.060 Animal Keeping, Commercial**

**A. Animals on Motion Picture Sets**

1. **Applicability.** This Subsection A applies to animals on motion picture sets in Zones A-2, C-M, C-R, R-R and M-1.
2. **Standards.**
  - a. If temporary keeping of domestic and/or wild animals is proposed in conjunction with a motion picture or television production on a motion picture set or premises, they shall be used, kept or maintained pursuant to all regulations of the Department of Animal Care and Control.
  - b. Animals shall not be retained on the premises for a period of more than 60 days. The Director may grant requests for extension of such time period not to exceed 30 additional days with a Discretionary Site Plan Review application if he finds that the extension is consistent with the intent of this

Subsection A and is neither detrimental to the public welfare nor to the property of other persons located in the vicinity of the use.

**B. Animals in Circuses and Temporary Animal Exhibitions**

1. **Applicability.** This Subsection B applies to animals in circuses and temporary animal exhibitions in Zones C-R and M-1.
2. **Standards.** Animals may be used, kept or maintained as part of a circus or animal exhibition on a temporary basis for up to seven days in Zone C-R and up to 14 days in Zone M-1 provided that such animals are used, kept or maintained pursuant to all regulations of the Department of Animal Care and Control. Any requests for the keeping of animals for longer than the time specified for the zone in conjunction with the circus or temporary animal exhibition requires a Conditional Use Permit application.

**22.106.070 Animal Keeping, Noncommercial or Personal Use**

- A. **Purpose.** This Section regulates animals as pets and animals for the use of persons residing on the property in order to provide for the keeping of domestic and wild animals where accessory to the residential use of a property, as opposed to maintenance for commercial purposes. Such regulations presume a reasonable effort on the part of the animal owners to recognize the rights of surrounding neighbors by maintaining and controlling their animals in a safe and healthy manner at a reasonable location.
- B. **Animal Keeping Permitted—Limitations.** A person shall not keep or maintain any animal in any zone other than those specified as permitted in this Section for personal use. This Section shall not prohibit the keeping of animals for personal use to the extent permitted by commercial provisions in the same zone, subject to the same conditions and restrictions of the zone.
  1. **Livestock Kept as Pets.**
    - a. **Applicability.** This Subsection B.1 applies to livestock kept as pets in Zones R-1, R-2, R-3, R-4, A-1, and A-2.
    - b. **Maximum Number Permitted.** Livestock listed in Table 22.106.070-A, below, may be kept or maintained as pets or for the personal use of persons residing on the property or lot having a minimum area of 15,000 square feet per dwelling unit, subject to the maximum number listed in this Table, not to exceed one animal per 5,000 square feet.

<b>TABLE 22.106.070-A:MAXIMUM NUMBER OF ANIMALS PERMITTED</b>	
<i>Type of Animal</i>	<i>Maximum Number Permitted</i>
Horses, donkeys, mules and other equine, and cattle	One over nine months of age for each 5,000 square feet of lot area.
Sheep and goats	One over six months of age for each 5,000 square feet of lot area.
Alpacas and llamas	One over six months of age for each 5,000 square feet of lot area.

- c. *Livestock Kept as Pets--Animals Existing as of February 27, 1974.* Each lot having a minimum area of 10,000 square feet but less than 15,000 square feet per dwelling unit where horses, donkeys, mules or other equine, cattle, sheep or goats are kept or maintained is hereby granted an Animal Permit permitting one such animal per 5,000 square feet of lot area, provided:
- i. That such animals were kept or maintained as pets or for the personal use of members of the family residing on the premises prior to and on February 27, 1974; and
  - ii. That a notarized affidavit so certifying is filed with the Director within 120 days of September 20, 1974, the effective date of the ordinance which added the provisions codified in this Section.
  - iii. In computing the time period within which horses, donkeys, mules or other equine, cattle, sheep and goats kept or maintained as pets or for personal use must be discontinued and removed, pursuant to the provisions of Section 22.132.050.B (Termination by Operation of Law), the date such uses became nonconforming shall be deemed to be September 20, 1974, the effective date of the ordinance establishing the provisions codified in this Section.

**2. Dogs.**

- a. *Applicability.* This Subsection B.2 applies to dogs in Zones R-1, R-2, R-3, R-4, A-1 and A-2.
- b. *Maximum Number Permitted.* No more than three dogs over the age of four months shall be kept per dwelling unit, whether kept or maintained for personal use or otherwise. A service dog, as defined in Section 10.20.090 in Title 10 (Animals Code) of the County Code, shall not be counted toward the number of dogs authorized to be kept or maintained.

**3. Pygmy Pigs.**

- a. *Applicability.* This Subsection B.3 applies to pygmy pigs in Zones R-1, R-2, R-3, and R-4.
- b. *Maximum Number Permitted.* Only one pygmy pig, as defined in Section 10.08.205 (Pygmy Pig) of Title 10 of the County Code, may be kept per dwelling unit for personal use, in compliance with the requirements of Title 10 (Animals) of the County Code.

**4. Wild Animals Kept as Pets.**

- a. *Applicability.* This Subsection B.4 applies to wild animals kept as pets in Zones R-1, R-2, R-3, R-4, A-1, and A-2.
- b. *Maximum Number Permitted.* For each dwelling unit, the occupant may keep the animals listed in Table 22.106.070-B, below:

<b>TABLE 22.106.070-B:WILD ANIMALS KEPT AS PETS</b>	
Tropical fish, excluding caribe	White mice and rats
The following wild animals are permitted, except that on a lot having an area of less than 10,000 square feet per dwelling unit, a maximum of three of the following animals in any combination are permitted.	
Canaries	Mynah birds
Chinchillas	Parrots, parakeets, amazons, cockatiels, cockatoos, lorries, lorikeets, love birds, macaws, and similar birds of the <i>psittacine</i> family
Chipmunks	Pigeons
Finches	Ravens
Gopher snakes	Squirrel monkeys
Guinea pigs	Steppe legal eagles
Hamsters	Toucans
Hawks	Turtles
King snakes	White doves
Marmoset monkeys	
Other similar animals which, in the opinion of the Commission, are neither more obnoxious or detrimental to the public welfare than the animals listed in this Table. Such animals shall be kept or maintained at a place where the keeping of domestic animals is permitted.	

- c. *Wild Animals Kept as Pets in Zone A-2.* In Zones A-2, the following additional animals listed in Table 22.106.070-C, below, are permitted, provided that the animals are kept and maintained at a place where the keeping of domestic animals is permitted, except that on a lot having an area of less than 10,000 square feet per dwelling unit a maximum of three of the following animals in any combination are permitted:

<b>TABLE 22.106.070-C:WILD ANIMALS KEPT AS PETS IN ZONE A-2</b>	
Anoas	Minks
Antelopes	Ostriches
Armadillos	Otters

TABLE 22.106.070-C:WILD ANIMALS KEPT AS PETS IN ZONE A-2	
Badgers	Peacocks
Beavers	Porcupines
Camels	Prairie Dogs
Chamoises	Raccoons
Deer	Reindeer
Foxes	Seals
Giraffes	Wallabies
Kangaroos	Zebras
Koalas	
Other similar animals which, in the opinion of the Commission, are neither more obnoxious or detrimental to the public welfare than the animals listed in this Table.	

5. **Other Animals or in Excess of Number Permitted as Pets—Animal Permit Required.** Animals other than those listed in, or in numbers greater than those given, or on lots having less than the area required in this Subsection B, above, may be kept or maintained for personal use or as pets, and not as part of a zoo, menagerie, animal exhibition or similar facility or for commercial purposes, if an Animal Permit application has been approved, as provided in Chapter 22.114 (Animal Permits).

C. **Setback from Residences.** Any structure used for housing any animal, fowl or bird, wild or domestic, other than cats, dogs, canaries or birds of the *psittacine* family and including corrals and fencing, shall be established at least 35 feet from any residence.

## 22.106.080 Animal Raising

A. **Applicability.** This Section applies to animal raising in Zones A-1, A-2, and M-1.

### B. Development Standards.

1. **Setbacks.** All buildings or structures used in conjunction with animal raising shall be located not less than 50 feet from any street or highway or any habitable structure.

2. **Minimum Lot Size.** Minimum lot sizes for animal raising are as shown in Table 22.106.080-A, below:

TABLE 22.106.080-A:MINIMUM LOT SIZE (IN ACRES)						
	A-1	A-2	C-R	O-S	R-R	W
Breeding farms for selective or experimental breeding of cattle or horses, or the raising or training of horses or show cattle	-	-	1	-	1	-
Grazing of cattle, horses, sheep, goats, alpacas, or llamas	5	1	5	5	5	5
Raising, breeding and training of horses and other equine, cattle, sheep, goats, alpacas, and llamas	1	1	-	-	-	-

Raising of poultry, fowl, birds, rabbits, chinchilla, nutria, mice, frogs, fish, bees, earthworms, and other similar animals of comparable nature, form and size, including hatching, fattening, marketing, sale, slaughtering, dressing, processing and packing, including eggs, honey or similar products derived from the animals				-		-
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3. **Maximum Animals Per Acre.** Maximum animals per acre are permitted as shown in Table 22.106.080-B, below:

TABLE 22.106.080-A: MINIMUM LOT SIZE (IN ACRES)						
	A-1	A-2	C-R	O-S	R-R	W
Breeding farms for selective or experimental breeding of cattle or horses, or the raising or training of horses or show cattle	-	-	2	-	12	-
Raising, breeding and training of horses and other equine, cattle, sheep, goats, alpacas, and llamas on a lot less than five acres	8	8	-	-	-	-
Raising, breeding and training of horses and other equine, cattle, sheep, goats, alpacas, and llamas on a lot of five acres or greater	No limitation		-	-	-	-
Raising of poultry, fowl, birds, rabbits, chinchilla, nutria, mice, frogs, fish, bees, earthworms, and other similar animals of comparable nature, form and size	No limitation					

4. **Restrictions on Grazing.**

- a. A lot used for grazing shall not be used in conjunction with any dairy, livestock feed yard, livestock sales yard, or commercial riding academy located on the same property.
- b. No buildings, structures, pens or corrals designed or intended to be used for the housing or concreted feeding of such animals may be used on the premises for grazing other than racks for supplementary feeding, troughs for watering, or incidental fencing.

5. **Hogs or Pigs.**

- a. *Number Permitted.* The maximum number of weaned hogs or pigs allowed per lot is:
  - i. In Zone A-1 and M-1, two, and
  - ii. In Zone A-2, five.

b. *Development Standards.*

- i. The pigs or hogs may be kept and located not less than 150 feet from any highway and not less than 50 feet from the side or rear lines of any lot;
- ii. The pigs or hogs may be kept and located not less than 50 feet from any habitable building; and
- iii. The pigs or hogs shall not be fed any market refuse or similar imported ingredient or anything other than table refuse from meals consumed on the same lot, or grain.

**22.106.090 Apartment Houses, Incidental Commercial Services**

- A. **Applicability.** This Section applies to incidental commercial services in apartment houses in Zones R-4 and C-H.
- B. **Permitted Uses.** Incidental restaurants and commercial service concessions offering newspapers, tobacco, notions, grocery and similar items for sale may be permitted in apartment house complexes having at least 100 dwelling units.
- C. **Use Restriction.** The facilities shall be designed and operated for the convenience of the occupants and are no more extensive than is necessary to serve the development.
- D. **Access.** All public entrances to such facilities shall be from a lobby, hallway, or other interior portion of the development.
- E. **Visibility Restriction.**
  1. The facilities shall be located so as not to be visible from the outside of the building; and
  2. No sign advertising or identifying such facilities may be visible from outside of the building.

**22.106.100 Automobile and Vehicle Sales and Rentals, Automobile Service Stations and Automobile Supply Stores – Accessory Uses**

- A. **Applicability.** This Section applies to accessory uses to automobile and vehicle sales and rentals, automobile service stations and automobile supply stores in Zones C-1 and C-2.
- B. **Incidental Repair.** Incidental repair is permitted as an accessory use to the sale of new automobiles, automobile service stations and automobile supply stores, subject to the following standards:

1. Automobile repair activities shall exclude body and fender work, painting, major engine overhaul, or transmission repair.
2. All repair and installation activities shall be conducted within an enclosed building only.
3. A masonry wall shall be established and maintained along an abutting property line in a Residential or Agricultural Zone as if the area was developed for parking.
4. Landscaping shall comprise an area of not less than two percent of the gross area developed for the primary use.
5. All repair or installation activities shall be confined to the hours between 7:00 a.m. and 9:00 p.m. daily.
6. No automobile awaiting repair or installation service shall be parked or stored for a period exceeding 24 hours except within an enclosed building.

C. **Incidental Washing.** Incidental washing is permitted as an accessory use to new automobile sales and automobile service stations, subject to the following standards:

1. Automobile washing, waxing and polishing shall be done by hand only.
2. Automobile washing, waxing and polishing shall be conducted within an area no greater than 500 square feet.

D. **Trailer Rentals.** Rental of trailers, box and utility only, is permitted as an accessory use at automobile service stations only, subject to the following standards:

1. Trailer beds shall be not larger than 10 feet; and
2. Rental activity shall be conducted within an area not exceeding 10 percent of the total area of such automobile service station.

### 22.106.110 **Automobile Body and Fender Repair, Painting and Upholstering – Accessory Uses**

A. **Applicability.** This Section applies to automobile body and fender repair, painting and upholstering as an accessory use to the sale of new automobiles in Zones C-3 and C-M.

B. **Development Standards.** This use shall comply with the following standards:

1. **Enclosure.** All operations shall be conducted within an enclosed building.
2. **Area.** No more than 25 percent of the area devoted to service or repair of automobiles may be devoted to body and fender work, painting or upholstering.

3. **Spray Booths.** No more than one paint spray booth shall be permitted.
4. **Noise.** All areas or structures used shall be so located or soundproofed as to prevent annoyance or detriment to surrounding properties.
5. **Screening.** All damaged or wrecked vehicles awaiting repair shall be effectively screened so as not to be visible from surrounding properties of the same elevation or within ten feet of such properties.
6. **Hours of Operation.** All repair activities shall be confined to the hours between 7:00 a.m. and 9:00 p.m. daily.
7. **Storage.** No damaged or wrecked vehicles shall be stored for any purpose other than repair, and shall not constitute an automobile impound yard.

C. **Prohibition.** Dismantling of vehicles for any purpose other than repair or the sale of used parts is prohibited.

## 22.106.120 **Automobile Dismantling Yards and Junk and Salvage Yards**

- A. **Applicability.** This Section applies to automobile dismantling yards and junk and salvage yards in Zone M-2.
- B. **Enclosure.** All operations and storage, including all equipment used in conducting such business, other than parking, shall be conducted within an enclosed building, or within an area enclosed by a solid wall or solid fence.
- C. **Fences and Walls.** Where fences or walls are provided, they shall be developed as provided below:
  1. All fences and walls shall be of a uniform height in relation to the ground upon which they stand, and shall be a minimum of eight feet in height. Where fences or walls exceed a height of 10 feet and are located on street or highway frontages, they shall be set back at least three feet from the lot line. The area between the fence and the lot line shall be fully landscaped according to the specifications described in Subsection E, below.
  2. All fences and walls open to view from any public street or highway or any area in a Residential, Agricultural or Commercial Zone shall be constructed of the following materials:
    - a. Metallic panels, at least 0.024 inches thick, painted with a "baked on" enamel or similar permanent finish;
    - b. Masonry;

- c. Other materials comparable to the foregoing, if approved by the Director.
  3. Other required fences may be constructed of material other than specified in Subsection B.2, above.
  4. All fences and walls shall be constructed in a workmanlike manner and shall consist solely of new materials unless the Director approves the substitution of used materials where, in his opinion, such used materials will provide the equivalent in service, appearance and useful life.
  5. All fences and walls shall be painted a uniform neutral color, excluding black, which blends with the surrounding terrain and improvements, and shall be maintained in a neat, orderly condition at all times. Such fence or wall shall contain no painted signs or posters except as approved by the Director.
  6. Any structures which are used as part of the yard boundaries and/or are exposed to view from the street frontage shall be painted to conform with the color of the fencing. The Director may approve other appropriate architectural treatment.
- D. **Pavement.** The entire yard shall be paved with an asphalt surfacing or an oil and aggregate mixture to prevent emission of dust or tracking of mud onto public rights-of-way; provided, however, the Director may:
1. Approve other paving materials which provide, in his opinion, the equivalent in service and useful life;
  2. Modify such requirements within existing yards in those areas where material is stored and he finds no dust or mud problem would result.
- E. **Landscaping.** At least one square foot of landscaping shall be provided for each linear foot of street frontage, and said landscaping shall be developed in accordance with a site plan which complies with the following criteria:
1. Landscaping shall be distributed along said frontage in accordance with the site plan approved by the Director.
  2. No planting area shall have a horizontal dimension of less than three feet.
  3. A permanent watering system or hose bibs shall be provided which satisfactorily irrigates all planted areas. When hose bibs are utilized, they shall be so located as to permit the watering of all planted areas with a 50-foot hose.
  4. All landscaped areas shall be continuously and properly maintained in good condition.
- F. **Storage.**

1. No wrecked or dismantled vehicles, salvage, or junk shall be placed or allowed to remain outside of the enclosed yard area.
2. No wrecked or dismantled vehicles, salvage, or junk shall be stored at a height greater than that of the surrounding fence or wall unless the land upon which the yard is located is in Zone M-3 and such storage above said fence or wall is not within 500 feet of any other zone.

G. **Additional Regulations.** The standards of development for automobile dismantling or junk and salvage yards as set forth in this Section shall not relieve the proprietors of such automobile dismantling or junk and salvage yards from complying with all regulations, laws and ordinances of the County of Los Angeles and the State of California.

H. **Modification.** Unless otherwise stated in this Section, modification to the standards and requirements in this Section may be approved if a Variance is granted pursuant to Chapter 22.156.

### 22.106.130 **Building Materials Storage —Temporary**

- A. **Applicability.** This Section applies to temporary storage of building materials in all zones where permitted.
- B. **Location.** All building materials, including the contractor's temporary office, shall be used on the same lot as the building project on-site, or on property adjoining the construction site.
- C. **Time Limit.** All building materials, including the contractor's temporary office, may be stored on-site during construction of a building or project and up to 30 days thereafter.

### 22.106.140 **Caretaker Residences, Including Mobilehomes**

- A. **Applicability.** This Section applies to caretaker residences, including mobilehomes, as an accessory use in Zones A-1, A-2, C-1, C-2, C-3, C-M, C-R, M-1, M-1.5, M-2, M-3, D-2, SR-D, O-S and R-R.
- B. **Continuous Supervision.** In Zones C-1, C-2, C-3, C-M, C-R, M-1.5, M-2, M-3, D-2, SR-D, and R-R, caretaker residences, including mobilehomes, may be allowed where continuous supervision of the premises is required.
- C. **Zones A-1 and A-2.** With the exception of mobilehomes for use as a caretaker residence, per Subsection D, below, approval for a caretaker residence may be granted in Zones A-1 and A-2 even though the number of existing residences on the lot is the maximum number permitted by Chapter 22.80 (General Site Regulations).

#### **D. Mobilehomes as a Caretaker Residence**

**1. Development Standards.**

- a. **Density.** The use of a mobilehome as a caretaker residence shall not exceed the density permitted by this Title 22, or the adopted General Plan, whichever is less. A mobilehome shall contain only one dwelling unit.
- b. **Placement.** The placement of the mobilehome shall be at a location where the erection of residential structures is otherwise permitted.

**2. Additional Standards for Zones A-1, A-2, C-1, C-2, C-3, C-M, C-R, SR-D, O-S and R-R.**

- a. In Zones A-1, A-2, C-1, C-2, C-3, C-M, C-R, SR-D, O-S and R-R, the use of a mobilehome as a caretaker residence are subject to the following standards:
  - i. **Time Limitation.** The mobilehome shall be removed from the site prior to the end of five years unless a different time period is specified by the Commission or Hearing Officer.
  - ii. **Modification.** The development standards in Subsection D.1, above, may not be modified unless a Variance is granted pursuant to Chapter 22.156.

