

*Los Angeles County Zoning Ordinance Update Program*

# **Discussion Paper: Overlay Zones**

*Revised for Formatting*

*Prepared for*

**Los Angeles County**

By

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## Table of Contents

Introduction	1
Chapter 22.30: General Provisions	3
Chapter 22.32: Billboard Exclusion Zone	5
Chapter 22.34: Development Program Zone	7
Chapter 22.36: Economic Revitalization Zone	11
Chapter 22.38: Equestrian Zone	15
Chapter 22.40: Hillside Management Zone	21
Chapter 22.42: Significant Ecological Area Zone	27
Chapter 22.44: Transit-Oriented Development Zone	35

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## Introduction

This discussion paper proposes a set of overlay zones for Los Angeles County. The zones represent a combination of the County's current combining districts and special purpose districts, Hillside Management (HM), Significant Ecological Area (SEA), and a new Economic Revitalization (ER) zone. As discussed in the *Issues and Options Working Paper* and the *Annotated Outline*, some current combining zones have been left out of the new ordinance, to be replaced by development standards and use regulations in the base zones where they previously applied. These zones include Parking (P), Commercial-Residential (CRS), and Unlimited Residence-Professional Office (PO).

The HM and SEA zones are based on County staff drafts, edited for consistency with the new ordinance styles and format. The General Plan Section is currently working on revising these zones. The revised HM and SEA zones will be separately presented to the Commission then incorporated into ZOUP.

The intent of the new Economic Revitalization zone is to create strong incentives for commercial and industrial development and job creation in underdeveloped or economically depressed areas in unincorporated portions of the County. The overlay accomplishes this by both reducing the costs of development through flexible standards and allowing additional intensity and larger building envelopes. Development standards aim to attract all types of businesses through reduced landscaping, setback, and parking requirements in appropriate locations. As an additional incentive to the creation of jobs for low-income employees, a bonus to maximum floor-area ratios is offered in exchange for providing a threshold level of lower-wage jobs. The FAR bonus has been modeled upon the County's existing affordable housing density bonus and eligibility criteria are based in part on State Enterprise Zone requirements. However, the ER zone need not be contiguous with census tract boundaries, as Enterprise Zones have to be, to provide the County more flexibility in implementation. Modified standards at the edge of the zone ensure smooth transitions between the overlay and surrounding neighborhoods.

The Transit-Oriented Development zone has been significantly reformatted, including new use tables to make the section clearer and more concise. The separate sections for commercial zones have been combined since they were nearly identical, except for some minor differences in allowed land uses which have been incorporated into the use tables. The section of the existing TOD provisions relating to Director's Review, variances, permits, and other procedural matters has been removed, as these subjects are now covered under Division 7. Space has been left for the incorporation of Gold Line standards at a later date.

The existing BE overlay zone has not been changed significantly beyond reformatting, as feedback from County staff indicated that this zone serves its intended purpose effectively. The Equestrian District (special purpose overlay) has been included in this section. The EQ overlay has been revised to include the actual ordinance requirements that were established for each District. The DP overlay zone has been changed to accurately reflect the intention of the overlay in requesting a DP zone.

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## **CHAPTER 22.30: GENERAL PROVISIONS**

### **Sections:**

**22.30.010 Purpose and Applicability**

**22.30.020 Initiation**

**22.30.030 Review and Approval**

### **22.30.010 Purpose and Applicability**

Overlay zones are zoning districts established by the County to carry out specific purposes. They are governed by a set of regulations that address specific subjects, such as billboards, or impose requirements that may be applicable in a variety of geographic areas of the county. Overlay zones may be initially established by adding a specific section to Division 3 without being actually delineated on the zoning map. At a later time, when an opportunity arises to carry out the intended purposes for one or more sites that meet the criteria for designation, the County may adopt an ordinance amending the zoning map to delineate the boundaries of the overlay zone. The provisions of the overlay zone then will be combined with the provisions of the base zone for the site or sites to which the overlay zone applies and the more restrictive provisions shall govern.

### **22.30.020 Initiation**

The Regional Planning Commission or the County Board of Supervisors may initiate an amendment to the zoning ordinance to establish an overlay zone pursuant to the procedures established in Division 7.

### **22.30.030 Review and Approval**

The Regional Planning Commission may recommend and the County Board of Supervisors may adopt ordinances enacting overlay zone provisions pursuant to the requirements and criteria of Division 7 after duly noticed public hearings.

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## **CHAPTER 22.32: BILLBOARD EXCLUSION ZONE**

### **Sections:**

**22.32010 Purpose**

**22.32.020 Applicability**

**22.32.030 Land Use Regulations**

### **22.32.010 Purpose**

The BE Billboard Exclusion Zone is established to provide for certain commercial and industrial areas within the County to be free from outdoor advertising signs where such signs could cause hazards to pedestrians and motorists, detract from the appearance of such areas as places to shop and work, or be detrimental to an important aspect of the economic base of such areas by detracting from the natural beauty and environment of such areas. Content or subject matter of the outdoor advertising display on an existing or potential billboard shall not be used as a criterion for establishment of this zone.

### **22.32.020 Applicability**

The BE Zone may be combined with zones CG, CS, IL, and IG by adding the letters "BE" to the base zone designator; for example CG-BE, etc. The zone designated prior to the letters "BE" (in the examples given, "CG," "CS" and "IG," etc.) shall be known as the "base" zone for the purposes of this Chapter.

### **22.32.030 Land Use Regulations**

Land, buildings, and structures in the BE Zone may be used for any use permitted in the base zone, subject to the conditions and limitations set forth therein, except outdoor advertising signs (e.g. billboards).

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## **CHAPTER 22.34: DEVELOPMENT PROGRAM ZONE**

### **Sections:**

- 22.34.010 Purpose**
- 22.34.020 Applicability**
- 22.34.030 Land Use Regulations**
- 22.34.040 Review of Plans**
- 22.34.050 Permit Conditions**

### **22.34.010 Purpose**

The Development Program (DP) is established to provide a zone in which development occurring after a lot has been rezoned will be regulated. The development will conform to plans and exhibits submitted by the applicant in instances where such plans and exhibits constitute a critical factor in the decision to rezone. Adherence to such developmental plans is assured by the requirement of submission and approval of a Conditional Use Permit incorporating a development program by the applicant. Once a property has been rezoned DP any future development will require a Conditional Use Permit to assure compatibility with the surrounding area.

### **22.34.020 Applicability**

- A. The DP Zone may be combined with any zone by adding the letters “DP” to the base zone designator; for example CG-DP - The zone designated prior to the letters “DP” in the example given, “CG” shall be known as the “base” zone for the purposes of this Chapter.
- B. Anytime a zone change is requested, per Chapter 22.120 (Amendments) of the County Code, a DP overlay zone is required, unless otherwise authorized by the Commission or Board.
- C. Once a property has been rezoned DP, any future development or change of use requires a Conditional Use Permit. The requirements for a Conditional Use Permit shall be as provided in Chapter 22.98.

### **22.34.030 Land Use Regulations**

The Conditional Use Permit obtained as provided in Chapter 22.98, may be used for any use permitted in the base zone subject to the conditions and limitations of the Conditional Use Permit, including the approved development program.

**22.34.040 Review of Plans**

- A. **Submittal Requirements.** An applicant seeking a Conditional Use Permit to develop land in the DP Zone shall, in addition to the requirements of Chapter 22.98, submit a proposed development program. Such development program shall consist of:
  - 1. A site plan showing the location of all proposed structures, the alteration or demolition of any existing structures, and development features, including grading, yards, walls, walks, landscaping, height, bulk and arrangement of buildings and structures, signs, the color and appearance of buildings and structures, and other features as may be needed to make the development attractive, adequately buffered from adjacent more restrictive uses, and in keeping with the character of the surrounding area; and
  - 2. A phasing schedule, which shall include all phases of development and indicate the sequence and time period within which the improvements described will be made. Phases of development should include demolition, grading and construction.
- B. **Criteria for Consideration.** The Director shall distribute copies of the proposed site plan and development program to the Departments of Public Works and Fire. Any comments received within 30 days of distribution will be considered in establishing approval and conditions.

**22.34.050 Permit Conditions.**

- A. The following conditions shall be deemed to be conditions of every Conditional Use Permit approved with the establishment of a development program:
  - 1. No building or structure of any kind except a temporary structure used only in the developing of the lot according to the program shall be built, erected, or moved onto any part of the lot;
  - 2. No existing building or structure proposed to be demolished shall be used;
  - 3. No existing building or structure proposed to be altered shall be used until such building or structure has been so altered;
  - 4. Where one or more buildings in the projected development are designated as primary buildings, building permits for structures other

than those so designated shall not be issued until the foundations have been constructed for such primary building or buildings;

5. Where specifically so indicated in approval of the development program, the schedule may permit development to be completed in phases. In interpreting the provisions of Section 4 of Section 22.34.070, each separately designated phase shall be considered a separate development program.