**22.106.150 Dairies**

**A. Dairies in Zone A-2.**

1. **Applicability.** This Subsection A applies to dairies in Zone A-2.
2. **Minimum Lot Size.** Dairies shall have a minimum lot size of 10 acres.
3. **Uses Permitted.** Processing and sale of milk and dairy products are permitted only if they are lawfully produced from the dairy located on the same lot.
4. **Development Standards.** All buildings or structures used in connection with the dairy shall be located not less than 50 feet from any street or highway or any habitable structure.

**B. Dairies in Zone M-2.**

1. **Applicability.** This Subsection B applies to dairies in Zone M-2.
2. **Requirements.** No permit is required for an enlargement, alteration or addition of an existing dairy if the dairy has been established on the same lot on or before July 16, 1936.

**22.106.160 Density-Controlled Developments**

- A. **Applicability.** This Section applies to density-controlled developments in Zones A-1, A-2, R-A, R-1, R-2, and R-R.

- B. Underlying Zone Standards Apply.** Unless otherwise specified as a condition of the grant, all development standards of the zone in which a density-controlled development is proposed shall be deemed to be conditions of every Conditional Use Permit granted for such development, whether such conditions are set forth in the permit or not.
- C. Required Standards.** In approving a Conditional Use Permit application for density controlled development, the Commission or Hearing Officer shall impose the following standards. The standards in this Subsection C may not be modified unless a Variance is granted pursuant to Chapter 22.156:
1. **Preservation of Commonly Owned Areas.**
    - a. All commonly owned areas shall be permanently reserved and maintained in perpetuity, by establishment of a homeowner's association, maintenance district or other appropriate means or methods to ensure to the satisfaction of the Commission or Hearing Officer.
    - b. Each dwelling unit shall be sold together with an undivided interest in any commonly owned areas. Such undivided interest shall include either:
      - i. An undivided interest in the commonly owned areas; or
      - ii. A share in the corporation or voting membership in an association owning the commonly owned area, where approved as provided in this Section.
  2. **Required Area Per Dwelling Unit.** Notwithstanding the minimum lot area and lot area per dwelling unit requirements established by the regulations of the zone in which the development is located, where a density-controlled development is approved by the Commission or Hearing Officer, the lot area or lot area per dwelling unit requirements specified in the application shall be deemed the minimum required area or required area per dwelling unit established for the lots where approved.
  3. **Dwelling Unit Type.** All dwelling units shall be single-family residences unless a townhouse development is requested and approved.
  4. **Location, Separation and Height of Buildings.** The Commission or Hearing Officer shall impose any conditions deemed necessary to govern the location, separation and height of buildings to insure compatible placement on the proposed site and with relationship to the surrounding area. This provision shall not be deemed to permit approval of a greater height than is permitted in the zone where development is proposed.

D. **Additional Standards That May be Imposed.** In addition to standards required by Subsection B, above, the Commission or Hearing Officer may impose the following standards:

1. **Location of Automobile Parking Facilities.** If the proposed development will contain design features offering amenities equal to or better than a development plan incorporating required automobile parking facilities on the same lot, such automobile parking may be located on a separate lot, provided that such automobile parking facility is:
  - a. In full compliance with all provisions of Chapter 22.82 (Parking);
  - b. Located on a separate lot under common ownership;
  - c. Conveniently located and easily accessible to the dwelling it is intended to serve; and
  - d. Not greater than 200 feet from the residence it is intended to serve.
2. **Architecture.** Conditions may be imposed governing the suitability of architecture as necessary to integrate the proposed development project within the proposed site and the surrounding area, including appearance of the proposed development from surrounding property.
3. **Yards.** Any or all yard requirements of the zone may be modified for a density-controlled development to the extent such modification will:
  - a. Encourage design features promoting amenities equal to or better than a development plan incorporating required yards; and
  - b. Assist in integrating the proposed development in relation to location on the site and its relationship to the surrounding area. Nothing in this Subsection shall be construed to prohibit the imposition of yard depths exceeding the minimum provided in the zone.
4. **Landscaping.** A landscaping plan may be required for the landscaping of any or all parts of the development be submitted to and approved by the Commission or Hearing Officer in order to ensure that the development will be complementary to, and compatible with, the uses in the surrounding area.
5. **Utilities.** Evidence of arrangements may be required by the applicant with the serving utilities to install underground all new facilities necessary to furnish service in the development.

## 22.106.170 Domestic Violence Shelters

- A. **Applicability.** This Section applies to domestic violence shelters in all zones where permitted.
- B. **Application Requirements.** A Discretionary Site Plan Review application is required for shelters that comply with the requirements in this Section. For applications that do not comply with this Section, a Conditional Use Permit application is required.
- C. **Maximum Occupancy.** No more than 30 adult residents, excluding staff, shall be allowed at one time, if such proposed shelter is located on a lot of less than two acres.
- D. **Parking.** The number of required parking spaces shall be determined by the Director for each shelter, in an amount adequate to prevent excessive on-street parking, and with such factors as the number of adult beds to be provided by the shelter, the anticipated number of employees on the largest shift, and the distance from the closest transit stop taken into consideration. In no case shall the number of required parking spaces be less than the parking requirements for an adult residential facility as specified by Chapter 22.82 (Parking). Required parking may be located within 500 feet of the exterior boundary of the property.
- E. **Vicinity.** The land uses and developments in the immediate vicinity of the subject site shall not constitute an immediate or potential hazard to occupants of the shelter.

#### 22.106.180 **Dry Cleaning Establishments**

- A. **Applicability.** This Section applies to dry cleaning establishments in Zones C-1, C-2, C-3, C-M, C-R and M-1.
- B. **Enclosure.** All activities and equipment relating to dry cleaning shall be within an enclosed building.
- C. **Building Requirements.** Buildings used for dry cleaning shall be constructed so that all installed equipment and all activities enclosed within are conducted or maintained so as to confine or reduce all noise, vibration, dust, odor, and any other objectionable factor to the extent that such factors will not annoy or injure people or property outside of such buildings.

#### 22.106.190 **Electric Distribution Substations, including Related Microwave Facilities**

- A. **Applicability.** This Section applies to electric distribution substations, including related microwave facilities, in the Zones C-H, C-1, C-2, C-3, C-M and M-1.
- B. **Development Standards.**
  - 1. **Walls.**

- a. All installations shall be completely surrounded by a masonry wall a minimum of eight feet in height.
  - b. Any substitution for a wall required by Subsection B.1.a, above, shall require a Discretionary Site Plan Review application. The Director may approve the substitution of a chain-link or other industrial-type fence with screen planting, where deemed appropriate.
2. **Landscaping.** The area between the fence or wall and the property line shall be landscaped and maintained while such use exists.

## 22.106.200 Family Child Care Homes, Large

A. **Applicability.** This Section applies to large family child care homes in Zones R-1, R-2, R-A, A-1, and A-2.

### B. Application Requirements.

1. **Ministerial Site Plan Review.** A Ministerial Site Plan Review application is required for a large family child care home that will be in compliance with Subsection C and D, below. No fee is required with the filing of the application.
2. **Discretionary Site Plan Review with Notification.** A Discretionary Site Plan Review with Notification application is required if a large family child care home cannot meet or requests to modify the requirements of Subsection C or D, below. An initial study as part of the application shall not be required. The application shall be filed and processed in compliance with Chapter 22.150 (Discretionary Site Plan Review with Notification, except where modified below:
  - a. Notwithstanding Section 22.150.020.C (Notice of Application), notice shall be mailed or delivered to all owners of property described in Subsection C, below.
  - b. The Director may approve a modification to the requirements in Subsections C or D, below, upon finding:
    - i. That such modification will not result in traffic congestion, excessive off-street parking, or unauthorized use of parking facilities developed to serve surrounding properties, and that the proposed facility is necessary to serve the needs of children not met in existing nearby large family child care homes, and
    - ii. That no written protest to the proposed modification has been received within 15 days following the date of mailing of notice by the Director as provided in Chapter 22.150 (Discretionary Site Plan Review with Notification).

- c. In all cases where a timely written protest to the proposed modification has been received, a public hearing shall be scheduled before the Commission or Hearing Officer. Notification, public hearing, and appeals shall be as provided in Chapter 22.172 (Type IV Review – Discretionary). Following the public hearing, the Commission or Hearing Officer shall approve or deny the proposed modification based on the findings required by this Section for approval by the Director exclusive of written protest.
3. **Notice of Intent.** A “Notice of Intent to Establish a Large Family Child Care Home” shall be submitted with every application for a large family child care home.
- C. **Location.** Large family child care homes shall not be located:
1. Within two lots of an existing large family child care home on the same side of the street; and
  2. On the lot directly across the street from an existing large family child care home, or on either of the lots adjoining such lot on the same side of the street.
  3. In those cases where lot size configurations, such as corner lots, do not conform to those described in Subsections C.1 and C.2, above, the proposed facility shall not be located on any lot determined by the Director to be of comparable proximity to an existing large family child care home as the lots described in the aforementioned Subsections.
- D. **Parking and Loading.** In addition to complying with the parking requirements for the residential use, an operator of a large family child care home shall provide adequate parking for employees and adequate drop-off and pick-up areas of children, such as off-site curb spaces and on-site driveway areas, which are of sufficient size and are located to avoid interference with traffic and to ensure the safety of children.

### 22.106.210 **Farmers’ Markets**

- A. **Purpose.** The purpose of this Section is to facilitate the establishment and operation of farmers' markets and to ensure their compatibility with surrounding uses by establishing development standards.
- B. **Applicability.**
  1. This Section shall apply to all farmers' markets in all zones where permitted.
  2. A farmers' market that is proposed to be located within a Significant Ecological Area or any portion thereof shall be subject to Chapter 22.74 (Hillside Management and Significant Ecological Areas) and this Section.

3. No farmers' market or any portion thereof shall be allowed in an environmentally sensitive habitat area, as defined in Section 30107.5 of the California Public Resources Code and/or any applicable County local coastal program adopted pursuant to the California Coastal Act.

C. **General Provisions.** The following provisions shall apply to all farmers' markets:

1. **Hours of operation.** A farmers' market shall operate no earlier than 8:00 a.m. and no later than 8:00 p.m. on any day, excluding the time needed for set up and clean up. Set up and clean up for a farmer's market must occur on the same day as the farmers' market.
2. **Noise.** No amplified sound or music of any kind shall be allowed at any farmers' market.
3. **Trash.** All trash shall be removed from the farmers' market site and the site shall be restored to a pre-market and neat condition no later than midnight of the day the farmers' market operates.
4. **Prohibited accessory uses.** Farmers' markets shall not be allowed to include petting zoos.
5. **Inspections.** Farmers' markets may be subject to inspection(s) at the Director's discretion to verify compliance with this Section and any other applicable provisions of the Los Angeles County Code or other applicable State or federal law.
6. **Forms of payment.** Farmers' markets shall accept CalFresh benefits via electronic benefit transfer ("EBT") card in addition to accepting other forms of payment.
7. **Farmers' market manager.** All farmers' markets shall have a designated farmers' market manager on-site at all times during the event, which manager shall ensure, among other things, that:
  - a. Prior to commencement of the farmers' market, the Department has been provided proof that the farmers' market has been certified by the County Agricultural Commissioner, and has been issued a valid United States Department of Agriculture Food and Nutrition Service ("FNS") number, demonstrating the farmers' market's ability to accept CalFresh benefits;
  - b. The farmers' market is conducted in accordance with all applicable requirements of this Title 22, including the terms of the applicable grant or approval on file with the Department;

- c. A copy of the applicable grant or approval issued by the Department is clearly posted and visible at each farmers' market event; and
- d. All applicable inspection fees are paid when due.

**D. Parking Requirements.**

1. **General Requirement.** A farmers' market shall have sufficient land area to allow, at a minimum, one vehicle parking space for each vendor, plus one vehicle parking space for each vendor stall.
2. **Reduction in Parking Allowed.** The parking requirement in Subsection D.1, above, may be reduced by up to 50 percent if the Director determines that the number of parking spaces provided will accommodate the number of vendors and customers expected at the farmers' market without any undue adverse impact to the surrounding community, and also if the farmers' market is located within one-half mile of a transit stop for:
  - a. A bus that travels along a major or secondary highway or that is part of a bus rapid transit system; or
  - b. A rail line within a fixed rail system.
3. **No Other Permit Required.** Any alternative parking arrangement for a farmers' market approved by the Director pursuant to this Subsection D shall not require a separate Parking Permit, Minor Parking Deviation, or Variance.

**E. Application for Approval.** In addition to any other information required by this Title 22 to be included in an application for a Discretionary Site Plan Review or a Minor Conditional Use Permit, an application for a farmers' market, shall include:

1. The name and address of the farmers' market manager, if different than the owner and/or applicant.
2. A schedule, with proposed dates and times for operation of the farmers' market at the location proposed in the application during that calendar year, which schedule shall be updated annually during the life of the grant or approval.
3. A site plan depicting the boundaries of the subject property to be used for the farmers' market, the location of all highways, streets, and alleys in relation to the subject property, the boundaries of the farmers' market, the location and dimension of all vendor stalls, and the area for required vehicle parking.
4. When the applicant/owner proposes alternative parking arrangements:

- a. A description of the unique characteristics of the farmers' market and/or special programs which are proposed which will reduce the need for the otherwise required number of vehicle parking spaces;
  - b. When off-site parking is proposed, evidence that the applicant/owner has written permission from the owner or owners of such off-site property; and
  - c. Such other information as the Director may require.
5. In cases where non-agricultural products will be sold at a site adjacent to, and under the management of, the farmers' market:
- a. A site plan depicting the location and dimension of the area intended to be used for these sales; and
  - b. The respective percentages of the area intended to be used for the sale of non-agricultural products and the area intended to be used for the farmers' market.
- F. Covenant and Agreement.** Prior to obtaining any approval to conduct a farmers' market pursuant to this Section, the applicant shall provide to the Director a suitable covenant for recordation with the Registrar-Recorder/County Clerk that runs with the land for the benefit of the County, signed by the owner of the premises, declaring that:
1. The farmers' market shall be maintained in accordance with the information provided in the application and the development standards as required by this Section.
  2. The applicant shall obtain all necessary federal, State, and local approvals to conduct a farmers' market, including the applicable certification from the County Agricultural Commissioner for a valid FNS number, prior to commencing operation.
  3. Any violation of the covenant and agreement required by this Section shall be subject to Enforcement Provisions (Chapter 22.184).

## 22.106.220 **Farmworker Housing**

- A. Purpose.** Under Section 65580(a) of the California Government Code, the Legislature has declared that the availability of housing, including farmworker housing, is of vital statewide importance. The purpose of this Section is to promote the development of, and to establish development standards for, farmworker housing consistent with this legislative declaration and pursuant to Section 17000 et seq., of the California Health and Safety Code, known as the Employee Housing Act.

- B. Definitions.** Specific term(s) used in this Section are defined in Division 2 (Definitions), under "Farmworker housing."
- C. Applicability.** This Section applies to farmworker housing in all zones where permitted.
- D. Prohibited Areas for Farmworker Housing.**
1. Farmworker housing shall be prohibited at any location where any portion of the building site is located in:
    - a. An airport influence area, as described in the applicable airport land use plan adopted by the County, as such plan may be amended from time to time; or
    - b. An environmentally sensitive habitat area, as described in Section 30000 et seq., of the California Public Resources Code (California Coastal Act) or any applicable County local coastal program adopted under this Act.
  2. A farmworker housing complex shall also be prohibited in any location designated by the Fire Department as a very high fire hazard severity zone.
- E. Additional Application Requirements for Zones R-3 and R-4.**
1. **Ministerial Site Plan Review.** A Ministerial Site Plan Review application is required for a farmworker housing complex that:
    - a. In Zones R-3:
      - i. Complies with the minimum lot area per dwelling unit requirements per Section 22.80.090.B (Zone R-3--Dwelling Unit Density); and
      - ii. Consists of any of the following:
        - (1) An apartment house;
        - (2) A two-family residence;
        - (3) Multiple detached residential units on one lot, each unit of which complies with Subsections B through E of Section 22.106.580 (Single-Family Residences), subject to any applicable requirements of the Subdivisions Map Act in Section 66410, et seq., of the California Government Code, or Title 21 (Subdivisions) of the County Code, regarding a lease-project subdivision.
    - b. In Zone R-4:
      - i. Complies with the minimum lot area per dwelling unit requirements per Section 22.80.090.C (Zone R-4--Dwelling Unit Density); and

- ii. In addition to the accommodations listed in Subsection E.1.a.ii, above, a farmworker housing complex may also consist of a rooming or boarding house.
2. **Conditional Use Permit.** A Conditional Use Permit application is required for any farmworker housing complex that consists of accommodations other than those listed in Subsection E.1, above.

**F. Farmworker Housing Requirements.**

1. In addition to complying with the Employee Housing Act, all farmworker housing shall comply, where applicable, with the California Mobilehome Parks Act in Section 18200, et seq., of the California Health and Safety Code, and the California Special Occupancy Parks Act, in Section 18860, et seq., of the California Health and Safety Code.
2. Farmworker housing may be developed or maintained for the purpose of providing temporary, seasonal, or permanent housing for farmworkers, where temporary and seasonal housing shall have the same meaning as "temporary employee housing" and "seasonal employee housing," as defined in Sections 17010(a) and 17010(b), respectively, of the California Health and Safety Code.
3. Farmworker housing shall be allowed, but shall not be required to be:
  - a. Developed or provided by the employer(s) of the farmworker; or
  - b. Located on the same property where the involved farmwork is performed.
4. If farmworker housing is developed or provided by a person or entity other than the farmworker's employer, the farmworker housing shall consist only of:
  - a. Temporary or seasonal farmworker housing, as described in Subsection E.2 of this Section; or
  - b. A mobilehome, manufactured home, travel trailer, or recreational vehicle, if such housing is intended to be permanent.
5. Prior to obtaining an approval for a farmworker housing complex, the applicant shall submit all required information and obtain all applicable approvals to and from the Departments of Fire, Public Health, Public Works, and Regional Planning related to the complex. All fees associated with each department's review shall be paid to the respective department. Improvements to the farmworker housing complex required by these departments shall be constructed or installed by the applicant.

6. Within 30 days after obtaining the appropriate permit from the California Department of Housing and Community Development ("HCD") to operate farmworker housing, and annually thereafter, the applicant shall submit a completed verification form to the Director describing the farmworker housing; the number of units, spaces, or beds; the number and employment status of its occupants; any other employment information of the occupants required by the Director; and proof that the HCD permit for the farmworker housing is current and valid.

**G. Development Standards.**

1. **Setbacks.** Notwithstanding any setback standards required by the zone, all farmworker housing shall be located a minimum of 75 feet from any barn, pen, or other structure that houses livestock or poultry, and a minimum of 50 feet from any other agricultural use, as described in Section 1140.4(a) of the California Labor Code.
2. **Floor Area.** Notwithstanding any floor area standards required by the zone, farmworker housing complexes that consist of group living quarters, such as barracks or a bunkhouse, shall have a minimum floor area of 50 square feet per occupant for sleeping purposes.

**H. Covenant and Agreement.** Within 30 days after approval of an application for farmworker housing, the applicant shall record with the Registrar-Recorder/County Clerk a covenant running with the land for the benefit of the County of Los Angeles, declaring that the farmworker housing will continuously be maintained as such in accordance with this Section and also that:

1. The applicant will obtain and maintain, for as long as the farmworker housing is operated, the appropriate permit(s) from HCD pursuant to the regulations of the Employee Housing Act;
2. The improvements required by the Departments of Fire, Public Health, Public Works, and Regional Planning related to the farmworker housing shall be constructed or installed, and continuously maintained by the applicant;
3. The applicant will submit the annual verification form to the Director as required by Subsection E.6, above; and
4. Any violation of the covenant and agreement required by this Section shall be subject to Enforcement Provisions (Chapter 22.184).

**22.106.230 Garage or Yard Sales**

- A. **Applicability.** This Section applies to any person selling personal property at a yard sale, garage sale or similar event at a residence in Zones R-1, R-2, R-3, R-4, R-A, A-1 and A-2.
- B. **Limitations on Items for Sale.** Items offered for sale shall be limited to personal property not acquired for resale, and either owned by the resident of the dwelling unit where the sale is to be conducted or by another person participating in the sale with the resident.
- C. **Frequency.** A maximum of two sales may be conducted at any site in any 12-month period. Each sale shall not exceed three consecutive days.
- D. **Hours of Operation.** Sales shall not be conducted between the hours of 6:00 p.m. of one day and 7:00 a.m. of the following day.
- E. **Signs.** One on-site advertising sign, having a maximum area of four square feet, may be placed facing each street abutting the dwelling unit and shall be removed at the close of the sale.
- F. **On-Site Produce Sales.** This Section shall not modify the provisions for produce stands in Section 22.106.460 (Produce Stands) regarding on-site display, advertising and sale of any products lawfully produced or grown on the same lot.

#### 22.106.240 Grading Projects

- A. **Applicability.** This Section applies to grading projects, both on-site and off-site, in all zones where permitted.
- B. **Grading Projects, On-Site.** On-site grading projects are subject to the following requirements:
  - 1. **Grading Permit.** In addition to the permit specified in Division 3, a grading permit is also required for any grading project, as provided in Title 26 (Building Code) of the County Code.
  - 2. **Exemption.** An application is not required for any project where the Commission or Hearing Officer has considered a grading proposal as indicated by approval of an environmental document incorporating consideration of such grading project.
- C. **Grading Projects with Off-Site Transport.** Off-site transport grading projects, as defined in Division 2 (Definitions) are subject to the following requirements:
  - 1. **Grading Permit.** In addition to the permit or review specified in Division 3, a grading permit is also required for any grading project, as provided in Title 26 (Building Code) of the County Code.

2. **Exemptions.** An application shall not be required when the grading project with off-site transport is related to public construction, including grading for:
  - a. Any work of construction or repair by the County or any district of which the Board is ex-officio the governing body; or
  - b. Construction or repair by the County or such district performed by force account; or
  - c. Construction, maintenance, or repair of any "State Water Facilities" as defined in Section 12934 of the California Water Code.
3. **Hauling Route.** All hauling as approved under this Section shall be restricted to a route approved by the Director of Public Works.
4. **Compliance with Other Regulations.** Compliance shall be made with all applicable requirements of other County departments and other government agencies.
5. **Suspension.** If any condition of this Section is violated, or if any law, statute or ordinance is violated, the privileges granted herein shall lapse and such approval shall be suspended.

**D. All Grading Projects in Zone O-S.**

1. **Discretionary Site Plan Review.** A Discretionary Site Plan Review application is required for any grading, excavation or fill that does not exceed 500 cubic yards of material where necessary to prepare a site, except as provided in Section 7003 of Title 26 (Building Code) of the County Code. Any grading projects proposed on a lot located within a Significant Ecological Area shall be reviewed by the SEATAC, and recommendations shall be sent to the Director prior to approval.
2. **Conditional Use Permit.** A Conditional Use Permit application is required for any grading, excavation or fill that exceeds 500 cubic yards of material and any proposal shall be reviewed by SEATAC prior to public hearing.
3. **Grading Permit.** A grading permit is also required for any grading project, as provided in Title 26 (Building Code) of the County Code.
4. **Findings.**
  - a. The use or structures requested are clearly accessory and subordinate to, will not alter the nature of, and are limited to facilities compatible with the intent and purpose of Zone O-S on the property where proposed; and

- b. In a Significant Ecological Area such placement will not contribute to the detriment of the resources constituting the basis for classification as a Significant Ecological Area.

### 22.106.250 **Guest Houses**

- A. **Applicability.** This Section applies to guest houses as an accessory use in Zones R-1, R-2, R-3, R-4, R-A, A-1 and A-2.
- B. **Maximum Number Permitted.** One detached guest house is permitted as accessory to a single-family residence..
- C. **Development Standards.** Guest houses shall comply with the following standards:
  1. A guest house shall be located on the same lot as a single-family residence and shall be located at least 20 feet away from such residence.
  2. A guest house shall not have a kitchen or kitchen facilities.
  3. A guest house shall not be rented or otherwise used as a separate dwelling.
  4. A guest house shall be only for the use of temporary guests or servants of the occupants of the single-family residence.
  5. A guest house shall not be established on a lot having less than one and one-half times the required area, except that the guest house may be established on any lot containing 10,000 square feet or more.
- D. **Prohibitions.**
  1. A guest house attached to a single-family residence is prohibited.
  2. A guest house is not permitted where a second unit exists on the lot or property.

### 22.106.260 **Health Retreats**

- A. **Applicability.** This Section applies to health retreats in Zones A-1 and A-2, except that only Subsection B, below applies to health retreats in Zone R-R.
- B. **Minimum Lot Size.** Health retreats shall be located on a lot having an area of not less than two acres.
- C. **Number of Persons on Premises.** Not more than 10 persons, including staff, patrons and guests, shall be in residence at such retreat at any one time.
- D. **Activities.** All activities shall be conducted as part of a live-in healthcare program only; the providing of services for persons maintaining residence for less than 24 hours shall be prohibited.

- E. **Screening.** All exercise, gymnasium, therapy and similar equipment, and areas used for sunbathing, shall be located within a building or shall be effectively screened so as not to be visible to surrounding property. Such screening shall consist of walls, screening fences or suitable landscaping. Where the buildings housing the retreat are visible to surrounding property, all structures shall be compatible with the dwellings and structures in the vicinity.
- F. **Transport.** All patrons shall be transported to and from the property unless otherwise expressly authorized by the Commission or Hearing Officer.
- G. **Signs.** No signs shall be permitted in conjunction with such use.

### 22.106.270 **Historic Vehicle Collections**

- A. **Applicability.** This Section applies to historic vehicle collections in Zones R-1, R-2, R-A, A-1 and A-2.
- B. **Screening.** A historic vehicle collection shall be fully screened from off-site public view by means of walls, fences, or landscaping, or any other screening methods acceptable to the Director.
- C. **Setback and Required Yards.** No portion of a historic vehicle collection shall be located within five feet of any building or structure, with the exception of garages, or within any required yard area.
- D. **Maximum Storage Area.** The area used to store vehicles shall not exceed 10 percent of the total area of the lot.
- E. **Health and Safety.** The historic vehicle collection shall be kept or maintained as not to constitute a health or safety hazard.
- F. **Covenant.** The applicant shall sign a covenant and agreement indicating that he or she has read and understands the standards enumerated above and such other conditions that the Director may impose, and will faithfully abide by each and every one of said standards and conditions.

### 22.106.280 **Holiday and Seasonal Sales**

- A. **Applicability.** This Section applies to holiday and seasonal sales in Zones R-2, R-3, R-4, A-1, A-2, C-1, C-2, C-3, C-H, C-M, C-R, R-R, and M-1.
- B. **Christmas Tree Sales.** A lot that proposes to offer Christmas trees for sale shall only conduct the sale between December 1 and December 31 in the same calendar year, both dates inclusive. All structures, facilities, and materials used in conjunction with the sales shall be removed from the premises by December 31 and the property restored to a neat condition.

### 22.106.290 **Home-Based Occupations**

- A. **Applicability.** This Section applies to home-based occupations in Zones R-1, R-2, R-3, R-4, R-A, A-1 and A-2.
- B. **Development Standards.** Home-based occupations shall comply with the following standards:
1. The home-based occupation shall be demonstrably secondary and incidental to the primary dwelling unit and shall not change the character and appearance of the dwelling unit.
  2. The home-based occupation shall not generate pedestrian or vehicular traffic in excess of that which is customary for a dwelling unit, or which would have a disruptive effect on the neighborhood.
  3. The home-based occupation shall not be conducted in any attached or unattached structure intended for the parking of automobiles.
  4. The home-based occupation shall not create or cause noise, dust, vibration, odor, gas, fumes, smoke, glare, electrical interferences, hazards or nuisances. There shall be no storage or use of toxic or hazardous materials other than the types and quantities customarily found in connection with a dwelling unit. Any noises shall comply with Chapter 12.08 (Noise Ordinance) in Title 12 (Environmental Protection) of the County Code.
  5. Only one home-based occupation is permitted per dwelling unit.
  6. No more than one person not residing on the property may be employed, either for pay or as a volunteer, to work on the property as part of the home-based occupation. One on-site standard sized parking space shall be provided for such employee or volunteer in addition to other required parking set forth in this Title 22.
  7. Signage, in any form, that indicates, advertises, or otherwise draws attention to the home-based occupation is prohibited.
  8. No stock in trade, inventory or display of goods or materials shall be kept or maintained on the property, except for incidental storage kept entirely within the dwelling unit.
  9. No mechanical equipment is permitted in connection with the home-based occupation, other than light business machines, such as computers, scanners, facsimile transmitting devices, digital printers and copying machines.
  10. Activities conducted and equipment or material used shall not change the type of construction of the residential occupancy and shall be subject to all required permits.

11. The home-based occupation shall not involve the use of commercial vehicles for delivery of materials and products to or from the property in excess of that which is customary for a dwelling unit or which has a disruptive effect on the neighborhood. Such delivery services can include, but are not limited to, mail, express mail and messenger services. No tractor trailer or similar heavy duty delivery or pickup is permitted in connection with the home-based business.
12. No more than one client visit or one client vehicle per hour shall be permitted, and only between the hours of 8:00 a.m. to 8:00 p.m., Monday through Friday, in connection with the home-based occupation.

C. **Prohibitions.** The following uses are prohibited as home-based occupations as listed in Table 22.106.290-A, below:

<b>TABLE 22.106.290-A:USES PROHIBITED AS HOME-BASED OCCUPATIONS</b>	
Adult entertainment	Medical physician (non-psychiatric), except as a secondary office which is not used for the general practice of medicine, but may be used for consultation and emergency treatment as an adjunct to a principal office located elsewhere
Ambulance service	Photography lab, other than for occupant's own use
Animal training	Recording/motion picture/video production studio, except for editing or pre-recorded material
Automotive repair, painting, body/fender work, upholstery, detailing, washing, including motorcycles, trucks, trailers and boats	Restaurants
Beautician or barber	Retail sales
Body piercing	Tattoo studio
Dentist, except as a secondary office which is not used for the general practice of dentistry, but may be used for consultation and emergency treatment as an adjunct to a principal office located elsewhere	Tow truck service
Funeral chapel or home	Upholstery
Firearms manufacturing or sales	Veterinary services and other uses which entail the harboring, training, care, breeding, raising or grooming of dogs, cats, birds, or other domestic animals on the property, except those which are permitted by this article (other than those owned by the resident)
Garment manufacturing	Welding or machine shop
Gunsmith	Yoga/spa retreat center
Massage therapist, unless the therapist has procured a massage technician's business license and a massage parlor business license, as needed	Any other use which disrupts and is inconsistent with the residential character of the neighborhood

### 22.106.300 Homeless Shelters

- A. **Applicability.** This Section applies to homeless shelters in all zones where permitted.
- B. **Maximum Occupancy.** No more than 30 individuals, excluding staff, shall be allowed at one time if such proposed shelter is located on a lot of less than one acre.

- C. **Concentration.** There shall not be an over-concentration of homeless shelters in the surrounding area.
- D. **Vicinity.** The land uses and developments in the immediate vicinity of the site shall not constitute an immediate or potential hazard to occupants of the shelter.
- E. **Parking.** The number of parking spaces to be provided on the property shall be sufficient to mitigate any adverse impacts on persons or properties in the surrounding area.
- F. **Other Regulations.** The proposed shelter shall meet all operational and maintenance standards set forth in Title 25 (Housing and Community Development) of the California Code of Regulations, relating to shelters.

### 22.106.310 **Hotels in Zone R-4**

- A. **Applicability.** This Section applies to hotels in Zone R-4.
- B. **Maximum Number of Guest Rooms Permitted.**
  - 1. A maximum of 75 guest rooms per acre may be permitted if the Commission or Hearing Officer finds that:
    - a. The proposed site has frontage on one or more major or secondary highways, parkways or local streets having a minimum width of 80 feet,
    - b. Such highways, parkways, or streets are improved as necessary to carry the kind and quality of traffic to be generated, and
    - c. The provisions for access and circulation to adequately accommodate such traffic are provided.
  - 2. A maximum of 50 guest rooms per acre may be permitted if the Commission or Hearing Officer finds that:
    - a. The proposed site has frontage on highways, parkways, or local streets having a minimum width of less than 80 feet, or
    - b. Where the Commission or Hearing Officer does not specify the total number of guest rooms permitted.
  - 3. In computing the allowable number of guest rooms, each guest suite shall be considered the equivalent of two guest rooms.
- C. **Incidental Businesses.** Hotels having not less than 100 guest rooms are permitted to have incidental commercial service concessions in accordance with Section 22.106.090 (Apartment Houses, Incidental Commercial Services), subject to all development standards therein.

**D. Guest Rooms or Suites with Cooking Facilities.** Guest rooms and suites where expressly permitted by the Commission or Hearing Officer to have bar sinks and/or gas, electrical or water outlets designed or intended to be used for cooking facilities, shall conform to the following standards:

1. The design of such hotel, including lobbies, service areas, dining and kitchen facilities, elevators, and other features, is intended to be used for transient occupancy as a hotel rather than as dwelling units for permanent occupancy, and
2. At least 90 percent of the guest rooms and suites shall only be rented out to be occupied on a temporary basis by guests staying 30 days or less, and
3. The hotel shall be registered with the County Tax Collector as provided by Chapter 4.72 (Transient Occupancy Tax) in Title 4 of the County Code.
4. In any case where the Commission or Hearing Officer does not specifically approve such bar sinks and/or gas, electrical or water outlets, they shall be deemed to be prohibited.

#### 22.106.320 **Joint Live and Work Units**

**A. Purpose.** The Section facilitates the establishment of, and to ensure the compatibility of, residential and commercial uses within joint live and work units by allowing such uses in certain Commercial Zones with appropriate development limitations and standards, and to streamline the permitting procedure for such uses. Joint live and work units may occupy portions of buildings designed for mixed use developments.

**B. Applicability.** This Section applies to joint live and work units in Zones C-H, C-1, C-2, C-3, and C-M.

**C. Application Requirements.**

1. **Ministerial Site Plan Review.** A Ministerial Site Plan Review application is required for joint live and work units in Zones C-H, C-1, C-2, and C-3.
2. **Minor Conditional Use Permit.** A Minor Conditional Use Permit application is required for joint live and work units in Zone C-M.
3. **Conditional Use Permit.** A Conditional Use Permit application is required for a joint live and work unit that requests:
  - a. A modification to any of the standards listed in this Section; or.
  - b. The conversion of a joint live and work unit, which is not located on the ground floor of a building, to a commercial use which is permitted in the

underlying zone, or conversion of any joint live and work unit to an exclusive residential use.

**D. County Agency Review.** All joint live and work units that require approval by the Department of Public Works shall first be referred to the Department of Regional Planning for review and approval in order to ensure that the use exceptions specified in this Section are properly evaluated.

**E. Prohibited Locations.** Joint live and work units are prohibited if any portion of the development is located within:

1. A Significant Ecological Area (SEA);
2. An Environmentally Sensitive Habitat Area (ESHA);
3. A Very High Fire Hazard Severity Zones;
4. An Airport Land Use influence area as depicted in the Los Angeles County Airport Land Use Plan;
5. On land with a slope of 25 percent or more; or
6. On land not served by a public water and sewer system.

**F. Permitted Uses.** Notwithstanding the uses otherwise permitted in the zone, the commercial component of the joint live and work units shall only include:

1. The following uses as listed in Table 22.106.320-A:

<b>TABLE 22.106.320-A:PERMITTED USES</b>	
Antiques, the restoration of genuine antiques	Musical instruments making and assembly
Architecture, interior decorating and building design	Offices, business or professional, including transcription studios
Art studio, including painting and sculpturing	Ornamental metal, provided that there are no forging works or any process used in bending or shaping
Bookbinding	Photography studio
Cartooning and animation	Picture mounting and framing
Ceramics making	Pottery throwing
Clothing design and sewing	Printing and publishing
Commercial art	Shoes and footwear fabrication
Costume designing	Silk screen processing
Engraving of metal products	Textile weaving, hand looms only
Furniture, the crafting and assembly of, including custom upholstery	Toys production
Glass, the hand production of, including glass blowing, glass, crystal, and art novelties, and the assembly of stained art glass	Watch making
Graphic design and display studio	Woodcarving
Jewelry making	Wood products crafting

**TABLE 22.106.320-A:PERMITTED USES**

Leatherwork, using previously tanned leather	
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2. In Zone C-M, in addition to the uses specified in Table 22.106.320-A, above, the following assembly and manufacture uses involving previously prepared materials, and excluding the use of drop hammers, automatic screw machines, punch presses exceeding five tons capacity and motors exceeding one horsepower capacity that are used to operate lathes, drill presses, grinders or metal cutters, are permitted provided that all activities are conducted within an enclosed building, as listed in Table 22.106.320-B, below:

**TABLE 22.106.320-B:ADDITIONAL PERMITTED USES IN ZONE C-M**

Aluminum products	Glass products and stained-glass assembly, provided that no individual crucible shall exceed a capacity of 16 square feet
Appliance assembly, electrical, electronic and electromechanical	Instrument assembly, electrical, electronic and electromechanical, including precision machine shops
Bone products	Jewelry manufacture
Canvas products	Leather products, excluding machine belting
Cellophane and plastic products	Metals, working and casting of rare, precious, or semiprecious metals
Cloth, textile, and yarn products, excluding dyeing of yarn	Optical goods manufacture
Cosmetics, perfume manufacture, and toiletries, but excluding soap	Paper products
Equipment assembly, electrical, electronic and electromechanical	Shell and stone products
Felt and fur products	Wicker and bamboo products

G. **Development Standards.** All joint live-work units shall conform to the following development standards:

1. **Additional Standards.** The development standards specified in Section 22.106.360.G (Development Standards – Mixed Use Developments) shall apply.
2. **Minimum Size.** The minimum size of a joint live and work unit shall be 1,000 square feet.

H. **Performance Standards.** All joint live-work units shall conform to the following performance standards:

1. The performance standards specified in Section 22.106.360.H (Performance Standards – Mixed Use Developments).
2. At least one resident of the living space shall perform or oversee the commercial activity performed in the working space.

3. The living and working spaces within a joint live and work unit shall not be rented, leased, or sold separately.
  4. The maximum number of employees who do not reside within a joint live and work unit is two.
  5. For a multi-story joint live and work unit that is located partially on the ground floor, the working space shall be located on the ground floor.
  6. The minimum floor area for working space shall be 250 square feet.
  7. Where a ground-floor joint live and work unit fronts upon a street, the working space shall be oriented to the street.
  8. The joint live and work unit shall have at least one shared external entrance/exit for the working space and the living space.
  9. There shall be direct access between the living space and working space.
- I. **Covenant and Agreement.** The applicant shall record with the Registrar-Recorder/County Clerk, an agreement that the joint live and work units will be maintained in accordance with this Section as a covenant running with the land for the benefit of Los Angeles County, and the covenant shall also declare that any violation thereof shall be subject to Enforcement Provisions (Chapter 22.184).

### 22.106.330 **Live Entertainment, Accessory**

- A. **Purpose.** This Section regulates accessory live entertainment to ensure land use compatibility and prevent adverse impacts on adjacent uses.
- B. **Applicability.**
1. Live entertainment may be permitted as an accessory use in a legally existing bar, cocktail lounge or restaurant having an occupancy load of less than 200 persons and located within an enclosed building in all zones where bars, cocktail lounges, or restaurants are permitted, and the building is in compliance with Subsection D, below.
  2. Accessory live entertainment shall not be permitted if:
    - a. The principal use is a nonconforming use in the zone where it is located; or
    - b. The principal use is legally operating pursuant to a Variance or in a building nonconforming due to standards as specified in Subsection D, below, unless and until the principal use is in compliance with these standards.
- C. **Application Requirements.**

1. **Ministerial Site Plan Review.** A Ministerial Site Plan Review application is required for accessory live entertainment when all of the requirements of Subsection D, below, have or can be met.
2. **Conditional Use Permit.** A Conditional Use Permit application is required for accessory live entertainment when any of the requirements in Subsection D, below, have not or cannot be met.
3. **Modification.** This application shall not be construed to authorize the modification of development standards required for establishment of such bar, cocktail lounge or restaurant, unless a Variance is granted pursuant to Section 22.156 (Variances).