**B. Review of Zone Classification**

1. Upon expiration of an unused Conditional Use Permit in establishing a DP Zone, the Commission shall investigate the circumstances resulting in failure to use such Conditional Use Permit.
2. In all cases the Commission may extend such time for a period of not to exceed one year, provided an application requesting such extension is filed three months prior to the expiration date.
3. If neither the applicant, nor the person who on the latest available assessment roll appears to be the owner of the lot involved, cannot substantiate to the Commission's satisfaction that additional time should be granted for the use of the Conditional Use Permit or reapplication for a Conditional Use Permit, the Commission may institute proceedings to rezone such lots to the zone in existence prior to the adoption of Zone DP or to such other zone as may be deemed appropriate.
4. If upon the expiration of additional time granted by the Commission the Conditional Use Permit has not been used, or if a second Conditional Use Permit has expired unused, the Commission may initiate proceedings to rezone such lots as provided in this section.

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## CHAPTER 22.36: ECONOMIC REVITALIZATION ZONE

### Sections:

- 22.36.010 Purpose
- 22.36.020 Applicability
- 22.36.030 Land Use Regulations
- 22.36.040 Development Regulations

### 22.36.010 Purpose

The purpose of the Economic Revitalization (ER) Zone is to promote commercial and industrial development with a focus on job creation in unincorporated urban areas of Los Angeles County that are economically depressed and have large concentrations of vacant, underutilized, or abandoned lots. The overlay zone provides for the modification or waiver of specific development standards as an incentive to stimulate investment in these areas that will contribute to the creation of employment opportunities for low- and very low income individuals.

### 22.36.020 Definitions

- A. "Targeted Applicants" shall mean lower income individuals who have resided within the boundary of ER zone for at least one year and live in a household earning no more than 80 percent of the adjusted household income for the Los Angeles Primary Metropolitan Statistical Area or any resident of Los Angeles County who meets any of the following requirements:
  - 1. Individuals who receive or have received public assistance through the Temporary Assistance for Needy Families Program during the previous 24 months;
  - 2. Individuals who are homeless;
  - 3. Ex-offenders;
  - 4. Dislocated workers (terminated, laid off, or seasonal employees);
  - 5. Disabled persons;
  - 6. Chronically unemployed workers.
- B. "Qualified Revitalization Project" means a new or renovated commercial or industrial development where the project meets at least one of the following conditions:
  - 1. At least 20 percent of the total permanent employment will be offered to targeted applicants;
  - 2. At least 50 percent of the construction employment jobs will be filled by targeted applicants.

### 22.36.030 Applicability

An Economic Revitalization (ER) Zone may be established in any area of five acres or more that is zoned Neighborhood Commercial (CN), Commercial Services (CS), General Commercial (CG), Mixed Use (MX), Light Industrial (IL), and General Industrial (IG) pursuant to this ordinance and also meets one or more of the following criteria:

- A. The proposed ER zone is within an area designated as a California Enterprise Zone pursuant to Government Code Section 7070 et seq., the Enterprise Zone Act;
- B. The proposed ER zone has been identified as a gang injunction area or has a history of gang-related activity within the past five years, as documented by the Los Angeles County Sheriff;
- C. The proposed ER zone is within a census tract that has an unemployment rate not less than 3 percentage points above the average for the unincorporated areas of the County for the most recent calendar year as determined by the State Employment Development Department;
- D. The proposed ER zone is within a census tract where more than 70 percent of the children enrolled in public school participate in the federal free lunch program;
- E. The proposed ER zone is within a census tract where the median household income for a family of four does not exceed 80 percent of the Countywide median income for the most recent calendar year.
- F. The proposed ER zone is within an area that has been deemed blighted by the Los Angeles County Community Development Commission.

### 22.36.040 Land Use Regulations

- A. **Allowable Uses.** Property in the ER zone may be used for any commercial or industrial activity permitted in the base zone, subject to the conditions and limitations set forth therein.
- B. **Existing Uses.** Existing commercial or industrial uses that occupy a property within the ER zone as of the effective date of legislation establishing the zone, but that are not otherwise permitted by the zone, shall be considered permitted uses of the lots that they occupied as of that date.

### 22.36.050 Development Regulations

The following regulations apply only to qualified revitalization projects located within an ER zone. Where these regulations are silent, the regulations of the base zone shall dictate the appropriate standards.

- A. **Floor Area Ratio.**
  - 1. **Eligibility.** Any applicant who proposes to construct qualified revitalization project in an ER zone shall be entitled to a Floor Area Ratio (FAR) bonus of 10

percent. An additional bonus of 10 percent shall be granted provided that the project meets both of the conditions of qualification, as stated in 22.36.020B.

2. ***Additional Incentives.*** If a project exceeds the minimum requirements contained in subsection 1 and provides additional employment for targeted employees, a bonus of one percent FAR may be granted for each additional one percent of projected permanent employment for targeted employees beyond the minimum required.

**B. Parking Reduction.**

1. The minimum parking requirements of the base zone shall be reduced as follows for any qualified revitalization project.
2. ***Exemption:*** Reductions as provided by this section shall not apply to new construction on vacant lots or the vacant portions of partially-developed lots where that construction is not an enlargement or replacement of an existing building.
3. If the net new gross floor area of an addition to or replacement of an existing building does not exceed 125 percent of the gross floor area of the existing building, no additional parking shall be required provided that:
  - a. The subject property has frontage on an existing major or secondary highway, as defined by the Los Angeles County Highway Plan, that accommodates on-street parking; and
  - b. There is no net decrease in existing off-street parking space.
4. If the net new gross floor area of an addition to or replacement of an existing building exceeds 125 percent of the gross floor area of the existing building, the requirement for additional parking shall be reduced by 50 percent provided that:
  - a. The property has frontage on an existing major or secondary highway, as defined by the Los Angeles County Highway Plan, that accommodates on-street parking; and
  - b. There is no net decrease in existing off-street parking space.

**C. Setbacks and Landscaping.** The minimum setback requirements of the base zone shall be reduced by 25 percent for any qualified revitalization project, provided that:

1. Setbacks along any street forming the boundary of the ER zone shall conform to the minimum width required in the base zone; and
2. Setbacks on properties in the ER zone that directly abut properties outside of the zone shall conform to the minimum width required in the base zone.
3. The perimeter of any portion of a property in the ER zone that directly abuts a lot outside of the zone shall be planted with a landscaped buffer no less than 50 percent of that required in the base zone.

## 22.36.060 Procedures

- A. **Binding on Successors.** Any applicant who benefits from incentives under Section 22.36.050 is required to remain in compliance with the eligibility requirements for a period of at least 10 years from the effective date of zoning approval. These requirements shall be binding upon all heirs, administrators, and successors in interest and shall be covenants that run with the land. The applicant shall record a covenant related to the site including the requirement provisions and shall make compliance with the requirements a condition of any lease agreement or contract related to the rental, lease, or occupancy of the subject property.
- B. **Director Issues Procedures.** The Director make available to the public procedures for implementing the provisions of this chapter including, but not limited to, the following:
1. Application requirements
  2. Hiring procedures; and
  3. Reporting and recordkeeping requirements.

**CHAPTER 22.38: EQUESTRIAN ZONE**

**Sections:**

- 22.38.010 Purpose**
- 22.38.020 Applicability**
- 22.38.030 Existing Equestrian Zones**
- 22.38.040 Equestrian Zone Development Standards**
- 22.38.050 Establishment of New Equestrian Zones**

**22.38.010 Purpose**

The purpose of the Equestrian Overlay (EQ) Zone is to recognize areas where the keeping or maintaining of horses for the personal use of persons residing on the property. The EQ zone permits the keeping of horses in urban areas as an accessory to residential uses, subject to standards and conditions which are intended to ensure compatibility within the zone and with surrounding areas.

**22.38.020 Applicability**

Property in an EQ zone may be used for any use permitted in the base zone, subject to the same limitations and conditions as the base zone. The provisions within the EQ Zone shall supersede the regulations provided in Division 6 relative to the keeping and maintenance of horses.

**22.38.030 Existing Equestrian Zones.** A map of each zone follows this section.

<b>Equestrian Zone Number</b>	<b>District Name</b>	<b>Ordinance of Adoption</b>	<b>Date of Adoption</b>
EQ-1	Rancho Potrero De Felipe Lugo	11297	1-27-76
EQ-2	West Altadena	11301	2-17-76
EQ-3	Pellissier Village	11384	7-27-76
EQ-4	Kinneloa Mesa	11515	4-26-77
EQ-5	Trailside Ranch	11690	4-4-78
EQ-6	Beverly Acres	11841	12-28-78
EQ-7	Avocado Heights	91-0054Z	4-9-91

**22.38.040 Equestrian Zone Development Standards**

**A. General Development Standards.**

1. **Maintenance.** All properties which keep horses in the EQ zone shall be maintained in a safe and healthy manner, pursuant to Chapter 11.16, Garbage and Other Waste Material, and Chapter 11.30, Rodent and Pest Control, as regulated by the Department of Health Services and pursuant to all other applicable regulations, as provided by County statute or ordinance.
2. **Consultation.** In reviewing an application for a project in an EQ zone, the director shall notify and request reports from the Department of Health Services and the Department of Animal Control relative to the adequacy of the site to accommodate such horses as indicated in the application and site plan. A copy of said review shall be submitted in writing to the director.
3. **Stable and Corral.**
  - a. Horses shall be kept in a stable or fenced corral.
  - b. No part of any new stable or corral shall be located within 35 feet from any existing habitable structure.
  - c. No part of any new stable or corral shall be located within 100 feet of a school building or hospital building.
  - d. Stables shall not be used for human habitation.

**B. Prohibitions.** Uses. Horse boarding or riding schools are prohibited in the EQ Zone.

**C. EQ Zone Specific Development Standards.**

1. **EQ-1 Rancho Potrero De Felipe Lugo.**

The maximum number of horses permitted on a lot shall be as follows:

Size of Lot or Parcel	Number of Horses Permitted Per Lot
Under 6,400 square feet	1
6,400 - 7999 square feet	2
8,000 – 9,499 square feet	3
9,500 – 10,999 square feet	4
11,000 – 12,499 square feet	5
12,500 – 19,999 square feet	6
20,000 – 39,999 square feet	7
Over 40,000 square feet	1 additional horse per each additional 5,000 square feet

2. ***EQ-2 West Altadena.***

The maximum number of horses permitted on a lot shall be as follows:

<b>Size of Lot</b>	<b>Number of Horses Permitted Per Lot</b>
3,750 – 7,499 square feet	1
7,500 – 11,249 square feet	2
11,250 – 14,999 square feet	3
15,000 – 18,749 square feet	4
18,750 – 22,499 square feet	5
22,500 – 26,249 square feet	6
26,250 – 29,999 square feet	7
30,000 – 44,999 square feet	8
45,000 – 49,999 square feet	9
50,000 – 54,999 square feet	10
55,000 – 59,999 square feet	11
60,000 – 64, 999 square feet	12

3. ***EQ-3 Pellissier Village.***

The maximum number of horses permitted on a lot shall be as follows:

<b>Size of Lot</b>	<b>Number of Horses Permitted per Lot</b>
Under 5,000 square feet	1
5,000 – 5,899 square feet	2
6,000 – 7,999 square feet	3
8,000 – 10,999 square feet	4
11,000 – 16,999 square feet	5
17,000 – 24,999 square feet	6
25,000 – 29,999 square feet	7
40,000 – 44,999 square feet	8
45,000 square feet and over	1 additional horse per each additional 5,000 square feet

4. ***EQ-4 Kinneloa Mesa.***

The maximum number of horses permitted on a lot shall be as follows:

<b>Size of Lot</b>	<b>Number of Horses Permitted Per Lot</b>
Less than 5,000 square feet	1
5,000 – 5,899 square feet	2
6,000 – 7,999 square feet	3
8,000 – 10,999 square feet	4
11,000 – 16,999 square feet	5
17,000 – 24,999 square feet	6
25,000 – 29,999 square feet	7

40,000 – 44,999 square feet	8
45,000 square feet and over	1 additional horse per each additional 5,000 square feet

5. ***EQ-5 Trilside Ranch.***

The maximum number of horses permitted on a lot shall be as follows:

Size of Lot	Number of Horses Permitted Per Lot
10,000 square feet	2
10,001 square feet and over	1 additional horse per each additional 5,000 square feet

6. ***EQ-6 Beverly Acres.***

The maximum number of horses permitted on a lot shall be as follows:

Size of Lot	Number of Horses Permitted Per Lot
5,000 – 8,499 square feet	1
8,500 – 13,499 square feet	2
13,500 – 19,999 square feet	3
20,000 square feet and over	1 additional horse per each additional 5,000 square feet

7. ***EQ-7 Avocado Heights.***

The maximum number of horses permitted on a lot shall be as follows:

Size of Lot	Number of Horses Permitted Per Lot
10,000 – 14,999 square feet	2
Over 15,000 square feet	1 additional horse per each additional 5,000 square feet

**22.38.050 Establishment of New Equestrian Zones**

A. An EQ Zone may be established or expanded where the proposed zone will comply with the following requirements:

1. ***Area.*** The proposed EQ Zone shall contain an area of not less than five acres. The expansion of an established EQ Zone may be considered on less than five acres, provided that such expansion will constitute an orderly and contiguous extension of such zone.
2. ***Petition – Signature Requirements.*** A petition for the establishment, expansion or repeal of an EQ Zone must be signed by at least 75 percent of the property

owners within the area under consideration, as shown on the list of property owners.

3. ***Notification and Reports to County Departments.*** In reviewing an application for an EQ Zone, the Review Authority shall notify and request reports from the Department of Health Services and the Department of Animal Control relative to the ability of the applicant(s) to maintain such horses properly as indicated in the application and site plan.

4. ***Findings.***

- a. The Review Authority shall recommend approval of a petition requesting the establishment of an EQ Zone where the information submitted by the applicant(s) and/or presented at public hearing substantiates the following findings:
  - i. That the requested horses at the location proposed will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare; and
  - ii. That the proposed sites are adequate in size and shape to accommodate the horses requested without material detriment to the use, enjoyment or valuation of property of other persons located in the vicinity of the EQ Zone.
- b. The Review Authority shall deny the application where the information submitted by the applicant(s) and/or presented at public hearing fails to substantiate such findings.

5. ***Operation and maintenance conditions.***

- a. The Review Authority may recommend and the Board of Supervisors, in establishing an EQ Zone, may impose conditions it deems necessary to insure that horses permitted in said zone will be kept or maintained in accord with the findings required by Part 4 of this Section. Conditions imposed may involve any pertinent factors affecting the establishment, operation and maintenance of the requested zone, including but not limited to:
  - i. The number and location of horses;
  - ii. The type and construction of corrals, stables or other structures used for the housing of such horses;
  - iii. Fencing requirements;
  - iv. Required setbacks; or
  - v. The inclusion of riding areas and/or equestrian trails within the Equestrian Overlay Zone.

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## **CHAPTER 22.40: HILLSIDE MANAGEMENT ZONE**

### **Sections:**

**22.40.010 Purpose**

**22.40.020 Applicability**

**22.40.030 Land Use Regulations**

**22.40.040 Development Regulations**

**22.40.050 Supplemental Standards Applicable in –HM Overlay Zones**

**22.40.060 Review of Plans**

### **22.40.010 Purpose**

It is the intent of the County to protect resources in Hillside Management Areas from incompatible development, consistent with the General Plan. Therefore, the purpose of this Chapter is to limit hillside development to that which:

- A.** Maintains the natural topography;
- B.** Maintains health, safety and welfare;
- C.** Involves grading or soil disturbance only outside of seismic-induced landslide areas as identified by the California Geologic Survey;
- D.** Maintains slopes greater than 25 percent in an unaltered state;
- E.** Maintains biological resources in their natural state;
- F.** Maintains contiguous open space;
- G.** Limits ground disturbance to areas adjacent to existing development, urban services and facilities;
- H.** Reduces public investment in infrastructure development and maintenance; and
- I.** Maintains hillside character through project planning that clusters development.

### **22.40.020 Applicability**

The requirements of this Chapter apply to development on any mountainous or foothill terrain with a natural slope of 25 percent or greater, as shown on the General Plan's Hillside Management Areas and Significant Ridgelines Map. These areas are hereby designated within the Hillside Management Area ()-HM overlay zone. This overlay zone shall apply Countywide, regardless of land use.

### **22.40.030 Land Use Regulations**

Any land use otherwise allowed on a site by the applicable base zone may be allowed within the Hillside Management Area ()-HM overlay, subject to any additional land use limitations established by Conditional Use Permit conditions of approval.

## 22.40.040 Development Standards

Development and new land uses within the ( )-HM overlay shall comply with all applicable development standards of the base zone, the requirements of this Section, and all other applicable requirements of this Zoning Ordinance. In the event of a perceived conflict between a requirement of this Chapter and a development standard of the base zone, this Chapter shall control.

**A. Residential Density.** The Regional Planning Commission shall designate the permitted residential density or intensity (e.g., FAR) as a condition of approval in compliance with this Section, provided that the permitted density shall not exceed the maximum calculated for the proposed development in compliance with following Subsections A.1 and A.2.

1. **Maximum Density.** Maximum density for residential uses in Rural and Urban General Plan land use designations shall be calculated using slope maps prepared as required by Section 22.48.050.D.2 (Site feature maps).
  - a. *Site in Rural land use designation.* The maximum allowable residential density shall be calculated by multiplying the acreage and density in each of the following slope categories, adding the individual sums together, then rounding down to the nearest whole number to determine maximum intensity:
    - i. One dwelling unit per acre with slopes less than 25 percent;
    - ii. One dwelling unit per 10 acres with slopes from 25 to 49.99 percent; and
    - iii. One dwelling unit per 20 acres with slopes 50 percent or greater.
  - b. *Site in Urban land use designation.* The maximum allowable residential density for sites with a General Plan urban land use designation shall be calculated by multiplying the acreage and density in each of the following slope categories, then adding the individual sums together to determine maximum intensity:
    - i. The General Plan, or applicable areawide, community, or specific plan shall determine the maximum allowable density for areas with slopes less than 25 percent;
    - ii. One dwelling unit per 10 acres of land with slopes from 25 percent to 49.99 percent; and
    - iii. One dwelling unit per 20 acres with slopes of 50 percent or greater.
2. **Required Density Reductions.** A reduction in the density allowed by Subsection A.1 above is required for areas of a site with slopes of 25 percent or greater that are also in a high hazard area as indicated on one or more of the following General Plan maps: Very High Fire Hazard Severity Zone Map or Seismic Hazards Map.
  - a. A density reduction of 25 percent is required for portions of the site with slopes within one of the two high hazard areas.
  - b. A density reduction of 50 percent is required for portions of the site with slopes within both of the high hazard areas.