**D. Development Standards.**

1. **Parking.** Automobile parking shall be developed as follows:
  - a. Parking for the principal use shall comply with all of the requirements of Chapter 22.82 (Parking).
  - b. Access and egress to such parking shall be located so as to reduce or eliminate the impact of traffic on residential development in the immediate area.

**22.106.340 Manufacturing as an Accessory Use in Commercial Zones**

- A. **Applicability.** This Section applies to manufacturing as an accessory use in Zones C-3 or C-M.
- B. **Uses Allowed.** Manufacturing as an accessory use shall include processing, packaging, treating and incidental storage related to and operated in conjunction with and accessory to a business conducted on the same lot.
- C. **Location.**
  1. Activities shall be restricted to the ground floor of the building and shall not occupy more than 25 percent of said ground floor area.
  2. Any such activities shall be conducted wholly within a completely enclosed building.
- D. **Employees.** Not more than five employees shall be engaged in such activities.
- E. **Appearance.** A commercial appearance shall be maintained by office or window display space, or both, across all the street or highway frontage of the building, except doorways, to a depth of not less than two feet.

- F. **Setbacks.** Any portion of the building devoted to such activities shall be not nearer than 50 feet to any Agricultural or Residential Zone.
- G. **Performance.** All noise, vibration, dust, odor and all other objectionable factors will be confined or reduced to the extent that no annoyance or injury will result to persons or property in the vicinity.
- H. **Interpretation.** Where a conflict in interpretation occurs regarding application of any provision of this Section, the Director shall make such determination.

## 22.106.350 **Medical Marijuana Dispensaries**

- A. **Purpose.** This Section is established:
  - 1. To ban medical marijuana dispensaries in all zones in the County; or
  - 2. In the event that such a ban is held to be unlawful by a final decision of a California Court of Appeal or the California Supreme Court, to regulate medical marijuana dispensaries in a manner that mitigates potential health, safety, and welfare impacts such dispensaries may have on surrounding properties and persons, consistent and in conformance with Section 11362.5 through Section 11362.83, inclusive, of the California Health and Safety Code, commonly referred to as the Compassionate Use Act of 1996 and the Medical Marijuana Program.
- B. **Prohibition.** Subject to Subsection C, below, medical marijuana dispensaries which distribute, transmit, give, or otherwise provide marijuana to any person, are prohibited in all zones in the County.
- C. **Court Decision.** If a California Court of Appeal or the California Supreme Court makes a final determination that a ban of medical marijuana dispensaries within an entire local jurisdiction is illegal, such as the ban set forth in Subsection B, above, then the requirements for a Conditional Use Permit application as set forth in Subsections D through H, below, shall be in effect and shall serve to regulate medical marijuana dispensaries in the County consistent and in conformance with the Compassionate Use Act of 1996 and the Medical Marijuana Program, in Zones C-1, C-2, C-3, C-M, M-1, M-1.5, and M-2.
- D. **Application Procedure.**
  - 1. **County Department Review.** In addition to the procedures for a Conditional Use Permit (Chapter 22.120), the Director shall send a copy of the application to the Department of Public Health, Sheriff's Department, Business License Commission, and all other relevant County departments for their review and comment.

2. **Disclaimer.** A warning and disclaimer shall be put on medical marijuana zoning application forms and shall include the following:
  - a. A warning that dispensary operators and their employees may be subject to prosecution under federal marijuana laws; and
  - b. A disclaimer that the County will not accept any legal liability in connection with any approval and/or subsequent operation of a dispensary.

**E. Findings.**

1. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community;
2. The requested use at the proposed location will not adversely affect the use of any property used for a school, playground, park, youth facility, child care facility, place of religious worship, or library;
3. The requested use at the proposed location is sufficiently buffered in relation to any residential area in the immediate vicinity so as not to adversely affect said area; and
4. The exterior appearance of the structure will be consistent with the exterior appearance of structures already constructed or under construction within the immediate neighborhood, so as to prevent blight or deterioration, or substantial diminishment or impairment of property values within the neighborhood.

**F. Conditions of Use.** The following standards and requirements shall apply to all medical marijuana dispensaries unless a Variance is granted pursuant to Chapter 22.156:

**1. Location.**

- a. Dispensaries shall not be located within a 1,000-foot radius of schools, playgrounds, parks, libraries, places of religious worship, child care facilities, and youth facilities, including but not limited to youth hostels, youth camps, youth clubs, etc., and other similar uses.
- b. Dispensaries shall not be located within a 1,000-foot radius of other dispensaries.

**2. Signs.**

- a. Notwithstanding the standards in Section 22.94.090 (Wall Signs), dispensaries shall be limited to one wall sign not to exceed 10 square feet in area.

- b. Notwithstanding the standards in Section 22.94.170.B (Building Identification Signs) dispensaries shall be limited to one building identification sign not to exceed two square feet in area.
  - c. Notwithstanding the provisions in Section 22.94.070.E (Lighting), dispensary wall and building identification signs may not be internally or externally lit.
  - d. All dispensaries shall display on their wall sign or identification sign, the name and emergency contact phone number of the operator or manager in letters at least two inches in height.
  - e. Dispensaries shall post a legible indoor sign in a conspicuous location containing the following warnings:
    - i. The diversion of marijuana for non-medical purposes is a violation of state law;
    - ii. The use of medical marijuana may impair a person's ability to drive a motor vehicle or operate machinery; and
    - iii. Loitering on and around the dispensary site is prohibited by Section 647(e) of the California Penal Code.
3. **Hours of Operation.** Dispensary operation shall be limited to the hours of 7:00 a.m. to 8:00 p.m.
4. **Lighting.**
- a. Lighting shall adequately illuminate the dispensary, its immediate surrounding area, any accessory uses including storage areas, the parking lot, the dispensary's front façade, and any adjoining public sidewalk to the Director's satisfaction.
  - b. Lighting shall be hooded or oriented so as to deflect light away from adjacent properties.
5. **Graffiti.** The owner of the property on which a dispensary is located shall remove graffiti from the property within 24 hours of its occurrence.
6. **Litter.** The owner of a property on which a dispensary is located shall provide for removal of litter twice each day of operation from, and in front of, the property.
7. **Alcohol Prohibited.** Provision, sale, or consumption of alcoholic beverages on the grounds of the dispensary, both interior and exterior, shall be prohibited.
8. **Edibles.** Medical marijuana may be provided by a dispensary in an edible form, provided that the edibles meet all applicable County requirements. In addition,

- any beverage or edible produced, provided, or sold at the facility which contains marijuana shall be so identified, as part of the packaging, with a prominent and clearly legible warning advising that the product contains marijuana and that is to be consumed only with a physician's recommendation.
9. **On-Site Consumption.** Medical marijuana may be consumed on-site only as follows:
- a. The smoking of medical marijuana shall be allowed provided that appropriate seating, restrooms, drinking water, ventilation, air purification system, and patient supervision are provided in a separate room or enclosure; and
  - b. Consumption of edibles by ingestion shall be allowed subject to all applicable County requirements.
10. **Devices for Inhalation.** Dispensaries may provide specific devices, contrivances, instruments, or paraphernalia necessary for inhaling medical marijuana, including, but not limited to, rolling papers and related tools, pipes, water pipes, and vaporizers. The above may only be provided to qualified patients or primary caregivers and only in accordance with Section 11364.5 of the California Health and Safety Code.
11. **Security.** Dispensaries shall provide for security as follows:
- a. An adequate and operable security system that includes security cameras and alarms to the satisfaction of the Director; and
  - b. A licensed security guard present at all times during business hours. All security guards must be licensed and possess a valid California Department of Consumer Affairs "Security Guard Card" at all times.
12. **Cultivation and Cuttings.** Marijuana shall not be grown at dispensary sites, except that cuttings of the marijuana plant may be kept or maintained on-site for distribution to qualified patients and primary caregivers as follows:
- a. The cuttings shall not be utilized by dispensaries as a source for the provision of marijuana for consumption on-site, however, upon provision to a qualified patient or primary caregiver, that person may use the cuttings to cultivate marijuana plants off-site for their own use and they may also return marijuana from the resulting mature plant for distribution by the dispensary.
  - b. For the purposes of this Section, the term "cutting" shall mean a rootless piece cut from a marijuana plant, which is no more than six inches in length, and which can be used to grow another plant in a different location.

13. **Loitering.** Dispensaries shall ensure the absence of loitering consistent with Section 647(e) of the California Penal Code.
  14. **Emergency Phone Number.** Dispensaries shall distribute the name and emergency contact phone number of the operator or manager to anyone who requests it.
  15. **Minors.** It shall be unlawful for any dispensary to provide medical marijuana to any person under the age of 18 unless that person is a qualified patient or is a primary caregiver with a valid identification card in accordance with Section 11362.7 of the California Health and Safety Code.
  16. **Compliance with Other Requirements.** Dispensaries shall comply with applicable provisions of Section 11362.5 through Section 11362.83, inclusive, of the California Health and Safety Code and with all applicable County requirements.
  17. **Additional Conditions.** Prior to approval of any dispensary, the Commission, Hearing Officer or Director may impose any other conditions deemed necessary for compliance with the findings specified in Subsection E, above, of this Section.
  18. **Release of the County from Liability.** The owner and permittee of each dispensary shall release the County, and its agents, officers, elected officials, and employees from any injuries, damages, or liabilities of any kind that result from any arrest or prosecution of dispensary owners, operators, employees, or clients for violation of state or federal laws in a form satisfactory to the Director.
  19. **County Indemnification.** The owner and permittee of each dispensary shall indemnify and hold harmless the County and its agents, officers, elected officials, and employees for any claims, damages, or injuries brought by adjacent or nearby property owners or other third parties due to the operations at the dispensary, and for any claims brought by any of their clients for problems, injuries, damages or liabilities of any kind that may arise out of the distribution and/or on- or off-site use of marijuana provided at the dispensary in a form satisfactory to the Director.
- G. **Previously Existing Dispensaries.** Notwithstanding the provisions in Chapter 22.132 (Nonconforming Uses, Buildings and Structures) dispensaries determined not to be operating illegally which were established prior to January 6, 2011, the effective date of this Section, shall be brought into full compliance with the provisions of this Section within one year of the effective date of the ordinance establishing this Section.
- H. **Liability.** The provisions of this Section shall not be construed to protect dispensary owners, permittees, operators, and employees, or their clients from prosecution

pursuant to any laws that may prohibit the cultivation, sale, use, or possession of controlled substances. Moreover, cultivation, sale, possession, distribution, and use of marijuana remain violations of federal law as of the date of adoption of the ordinance creating this Section and this Section is not intended to, nor does it, protect any of the above described persons from arrest or prosecution under those federal laws. Owners and permittees must assume any and all risk and any and all liability that may arise or result under state and federal criminal laws from operation of a medical marijuana dispensary. Further, to the fullest extent permitted by law, any actions taken under the provisions of this Section by any public officer or employee of the County of Los Angeles or the County of Los Angeles itself, shall not become a personal liability of such person or the liability of the County.

### 22.106.360 **Mixed Use Developments**

- A. **Purpose.** This Section facilitates the establishment of and ensures the compatibility of residential and commercial uses within vertical mixed use developments by allowing such uses in certain Commercial Zones with appropriate development limitations and standards, and to streamline the permitting procedure for such uses. Joint live and work units may occupy portions of buildings designed for mixed use developments.
- B. **Applicability.** This section applies to mixed use developments in Zones C-H, C-1, C-2, C-3 and C-M.
- C. **Application Requirements.**
1. **Ministerial Site Plan Review.** A Ministerial Site Plan Review application is required for mixed use developments in Zones C-H, C-1, C-2, and C-3.
  2. **Minor Conditional Use Permit.** A Minor Conditional Use Permit application is required for mixed use developments in Zone C-M.
  3. **Conditional Use Permit Required.** A Conditional Use Permit application is required for mixed use developments that requests:
    - a. A modification to any of the standards listed in this Section; or
    - b. The conversion from a mixed use development to an exclusive residential use.
- D. **County Agency Review.** All mixed use developments that require approval by the Department of Public Works shall first be referred to the Department of Regional Planning for review and approval in order to ensure that the prohibited uses specified in Section E, below, are properly regulated.

**E. Prohibited Locations.** No mixed use development shall be allowed if any portion of the development would be located in:

1. A Significant Ecological Area (SEA);
2. An Environmentally Sensitive Habitat Area (ESHA);
3. A Very High Fire Hazard Severity Zone;
4. An Airport Land Use influence area as depicted in the Los Angeles County Airport Land Use Plan;
5. On land with a slope of 25 percent or more; or,
6. On land not served by a public water or public sewer system.

**F. Prohibited Uses.** Notwithstanding the uses otherwise permitted in the zone, the following uses are prohibited in the commercial component of a mixed use development, as listed in Table 22.106.360-A:

<b>TABLE 22.106.360-A:PROHIBITED USES</b>	
<b><i>The following Commercial/Retail and Recreation Uses</i></b>	
Athletic fields	Ice sales
Auction houses	Lodge halls
Bakery goods distributors	Party equipment rentals
Beauty shops	Pet grooming
Dog training schools	Pet stores
Dry cleaning establishments	Recording studios
Furniture and appliance rentals	Taxidermists
Golf courses including the customary clubhouse and accessory facilities	Tool rentals, including rototillers, power mowers, sanders and saws, cement mixers, and other similar equipment, but excluding heavy machinery or trucks
Hospital equipment and supply rentals	
<b><i>The following Industrial -Assembly and Manufacturing Uses</i></b>	
Aluminum products	Leather products, excluding machine belting
Appliance assembly, electrical, electronic and electromechanical	Metals, working and casting of rare, precious or semiprecious metals
Bone products	Metal plating
Canvas products	Optical goods manufacture
Cellophane products	Paper products
Cloth products	Perfume manufacture
Cosmetics, excluding soap	Phonograph records manufacture
Equipment assembly, electrical, electronic and electromechanical	Plastic products
Felt products	Shell products
Fur products	Stone products
Glass products and stained-glass assembly, provided no individual crucible shall exceed a capacity of 16 square feet	Textile products
Golf ball manufacture	Toiletries, excluding soap

<b>TABLE 22.106.360-A:PROHIBITED USES</b>	
Instrument assembly, electrical, electronic and electromechanical, including precision machine shops	Wicker and bamboo products
Jewelry manufacture	Yarn products, excluding dyeing of yarn
<b>The following Industrial -Food Processing Uses:</b>	
Bakeries	Ice cream
Candy and confectioneries	Wineries
Fruit and vegetable juices, excluding the use of carbonization	
<b>The following Industrial-Other Uses:</b>	
Assaying services	Laundry plants, wholesale
Furniture and household goods, transfer and storage	Motion picture studios and indoor sets, including the temporary use of domestic and wild animals in motion picture and television production
Laboratories, research, and testing	
<b>The following Service Uses:</b>	
Ambulance emergency service facilities	Mortuaries
Ambulance service facilities	
<b>The following Transportation, Communication, Utility and Public Service Uses</b>	
Communications equipment buildings	Parcel delivery terminals
Electric distribution substations, including microwave facilities	Radio and television broadcasting studios
Gas metering and control stations, public utility	Telephone repeater stations.
Microwave stations	
<b>The following Vehicle-Related Uses:</b>	
Air pollution sampling stations	Automobile supply stores
Automobile and other vehicle repair garages	Boat and other marine sales
Automobile battery service	Boat rentals
Automobile brake repair shops	Car washes, automatic, coin operated, and hand wash
Automobile muffler shops	Mobilehome sales
Automobile radiator shops	Motorcycle, motor scooter, and trail bike rentals and sales
Automobile rental and leasing agencies	Recreational vehicle rentals and sales
Automobile sales, sale of new and used motor vehicles	Tire retreading or recapping
Automobile sightseeing agencies	Trailer rentals and sales
Automobile service stations	Truck rentals

## G. Development Standards.

### 1. *Parking.*

- a. With the exception of fully subterranean parking structures, all parking areas shall:
  - i. Be located in the rear of the structure; and
  - ii. Be completely screened with walls and/or landscaping so that they are not visible from the street that provides frontage, except that views of parking areas down or along access driveways need not be screened.

- b. Separate commercial and residential parking spaces must be provided in compliance with Chapter 22.82 (Parking). Spaces shall be separately designated by posting, pavement marking, and/or physical separation.
2. **Loading/Unloading.** Off-street loading areas shall be located toward the rear of the building and shall not be visible from the street.
3. **Trash/Recycling.** Areas for the collection and storage of refuse and recyclable materials shall be located on the site in locations that are convenient for both the residential and commercial uses. The trash enclosures shall be located toward the rear of the building and shall not be visible from the street.
4. **Zone-Specific Standards:**
  - a. *Zones C-H, C-1, and C-2.* Not more than 17 dwelling units per net acre shall be permitted.
  - b. *Zones C-3 and C-M.*
    - i. Dwelling unit density. Not more than 50 dwelling units per net acre shall be permitted.
    - ii. Height. Buildings and structures shall not exceed a height of 60 feet above grade, excluding chimneys and rooftop antennas.

H. **Performance Standards.** The following performance standards shall apply:

1. **Mixed Use Development Type.**
  - a. With the exception of entrance hallways and joint live and work units, commercial and residential uses shall not be located on the same floor;
  - b. With the exception of joint live and work units, the ground floor space shall be devoted solely to commercial uses; and
  - c. With the exception of joint live and work units, all floor space above the ground floor shall be devoted solely to residential uses.
2. **Hours of Operation.** The hours of operation for commercial uses shall be no earlier than 7:00 a.m., and no later than 10:00 p.m., daily.
3. **Operating Activities Prohibited.** The following operating activities shall be prohibited:
  - a. Storage or shipping of flammable liquids or hazardous materials beyond that normally associated with a residential use; and
  - b. Welding, machining, or open-flame work.

- I. **Covenant and Agreement.** The applicant shall record in the Registrar-Recorder/County Clerk, an agreement that the mixed use developments will be maintained in accordance with this Section as a covenant running with the land for the benefit of the County of Los Angeles, and the covenant shall also declare that any violation thereof shall be subject to Enforcement Provisions (Chapter 22.184).

## 22.106.370 Mobilehome Parks

- A. **Applicability.** This Section applies to mobilehome parks in all zones where allowed. The Commission or Hearing Officer, in granting the Conditional Use Permit, may impose additional conditions, but may not modify any of the following standards listed in this Section, except as otherwise provided in this Section and/or pursuant to the provisions of Chapter 22.148 (Variances).
- B. **Density.**
  1. The total number of lots within a mobilehome park shall not exceed the number of dwelling units per net acre specified in the zone, unless a density bonus is granted pursuant to Chapter 22.88 (Density Bonuses and Affordable Housing Incentives).
  2. In those zones or General Plan categories where residential densities have not been established, the density shall be established by the Commission or Hearing Officer.
- C. **Access and Circulation.**
  1. At least two access points to a public street or highway from the mobilehome park shall be provided, which can be used by emergency vehicles.
- D. **Screening.** Public street frontages of a new mobilehome park shall be screened to a height between five feet and eight feet with a wall, a decorative fence, an opaque hedge of shrubs or trees, or a landscaped berm. Such screening shall be tapered to less than five feet where needed to provide unobstructed visibility for motorists.
- E. **Signs.** Signs shall be subject to the provisions of Chapter 22.84 (Signs), except that in lieu of business signs standards as listed in that Chapter, a mobilehome park may only display the following signs:
  1. One wall-mounted or freestanding sign not exceeding 20 square feet in sign area, or 40 square feet in total sign area, to identify the mobilehome park may be located at each principal entrance.
  2. One freestanding sign, not exceeding six square feet in sign area or 12 feet in total sign area, advertising property for sale, lease, or rent, or indicating vacancy status, may be located at each principal entrance.