3. **Density Transfer.** Density may be transferred from one area on the site to another, provided that the density, including associated infrastructure, shall not be transferred to areas on the project site with over 50 percent slope. Infrastructure exceptions, as determined by the Regional Planning Commission, may include water tanks or debris basins.

**B. Development regulations required as conditions of approval.** The following requirements shall be applied as conditions of approval to each Conditional Use Permit granted in an HM overlay. The Regional Planning Commission may modify any of the following requirements to protect natural resources.

1. **Open Space.** Open space shall be permanently dedicated and include least 25 percent of the net area of a development in an Urban land use designation, and at least 70 percent of the net area of a development in a Rural land use designation. Open space shall be permanently dedicated to a public or conservancy agency or held under common ownership. Noncontiguous exceptions may include areas where other County regulations prevent clustered development and/or where it is necessary to protect biotic resources or locate water tanks. Open space boundaries shall be identified on all site plans, tentative and final maps, and may include:
  - a. Undisturbed natural areas;
  - b. Parks and open recreational areas;
  - c. Riding, hiking and cycling trails;
  - d. Greenbelts;
  - e. Re-vegetated manufactured slopes in common areas; and
  - f. Other areas as the Regional Planning Commission deems appropriate;
2. **Landscaping.** A plan for landscaping common or open space areas not left in a natural state shall be submitted to and approved by the Director.
3. **Utilities.** The applicant shall provide satisfactory evidence that arrangements have been made with the serving utilities to install underground all new facilities necessary to furnish service in the development. This requirement may be waived by the Director where it would cause undue hardship or constitute an unreasonable requirement.
4. **Residential Density.** Residential density shall comply with the requirements in Subsection A., above.
5. **Design.** Each project shall cluster development near existing infrastructure, as permitted, and utilize contour grading and design concepts such as split-level pads to fit into the natural landform.

#### **22.40.050 Permit Requirements**

**A. Conditional Use Permit.** A Conditional Use Permit is required for:

1. All development and land uses proposed within an HM overlay zone; and
2. A lot line adjustment within an HM overlay zone where two or more lot lines are proposed for relocation between three or more contiguous lots, that would result in the density of potential development exceeding one dwelling unit per acre in any portion of a site with a natural slope of 25 percent or greater.

- B. Procedures.** The Conditional Use Permit required by this Chapter shall be processed in compliance with the procedures in Division 7 for Conditional Use Permits, except as specified in this Section.
- C. Application requirements.** A Conditional Use Permit application for a site within an HM overlay shall contain the following information and maps in addition to the material required for Conditional Use Permit applications by Section 22.56.030:
1. ***Site photographs.*** Panoramic or composite photographs from each corner of the site and from elevated points within the site;
  2. ***Site feature maps.*** The following maps, each of the same size and scale, showing the existing topography of the site at 10 foot contour intervals:
    - a. One map shall identify the locations of all drainage patterns, watercourses and any other physical features that are customarily found on topographical maps prepared by the U.S. Geological Survey. This map shall also indicate earthquake-induced landslide or liquefaction areas at and near the proposed site based on the applicable California Geological Survey's Seismic Hazard Zone maps;
    - b. A second map shall delineate lot configuration, proposed streets, grading and the number of acres within the following slope categories, as determined by a licensed civil engineer, licensed land surveyor or a registered geologist:
      - i. Zero to 24.99 percent natural slope,
      - ii. 25 to 49.99 percent natural slope, and
      - iii. 50 percent or greater natural slope.
  3. ***Proposed grading.*** Grading shall be shown on site plans and tentative maps, including the natural and finished elevations of all slopes to be graded.
  4. ***Information on proposed structures.*** If new structures are proposed:
    - a. Exterior elevation drawings at a scale satisfactory to the Director, indicating proposed building heights and major architectural features;
    - b. Plans for landscaping, showing the location and species of proposed groundcover, shrubs, and existing and proposed trees for common or open space areas not remaining in a natural state; and
    - c. Conceptual fuel modification plans for lots in very high fire hazard severity zones;
  5. ***Geology and soil reports.*** Geology and soil reports indicating any active or potentially active faults or near the proposed site and the stability of the area within the various slope categories used in this Section.
  6. ***Burden of Proof.*** The Conditional Use Permit application shall substantiate the following facts to the Regional Planning Commission:
    - a. The development is located and designed to protect the safety of current and future community residents, and will not create significant threats to life and/or property due to the presence of geologic, seismic, slope instability, fire, flood, mud flow, or erosion hazards;

- b. The development is highly compatible with the natural, biotic, cultural, scenic and open space resources of the area;
  - c. The development will provide essential public services without imposing undue costs on the total community (not applicable to single-family dwellings);
  - d. The development is consistent with the General Plan and any applicable area, community or specific plans;
  - e. The development demonstrates creative and imaginative design, resulting in a visual quality that will complement community character and benefit current and future community residents; and
  - f. The development is designed to retain large unbroken blocks of natural habitat or open space as specified in this Section and, where applicable, contiguous to open space on adjacent lots.
7. ***Additional information.*** Other information deemed necessary by the Director for adequate project evaluation.

**22.40.060 Review of Plans**

- A. Director's Report.** The Director shall review the applicant's development proposal and prepare a report for the Regional Planning Commission evaluating and providing recommendations regarding the following issues, as well as any other issues determined by the Director to be relevant:
- 1. Measures proposed to avoid or mitigate identified natural hazards;
  - 2. Measures taken to protect scenic, biotic and other resources;
  - 3. Measures taken to permanently dedicate open space, extinguish development rights, and establish future maintenance programs; and
  - 4. Recommended changes or conditions to be imposed to ensure that the proposed development will comply with the findings required by Subsection B. and be consistent with the General Plan and any applicable local, community, or specific plan.
- B. Required Findings.** The approval of a Conditional Use Permit for development within a Hillside Management Area shall require that the Regional Planning Commission first find, in addition to the findings required for Conditional Use Permit approval in Section 22.56.xxx (Required Findings) that:
- 1. The burden of proof in Subsection 22.40.050.D.6, above, has been met by the applicant; and
  - 2. The approval of proposed dwelling units in Rural or Urban land use categories is based on the ability to mitigate problems of public safety, design and/or environmental considerations, as provided in this Section and the General Plan.
- C. Conditions of approval.** The requirements in Subsection 22.40.040.B, above, shall be applied as conditions of approval to each Conditional Use Permit granted in an ()-HM overlay. The Regional Planning Commission may impose additional conditions as deemed appropriate, and may modify any of the requirements in this Chapter to protect natural resources.

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## CHAPTER 22.42: SIGNIFICANT ECOLOGICAL AREA ZONE

### Sections:

22.42.010 Purpose and Intent

22.42.020 Applicability

22.42.030 Land Use Regulations

22.42.040 Development Regulations

22.42.050 Supplemental Standards Applicable in –SEA Overlay Zones

22.42.060 Review of Plans

### 22.42.010 Purpose and Intent

#### A. Purpose.

The purpose of this Chapter is to establish regulations to conserve and protect natural resources located in Significant Ecological Areas (SEAs) from incompatible development. It is not the purpose of these regulations to preclude future development within SEAs, but to ensure that approved development maintains and enhances the biological resources that caused the designation of an SEA, while allowing for limited and controlled development.

#### B. Intent. These regulations are intended to:

1. Create a balance between resource conservation and future development that is consistent with and implements the General Plan;
2. Provide a process for the equitable reconciliation of potential conflicts between development and conservation within SEAs;
3. Provide the review authority with expert recommendations on the conservation of biological resources in relation to the siting of development provided by the Significant Ecological Area Technical Advisory Committee (SEATAC);
4. If certain criteria are met, authorize the Director to consider applications for projects within an Ecological Transition Area (ETA), a subset of Significant Ecological Areas, or that by their nature are limited in scope or impacts to the significant ecological area; and
5. Inform applicants of County requirements that may guide project design.

### 22.42.020 Applicability

#### A. Application of Overlay. The Significant Ecological Area (SEA) overlay zone is applied to:

1. Significant ecological areas/habitat management areas designated on the Special Management Areas map of the General Plan; and
2. Environmentally sensitive habitat areas, sensitive environmental resource areas and rare plant habitat areas identified in the Santa Catalina Island or Marina del Rey Local Coastal Programs, depicting any area in which plant or animal life or their habitats are either rare or especially valuable because of their special

nature or role in an ecosystem, and which could easily be disturbed or degraded by human activities and developments.

- B. Applicability of Chapter.** The requirements of this Chapter apply to all development and land uses within the SEA overlay zone, except as otherwise provided by following subsection C.
- C. Exemptions.** The requirements of this Chapter do not apply to any of the following land uses and development activities.
1. ***Accessory Structures.*** Buildings and structures accessory to a primary use, including garages, workshops and barns;
  2. ***Agriculture and Related Activities.***
    - a. All agribusiness and agricultural activities and their accessory uses located within Agricultural Opportunity Areas, as shown on the Special Management Areas Map in the General Plan, and any agricultural use on a site of less than 2.5 acres outside of an Agricultural Opportunity Area;
    - b. Grazing of horses or other animals and the construction of corrals as an accessory use, as allowed by the land use designation, zoning, and other applicable County regulations, including Chapters 12.32 (Control of Hazardous Dust Conditions), 12.36 (Wildflowers), and 17.04 (Parks and Recreation Areas) of the County Code;
  3. ***Applications Filed under Prior Ordinance.*** Complete applications for development proposals that were filed for approval prior to the effective date of the ordinance establishing this Section. These development proposals shall be processed in compliance with Section 22.56.215 as it existed prior to the effective date of the ordinance except at the specific request of the applicant, in which case this Section shall apply.
  4. ***Hazard Mitigation and Emergency Response.***
    - a. The removal or thinning of vegetation on private property required by the Fire Department for fire safety, and any additional removal or thinning that is less than 2.5 acres;
    - b. The removal of vegetation by public agencies or utilities for fire and flood management, including: brush clearance in the right-of-way of publicly-owned roads and highways; controlled burns and other fire prevention measures; removal of sensitive vegetation in flood control channels, debris basins or spreading grounds; and selective removal of noxious invasive plants that pose fire hazards or are heavy water-consuming species that threaten the health of riparian environments;
    - c. Emergency actions by public agencies to protect life and property from flood, fire or other hazards;
  5. ***Mining and Reclamation.*** Mining projects and reclamation plans that require a Surface Mining Permit in compliance with Part 9 of Chapter 22.56 and review of environmental documentation by the SEATAC;
  6. ***Public Facility Maintenance.*** Public agency roadway and utility maintenance activities;

7. ***Recreation Facilities and Activities.***
  - a. Construction of Federal, State or County-designated mountain bike, equestrian and hiking trails and associated maintenance; and
  - b. Passive recreation including wildlife observation and photography, and picnicking, riding and hiking, and overnight camping.
8. ***Single Dwellings and Additions.***
  - a. An individual single dwelling where only one residence is proposed to be built on a legal lot, including project-related grading permits;
  - b. Additions or modifications to an existing single dwelling, provided that the modifications do not increase the number of dwelling units;
9. ***Site Partially Within SEA.*** A project on a site partially within an SEA, provided that the development, access roads, infrastructure and fuel modification areas are outside of the SEA;
10. ***Santa Monica Mountains Coastal Zone Development.*** Development activity within the Santa Monica Mountains Coastal Zone; or
11. ***Special Studies.*** Regulated scientific study.

#### **22.42.030 Land Use Regulations**

Any land use otherwise allowed on a site by the applicable base zone in Division 2 (Base Zones) may be allowed within the Significant Ecological Area (SEA) overlay, subject to any additional land use limitations established by a Conditional Use Permit or Minor Use Permit conditions of approval.

#### **22.42.040 Development Regulations**

Each proposed development and new land use within an SEA shall comply with each of the following requirements. These requirements shall also be applied as conditions of approval to each Conditional Use Permit and each Minor Use Permit granted in an SEA overlay zone.

- A. Resource Protection.** The proposed development plan shall incorporate measures necessary to protect identified resources and meet the burden of proof described in Subsection 22.54.050.E.5 (Burden of Proof), below. Resource protection may be accomplished by setting aside appropriate and sufficient undisturbed areas, clustering development close to existing access roads, and incorporating shared driveways to reduce grading and impervious surfaces.
- B. Open Space.** Areas identified as open space shall best represent the values of the significant ecological area. Open space boundaries shall be identified on the site plan, in the Conditional Use Permit or Minor Use Permit, and on tentative and final subdivision maps, as applicable. Open space, where proposed or required, shall be permanently dedicated to a public or conservation agency, held under common ownership, or other means acceptable to the review authority, which extinguishes future development rights, and to the maximum extent feasible, is contiguous natural open space.
- C. Landscaping.** Where determined by the Director to be appropriate, a plan for landscaping common or open space areas not to be left in a natural state shall be

submitted to and approved by the Director and shall emphasize native species. Where a landscaping plan has not been submitted to the Director as part of the application, the plan shall be submitted to and approved by the Director prior to the issuance of a grading or building permit.

- D. **Impervious Surfaces.** Permeable materials shall be used for private sidewalks, driveways, and parking lots or interior roadway surfaces to minimize impervious surfaces, where feasible, to reduce runoff.
- E. **Utilities.** The applicant shall submit satisfactory evidence that arrangements have been made with the serving utilities to install underground all new facilities necessary to furnish service in the development. This requirement may be waived by the review authority, where the review authority determines that it would cause undue hardship or constitute an unreasonable requirement.
- F. **Road Signs.** Where appropriate, permanent cautionary road signs shall be installed to identify known wildlife movement areas.
- G. **Noise and Lighting.** The applicant shall submit satisfactory evidence that the operation of the proposed activity will not generate light and noise impacts sufficient to disturb local wildlife behavior.
- H. **Additional or Modified Requirements.** In granting a Conditional Use Permit or Minor Use Permit for development or a new land use within a Significant Ecological Area overlay zone, the review authority may impose additional conditions, and may modify any of the above requirements to more effectively protect ecological resources in compliance with this Section

#### 22.42.050 Permit Requirements

- A. **Conditional Use Permit Required.** Except as specified in Subsection C. (Exemptions), a Conditional Use Permit shall be obtained prior to any of the following land uses and development activities on a site containing a Significant Ecological Area (SEA), but not located within an Ecological Transition Area (ETA), which is instead subject to the Minor Use Permit requirement in subsection B.2, below:
  - 1. The issuance of a building or grading permit; or
  - 2. The approval of a minor or major land division.
- B. **Minor Use Permit Required.** A Minor Use Permit shall be obtained prior to any of the following land uses and development activities on a site containing a SEA:
  - 1. A project on a site entirely within an ecological transition area (ETA), provided that development and fuel modification areas are entirely within the ETA, and the Director determines that the development is compatible with biological resources present within the adjacent SEA;
  - 2. The issuance of a building or grading permit within an ETA;
  - 3. The approval of a minor or major land division within an ETA;
  - 4. The commencement of any construction not exempt under the Building and Safety Code, 26.106.3;
  - 5. The removal or thinning of indigenous vegetation exceeding an area of 2.5 acres unrelated to Fire Department requirements; or

6. Agricultural crop cultivation exceeding an area of 2.5 acres, outside of an Agricultural Opportunity Area.
- C. **Procedures.** A Conditional Use Permit or Minor Use Permit required by this Chapter shall be processed in compliance with the procedures in Division 7 for Conditional Use Permits and Minor Use Permits, except as specified in this Section.
- D. **Application Requirements.** A Conditional Use Permit or Minor Use Permit application for a site within an SEA overlay zone shall contain the following information and maps, in addition to the material required for Conditional Use Permit and Minor Use Permit applications by Division 7:
1. **Site Photographs.** Panoramic or composite photographs of the project site from all major corners of the subject lot and from major elevated points within the lot;
  2. **Site Feature Maps.** One or more maps showing:
    - a. Existing site topography. Commercially available maps are acceptable.
    - b. The locations of all watercourse and drainage patterns, woodlands, wetlands, endangered or threatened species location and/or habitat, and any other biological and physical features which constitute the basis for classification of a significant ecological area, including common resources that contribute to the overall biodiversity of the area.
    - c. A map and description of proposed natural open areas, buffer areas, or other methods to be used to protect resource areas from the proposed use. Within the description, details of how required open space will be permanently dedicated and maintained, if applicable.
  3. **Proposed Grading.** A grading plan to a scale satisfactory to the Director indicating all proposed grading, including the natural and finished elevations of all slopes to be graded;
  4. **Information on Proposed Structures.** The following, if a new structure is proposed:
    - a. **Landscaping Plan.** A landscaping plan showing the location of proposed groundcover areas, shrub mass, and existing and proposed tree locations for common or open space areas not left in a natural state. The plan shall also include botanical and common names of all planting materials.
    - b. **Biological Information.** The following biological information:
      - i. **Conditional Use Permit.** A Conditional Use Permit requires a biological constraints analysis, including a map depicting biological constraints to development, in compliance with SEATAC Guidelines.
      - ii. **Minor Use Permit.** A Minor Use Permit requires a summary of biological sensitivities which includes a schematic map of onsite vegetation and proposed development.

5. ***Burden of Proof.*** In lieu of the burden of proof required for Conditional Use Permits and Minor Use Permits by Division 7, an application for a for a project within an SEA shall substantiate the following facts to the satisfaction of the review authority:
  - a. The development is designed to be highly compatible with biological resources present and will not adversely affect wildlife movement areas;
  - b. The development is designed to maintain waterbodies, watercourses, and their tributaries in a natural state, to avoid impacts to wetlands, vernal pools, riparian woodlands and other sensitive riparian areas, and to minimize impervious surfaces;
  - c. The development is designed to preserve open space, retain large unbroken blocks of natural vegetative cover and maintain local and regional connectivity, and to retain woodland habitats intact and minimize tree removal;
  - d. The development is designed to incorporate minimal outdoor lighting, which is shielded from adjacent open space areas and preserves night skies, and to avoid noise disruptions to wildlife once completed;
  - e. Roads and utilities are located and designed to prevent damage to biological resources or wildlife movement; and
  - f. The development is designed to minimize the need for required fuel modification activity on adjacent open space land.
6. ***Additional Information Required by the Director.*** Other information that the Director determines to be necessary for adequate evaluation. The Director may waive one or more of the required items listed above where the Director deems the item to be unnecessary to process the application.