3. Temporary subdivision sales, entry and special feature signs shall be allowed as specified in Section 22.84.180 (Temporary Subdivision and Real Estate Signs).
  4. A directional or informational sign indicating the location of each residence by number shall be located at each principal entrance and at other appropriate locations for use by emergency vehicles, as well as the convenience of guests. The size, location, and number of such signs shall be established by the Commission or Hearing Officer.
  5. No source of illumination for any signs shall be directly visible from adjoining streets or residential property, and no such signs shall be erected within five feet of any exterior property line.
- F. **Local Park Space Obligations.** Local park space shall be provided to serve the mobilehome park, or a fee shall be paid in lieu thereof, as required for subdivisions by Title 21 (Subdivisions) of the County Code.
- G. **Fire Protection.** Notwithstanding any provision of State law, the Commission or Hearing Officer may require amenities or conditions in accordance with Title 32 (Fire Code) of the County Code, that the Fire Department deems necessary to protect life and property, including but not limited to fire hydrant systems, water supply, fire equipment access, posting of fire equipment access, parking lot identification, weed abatement, debris abatement, combustible storage abatement, and burglar bars.
- H. **Recreational Vehicle Park Within a Mobilehome Park.** In Zones C-H, C-1, C-2, C-3 and C-M, where a recreational vehicle park is located within a mobilehome park, it shall be a separate section of the mobilehome park and shall be so designated.
- I. **Prohibitions.**
1. A mobilehome park shall have no conventionally constructed or stud-framed residences or apartment houses, other than one dwelling unit for the use of a caretaker or manager responsible for maintaining or operating the property.
  2. There shall be no commercial uses, except those uses approved by the Commission or Hearing Officer and which are necessary to facilitate the operation of the mobilehome park.
- J. **Long-Term Leases.** All Conditional Use Permits for new mobilehome parks shall require as a condition of approval that all rental agreements have, in bold print no less than one-half inch high, the following statement:
- “There is no rent control for mobilehome parks in Los Angeles County. Potential residents may wish to secure long-term leases for their own protection.”

The Department shall be provided with a sample copy of the rental agreement prior to occupancy of the mobilehome park.

### 22.106.380 **Mobilehomes Used as a Residence During Construction**

- A. **Applicability.** This Section applies to mobilehomes used as a residence during construction, as a temporary use, in all zones where permitted.
- B. **Time Limitation.** A mobilehome may be used as a temporary residence for the owner and his family during the construction by such owner of a permanent residence, but only while a building permit for the construction of such residence is in full force and effect.
- C. **Density and Size.** The mobilehome shall contain only one dwelling unit not to exceed 12 feet in width and shall have no structural attachments.
- D. **Removal.** The mobilehome shall be removed from the site prior to the end of the date listed in the approved application.

### 22.106.390 **Model Homes**

- A. **Applicability.** This Section applies to model homes in Zones R-1, R-2, R-3, R-4, R-A, A-1 and A-2.
- B. **Development Standards**
  - 1. Model homes shall be established on an approved lot in a tentative tract that has been filed and approved by the Commission or Hearing Officer.
  - 2. Model homes may be used in conjunction with an approved temporary tract office but not a general real estate business.
  - 3. Any structure used for such purpose at the end of two years shall either be removed or restored for a use permitted in the zone where located, except that the Director may, upon a showing of need by the owner of the property, extend the permitted time beyond two years.

### 22.106.400 **Oil Wells**

- A. **Purpose.** This Section regulates oil wells, including the installation and use of such equipment, structures, and facilities for oil drilling and producing operations customarily required or incidental to usual oil field practice, including but not limited to, the initial separation of oil, gas and water, and for the storage, handling, recycling and transportation of such oil, gas and water to and from the property.
- B. **Applicability.** This Section applies to oil wells located in Zones A-2, M-1, M-1.5, M-2, M-2.5, and O-S.

- C. **Development Standards in Zones A-2 and M-1.** The following regulations shall apply to oil wells located in Zones A-2 and M-1:
1. **Prohibition.** No refineries or absorption plants are permitted in conjunction with an oil well.
  2. **Setback From Highway.** A well hole, derrick or tank shall not be placed within 20 feet of any public highway.
  3. **Setback From Residences.** No oil drilling shall be within 300 feet of any residence, except for a residence on the same land that is owned or leased by the person drilling the oil well.
  4. **Additional Standards for Setbacks Less than 500 Feet from Residences.** Drilling within 500 feet of one or more residences, except for a residence on the same land that is owned or leased by the person drilling the oil well, shall comply with the following standards:
    - a. All derricks used in connection with the drilling of the well shall be enclosed with fire-resistant and soundproofing material unless the heads of all families occupying any residence within 1,320 feet (one-quarter mile) of the drilling site, other than of a residence described at the beginning of this Subsection C.3, above, file a written waiver with the Commission or Hearing Officer;
    - b. All drilling and pumping equipment shall be operated by muffled internal-combustion engines or by electric motors;
    - c. Materials, equipment, tools or pipe used for either drilling or producing operations at the well hole shall not be delivered to or removed from the drilling site except between the hours of 8:00 a.m. and 6:00 p.m. of any day, except in the case of emergency.
  5. **Enclosures.** Any unattended earthen sump located within 1,320 feet of the nearest highway, or within 2,640 feet (one-half mile) of 20 or more residences shall be enclosed with a fence not less than five feet high, mounted on steel posts with not less than three strands of barbed wire around the top. Such fence shall be constructed of woven wire fencing or equivalent of not greater than six-inch mesh.
  6. **Roads.** When private roads to wells are constructed, that portion of such roads lying within 200 feet of an oiled or surfaced public highway, or of an existing residence, shall be oiled or surfaced.
  7. **Fire and Safety.** All drilling and producing operations shall conform to all applicable fire and safety regulations.

8. **Number of Tanks Allowed.** Not more than two production tanks, neither to exceed 1,000 barrels capacity, shall remain on the property following completion of production tests at each well; provided that this condition shall not restrict the maintenance of additional tanks for storage and shipping.
9. **No Public Nuisance.** All drilling and production operations shall be conducted in such a manner as not to constitute a public nuisance. Proven technological improvements in drilling and production methods shall be adopted as they may become, from time to time, available if capable of reducing factors of nuisance and annoyance.
10. **Signs.** Signs shall not be constructed, erected, maintained or placed on the property, or any part thereof, except those required by law or ordinance to be displayed in connection with the drilling or maintenance of the well.
11. **Toilet Facilities.** Suitable and adequate sanitary toilet and washing facilities shall be installed and maintained in a clean and sanitary condition at all times.
12. **Removal upon Completion or Abandonment.** The derrick used to drill any well hole or to repair, clean out, deepen, or re-drill any completed or drilling well, shall be removed within 90 days after completion or abandonment of any well.
13. **Restoration upon Abandonment.** Within 90 days after abandonment of any well, earthen sumps used in drilling or production, or both, shall be filled, and the drilling site restored as nearly as practicable to its original condition.
14. **Bonds.** Except as provided in Subsection C.15 below, a faithful performance bond of \$2,000.00 shall be filed with the Board for each well for the first five wells. Where more than five wells are drilled, \$10,000.00 in bonds shall be the total required of all oil operators. Either such bond shall include as obligees all persons who may be damaged or annoyed by such use, or a policy of insurance shall be filed with the Board having a maximum amount of recovery not less than the amounts required of a bond, directly insuring all persons who may be damaged or annoyed by such use.
15. **Assignment of Savings and Loan Certificates and Shares.** In lieu of the bond required by Subsection C.15, above, the oil well operator may deposit with the Clerk of the Board and assign to the County savings and loan certificates or shares equal in amount to the required amount of the bond. Such deposit and assignment shall comply with all the provisions and conditions of Section 4.36 (Assignment of Savings and Loan Certificates and Shares) of Title 4 of the County Code.
16. **Insurance Agreement.** If an oil well operator deposits and assigns savings and loan certificates and shares in lieu of filing the bond required by Subsection C.15,

above, and does not file with the Board the policy of insurance described in the same Subsection, the operator also shall file a written agreement with the Board that the County may satisfy, either in whole or in part from such certificates or shares, any final judgment, the payment of which would have been guaranteed by such bond or policy of insurance.

**D. Setbacks in Zones M-1.5, M-2, and M-2.5:** A Conditional Use Permit application is required if an oil well is located within 300 feet of any public school or park, or any Residential Zone or Zone A-1.

**E. Development Standards in Zone O-S.** All oil and gas drilling operations proposed in Zone O-S shall be located, developed, and operated in compliance with the following standards:

1. **Restrictions on Sumps.** On or after December 24, 1982, no person shall dig, excavate, construct or establish any open sump on any oil well site or at any other place in connection with the operation of any oil well approved pursuant to this Subsection D, except that sumps which are containerized or otherwise lined and covered to protect wildlife and groundwater are permitted.
2. **Uses Permitted.** Oil wells shall be limited to gas drilling operations, including accessory storage tanks and equipment.
3. **Additional Setbacks Less than 500 Feet from Sensitive Uses.**
  - a. If the proposed drilling is within 500 feet of a dwelling unit, hospital, school, rooming house, or other similar residential, educational or health care facility, the following standards shall apply:
    - i. All derricks used in connection with the drilling of the well shall be fully enclosed with fire-resistant and soundproofing material maintained in a serviceable condition;
    - ii. All engines or motors used in connection with the drilling of the well shall be either electric or adequately muffled to prevent the emission of sound, sparks or ignited carbon or soot; and
    - iii. All oil, gas, or other produced substances shall be transported from any site by buried pipeline, except that an alternative transport system may be approved with a Discretionary Site Plan Review application.
  - b. A well hole, derrick or tank shall not be placed within 300 feet of any dwelling unit, school or hospital or other similar residential, educational or health facility.

4. **Production.** Production tanks shall not exceed a capacity of 1,000 barrels per tank, nor total more than a capacity of 2,000 barrels per well.
5. **Refining Not Permitted.** Refining shall not take place on-site, except that normal production operations including the initial separation of oil, gas and water and the storage, handling, recycling and transportation of such materials is permitted.
6. **Noise, Odor and Vibrations.** Any machinery or equipment used in the production or processing of substances within the site shall be designed or housed and operated so that odor is limited to a minimum and so that noise and vibrations conform to the limits as specified in Chapter 12.08 (Noise Ordinance) in Title 12 (Environmental Protection) of the County Code.
7. **Containment.** Adequate measures shall be designed and constructed to insure containment of spills. For operations outside of established oil fields, the Commission or Hearing Officer may require additional measures if a spill may potentially affect a Significant Ecological Area or a similar natural resource area.
8. **Equipment Storage.** Accessory tanks and equipment shall be stored within the fenced or walled area of the site. Any other equipment that is not essential to the daily operation of the oil well located on the site shall not be stored on the site.
9. **Discharge.** All oilfield waste shall be discharged into a suitable container for removal from the site.
10. **Roads.** All private access roads leading off any surfaced public street or highway shall be paved with asphalt or concrete not less than three inches thick for the first 50 feet of the access road from the public street or highway. The remainder of the access road shall be wet down during use, oiled, hard-surfaced, or maintained in such other fashion to limit dust.
11. **Fences and Walls.** Fences or walls in compliance with Chapters 11.46 and 11.48 in Title 11 (Health and Safety Code) of the County Code is required. Such fence shall enclose all drilling equipment or machinery, tanks and vehicular parking.
12. **Signs.** No signs shall be placed, constructed or used on the drilling site except those required for public safety, and except those required by law or ordinance to be displayed in connection with the drilling or maintenance of any well.
13. **Screening.** All visible structures shall be painted or otherwise surfaced with a color compatible with the surrounding area.
14. **Landscaping.** A landscaping plan indicating the size, type and location of all vegetation to be planted, as well as topographic features and irrigation facilities,

- shall be submitted for review and approval by the Director. A phasing plan indicating the time schedule of planting shall be submitted in conjunction with the landscape plan. The plan shall show the placement of all trees and shrubs plantings around the perimeter of the property for screening of the operations from adjoining or adjacent public streets or highways or Residential Zones. If the oil wells, equipment and facilities are effectively screened from view due to their isolation or with existing trees and shrubs or by intervening topography to the satisfaction of the Director, such may be used in lieu of required landscaping.
15. **Toilet Facilities.** Suitable and adequate sanitary toilet and washing facilities shall be installed on-site, and shall be maintained in a clean and sanitary condition at all times.
  16. **Maintenance.** The drilling site and access to the site shall be maintained in a neat and orderly fashion.
  17. **Abandonment.** Within 90 days from the date of abandonment, the oil well site shall be cleared of all equipment and restored as nearly as practicable to its original condition.
  18. **Other Regulations.** The drilling operation and development of the site shall be compatible with all other applicable laws, ordinances, and regulations.
  19. **Bonding.** A faithful performance bond, cashier's check, or certificate of deposit of \$5,000.00 shall be filed with the Board of Supervisors for each well drilled; or at the election of the applicant, \$25,000.00 for five or more wells. Such bond, cashier's check, or certificate of deposit shall be executed in favor of the County to cover all costs of rehabilitating the drilling site after abandonment of the well in the event of a failure to rehabilitate the site.

## 22.106.410 Outdoor Dining

- A. **Applicability.** This Section applies to restaurants with outdoor dining in Zones C-H, C-1, C-2, C-3, C-M, C-R and M-1.
- B. **Walls.** Where areas are used for outside eating, drinking, or assembly within 75 feet of a Residential or Agricultural Zone, a solid masonry wall between five and six feet in height shall be required along the lot lines adjoining said zones, except that:
  1. Where such wall is located within 10 feet of any alley, street, parkway or highway and would interfere with the line-of-sight of the driver of a motor vehicle leaving the property on a driveway, or moving past a corner at the intersection of two streets or highways, said wall shall not exceed a height of 42 inches, and

2. The Director may approve substitution of a decorative fence or wall, where, in his opinion, such fence or wall will adequately comply with the intent in Subsection B.1, above, and any required application findings.
- C. **Lighting.** Lighting shall be so arranged to prevent glare or direct illumination in any Residential or Agricultural Zone.
- D. **Awnings.** All awnings shall conform to the requirements in Title 26 (Building Code) of the County Code for roof coverings.
- E. **Music.** There shall be no amplified sound or music in the outdoor dining area.
- F. **Fencing.** A 42-inch high wall, fence or hedge, or a five-foot wide landscaped area shall be established along the outside eating, drinking and assembly area adjoining any public sidewalk, street or highway except where all of the tables and chairs are removed daily.
- G. **Additional Standards.** All applicable provisions of Title 11 (Health and Safety Code) of the County Code shall be observed in all areas of the restaurant.

#### 22.106.420 Outdoor Display

- A. **Applicability.** This Section applies to outdoor display in all zones were permitted.
- B. **Development Standards.** All display shall be located entirely within an enclosed building, except for the following uses:
  1. **Zone C-H.** In Zone C-H:
    - a. Carnivals, temporary.
    - b. Crops—field, tree, bush, berry and row, including nursery stock.
    - c. Holiday and seasonal sales per Section 22.106.280 (Holiday and Seasonal Sales).
    - d. Restaurants and other eating establishments including food take-out subject to Section 22.106.410 (Outdoor Dining).
  2. **Zones C-1 and C-2.** In Zones C-1 and C-2:
    - a. All uses listed in Subsection B.1, above.
    - b. Automobile sales, limited to automobiles and trucks under two tons held for sale or rental only.
    - c. Automobile service stations, limited to automobile accessories and facilities necessary to dispensing petroleum products only.

- d. Electric distribution substations.
  - e. Gas metering and control stations, public utility
  - f. Parking lots.
3. **Zones C-3, C-M, and Industrial Zones.** In Zones C-3, C-M, M-1, M-1.5, and M-2:
- a. All uses listed in Subsection B.2, above.
  - b. Amusement rides and devices, including merry-go-rounds, Ferris wheels, swings, toboggans, slides, round-tumbling and similar equipment.
  - c. Boat sales and rentals.
  - d. Box and utility trailer sales.
  - e. Carnivals, commercial, including pony rides.
  - f. Mobilehome sales and rentals.
  - g. Recreational vehicle sales and rentals.

**C. Exceptions.**

- 1. In Zones C-3, C-M, and all Industrial Zones, outdoor display may be enclosed from view from the exterior boundary of the lot, in compliance with Section 22.106.430 (Outdoor Storage).
- 2. Outdoor display for uses other than those listed in Subsection B, above, may be authorized by a Chapter 22.152 (Special Event Permits).

**22.106.430 Outdoor Storage**

- A. **Applicability.** This Section applies to outdoor storage in Zones C-3, C-M, M-1, M-1.5, M-2, and M-2.5.
- B. **Zones C-3 and C-M.** This Subsection B applies to outdoor storage in Zone C-3 and C-M.
  - 1. Any outdoor area used for storage shall be completely enclosed by a solid masonry wall and solid gate which shall be between five and six feet in height, except:
    - a. The Director may approve the substitution of a fence or decorative wall where such wall or fence is deemed in compliance with the provisions of this Subsection B.

- b. A request for substitution shall require a Discretionary Site Plan Review application.
  2. Outside storage is permitted on the rear of a lot when such storage is strictly incidental to the permitted use existing in a building on the front portion of the same lot.
  3. The storage enclosure shall be at least 50 feet away from the front property line.
  4. The height of stored items shall not exceed the enclosure surrounding it.
- C. **Industrial Zones.** This Subsection C applies to outdoor storage in all Industrial Zones.
  1. **Exemptions.** The following uses are exempt from this Subsection C:
    - a. Automobile dismantling, junk and salvage yards which shall instead be subject to the standards in Section 22.106.120.
    - b. Automobile and trucks sales and rentals.
    - c. Automobile service stations, limited to automobile accessories and facilities necessary to dispensing petroleum products only.
    - d. Boat sales and rentals.
    - e. Box and utility trailer sales and rentals.
    - f. Crops – field, tree, bush, berry and row, including nursery stock.
    - g. Mobilehome sales.
    - h. Parking lots.
    - i. Recreational vehicle sales.
    - j. Scrap metal processing yards, which shall instead be subject to the standards in Section 22.106.510.
  2. **Fences and Walls Required.** Unless modified by Subsection C.3, below, a fence or wall is required to screen areas approved for outside storage from view from the public right-of-way and from Residential, Agricultural, and Commercial Zones, and shall conform to the following standards:
    - a. **Height.** All fences and walls shall be of uniform height and shall be between eight and 15 feet in height. Where fences or walls exceed a height of 10 feet and are located on street or highway frontages, they shall be set back at least

three feet from the lot line. The area between the fence or wall and the street-facing lot line shall be fully landscaped according to Subsection C.4, below.

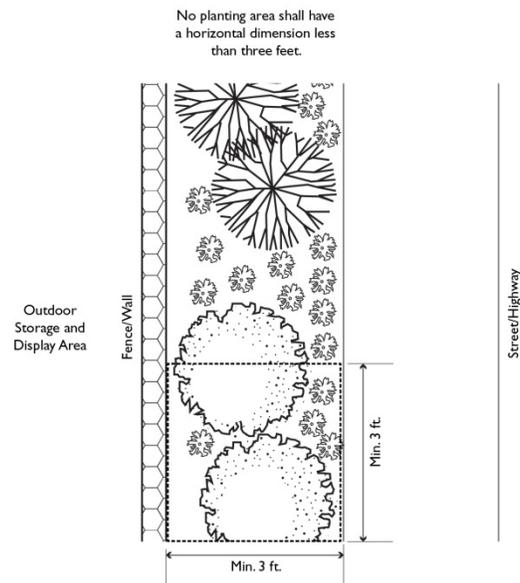
- b. *Materials.* All fences and walls open to view from any street or highway or from any Residential, Agricultural, or Commercial Zone shall consist solely of new materials. The Director may approve the substitution of used materials that will provide the equivalent in service, appearance and useful life. All such fences and walls shall be constructed of the following materials:
    - i. Metallic panels, at least .024 inches thick, painted with a “baked on” enamel or similar permanent finish;
    - ii. Masonry; or
    - iii. Other comparable materials approved by the Director, subject to Subsection C.2.c, below.
  - c. *Alternative materials.* Required fences that are not open to view from any street or highway or from any Residential, Agricultural or Commercial Zone may be constructed of material other than as specified in Subsection C.2.b, above, if constructed and maintained in accordance with this Subsection C.
  - d. *Color.* All fences and walls, excluding masonry and permanent-finish panels, shall be painted a uniform, neutral color, excluding black, that blends with the surrounding terrain.
  - e. *Maintenance.* All fences and walls shall be maintained free of graffiti, debris and disrepair.
  - f. *Signage.* No portion of the wall or fence shall be used for advertising or display purposes except for the name and address of the firm occupying the property, and such identification sign shall not consist of an aggregate area in excess of 30 square feet.
  - g. *Structures.* Any structures which are used as part of the yard boundaries or are exposed to view from a street or highway frontage shall be subject to painting, maintenance and sign requirements for fences and walls as provided in Subsections C.2.d and C.2.e, above.
3. ***Modification of Fences or Walls—Conditions.***
- a. The Director may modify standards for fences or walls not open to view from any street or highway, or within any Residential, Agricultural, Mixed Use, or Commercial Zone with a Discretionary Site Plan Review application:

- i. Where adjoining property is located in an Industrial Zone and is developed with another outside storage use; or
  - ii. Where substantial fences, walls or buildings are located adjacent to lot lines on surrounding property that serve to enclose such yard as well or better than the wall or fence required by this Subsection C.
- b. Should the use, fence, wall or building providing justification for such modification be removed, such wall or fence shall be provided in compliance with this Section within six months from the date of such removal.

**4. Landscaping Requirements.**

- a. All required fences or walls that are open to view from any public street or highway, or from any Residential, Agricultural or Commercial Zone, shall be provided with at least one square foot of landscaping for each linear foot of such frontage, and this landscaping shall meet the following standards:
  - i. Landscaping shall be distributed along the street or highway frontage in accordance with a site plan approved by the Director.
  - ii. No planting area shall have a horizontal dimension of less than three feet as shown in Figure 22.106.430-A, below:

**FIGURE 22.106.430-A: MINIMUM PLANTING AREA DIMENSION**



- iii. Landscaping shall be maintained in a neat, clean and healthful condition, including proper pruning, weeding, removal of litter, fertilizing and replacement of plants when necessary.

- iv. A permanent watering system shall be provided that satisfactorily irrigates all planted areas. Where the watering system consists of hose bibs alone, these bibs shall be located not more than 50 feet apart within the required landscaped area. Sprinklers used to satisfy the requirements of this Subsection C.4 shall be spaced to assure complete coverage of the required landscaped area.
  - b. The Director may approve alternative methods of providing landscaping where the criteria established above would cause unnecessary hardship or constitute an unreasonable requirement and an alternative plan will, in his opinion, provide as well or better for landscaping within the intent of this Subsection C.4.
5. **Storage Restrictions.** All portions of outside storage areas shall have adequate grading and drainage and shall be continuously maintained. All raw materials, equipment or finished products that are stored or displayed outdoors shall conform with the following standards:
- a. They shall not be stored above the height of the fence or wall within 10 feet of the fence or wall;
  - b. They shall be stored in such manner that it cannot be blown from the enclosed storage area; and
  - c. They shall not be placed or allowed to remain outside the enclosed storage area.

#### 22.106.440 **Parking as a Transitional Use**

- A. **Applicability.** This Section applies to parking as a transitional use in Zones R-1, R-2, R-3, R-4, R-A, A-1, A-2 and R-R.
- B. **Location.** The lot to be used for transitional parking shall adjoin or be separated by an alley from a property with a qualifying zone. Qualifying Zones include: C-1, C-2, C-3, C-M, CPD, M-1, D-2, M-1.5, MPD, M-2, M-2.5, M-3, B-1 and B-2.
- C. **Distance.** Parking shall be limited to an area within 100 feet from the boundary of a property with a qualifying zone.
- D. **Access.** The area developed with parking shall have direct vehicular access to an improved public street, highway, alley, or to the property with a qualifying zone.
- E. **Requirements.** The lot developed with transitional parking, including access, shall:
  - 1. Have a side lot line adjoining, or separated only by an alley, for a distance of not less than 50 feet, from the property with a qualifying zone; or

2. Have a rear lot line adjoining or separated only by an alley from the property with a qualifying zone, provided that a Parking Permit (Chapter 22.138) has been approved.
3. Where the lot referred to in Subsection E.1, above, has a width less than 100 feet, additional lots may be considered for parking provided:
  - a. They have successive contiguity on side lot lines with the first lot described in Subsection E.1, above;
  - b. That in no event shall the total area developed for parking extend more than 100 feet from the property with a qualifying zone; and
  - c. That all area extending from the subject property is developed for parking.
- F. **Length.** The side lot line of the lot developed with parking shall not exceed the length of the lot line common to the property with a qualifying zone. The Director may modify this provision to the extent permitted in Subsection E, above.
- G. **Area Requirements.** Any remaining portion of a lot developed with parking shall contain not less than the required area or width.
- H. **Design.** Parking shall be developed in accordance with the provisions of Section 22.80.100 (Vehicle Parking Area Design), except that the required portion of the front yard, where required by the zone, shall be landscaped.
- I. **Limitations.** Parking shall be limited to motor vehicle parking lots exclusively and shall exclude vehicles over two tons rated capacity.

#### 22.106.450 **Plant Nurseries, Retail**

- A. **Applicability.** This Section applies to retail plant nurseries in Zones A-1, A-2, R-R, and SR-D.
- B. **Minimum Site Area.** Retail plant nurseries shall have a minimum site area as specified:
  1. Zone SR-D: No minimum size.
  2. Zone A-1, A-2, and R-R: Five acres.
- C. **Products for Sale.** Products offered for sale shall be limited to nursery stock and related materials incidental to the planting, care and maintenance of plants, including fertilizer, pesticides, seeds, and planting containers, but shall exclude general building materials, hardware, the sale and rental of tools other than for soil preparation, and general landscaping.

D. **Enclosure.** All storage, display and sale of products other than nursery stock shall be conducted within a completely enclosed building or within an area enclosed by a solid wall or fence and gate between five and six feet in height.

E. **Storage.** No storage shall be higher than the enclosure surrounding the nursery.

#### 22.106.460 **Produce Stands**

A. **Applicability.** This Section applies to produce stands as an accessory use in Zones A-1, A-2, and O-S.

B. **Products for Sale.** Produce stands, including other on-site retail sales, may be used as an accessory use to crop production, small animal raising, or community gardens. All products displayed or sold shall be lawfully grown or produced on the subject lot.

C. **Minimum Site Area.** There shall be a minimum lot size of one gross acre.

D. **Maximum Floor Area.** The stand shall have a maximum floor area of 300 square feet.

E. **Location.** The stand shall be a minimum of 20 feet from any street or highway that the lot fronts or from any adjacent residences.

F. **Materials.** The stand, except for the floor, shall be exclusively of wood-frame construction.

#### 22.106.470 **Real Estate Tract Offices**

A. **Applicability.** This Section applies to real estate tract offices, as a temporary use, in Zones R-1, R-2, R-3, R-4, R-A, A-1 and A-2.

B. **Approval Period.** Real estate tract offices may be approved for a period of up to two years. The Director may, upon a showing of need by the owner of the property, extend the permitted time beyond two years.

C. **Location.** Real estate tract offices are permitted in a residential development for the initial sale of lots within that development. The office may be located within a new residence that is part of the development or within a temporary building.

D. **Restriction.** Real estate tract offices shall not be used to conduct general real estate business for properties outside of the residential development.

E. **Removal of Building or Structure.** If a temporary building is used for this purpose, upon termination of the use or time period specified in the permit, it shall be either removed or restored for a use permitted in the zone where located.

#### 22.106.480 **Recreation Clubs and Facilities – Neighborhood, Commercial, and Private**

A. **Uses.** Recreation clubs and facilities may include tennis, polo, swimming, and similar recreational activities, together with related accessory uses, unless as otherwise specified in this Section.

**B. Neighborhood Recreation Facilities.**

1. **Applicability.** This Subsection B applies to neighborhood recreation facilities in Zones R-1, R-2, R-3, R-4 and R-A.
2. **Development Standards.** A neighborhood recreation facility, if not accessory to a principal use, shall be operated as a non-profit corporation limited to the use by the surrounding residents in a neighborhood. This provision shall not be interpreted to permit commercial enterprises.

**C. Commercial and Private Recreation Clubs.**

1. **Applicability.** This Subsection C applies to commercial and private recreation clubs in all zones where permitted.
2. **Development Standards.** Where authorized by an approved Conditional Use Permit, a commercial or private recreation club may include a pro shop, clubhouse, restaurant and bar as accessory uses, except as noted below:
  - a. **Zone C-H.** In Zone C-H, only the following are permitted as accessory uses to a private recreation club:
    - i. Pro shop;
    - ii. Restaurant, and/or
    - iii. Bar.
  - b. **Zone SR-D.** Recreational facilities may be provided as an accessory use for employees of an established use permitted in Zone SR-D, according to the following:
    - i. **Permitted.** Where no structure is established which requires a building permit pursuant to Title 26 (Building Code) of the County Code.
    - ii. **Conditional Use Permit.** A Conditional Use Permit application is required if any part of the recreational facilities requires a building permit pursuant to Title 26 (Building Code) of the County Code.
  - c. **Zone O-S.** A private recreation club may be established in Zone O-S according to the following standards:
    - i. Activities shall be limited to hunting, shooting, fishing and/or boating.

- ii. Adequate land and/or water facilities shall be provided to accommodate the recreational activity for which such club is organized. In no event shall the recreation club be less than five acres in size.
- iii. Where specifically designated a part of an approved Conditional Use Permit, such use may include a restaurant and bar as accessory uses.

## 22.106.490 Recreational Vehicle Parks

- A. **Applicability.** This Section applies to recreational vehicle parks in Zones A-1, A-2, D-2, C-R, R-R, O-S and W. The Commission or Hearing Officer, in granting the Conditional Use Permit, may impose additional conditions relating to park perimeter walls or enclosures on public street frontage, signs, access, and vehicle parking, may prohibit certain uses from recreational vehicle parks, but may not modify any of the following standards listed in this Section, except as otherwise provided in this Section and/or pursuant to the provisions of Chapter 22.148 (Variances).
- B. **Development Standards.**
  1. **Signs.** Signs shall be subject to the provisions of Chapter 22.84 (Signs), except that in lieu of business signs standards as listed in said Chapter, one freestanding or roof business sign not exceeding 20 square feet in sign area, or 40 square feet in total sign area, shall be permitted at a location approved by the Commission or Hearing Officer.
  2. **Maximum Duration of Occupancy.** Occupancy by any one occupant or party shall be limited to 90 consecutive days in any six-month period.
  3. **Area.** The recreational vehicle park shall have an area of not less than five acres.
  4. **Fire Protection.** Notwithstanding any provision of State law, the Commission or Hearing Officer may require amenities or conditions in accordance with Title 32 (Fire Code) of the County Code, that the Fire Department deems necessary to protect life and property, including but not limited to fire hydrant systems, water supply, fire equipment access, posting of fire equipment access, parking, lot identification, weed abatement, debris abatement, combustible storage abatement, and burglar bars.
  5. **Prohibitions.**
    - a. A recreational vehicle park shall have no permanent residency or dwelling units except that of a caretaker, a manager or employees responsible for maintaining or operating the property, as permitted by the zone and authorized by the Commission or Hearing Officer as part of the Conditional Use Permit.

- b. Facilities within the recreational vehicle park shall be used only by the occupants of the park, except where otherwise authorized by the Conditional Use Permit.
  - c. No commercial uses are allowed, except those permitted by the zone and authorized by the Conditional Use Permit. This Subsection does not prohibit accessory uses where authorized by the permit, including, but not limited to, areas for the storage of unoccupied recreational vehicles.
6. **Zone O-S.** A recreational vehicle park may be permitted only in conjunction with a principal use permitted in Zone O-S.
7. **Compliance with Other Regulations.** Approval of a Conditional Use Permit application for a recreational vehicle park shall not relieve the applicant and his successors in interest from complying with all other applicable statutes, ordinances, rules and regulations.

#### 22.106.500 Rehabilitation Facilities for Small Wild Animals

- A. **Applicability.** This Section applies to rehabilitation facilities for small wild animals as an accessory use in Zones R-1, R-A, A-1, and A-2.
- B. **Licensing.** The animals shall be cared for by a licensed rehabilitator who shall be a resident of a single-family residence on the subject lot.
- C. **Type of Animals Allowed.**
1. The animals shall be indigenous to Los Angeles County and shall weight no more than 30 pounds.
  2. Coyotes, bobcats, deer, mountain lions, bears and other similarly dangerous animals shall not be allowed,
  3. The allowable number of animals shall be as follows:
    - a. For lots with at least 10,000 square feet of area, up to 20 animals;
    - b. For lots of 7,500 to 9,999 square feet of area, up to 16 animals;
    - c. For lots of 6,000 to 7,499 square feet of area, up to 12 animals; and
    - d. For lots of 5,000 to 5,999 square feet of area, up to 6 animals.
  4. The Commission or the Director, after consultation with the Departments of Animal Care and Control and Public Health, may allow a higher number of animals than the numbers specified in Subsection C.3, above.

- D. **Authorization.** The facilities shall only be authorized for as long as the applicant maintains a continuously valid permit and Memorandum of Understanding from the California Department of Fish and Wildlife, or in the case of wild migratory birds, a valid permit from the U.S. Department of Fish and Wildlife.

### 22.106.510 Rental Services

- A. **Applicability.** This Section applies to rental services in Zone C-2.
- B. **Products Permitted for Rental:**
1. Furniture and appliances;
  2. Hospital equipment and supplies;
  3. Party equipment; and
  4. Tools, including rototillers, power mowers, sanders and saws, cement mixers, and other similar equipment, but excluding heavy machinery or trucks.
- C. **Development Standards.** Rental services shall maintain a commercial appearance by providing office or window display space across any side of the building with street or highway frontage. Office or window display space shall have a minimum depth of 10 feet.

### 22.106.520 Residential Care Facilities

- A. **Applicability.** This Section applies to residential care facilities in Zones R-1, R-2, R-3, R-4, R-A, A-1, and A-2.
- B. **Types of Facilities.** Residential care facilities include adult residential facilities, group homes for children, small family homes for children, and foster family homes, as these uses are defined in Section 1500, et al., of the California Health and Safety Code. Facilities that house six or fewer persons do not need any planning approval if located in a zone where a single-family residence is permitted, but they shall be licensed by the State in order to operate.
- C. **Location.** A proposed residential care facility, licensed by the State, shall be located no closer than 300 feet from an established residential care facility unless a Ministerial Site Plan Review application is approved. Foster family homes and residential care facilities for the elderly, or persons over 62 years of age are exempt from this location requirement.

### 22.106.530 Scrap Metal Processing Yards

- A. **Applicability.** This Section applies to scrap metal processing yards in Zone M-2.

- B. Enclosure.** All operations and storage, including all equipment used in conducting such use, other than parking, shall be conducted within an enclosed building or within an area enclosed by a solid wall or solid fence.
- C. Fences and Walls.** Where fences or walls are provided they shall be developed as follows:
1. All fences and walls shall be of a uniform height in relation to the ground upon which they stand, and shall be between 8 and 15 feet in height. Where fences or walls exceed a height of 10 feet and are located on street or highway frontages, they shall be set back at least three feet from the lot line. The area between the fence and the lot line shall be fully landscaped according to the specifications hereinafter described in Subsection F, below.
  2. All fences and walls open to view from any street or highway or any area in a Residential, Agricultural, or Commercial Zone shall be constructed of the following materials:
    - a. Metallic panels, at least 0.024 inches thick, painted with a “baked on” enamel or similar permanent finish;
    - b. Masonry;
    - c. Other materials comparable to the foregoing if approved by the Review Authority.
  3. Other required fences may be constructed of material other than as specified in Subsection C.2, above.
  4. All fences and walls shall be constructed in workmanlike manner and shall consist solely of new materials unless the Review Authority approves the substitution of used materials where, in his opinion, such used materials will provide the equivalent in service, appearance and useful life.
  5. All fences and walls, excluding masonry and approved permanent-finish panels, shall be painted a uniform, neutral color, excluding black, which blends with the surrounding terrain, and improvements shall be maintained in a neat, orderly condition at all times. Such fence or wall shall contain no painted signs or posters except as approved by the Review Authority.
  6. Any structures which are used as part of the yard boundaries and/or are exposed to view from a street or highway frontage shall be subject to painting, maintenance and sign requirements for fences and walls as provided in Subsection B.5, above. The Review Authority may approve other appropriate architectural treatment.

**D. Modification to Fences and Walls.** The Review Authority may modify fences or walls required by Subsection C, above, when said fences or walls are not exposed to view from any street or highway or any area in a Residential, Agricultural or Commercial Zone:

1. Where adjoining property is located within Zones M-2 or M-3, and is developed with an automobile dismantling yard, junk and salvage yard, scrap metal processing yard, or other open storage use displaying similar characteristics; or
2. Where substantial fences, walls or buildings are located adjacent to property lines on surrounding properties which serve to enclose such yard as well or better than the wall or fence required herein. Should the use, fence, wall or building providing justification for such modification be removed, such wall or fence shall be provided in compliance with this Section within six months from the date of such removal.

**E. Pavement.**

1. All areas of the yard open to vehicular passage shall be paved with an asphalt surfacing or an oil and aggregate mixture to prevent emission of dust or tracking of mud onto public rights-of-way; provided, however, the Review Authority may approve other paving materials which provide, in its opinion, the equivalent in service and useful life.
2. Areas designated for storage or otherwise restricted to vehicular passage shall be indicated on the plot plan and be so maintained unless surfaced as provided herein.

**F. Landscaping.**

1. At least one square foot of landscaping shall be provided for each linear foot of street or highway frontage, and said landscaping shall be developed in accordance with a site plan which complies with the following criteria:
  - a. Landscaping shall be distributed along said frontage in accordance with the site plan approved by the Review Authority.
  - b. No planting area shall have a horizontal dimension of less than three feet.
  - c. A permanent watering system or hose bibs shall be provided which satisfactorily irrigates all planted areas. When hose bibs are utilized, they shall be so located as to permit the watering of planted areas with a 50-foot hose.
  - d. All landscaped areas shall be continuously and properly maintained in good condition.

2. In existing yards, the Review Authority may approve alternative methods of providing landscaping where the criteria provided herein would cause unnecessary hardship or constitute an unreasonable requirement and an alternative plan will, in its opinion, provide as well or better for landscaping within the intent of this provision.

**G. Storage Limitations.**

1. Salvage or junk:
  - a. Shall not be placed or allowed to remain outside of the enclosed yard area;
  - b. May be stored above the height of the fence or wall, provided such storage is not within 10 feet of an exterior lot line.
2. Where the land upon which the yard is located is in Zone M-3, and such storage above said fence or wall is not within 500 feet of any other zone, the 10-foot setback shall not apply.

**H. Modification.** Notwithstanding Subsection D, above, modification to the standards and requirements of this Section may be approved if a Variance is granted pursuant to Chapter 22.156.

**I. Compliance With Other Regulations.** The standards of development for such yards as set forth in this Section shall not relieve the proprietors of such yards from complying with all regulations, laws and ordinances of the County of Los Angeles and the State of California.

**22.106.540 Second Units**

**A. Purpose.** This Section is to provide for the development of second units in Residential and Agricultural Zones with appropriate development restrictions, pursuant to Section 65852.2 of the California Government Code. Nothing in this Section shall preclude the development of multiple single-family residences pursuant to Title 21 (Subdivisions) of the County Code in lieu of and as an alternative to the procedures set forth in this Section and Section 65852.2 of the California Government Code.