## 22.42.060 Review of Plans

### A. Reports.

1. ***Report to Review Authority.*** The Director shall prepare a report to the Regional Planning Commission for a Conditional Use Permit; or if applicable, staff shall prepare a report to the Director for a Minor Use Permit. The report shall contain, but is not limited to a detailed review of the applicant's development proposal, including:
  - a. Appraisal of measures taken to protect biological and other ecological resources;
  - b. Appraisal of measures taken to permanently dedicate open space, extinguishing development rights, and establish future maintenance, if necessary; and
  - c. Recommended changes or conditions of approval, to ensure that the proposed development will comply with the findings required by *Subsection F.*
2. ***Consultation with Interested Agencies.*** In developing the report and recommendation, the Director will consult with appropriate agencies and will

compile the recommendations and comments of the agencies, including any recommendations of the SEATAC, as applicable. Recommendations for approval shall be accompanied by a finding that the proposed project meets the burden of proof in Subsection 22.42.050.D.5 (Burden of Proof), above.

**B. Findings and Decisions.**

1. ***Application approval.*** An application for a Conditional Use Permit or Minor Use Permit may be approved only where the review authority first determines that the information submitted by the applicant and/or presented at public hearing substantiates the following:
  - a. That the findings contained in Division 7 for Conditional Use Permits or Minor Use Permits, as applicable, have been met;
  - b. That any recommendations from SEATAC have been considered and incorporated into the design; and
  - c. That the burden of proof in Subsection 22.42.050.D.5 (Burden of Proof), above has been met.
2. ***Application Denial.*** The review authority shall deny the application where the information submitted by the applicant and/or presented at the public hearing fails to substantiate the findings, recommendations and burden of proof to the satisfaction of the review authority.

- C. Conditions of Approval.** The requirements in Subsection 22.42.040, (Development Regulations) above, shall be applied as conditions of approval to each Conditional Use Permit and each Minor Use Permit granted in an SEA overlay zone. The review authority may impose additional conditions as deemed appropriate, and may modify any of the requirements in Section 22.42.040 to protect natural resources.

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## **CHAPTER 22.44: TRANSIT-ORIENTED DEVELOPMENT ZONE**

### **Sections:**

- 22.44.010 Purpose**
- 22.44.020 Authority**
- 22.44.030 Transit-Oriented Districts Established**
- 22.44.040 Applicability**
- 22.44.050 Land Use Regulations**
- 22.44.060 Development Standards for all Transit-Oriented Districts**
- 22.44.070 RS-TOD (Single Family Residential) Zone Development Standards**
- 22.44.080 RM-TOD (Medium Density Residential) Zone Development Standards**
- 22.44.090 RHD-TOD (High Density Residential) Zone Development Standards**
- 22.44.100 CN-TOD (Neighborhood Commercial) and CG-TOD (General Commercial) Zone Development Standards**
- 22.44.110 Case Processing Procedures**
- 22.44.120 Blue Line Transit-Oriented Districts**
- 22.44.130 Green Line Transit-Oriented Districts**
- 22.44.140 Gold Line Transit-Oriented Districts (Reserved)**

### **22.44.010 Purpose**

The Transit-Oriented Development (TOD) overlay zone is established to identify transit-oriented districts, which are intended to: assist in promoting transit-oriented and pedestrian-oriented development; increase transit use; manage traffic congestion; and improve air quality.

### **22.44.020 Authority**

The TOD overlay zone and the transit-oriented development it is intended to facilitate implement the objectives of the Transit Village Development Planning Act of 1994, Government Code Section 65460, et seq. They also implement the Land Use and Economic Development Strategies: Blue Line Transit-Oriented Districts Study, and the Draft Green Line Transit-Oriented Districts Land Use, Housing and Economic Development Strategy Report (hereafter referenced in this Chapter respectively as the “Blue Line Strategy Report” and “Green Line Strategy Report”), on file with the Department of Regional Planning.

### **22.44.030 Transit-Oriented Districts Established**

To achieve the purposes in Section 22.44.010 (Purpose), the following transit-oriented districts are established to create and apply specific development standards and case processing procedures to geographic areas within an approximately one-quarter to one-half mile radius around specific light rail transit stations:

#### **A. Blue Line Transit-Oriented Districts.**

1. Slauson Station;

2. Florence Station;
3. Firestone Station; and
4. Imperial Station.

**B. Green Line Transit-Oriented Districts.**

1. Vermont Station; and
2. Hawthorne Station

**C. Gold Line Transit-Oriented Districts (Reserved)**

The geographic boundary of each transit-oriented district is shown on its respective map at the end of this Chapter.

**22.44.040 Applicability**

Where a regulation in this Chapter differs from another provision of this Zoning Ordinance, including a provision of a Community Standards District (CSD), the transit-oriented district regulation shall supersede any differing provision. In the event there are perceived conflicts between provisions within this Chapter, the more specific provision shall apply.

**22.44.050 Land Use Regulations**

The following table identifies uses within the CN-TOD and CG-TOD zones that have permit requirements differing from that of the base zone. Where uses have not requirements listed, the requirements of the base zone shall dictate the appropriate permit required. As the Blue Line TOD and Green Line TOD have TOD-specific permitting requirements, chart 22.44.050-A shall dictate the permitting requirements of all future TODs.

<b>TABLE 22.44.050-A: USE REGULATIONS FOR TRANSIT-ORIENTED OVERLAY</b>			
MUP - Minor Use Permit required, CUP - Conditional Use Permit required			
	<b>ZONES WITH TOD OVERLAY</b>		<i>Additional Regulations</i>
<b>LAND-USE TYPES</b>	<i>CN</i>	<i>CG</i>	<i>See Division 6</i>
<b>Sales</b>			
Auction houses		CUP	
Automobile sales, sale of new and used motor vehicles	CUP	CUP	
Boat and other marine sales	CUP	CUP	
Ice sales		CUP	
Mobilehome sales		CUP	
Motorcycle, motor scooter, and trail bike sales		CUP	
Recreational vehicle sales	CUP	CUP	

**TABLE 22.44.050-A: USE REGULATIONS FOR TRANSIT-ORIENTED OVERLAY**

MUP - Minor Use Permit required, CUP - Conditional Use Permit required

LAND-USE TYPES	ZONES WITH TOD OVERLAY		Additional Regulations
	CN	CG	See Division 6
Trailer sales, box and utility	CUP	CUP	
<b>Services</b>			
Air pollution sampling stations	CUP	CUP	
Automobile services, including battery service, brake repair, muffler and radiator shops		CUP	
Automobile rental and leasing agencies	CUP	CUP	
Automobile repair garages, excluding body and fender work, painting, and upholstery work		CUP	
Automobile service stations	CUP	CUP	
Bakery good distributors		CUP	
Car washes, including automatic, coin operated, and hand wash		CUP	
Dog training schools		CUP	
Electric distribution substations, including microwave facilities	CUP	CUP	
Furniture transfer and storage		CUP	
Gas metering and control stations, public utility	CUP	CUP	
Health clubs or centers		MUP	
Laboratories, research, and testing		CUP	
Lodge halls	CUP	CUP	
Mortuaries		CUP	
Motion picture studios		CUP	
Outdoor dining	MUP	MUP	
Parcel delivery terminals		CUP	
Radio and television broadcasting, and recording studios		CUP	
Rental services, including recreational and commercial vehicle, tool and equipment rentals		CUP	
Taxidermists		CUP	

<b>TABLE 22.44.050-A: USE REGULATIONS FOR TRANSIT-ORIENTED OVERLAY</b>			
MUP - Minor Use Permit required, CUP - Conditional Use Permit required			
	<b>ZONES WITH TOD OVERLAY</b>		<i>Additional Regulations</i>
<b>LAND-USE TYPES</b>	<i>CN</i>	<i>CG</i>	<i>See Division 6</i>
<b>Recreation and Amusement</b>			
Amusement rides and devices		CUP	
Carnivals		CUP	
<b>Lodging</b>			
Hotels		MUP	
Rooming and boarding houses	MUP	MUP	
Senior Citizens and disabled persons housing developments	MUP	MUP	
<b>Other</b>			
Signs	MUP	MUP	

The requirements of this Section apply to all development within all TOD overlay zones, as applicable, in addition to the development standards of this Chapter for a specific base zone (for example, RM, CN, and the like) or for a specific transit line and/or transit-oriented district.

**22.44.060 Development Standards for all Transit-Oriented Districts**

- A. **Graffiti.** To encourage the maintenance of exterior walls free from graffiti that would impact public views, the following shall apply to all lots within all transit-oriented districts:
  - 1. Each structure, including fences and walls, adjacent to a public right-of-way or otherwise visible from a public viewpoint shall remain free of graffiti; and
  - 2. In the event graffiti is applied, the lot owner, tenant, or their agent shall remove or cover the graffiti within 72 hours, weather permitting. The color of paint used to cover graffiti shall match the color of the adjacent surfaces as closely as possible.
  