**B. Applicability.**

1. This Section applies to second units in all zones where permitted.
2. All regulations of the zone and any supplemental district or specific plan in which the second unit is located shall apply, except as follows:

- a. Where the regulations within this Section are contrary to regulations established by any zone, district, or specific plan, the more restrictive regulation shall apply;
  - b. Notwithstanding Subsection B.2.a, above, the parking requirements in Chapter 22.82 (Parking) for second units shall supersede those regulations established by any zone, district, or specific plan;
  - c. No zone, district, or specific plan regulation that requires discretionary review or hearing to establish a second unit shall apply; and
  - d. No zone, district, or specific plan regulation that prohibits a second unit shall apply.
- C. **Prohibited Areas.** A second unit is prohibited if any part of its building site is located:
1. Within a Significant Ecological Area;
  2. Within an Environmentally Sensitive Habitat Area, as shown on the sensitive environmental resources map of the Malibu Land Use Plan;
  3. On land with a natural slope of 25 percent or more; or
  4. Within the boundaries of a noise zone, as described in Section 22.58.020 (Noise Zone Boundaries).
- D. **Application Requirements.** A second unit is permitted in any area that is not prohibited under Subsection C, above, provided that the applicant obtains one of the following:
1. **Ministerial Site Plan Review.** A Ministerial Site Plan Review application is required if the second unit's building site is located:
    - a. Outside of a Very High Fire Hazard Severity Zone, as defined in Section 223-V of Title 32 (Fire Code) of the County Code; and
    - b. Within an area that is served by a public sewer system; and
    - c. Within an area that is served by a public water system.
  2. **Conditional Use Permit.** A Conditional Use Permit application is required if the second unit's building site, does not meet all of the location criteria described in Subsection D.1 above.
- E. **Use Restrictions.**

1. A second unit may be developed on a lot that contains not more than one single-family residence;
2. No more than one second unit is permitted on any lot;
3. A second unit may not be separately sold from the primary single-family residence on the same lot, but it may be used as a rental unit;
4. A second unit within an Equestrian District shall be located at least 35 feet from any side or rear property line, unless the unit is attached to and entirely within the outside horizontal dimensions of an existing single-family residence; and
5. A second unit shall not be permitted on a lot where either of the following exists:
  - a. A mobilehome or residence for use by a caretaker and his immediate family;  
or
  - b. A guest house.

F. **Development Standards.** A second unit shall comply with the following development standards:

1. **Single-Family Residence Standards.** A second unit shall comply with Section 22.106.560 (Single-Family Residences), except Section 22.106.560.B (Minimum Building Width) and Section 22.106.560.C (Minimum Floor Area) shall be superseded by this Subsection F.
2. **Street Frontage.** The lot on which the second unit is located shall take vehicular access from a street or highway with a right-of-way of at least 50 feet in width.
3. **Minimum Floor Area.** The minimum floor area shall be 220 square feet.
4. **Maximum Floor Area.** The maximum floor area shall vary depending on the location and size of the lot as follows:
  - a. In urban areas:
    - i. 600 square feet, for lots less than 6,000 square feet in size;
    - ii. 800 square feet, for lots between 6,000 square feet and 7,499 square feet in size;
    - iii. 1,000 square feet, for lots between 7,500 square feet and 9,999 square feet in size; and
    - iv. 1,200 square feet, for lots 10,000 square feet or larger in size.
  - b. In rural areas: 1,200 square feet.

5. **Height.** The maximum height of a second unit shall be as follows:
  - a. In urban areas:
    - i. 17 feet for detached units; and
    - ii. 20 feet for attached units, with the following exceptions:
      - (1) Any portion of the structure that is set back more than 20 feet from the front property line may have an additional foot in height for every additional foot of setback, up to a maximum of 35 feet in height; and
      - (2) Any portion of the structure that is set back more than five feet from the side property line may have an additional foot in height for every additional foot of setback, up to a maximum of 35 feet in height;
  - b. In rural areas: 35 feet.
6. **Minimum Lot Size.** The minimum size of a lot on which a second unit is developed shall be as follows:
  - a. In urban areas, a net area of 5,000 square feet, except that this standard shall not apply to an attached second unit that is added as a second story and is entirely within the outside horizontal dimensions of the existing structure; and
  - b. In rural areas, a gross area of one acre.
7. **Maximum Lot Coverage—Urban Areas.** In urban areas, the maximum lot coverage for all buildings shall be 40 percent.
8. **Required Yards—Rural Areas.** In rural areas, each lot on which a second unit is developed shall have front, side, and rear yards of not less than 35 feet in depth.

**G. Additional Development Standards.**

1. **Ministerial Site Plan Review.** In addition to the requirements in Subsection F, above, a second unit that requires a Ministerial Site Plan Review application shall comply with the following standards:
  - a. Verification by public sewer and public water purveyors, that the sewer and water facilities in the area are adequate to meet the demands of the second unit and all other properties served by the same sewer and water facilities;
  - b. If any portion of an exterior wall of the first story of the second unit will be located more than 150 feet from fire apparatus access, verification by the Fire

Department that there exists a fire apparatus access road, as provided in Section 902.2.1 of Title 32 (Fire Code) of the County Code;

- c. Evidence that the applicant is an owner-occupant of the single-family residence located on the same lot or parcel of land on which the second unit is proposed.
2. **Conditional Use Permit.** In addition to the requirements in Subsection F, above, a second unit that requires a Conditional Use Permit application shall comply with the following standards:
- a. *Application within a Very High Fire Hazard Severity Zone.* For a proposed second unit in a Very High Fire Hazard Severity Zone:
    - i. Preliminary verification, with conditions as applicable, by the Departments of Fire and Public Works that the existing single-family residence and second unit will be adequately protected against fire hazard; and
    - ii. For a second unit within 200 feet of a nature preserve, wildlife habitat, park, forest, or similar area, owned by a public agency or non-profit organization, conceptual approval by the Fire Department of a fuel modification plan that does not extend into these areas;
  - b. *Application in Area with No Public Sewer System.* For a proposed second unit within an area that is not served by a public sewer system, preliminary verification, with conditions as applicable, by the Department of Public Health that a private sewer system may be installed for the second unit in accordance with the guidelines of that department;
  - c. *Application in Area with No Public Water System.* For a proposed second unit within an area that is not served by a public water system, preliminary verification, with conditions as applicable, by the Departments of Fire, Public Health and Public Works that the existing or proposed water supply to the site will be adequate to serve, both the existing single-family residence and the second unit; and
  - d. *All Applications.* An assumption of risk, waiver of liability, and covenant not to sue by the applicant and the property owner, if different, and their successors for the County, its agents, officers, and employees, for damages resulting from approval of, or imposition of conditions on, a Conditional Use Permit application pursuant to this Section.
- H. **Covenant.** Any application for a second unit shall be submitted only by the owner-occupant of the single-family residence on the property where the second unit is proposed. Thereafter, either the single-family residence or the second unit shall be

owner-occupied in perpetuity. A covenant shall be filed with the Registrar-Recorder/County Clerk that states the owner-occupant agrees to the terms and also states that any violation thereof shall be subject to Enforcement Provisions (Chapter 22.184). This covenant shall run with the land.

- I. **Modification.** Modification to the requirements and standards in Subsection F, above, may be approved if a Variance is granted pursuant to Chapter 22.156.

### 22.106.550 **Secondhand Stores**

- A. **Applicability.** This Section applies to secondhand stores in Zone C-2.
- B. **Residential Uses Prohibited.** A residential use, accessory or otherwise, is prohibited on the same lot as a secondhand store, unless the residential use is within a mixed use development that has a secondhand store and otherwise complies with Section 22.106.360 (Mixed Use Developments).
- C. **Enclosure.** The areas of a secondhand store for donation drop-off, sorting, storing, and distributing shall be located entirely within an enclosed building.
- D. **Required Sign.** A secondhand store shall post one wall sign, with a minimum of one square foot and a maximum of four square feet of sign area, notifying the public that donation drop-offs to the secondhand store during non-business hours are prohibited. The sign area for this wall sign shall not be included in calculating the maximum wall sign areas permitted for the secondhand store under Section 22.84.090 (Wall Signs).

### 22.106.560 **Self-Service Storage Facilities**

- A. **Purpose.** This Section establishes comprehensive regulations to provide self-service storage facilities which are compatible with the surrounding community. The minimum development standards for self-service storage facilities are intended to protect property values, aesthetics, and the public health, safety and general welfare.
- B. **Applicability.** This Section applies to self-service storage facilities in Zones C-M and M-1.
- C. **Minimum Lot Area:** The minimum lot size shall be one acre, unless the Commission or Hearing Officer approves a smaller lot.
- D. **Resident Manager.**
  1. A resident manager shall be required at the facility, housed in a structure with an architectural style and exterior finish compatible with the other buildings on the subject property.

2. Failure to provide and maintain such a manager to ensure compliance with the provisions of this Section shall constitute a public nuisance and grounds for revocation of an approved Conditional Use Permit.

**E. Access and Circulation.**

1. Vehicular ingress and egress shall be limited to one point for each side of the subject property adjoining any street or highway, and shall conform to the Fire Department standards.
2. At least 40 feet of clear, unobstructed driveway depth shall be provided from the road to the primary access gate or principal entry point of the facility.
3. Interior driveway widths shall be at least 26 feet unless, due to the irregular shape or configuration of the lot under consideration, the Commission or Hearing Officer specifically authorizes a width less than 26 feet, if in conformity with Fire Department standards. A driveway providing access to storage units on one side only of the facility shall be not less than 20 feet in width.

**F. Parking and Loading.**

1. At least two covered parking spaces shall be provided adjacent to the manager's residence.
2. One parking space shall be provided for use by each employee in addition to the manager. Employee parking spaces shall be located adjacent to the manager's residence.
3. One standard parking space for each 7,000 square feet of gross floor area shall be provided, made conveniently accessible and arranged as not to obstruct any driveways or adversely affect vehicular ingress and egress to the facility.
4. Loading areas shall be provided in an amount sufficient to ensure that driveways remain unobstructed and conveniently accessible.

**G. Site Design.**

1. The architecture of the self-service storage facility, including, but not limited to fences, walls, gates, buildings and landscaping, shall, to the maximum extent possible, be compatible with the community.
2. Buildings shall be designed, located and screened so that the views of boat and vehicle storage, overhead doors, and the interior driveways within such facilities are not readily visible from adjacent streets.
3. No door openings for any storage unit shall be visible at ground level from any residentially zoned property.

#### H. Building Height and Lot Coverage.

1. Building height shall be approved by the Commission or Hearing Officer.
2. Total lot coverage by buildings shall not exceed 50 percent.

#### I. Setbacks.

1. **Front Yards.** All buildings and structures shall be set back a minimum of 10 feet from the front lot line, except where abutting a Residential Zone, where they shall be set back a minimum of 20 feet.
2. **Side and Rear Yards.** All buildings and structures in side and rear yards abutting a Residential Zone shall be set back as follows:
  - a. Single-story buildings, a minimum of 10 feet.
  - b. Two-story buildings, a minimum of 15 feet.
  - c. Three or more story buildings, a minimum of 20 feet.
  - d. In all other cases, the required setbacks in the side and rear yards shall be determined by the development standards of the zone in which the lot is located.

#### J. Landscaping and Screening.

1. All areas between required fences or walls and the lot lines that are not used for driveways shall be fully landscaped with lawn, shrubbery, trees or flowers.
2. In addition to Subsection J.1, above, for every 20 feet of street frontage of the subject property, a minimum of one 24-inch boxed tree shall be planted and continuously maintained.

#### K. Fences and Walls.

1. All fences or walls shall be constructed of materials such as textured masonry, concrete block, wood or other similar materials in order to assure an aesthetic visual effect to passers-by. No chain link fencing is permitted.
2. The design and materials used in the construction of fences and walls shall be compatible with the architecture of the buildings of the self-service storage facility and with buildings in the area surrounding the facility.
3. When the facility adjoins a residentially zoned property, a masonry or decorative block wall at least six feet in height shall be constructed along the property lines.

4. When the facility is across from or adjacent to a residentially zoned property, a masonry or decorative block wall or wrought iron fence at least six feet in height shall be constructed along the required setback line. The decorative side of the block shall face the residential area.
5. Exterior wall surfaces shall at all times be kept free from graffiti or any other marks of vandalism.
6. No fencing or walls shall be permitted in the required front yard area unless specifically authorized by the Commission or Hearing Officer.

**L. Outdoor Storage.**

1. The following may be stored outside of an enclosed building, in an area designated and approved for such outdoor storage, if such storage is permitted in the zone:
  - a. Boats;
  - b. Campers;
  - c. Passenger vehicles, as defined in Section 465 of Title 15 (Vehicle Code) of the County Code;
  - d. Recreational vehicles; and
  - e. Travel trailers.
2. Outdoor storage shall further comply with the following conditions:
  - a. Outdoor storage shall not be visible from any adjoining lot or from adjacent streets when viewed at ground level.
  - b. Outdoor storage is prohibited within required setback areas.
  - c. Any vehicle or piece of equipment stored shall not be permitted to exceed 15 feet in height, as measured from grade.
  - d. Areas proposed for outdoor storage within the facility shall be clearly indicated on the site plan and approved prior to the use of any such area for outdoor storage.

**M. Outdoor Lighting.** Outdoor lighting shall be shielded to direct light and glare only onto the premises of the facility. Such lighting shall be deflected, shaded, and focused away from all adjoining properties. Such lighting should not exceed an intensity of one foot-candle of light throughout the facility.

**N. Signs.** Notwithstanding Chapter 22.84 (Signs), the following standards apply:

1. Signage shall, to the maximum extent possible, be unobtrusive and harmonious with the surrounding area of the facility.
2. No signage shall appear or be permitted on any fences or walls unless specifically authorized by the Commission or Hearing Officer.
3. No signs, other than ground-mounted and monumental signs, shall be permitted in the required front yard, unless specifically authorized by the Commission or Hearing Officer.

**O. Public Restrooms.** A public restroom, as defined in Chapter 13.26 (Public Restrooms) in Title 13 of the County Code, shall be installed and be conveniently located on the site for use by customers. Said public restroom shall include separate facilities for men and women, each with toilets and sinks suitable for use by persons with disabilities, in accordance with applicable state regulations.

**P. Trash Receptacles.**

1. All such receptacles shall be placed within a masonry or decorative block wall enclosure of adequate height to preclude view of the receptacle. Said enclosure shall have a wooden or other type of opaque gate.
2. One four-cubic-yard trash receptacle and surrounding enclosure shall be provided as follows:
  - a. Between 0 to 60,000 gross square feet--one receptacle; or
  - b. Over 60,000 gross square feet--two receptacles.

**Q. Use Restrictions and Prohibitions.** In addition to those activities and uses that are prohibited in the zone in which the facility is proposed, the following uses and activities are prohibited, and each such prohibition is a mandatory condition of every approved Conditional Use Permit. Rental or lease contracts to each individual lessee shall include clauses in conspicuous print and clear language indicating these prohibitions:

1. Water, gas or telephone service to any rental space;
2. The public sale of any item from a rental space or within a self-service storage facility such as, but not limited to, auctions, commercial, wholesale or retail sales, or miscellaneous or garage sales, except as otherwise permitted by law;
3. The storage of any caustic, hazardous, toxic or flammable or explosive matter, material, liquid, or object;
4. The storage of any matter, material, liquid or object which creates or tends to create obnoxious or offensive dust, odor or fumes;

5. The construction, repair, servicing, renovating, painting or resurfacing of any motor vehicle, boat, trailer or other machine or implement including, but not limited to, furniture, toys, carpets, or similar equipment, objects or materials;
6. Any commercial, business, professional, industrial or recreational use or activity;
7. The establishment of a transfer and storage business;
8. Use of parking and loading spaces required by Subsection E, above, as rental storage space;
9. Human habitation of any rental space;
10. Animal boarding in any rental space; and
11. Utilization of any cargo shipping container or prefabricated shipping container on the subject property, unless specifically authorized by the Commission or Hearing Officer.

R. **Modification.** Modification to the standards and requirements in this Section may be approved if a Variance is granted pursuant to Chapter 22.156 (Variances).

#### 22.106.570 **Shared Water Wells**

- A. **Applicability.** This Section applies to shared water wells as an accessory use in Zones R-1, R-2, R-A, A-1 and A-2.
- B. **Additional Application Requirements.** In addition to the information required by Chapter 22.150 (Discretionary Site Plan Review with Notification), the applicant shall also provide the following information:
  1. **Description.** The legal description of each lot that will share the well.
  2. **Statement.** A detailed statement of:
    - a. The number and location of the dwelling units that will share the well and each of their existing and proposed uses. For purposes of determining the number of dwelling units that will share the well:
      - i. A primary unit, second unit, caretaker's residence (either conventional or mobilehome) and a senior citizen residence shall each be considered one dwelling unit; and
      - ii. A detached living quarters for use by temporary guests or servants, and an attached living quarters for guests or servant without a kitchen shall not be considered a dwelling unit.





- b. Will not be materially detrimental to the use, enjoyment, or value of the properties adjacent to the properties where the subject dwelling units are located;
  - c. Will not induce significant growth in the area surrounding the shared water well; and
  - d. Will not have a significant adverse effect on public services, facilities, and roads in the area surrounding the shared water well.
- E. **Conditions.** The Director may impose any conditions deemed appropriate to ensure that the use of the shared water well will be consistent with the findings in Subsection C, above, and will further the objectives of all other provisions of this Section, including, but not limited to, conditions requiring that:
1. Prior to the construction of the shared well, the applicant shall obtain all necessary permits and approvals from the Departments of Fire, Public Health and Public Works; and
  2. Prior to the use of the shared well, the documents described in Subsections B.5, B.6, and B.7, above, shall be recorded with the Registrar-Recorder/County Clerk and that such recorded documents shall constitute covenants running with the land for the benefit of the County.

## 22.106.580 **Single-Family Residences**

- A. **Applicability.** This Section applies to single-family residences in Zones R-1, R-2, R-3, R-4, R-A, A-1 and A-2.
- B. **Minimum Building Width.**
1. **Required Width.** A single-family residence shall be not less than 20 feet wide.
  2. **Exception to Required Width.** Notwithstanding Subsection B.1, above:
    - a. A single-family residence may be a minimum of 18 feet wide, if the lot is less than 26 feet in width.
    - b. In order to allow for flexibility and creativity of design, a single-family residence may be less than 20 feet wide, but not less than 12 feet wide, if the floor area, exclusive of appurtenant structures, is at least 900 square feet and the side or sides oriented toward a public street, highway or parkway have a dimension of at least 20 feet.
  3. **Additions.** Additions to a single-family residence are not restricted in width.

- C. **Minimum Floor Area.** A single-family residence shall have a floor area of not less than 800 square feet.
- D. **Roof Composition.** A single-family residence shall have a roof constructed with wood-shake, shingle, asphalt composition, crushed rock, or other similar roofing material in compliance with Title 26 (Building Code) of the County Code, except that reflective, glossy, and/or polished metal roofing is prohibited.
- E. **Exterior Siding.** A single-family residence shall have an exterior siding of brick, wood, stucco, metal, concrete or other similar material, except that reflective, glossy, polished and/or roll-formed type metal siding is prohibited.
- F. **Zone O-S.** In Zone O-S, a single-family residence may be developed only as an accessory use to a farm or ranch as principal use, with the approval of a Conditional Use Permit application.
- G. **Modification.** The standards listed in Subsections A through D may be modified by the approval of a Discretionary Site Plan Review application. The Director shall approve an application only after the applicant substantiates the following findings:
  - 1. Common Procedures. In compliance with Section 22.168.040 (Findings and Decision); and
  - 2. Findings.
    - a. That such modification would not be materially detrimental to the use, enjoyment, or value of property of other persons which is located in the vicinity of the residential site can be made; and
    - b. Any of the following findings can be made:
      - i. That such modification would be architecturally compatible with existing residences in the surrounding neighborhood, or
      - ii. That a proposed alteration or addition to an existing single-family residence will be a continuation of its existing architectural style, or
      - iii. That such modification is needed for safety reasons to comply with other applicable codes, laws, ordinances, rules, and regulations, or
      - iv. The site of the proposed single-family residence is sufficiently remote or screened so as to preclude the proposed modification from having a detrimental effect upon the surrounding area.

## 22.106.590 Tasting Rooms and Remote Tasting Rooms

- A. **Purpose.** This Section provides comprehensive standards for tasting rooms and remote tasting rooms, in order to facilitate the development of such agriculturally supportive businesses, while at the same time to minimize their potential impacts to surrounding uses.
- B. **Definitions.** Specific term(s) used in this Section are defined in Division 2 (Definitions), under “Tasting rooms and wineries.”
- C. **Applicability.** This Section applies to tasting rooms and remote tasting rooms in all zones where permitted.
- D. **Application Requirements.**
1. **Minor Conditional Use Permit.** A Minor Conditional Use Permit application is required for tasting rooms and remote tasting rooms, except as stated in Subsection D.2, below.
  2. **Conditional Use Permit.** A Conditional Use Permit application is required if:
    - a. The applicant requests a modification to any development or operating standard as set forth in Subsections F and G, below, for the tasting room or remote tasting room, including a request to allow the tasting room or remote tasting room to hold additional wine events, or to allow the on-site consumption of additional food items or additional types or qualities of alcohol, beyond what would otherwise be allowed by this Section.
    - b. The subject lot for where a proposed tasting room or remote tasting room is located is in:
      - i. A national recreation area or within one mile of a national recreational area;
      - ii. An area of undue concentration for alcoholic beverage sale establishments, as undue concentration is described in Section 22.106.030.C (Findings); or
      - iii. A high crime reporting district, as described in the California Alcoholic Beverage Control Act or the regulations as established under the Act.
- E. **Additional Application Requirements for Remote Tasting Rooms.** In addition to the materials required by the applications listed in Subsection D, above, when an application is filed in Zones A-1, A-2 or R-R for a remote tasting room, the applicant shall provide the following materials:

1. Maps showing the existing topography of the subject lot on which the remote tasting room is located, delineating all portions of such lot with a slope of 25 percent or greater; and
2. Site plans showing the location and area of the subject lot, or the adjoining lot as applicable, where the existing agricultural products that are under cultivation for the purpose of wine production are situated, as well as photographic evidence of such products.

F. **Operating Requirements.** Tasting rooms and remote tasting rooms shall comply with the following standards:

1. **Noise Control.** Tasting rooms and remote tasting rooms shall comply with the noise control provisions of Chapter 12.08 (Noise Ordinance) in Title 12 of the County Code.
2. **Employee Training.** Any employee who serves or sells alcoholic beverages in any tasting room or remote tasting room shall complete a responsible beverage service training program that meets the requirements of the California Alcoholic Beverage Control Act within 90 days of hire. Records of such training shall be kept and maintained on the tasting room or remote tasting room premises and shall be made available upon request by the Sheriff's Department or Department of Regional Planning.
3. **Tasting Amount.** Wine tastings shall be limited to the serving of no more than three ounces of wine per customer per day.
4. **Complimentary Food Items.** Complimentary food items customarily offered with wine tasting may be offered to customers, including but not limited to fruit slices, cheese, and crackers, provided that:
  - a. No advertisements for such food items shall be placed on any signage for the associated tasting room; and
  - b. Food items are prepared and offered in accordance with any and all regulations or requirements of the applicable government agencies regarding the preparation, licensing, and inspection of such food items.
5. **Packaged Food Sales.** Tasting rooms and remote tasting rooms may engage in the retail sale of packaged food for off-site consumption, including but not limited to jam, jellies, and olive oil, provided that:
  - a. The packaged food is produced from agricultural products grown on lots owned or leased by the holder of a Type 02 license issued by the California Department of Alcoholic Beverage Control;

- b. The associated winery's logo is permanently and prominently affixed to all such packaged food sold; and
  - c. The packaged food is prepared and offered in accordance with any and all regulations or requirements of the applicable government agencies regarding the preparation, licensing, and inspection of such packaged food.
6. **Incidental Merchandise Sales.** Tasting rooms and remote tasting rooms may engage in the retail sale of incidental merchandise, provided that the associated winery's logo is permanently and prominently affixed to all such items sold.
7. **Additional Standards for Tasting Rooms.** Tasting rooms in Zones A-1, A-2 and R-R shall also comply with the following additional standards:
- a. **Operating Hours.** Tasting rooms shall operate only between the hours of 10 a.m. and 7 p.m. every day.
  - b. **Noise.** A tasting room shall produce no external amplified sounds. Live music, both inside and outside the tasting room, is prohibited.
  - c. **Wine Events.** Tasting rooms may host wine events if a Special Event Permit is obtained pursuant to Chapter 22.152. Wine events may be hosted by the winery for its own financial gain, or for the financial gain of a private non-profit organization, as the term is defined in Section 23356.1 of the California Business and Professions Code.
8. **Additional Standards for Remote Tasting Rooms.**
- a. **Wine Events.** Remote tasting rooms in Zones C-1, C-2, C-3, C-M and C-R may hold a wine event without a Special Event Permit, provided that:
    - i. The wine event is limited to a maximum of 25 guests or customers;
    - ii. The remote tasting room holds no more than 20 wine events in any 12-month period; and
    - iii. A record of each wine event is maintained on the premises of the remote tasting room and is made available upon request by the Sheriff's Department or Department of Regional Planning.

## G. Development Standards.

### 1. Tasting Rooms.

- a. **Maximum Floor Area.** Tasting rooms shall not occupy more than 20 percent of the total floor area of the associated winery facilities, or 10,000 square feet, whichever is less.

2. **Remote Tasting Rooms.** In Zones A-1, A-2, and R-R, remote tasting rooms shall comply with the following:
  - a. **Lot Size.** The lot on which the remote tasting room is located shall have a minimum net area of two acres. For the purpose of this Subsection G.2, net area shall exclude any significant ecological area in addition to those areas excluded from the definition of net area in Division 2 (Definitions).
  - b. **Use of Lot.** Remote tasting rooms shall be permitted only:
    - i. On a lot containing existing agricultural products under cultivation for the purpose of wine production, provided that such agricultural products cover at least 50 percent of the net area of such lot; or
    - ii. On a lot adjoining a lot as described in Subsection G.2.b.i, above, that is owned or leased by the same person owning or leasing such adjoining property, provided that the owner or lessee records a covenant with the Registrar-Recorder/County Clerk, as approved by the Director prior to recordation, agreeing to continue to own or lease the adjoining lot for as long as the remote tasting room remains in operation, with any violation of said covenant being subject to Enforcement Provisions (Chapter 22.184).
  - c. **Access.** Remote tasting rooms shall provide access to the nearest public roadway to the satisfaction of the Departments of Fire and Public Works, and such access shall have a minimum width of 28 feet.
  - d. **Lot Coverage.** The lot coverage of a remote tasting room shall be a maximum of 15 percent of the net area of the lot on which it is located or 15,000 square feet, whichever is less.

## 22.106.600 Townhouses

- A. **Applicability.** This Section applies to townhouses in Zones R-1, R-2, R-A, A-1, and A-2.
- B. **Development Standards.**
  1. **Standards of Zone Apply.** A townhouse development shall be subject to all standards of the zone in which proposed except as otherwise provided in this Section and/or in a Conditional Use Permit in which density-controlled development is requested and approved.
  2. **Number of Townhouses.** The maximum number of townhouses that may be confined within a single building shall be specified as part of the approval. In the absence of a specified number, not more than six townhouses shall be so placed.

3. **Distance Between Buildings and/or Structures.** The required distance between buildings and/or structures shall be specified as part of the approval. In the absence of a specified number, the distance between buildings and/or structures in a townhouse development shall not be less than 10 feet.

C. **Conditions.** In approving a townhouse development, the Commission or Hearing Officer may impose conditions pertaining to the following:

1. **Yards.**

a. The Commission or Hearing Officer may modify any or all yard requirements of the zone wherein a townhouse development is proposed. In reaching its determination to modify the yard requirements and to what extent, the Commission or Hearing Officer shall base its decision on whether such modification will:

- i. Encourage design features promoting amenities equal to or better than a development plan incorporating required yards, and
- ii. Assist in integrating the proposed development in relation to location on the site and its relationship to the surrounding area.

b. Nothing in this Subsection C.1 shall be construed to prohibit the imposition of yard depths exceeding the minimum provided in the zone.

2. **Architecture.** The Commission or Hearing Officer may impose conditions governing the suitability of architecture as necessary to integrate the proposed development project within the proposed site and the surrounding area, including appearance of the proposed development from surrounding property.

D. **Modification.** Modification to the standards and requirements in this Section may be approved if a Variance is granted pursuant to Chapter 22.156.

## 22.106.610 **Wind Energy Conversion Systems, Noncommercial, and Temporary Meteorological Towers**

A. **Purpose.** The purpose of this Section is to:

1. Provide a uniform and comprehensive set of standards, conditions, and procedures for the placement of wind energy conversion systems, non-commercial (WECS-N), and temporary meteorological towers (Temp Met Towers) on agriculturally and residentially zoned lots;
2. Encourage the generation of electricity for on-site use, thereby reducing the consumption of electrical power supplied by utility companies;

3. Assure that such facilities are designed and located in a manner that minimizes visual and safety impacts on the surrounding community; and
4. Reduce significant regulatory barriers to the construction of WECS-N and Temp Met Towers.

**B. Applicability.** This Section applies to WECS-N, as an accessory use, and Temp Met Towers in Zones R-1, R-2, R-3, R-4, R-A, A-1 and A-2.

**C. Definitions.** Specific term(s) used in this Section are defined in Division 2 (Definitions), under "Wind energy conversion systems, noncommercial and temporary meteorological towers."

**D. Application Requirements.**

1. ***Temp Met Towers.***

- a. *Discretionary Site Plan Review.* A Discretionary Site Plan Review application is required for a Temp Met Tower.
- b. *Conditions of Approval.* In approving a Discretionary Site Plan Review application for a Temp Met Tower, the Director shall impose as conditions all applicable development standards as specified in this Section and any other conditions the Director determines to be necessary to ensure that such use will be in accordance with the findings.

2. ***WECS-N.***

- a. *Minor Conditional Use Permit.* A Minor Conditional Use Permit application is required for a WECS-N.
- b. *Findings.*
  - i. **Common Procedures.** Findings and decision shall be in compliance with Section 22.162.170 (Findings and Decision).
  - ii. **Findings.**
    - (1) This request addresses the State's goals for renewable energy;
    - (2) The proposed use complies with all applicable development standards specified in this Section, unless specifically modified as provided herein;
    - (3) The wind turbine generator is certified by a qualified, licensed engineer as meeting the requirements of wind turbine-specific safety or performance standards adopted by a national or international

standards-setting body, including, but not limited to IEC (International Electric Code) standard 61400-2;

- (4) The wind turbine generator has a manufacturer's warranty with at least five years remaining from the date the application is filed; and
- (5) The model of equipment proposed has a documented record of at least one year of reliable operation at a site with average wind speeds of at least 12 mph.

- c. **Modification.** If the applicant requests to modify any development standards, then the applicant shall substantiate to the satisfaction of the Commission or Hearing Officer that strict compliance with all of the required development standards would substantially and unreasonably interfere with the establishment of any proposed WECS-N in the subject property, and the requested modifications would not be contrary to the intent and purpose of this Section.
3. **Agency Review.** The Director shall distribute copies of the proposed site plan, elevation plan, and location map to aviation-related regulatory agencies and facilities with flight operations in the vicinity, as determined by the Director, such as the FAA, County Fire Department, Sheriff's Department, Edwards Air Force Base, and Air Force Plant 42, as applicable. Any comments received within 30 days of distribution will be considered in establishing conditions, as appropriate.
- E. **Exemptions.** This Section shall not apply to WECS-N and Temp Met Towers that were lawfully established prior to July 25, 2002, the effective date of this Section.
- F. **Development Standards.**
1. **Zone Regulations.** WECS-N and Temp Met Towers shall be subject to all applicable regulations of the zone in which they are proposed, except that the following standards shall take precedence over regulations of the zone to the extent that they differ from the regulations of the zone.
  2. **Minimum Lot Size.** The minimum lot size shall be 0.5 acres.
  3. **Maximum Tower Height.**
    - a. The tower shall not exceed a height of 35 feet above grade for lots less than one acre in size.
    - b. The tower shall not exceed a height of 65 feet above grade for lots from one acre to less than two acres in size.

- c. The tower shall not exceed a height of 85 feet above grade for lots two acres or greater in size.

4. **Location.**

- a. The minimum distance between a WECS-N or Temp Met Tower, excluding guy wires and their anchors, and any property line or road right-of-way, shall be the distance which is equivalent to the height of the facility, including any wind turbine generator, wind-measuring devices, and the highest vertical extent of any blades. The required distance shall also comply with any applicable fire setback requirements pursuant to Section 4290 of the California Public Resources Code.
- b. No part of a WECS-N or Temp Met Tower shall be located within or over drainage, utility, or other established easements, or on or over property lines.
- c. Safe clearance shall be provided between a WECS-N or Temp Met Tower and all structures and trees.

5. **Design.** A WECS-N or Temp Met Tower shall be designed and constructed in accordance with the following:

- a. **Colors.** The colors used in the construction materials or finished surface shall be muted and visually compatible with surrounding development.
- b. **Lighting.** A safety light that meets FAA standards shall be provided if requested by any of the flight safety agencies consulted. All safety lights, if required, shall be shielded from adjacent properties, and no other lights shall be placed upon the tower.
- c. **Climbing Apparatus.** All climbing apparatus shall be located at least 12 feet above the ground, and the tower shall be designed to prevent climbing within the first 12 feet.
- d. **Signs.** One sign, limited to 18 inches in length and one foot in height, shall be posted at the base of the tower. The sign shall include a note of no trespassing, a warning of high voltage, and the phone number of the property owner to call in the event of an emergency.
- e. **Displacement of Parking Prohibited.** The location of a WECS-N or Temp Met Tower shall not result in the displacement of required parking as specified in Chapter 22.82 (Parking).
- f. **Clearance of Blade Above Ground Level.** No portion of a WECS-N blade shall extend within 20 feet of the ground.

- g. **Automatic Overspeed Controls.** A WECS-N shall be equipped with manual and automatic overspeed controls to limit the blade rotation speed to within the design limits of the WECS-N.
- h. **Safety Wires.** Safety wires shall be installed on the turnbuckles on guy wires of guyed towers.
- i. **Noise.** Noise from a WECS-N shall not exceed 60 dBA SEL (single event noise level), as measured at the closest neighboring inhabited dwelling, except during short-term events such as utility outages and severe windstorms.
- j. **Visual Effects.**
  - i. No WECS-N shall be placed or constructed in such a way that it silhouettes against the skyline above any major ridgeline when viewed from any designated major, secondary, or limited secondary highway on the County Highway Plan, from any designated scenic highway, or from any significantly inhabited area, as determined by the Director. As used in this Section, a major ridgeline is any ridgeline that surrounds or visually dominates the landscape, as determined by the Director, due to its:
    - (1) Size in relation to the hillside or mountain terrain of which it is a part;
    - (2) Silhouetting appearance against the sky, or appearance as a significant natural backdrop;
    - (3) Proximity to and visibility from existing development or major transportation corridors; or
    - (4) Significance as an ecological, historical, or cultural resource, including a ridgeline that provides a natural buffer between communities or is part of a park or trails system.
  - ii. The top of a WECS-N, including the wind turbine generator and the highest vertical extent of the blades, shall be located at least 25 vertical feet below the top of any adjacent major ridgeline, and a WECS-N shall be located at least 100 horizontal feet from any adjacent major ridgeline.
  - iii. Any WECS-N that is placed within the viewshed of a designated Major, Secondary, Limited Secondary, or Scenic Highway shall be assessed for its visual effects, and appropriate conditions relating to siting, buffers, and design of the facility shall be applied.

- iv. The placement of a WECS-N shall not obstruct views of the ocean from any residence or highway, and shall otherwise conform to the policies and standards of any applicable local coastal plan.
6. **Maintenance.** Facilities shall be maintained in an operational condition that poses no potential safety hazards.
7. **Removal.** Within six months after the operation of a WECS-N or a Temp Met Tower has ceased or the permit for the use has expired, whichever occurs first, the permittee shall remove the facility, clear the site of all equipment, and restore the site as nearly as practicable to its condition prior to the installation of the facility. Failure to remove such facility as required above shall constitute a public nuisance. Prior to installation of any such facility, the permittee shall post a performance security, satisfactory to the Director of Public Works, in an amount and form sufficient to cover the cost of the removal of the facility as provided herein. In the event the facility is not so removed within 90 days after the permittee's receipt of notice requiring removal, the County may itself cause the facility to be removed, and the permittee shall be required to pay the County's costs of removal.
8. **Restriction on Use of Electricity Generated by a WECS-N.** A WECS-N shall be used exclusively to supply electrical power for on-site consumption, except that when a parcel on which a WECS-N is installed also receives electrical power supplied by a utility company, excess electrical power generated by the WECS-N and not presently needed for on-site use may be used by the utility company in exchange for a reduction in the cost of electrical power supplied by that company to the parcel for on-site use, as long as no net revenue is produced by such excess electrical power.

## 22.106.620 Wineries

- A. **Purpose.** This Section provides comprehensive standards for wineries, in order to facilitate the development of such agriculturally supportive businesses, while at the same time to minimize their potential impacts to surrounding uses.
- B. **Applicability.** This Section applies to wineries in all zones where permitted.
- C. **Definitions.** Specific term(s) used in this Section are defined in Division 2 (Definitions), under "Tasting rooms and wineries."
- D. **Application Requirements.** In Zones A-1, A-2 and R-R:
  1. **Ministerial Site Plan Review.** A Ministerial Site Plan Review application is required for wineries in Zone A-2 and R-R, if:
    - a. The production capacity is 5,000 cases of wine or less per year; and

- b. The lot is not located in a national recreation area, or within one mile of a national recreation area.
2. **Minor Conditional Use Permit.** A Minor Conditional Use Permit application is required if a Ministerial Site Plan Review application is not required per Subsection D.1, above, nor a Conditional Use Permit application is required per Subsection D.3, below.
3. **Conditional Use Permit.** A Conditional Use Permit application is required if:
  - a. A winery is proposed in Zone A-1;
  - b. The lot is located in a national recreation area, or within one mile of a national recreation area; or
  - c. For a modification to any development standard per Subsection E, below, or operating requirement, per Subsection F, below.

#### E. Development Standards.

1. **Zones A-1, A-2, and R-R.** Wineries in Zones A-1, A-2 and R-R shall comply with the following standards:
  - a. **Lot Size.** The lot on which the winery is located shall have a minimum net area of two acres.
  - b. **Use of Lot.** Wineries shall be permitted only:
    - i. On a lot containing existing agricultural products under cultivation for the purpose of wine production, or;
    - ii. On a lot adjoining a lot as described in Subsection D.1.b.i above, that is owned or leased by the same person owning or leasing such adjoining property, provided that the owner or lessee records a covenant with the Registrar-Recorder/County Clerk, as approved by the Director prior to recordation, agreeing to continue to own or lease the adjoining lot for as long as the winery remains in operation, with any violation of said covenant being subject to Enforcement Provisions (Chapter 22.184).
  - c. **Access.** Wineries shall provide access to the nearest public roadway to the satisfaction of the Department of Public Works and the Fire Department. Such access shall be at least 28 feet in width.
  - d. **Parking.** In addition to any other parking requirement as provided in Chapter 22.82 (Parking), a winery shall provide a minimum paved parking area of 12 feet by 35 feet for any mobile bottling or crushing facility used by the winery.

- e. **Maximum Size.** The lot coverage of the winery facilities shall be a maximum of 25 percent of the net area of a lot on which the winery is located, or 50,000 square feet, whichever is less.
  - f. **Stream Setbacks.** Winery facilities, parking, and private waste disposal systems shall be located at least 100 feet from any stream bank.
2. **Zone C-M.** Wineries shall be conducted within an enclosed building.

**F. Operating Requirements.**

1. **Sales.** Wineries may sell wine to licensed wholesalers and retailers both on- and off-site. Wineries may ship wine directly to the general public if such shipping is the result of a wine sale transaction made at an off-site event or via an order made by mail, telephone, or the Internet.
2. **Noise Control.** Wineries shall comply with the noise control provisions of Chapter 12.08 (Noise Ordinance) in Title 12 of the County Code.
3. **Wine Events.** Wineries may host wine events if a Special Event Permit is obtained pursuant to Chapter 22.152. Wine events may be hosted by the winery for its own financial gain, or for the financial gain of a private non-profit organization, as the term is defined in Section 23356.1 of the California Business and Professions Code.
4. **Operating Hours.** Wineries in Zones A-1, A-2, and R-R shall operate only between the hours of 7 a.m. and 7 p.m. every day.
5. **Waste Disposal.** Winery waste and wastewater shall be disposed of in accordance with the requirements of the Los Angeles Regional Water Quality Control Board. Records of compliance with such requirements shall be maintained on the premises and made available upon request to the Department.