- B. **Signs.** The following standards shall apply to all signs within a TOD overlay, regardless of the requirements of Chapter 22.74 (Signs):
  - 1. **Window Signs.** Window signs shall not exceed a maximum area of 10 percent per glass area (total window or door glass area visible from the building exterior); and
  - 2. **Prohibited Signs.** The following signs are prohibited:
    - a. Roof signs; and
    - b. Outdoor advertising signs.

C. **Residential Structures.**

1. ***Relationship of New Residential Development to Existing Structures.***

- a. *Form.* New residential structure shall be generally consistent and compatible in terms of size, scale, and proportion with adjacent structures to the satisfaction of the Director, and its height shall not exceed the applicable limits in this Chapter, except with a variance approved in compliance with Chapter 22.108 (Variances).
- b. *Design.* New residential structure shall be generally consistent and compatible in terms of color, architectural style, and construction materials with adjacent structures, to the satisfaction of the Director.

2. ***Fences, Walls and Landscaping.***

- a. A fence or wall shall be constructed with materials and colors that are generally consistent and compatible with the buildings and structures in the development.
- b. Where any part of a multi-unit residential development adjoins a lot with a single dwelling, a fence or wall shall be located along the common lot line, and:
  - i. Be at least six feet in height;
  - ii. Where the lots share a side property line, extend from the rear lot line to at least the minimum front yard setback; and
  - iii. Where the lots share a rear lot line, extend from side lot line to side lot line.

3. ***Mechanical Equipment.***

- a. For the purposes of this Chapter, mechanical equipment shall mean air conditioners, television antennae, and other accessory equipment customarily utilized in connection with residential uses.
- b. All mechanical equipment, trash containers, and dumpsters shall be completely screened from view from adjacent streets, walkways, and residences through the use of walls and/or landscaping.

D. **Commercial and Mixed-Use Structures.**

- 1. ***Compatibility with Residential Lots.*** A commercial or mixed-use (commercial/residential) structure on a parcel adjoining a residentially-zoned lot shall be located and designed to minimize its impact on the residentially-zoned lot with respect to light, air, noise, and privacy, to the satisfaction of the Director.
- 2. ***Pedestrian Character.***

- a. *Street Wall Continuity and Interest.* To promote visual continuity among adjacent retail and service businesses and create an interesting walking experience for pedestrians, at least 50 percent of any building's ground floor façade that is approximately parallel to and facing the street shall be composed of entrances, show windows or other displays.
  - b. *Windows.* All windows placed at and near street level shall either be clear or lightly tinted to promote maximum visibility of building interiors to pedestrians on the sidewalk. Mirrored, highly reflective glass or densely tinted glass is prohibited, except as an architectural or decorative accent, limited to 20 percent of the entire street-facing building façade.
  - c. *Walk-up Service Facilities.* Walk-up service facilities (for example, ATMs) shall be recessed and provide enough queuing space to ensure that pedestrians walking along the sidewalk will not be obstructed.
  - d. *Location of Principal Building Entrance.* Where feasible, the principal building entrance shall face the sidewalk bordering the building's primary street façade;
  - e. *Parking Access.* The width of a driveway from the street to an on-site parking lot shall be limited to 28 feet of the commercial frontage, and no customer drive-through facilities shall be permitted;
  - f. *Architectural and Decorative Accents.* At least 50 percent of the building façade above the first story shall be composed of recessed windows, balconies, offset planes, or other architectural or decorative features to reduce apparent building mass;
  - g. *Roof Design.* New buildings or additions proposed with 100 feet or more of street frontage shall be designed to provide roofs of varying materials, textures, and motifs.
  - h. *Paving Material.* Pedestrian circulation areas and driveway entrances within the site boundaries shall be developed with decorative paving materials such as brick or paver tile.
3. *Awnings.* Awnings shall be:
- a. The same color and style for each opening on a single storefront or business;
  - b. Complimentary in color and style for each storefront in a building;
  - c. Designed to coordinate with the architectural divisions of the building façade, including individual windows and bays;
  - d. In compliance with building code and fire department requirements; and
  - e. Repaired or removed within 30 days of receipt of notification that a state of disrepair exists. For the purposes of this subsection, disrepair shall be defined as torn, ripped, or faded to a different color.

4. ***Mechanical Equipment.***

- a. Individual air-conditioning units for a building or storefront shall be located as unobtrusively as feasible within the overall design of the building, to the satisfaction of the Director.
- b. If air-conditioning window units must be located in the storefront:
  - i. The window units shall be neutral in appearance and shall not project outward from the façade. Their housing color shall be the same as those of the storefront; or
  - ii. If possible, the unit shall be completely screened with an awning or landscaping so that it will not be visible from the street.
- c. Roof-mounted mechanical equipment shall be completely screened by parapet walls or other design features so that the equipment will not be visible from any point six feet above ground level within 300 feet.
- d. Notwithstanding subsection 4.a above, any structure on a roof, including air-conditioning units, antennas, and other equipment, shall be completely screened from the view of any adjacent residential lot.

5. ***Security.***

- a. Building security grilles shall be side-storing, concealed interior grilles that are not visible from the building exterior when not in use (during business hours) or grilles that can be concealed in the architectural elements of the building.
- b. Chain-link, barbed, and concertina wire fences are prohibited; tubular steel or wrought-iron fences are permitted.
- c. Security bars or grilles shall be installed within the interior of the building.
- d. Vertically or horizontally folding accordion grilles installed in front of a storefront are prohibited.

6. ***Lighting.*** On-site exterior lighting shall:

- a. Be focused on the site and shielded or hooded to prevent illumination of adjacent lots; and
- b. Utilize lighting fixtures that are screened or designed to complement the use and architecture of the subject site and adjacent lots from which they are visible.

7. ***Parking Areas.*** Parking facilities shall comply with the following standards. With the exception of fully subterranean structures, each parking area shall be:

- a. Located behind the occupied structures on the site; and
    - b. Completely screened with walls and/or landscaping so that it is not visible from the street that provides frontage, except from the access driveway.
  - 8. ***Landscape Plan.*** The application for County approval of a new commercial structure or an addition to a commercial structure exceeding 500 square feet in gross floor area shall include a landscape/ irrigation for the Director’s review process. The plan shall show required landscaping, including one 15-gallon tree for each 50 square feet of planter area, as well as required irrigation infrastructure.
  - 9. ***Trash Enclosure.*** The required trash bin shall be completely enclosed by a five- to six-foot high decorative wall with solid doors.
- E. **Public Space.** Public spaces within transit-oriented districts shall comply with the following requirements.
- 1. ***Definition of Public Space.*** For the purposes of this Chapter, “public space” means an area provided for passive and active outdoor recreational use and the enjoyment of community residents, employees, and visitors.
  - 2. ***Types of Public Space.*** Public spaces include the following, as long as they are consistent with the design, scale, and area standards specified in subsections E.3 and E.4, below:
    - a. Athletic fields;
    - b. Arboretums and horticultural gardens;
    - c. Courtyards;
    - d. Historical monuments and cultural heritage sites;
    - e. Outdoor public assembly;
    - f. Parks and playgrounds;
    - g. Plazas, village greens, and squares;
    - h. School yards;
    - i. Swimming pools; and
    - j. Tennis, volleyball, badminton, croquet, lawn bowling facilities, and courts designed for similar outdoor activities.
  - 3. ***Design and Location.*** Public spaces shall be developed at a scale that will encourage pedestrianism and provide for efficient land use. Adjacent development shall be “space-making” rather than “space-occupying.” That is, forming boundaries around a public space rather than being sited in the middle of the space.

4. **Size.** Public spaces shall range in area from one-half acre to three acres.

F. **Streets and Sidewalks.**

1. **Pedestrian-Friendly Design.** In order to create safe, convenient, and comfortable pedestrian routes, new street and sidewalk construction shall:
  - a. Provide sidewalks on both sides of each street;
  - b. Include pedestrian amenities such as those listed in subsection F.5, below;
  - c. Include street trees that:
    - i. Line the sidewalks to provide a shade canopy at maturity;
    - ii. Are of a shade-producing variety; and
    - iii. Are planted within the planting strip, where a planting strip is required, at intervals not to exceed 30 feet.
2. **Pedestrian Accessibility.** Streets, sidewalks, and pathways shall be aligned:
  - a. To facilitate safe and convenient pedestrian access across streets and between buildings, to public spaces and to the transit station, to the satisfaction of the Director; and
  - b. To provide new development with easy pedestrian access, to the satisfaction of the Director.
3. **Street, Sidewalk, and Planting Strip Dimensions.**
  - a. **Sidewalks.** New sidewalks shall be:
    - i. Not less than six feet wide in residential zones; and
    - ii. Not less than 15 feet wide in all other zones.
  - b. **Planting Strips.** Required planting strips shall be at least six feet wide.
4. **Pedestrian Amenities in Sidewalk Areas.** In non-residential zones, the amenities identified in subsection F.5, below, may encroach up to 50 percent into the required sidewalk width.
5. **Types of Pedestrian Amenities.** Pedestrian amenities shall be provided within or adjacent to the required sidewalk area in front of commercial and mixed-use development, to the satisfaction of the Director. These amenities may include:
  - a. Benches;
  - b. Bicycle racks;
  - c. Bus shelters;
  - d. Decorative street and sidewalk lights;

- e. Drinking fountains;
- f. Landscaped buffers;
- g. Newsstands;
- h. On-sidewalk dining;
- i. Planter boxes;
- j. Special paving materials for sidewalks or crosswalks, such as treated brick; and
- k. Trash receptacles.

#### **22.44.070 RS-TOD (Single Family Residential) Zone**

Development in the RS-TOD zone shall comply with the following standards, in addition to those in Section 22.16.030 (Residential Zones - Development Standards), except where provisions for the RS zone under a specific transit-oriented district (for example the Blue Line TOD standards in Section 22.44.100, below) provide otherwise.

- A. **Land Use Regulations.** See Section 22.44.050 (Land-Use Regulations), above.
- B. **Lot Coverage.** The maximum lot coverage permitted in the RS zone is 50 percent.
- C. **Use of Front Setback.** Not more than 25 percent of the required front yard setback shall be utilized for vehicle access or storage.

#### **22.44.080 RM-TOD (Medium Density Residential) Zone**

Development in the RM-TOD zone shall comply with the following standards, in addition to those in Section 22.16.030 (Residential Zones - Development Standards), except where provisions for the RM zone under a specific transit-oriented district (for example the Blue Line TOD standards in Section 22.44.100, below) provide otherwise.

- A. **Land Use Regulations.** See Section 22.44.050 (Land-Use Regulations), above.
- B. **Density Bonuses.** If a site plan is first submitted to and approved by the Director, a residential land use type listed in Section 22.16.020 (Residential Zones - Land Use Regulations) as permitted in the RHD zone may obtain a density bonus subject to the following requirements.
  1. ***Infill Development.*** Where development is proposed for a vacant lot or on a site with a nonconforming use, a density bonus of 25 percent shall be granted, subject to a Director's review, to ensure that the proposed development conforms with the character of the area.
  2. ***Lot Consolidation.*** Where lot consolidation is proposed, the following range of density bonuses shall be granted subject to the provision of amenities, for example, recreation facilities, laundry facilities, and extra landscaping.

- a. Consolidation of lots totaling 15,000 square feet or more — 10 percent density bonus.
- b. Consolidation of lots totaling 25,000 square feet or more — 15 percent density bonus.

C. **Development Standards**

- 1. **Lot Coverage.** The maximum lot coverage permitted in the RM zone is 50 percent.
- 2. **Use of Front Setback.** Not more than 25 percent of the required front yard setback shall be utilized for vehicle access or storage.

**22.44.090 RHD-TOD (High Density Residential) Zone**

Development in the RHD zone shall comply with the following standards, in addition to those in Section 22.16.030 (Residential Zones - Development Standards), except where provisions for the RHD zone under a specific transit-oriented district (for example, the Blue Line TOD standards in Section 22.44.100, below) provide otherwise.

A. **Land Use Regulations.** See Section 22.44.050 (Land Use Regulations), above.

B. **Density Bonuses.** If a site plan is first submitted to and approved by the Director, a residential land use type listed in Section 22.16.020 (Residential Zones - Land Use Regulations) as permitted in the RHD zone may obtain a density bonus subject to the following requirements.

- 1. **Infill Development.** Where development is proposed for a vacant lot or on a site with a nonconforming use, a density bonus of 25 percent shall be granted, subject to a Director’s review, to ensure that the proposed development conforms with the character of the area.
- 2. **Lot Consolidation.** Where lot consolidation is proposed, the following range of density bonuses shall be granted subject to the provision of amenities, for example, recreation facilities, laundry facilities, and extra landscaping.
  - a. Consolidation of lots totaling 15,000 square feet or more — 10 percent density bonus.
  - b. Consolidation of lots totaling 25,000 square feet or more — 15 percent density bonus.

C. **Development Standards.**

- 1. **Use of Setbacks.** Not more than 25 percent of the required front yard shall be utilized for vehicle access and storage.
- 2. **Lot Coverage.** Maximum lot coverage in the R-3 zone shall be 50 percent.

## 22.44.100 CN-TOD (Neighborhood Commercial) and CG-TOD (General Commercial) Zones

Development in the CN-TOD and CG-TOD zones shall comply with the following standards, in addition to those in Section 22.18.030 (Commercial Zones - Development Standards), except where provisions for the CN or CG zones under a specific transit-oriented district (for example, the Blue Line TOD standards in Section 22.44.100, below) provide otherwise.

- A. **Land Use Regulations.** See Section 22.44.050 (Land-Use Regulations), above.
- B. **Development Standards.** The following development standards apply in both the CN and CG zones, except where noted otherwise.
  1. **Floor Area.**
    - a. *Total Commercial Floor Area.* The total gross commercial floor area in all buildings on a single lot shall not exceed two times the total net area of the lot.
    - b. *Total Gross Floor Area.* The total gross mixed-use (commercial/residential) floor area on a single lot shall not exceed three times the total net area of the lot. The residential portion of a mixed-use structure shall constitute at least 33 percent of the total gross floor area.
    - c. *CG Zone - Use Of Ground Floor Space.* 100 percent of the ground floor space in a multi-story mixed-use (commercial/residential) building shall be devoted to commercial use.
  2. **Build to Lines and Use of Setbacks.** The front façade of a structure abutting a street right of way shall be placed at the front lot line, except that up to 30 percent of the façade may be located up to 10 feet back from the lot line if one or more of the following are located within the resulting setback:
    - a. Display windows, highly visible;
    - b. Landscaping;
    - c. Outdoor dining facilities, subject to the conditions of Division 6;
    - d. Outdoor display/sales; and/or
    - e. Street furniture.

## 22.44.110 Case Processing Procedures

- A. **Minor Use Permit.** Applicants shall pay 25 percent of the fees specified by The Department of Regional Planning Fee Schedule for site plan reviews.
- B. **Conditional Use Permits.** Applicants shall pay 50 percent of the fees specified by The Department of Regional Planning Fee Schedule for CUPs for the following uses:
  1. Grocery stores.

2. Offices, businesses or professional.
3. Restaurants or other eating establishments, excluding drive-through facilities.
4. Retail stores.

D. **Non-conforming uses.** In addition to the findings required by Section 22.56.1550 for approval of a nonconforming use, building, or structure review in a transit oriented district, an application for a nonconforming use or structure review shall not be approved unless the information submitted by the applicant and/or presented at the public hearing substantiates that the proposed use, building, or structure will not be in substantial conflict with the Blue Line Strategy Report or the Green Line Strategy Report, as applicable.

**22.44.120 Blue Line Transit-Oriented Districts.**

**A. Land Use Regulations.**

The following table identifies uses within the RS-TOD, RM-TOD, RHD-TOD, CN-TOD, CG-TOD, and CS-TOD zones within the Blue Line TOD. The uses listed have permit requirements differing from those of the base zone, in at least one of the base zone listed. Where uses have no requirements listed, the requirements of the base zone shall dictate the appropriate permit.

<b>TABLE 22.44.120: USE REGULATIONS FOR BLUE LINE TRANSIT-ORIENTED DISTRICTS</b>								
MUP - Minor Use Permit required, CUP - Conditional Use Permit required								
<b>LAND USE TYPES</b>	<b>ZONES WITHIN BLUE LINE TRANSIT-ORIENTED DISTRICTS</b>							<i>Additional Regulations</i>
	<i>RS</i>	<i>RM</i>	<i>RHD</i>	<i>RMI</i>	<i>CN</i>	<i>CG</i>	<i>CS</i>	
<b>Sales</b>								
Auction houses						CUP	CUP	
Automobile sales, sale of new and used motor vehicles					CUP	CUP	CUP	
Boat and other marine sales					CUP	CUP	CUP	
Grocery store	CUP	CUP	CUP	CUP				
Ice sales						CUP	CUP	
Mobilehome sales						CUP	CUP	
Motorcycle, motor scooter, and trail bike sales						CUP		
Recreational vehicle sales					CUP	CUP	CUP	
Retail store	CUP	CUP	CUP	CUP				
Trailer sales, box and utility					CUP	CUP	CUP	
<b>Services</b>								

**TABLE 22.44.120: USE REGULATIONS FOR BLUE LINE TRANSIT-ORIENTED DISTRICTS**

MUP - Minor Use Permit required, CUP - Conditional Use Permit required

LAND USE TYPES	ZONES WITHIN BLUE LINE TRANSIT-ORIENTED DISTRICTS							Additional Regulations
	RS	RM	RHD	RMI	CN	CG	CS	
Air pollution sampling stations					CUP	CUP	CUP	
Adult day care facilities							MUP	
Automobile services, including battery service, break repair, muffler and radiator shops						CUP	CUP	
Automobile rental and leasing agencies					CUP	CUP	CUP	
Automobile repair garages, excluding body and fender work, painting and upholstery						CUP	CUP	
Automobile service stations					CUP	CUP	CUP	
Bakery goods distributors						CUP		
Car washes, including automatic, coin operated, and hand wash						CUP	CUP	
Electric distribution stations					CUP	CUP	CUP	
Furniture transfer and storage						CUP		
Gas metering and control stations, public utility					CUP	CUP	CUP	
Health clubs or centers						MUP	MUP	
Laboratories, research and testing						CUP	CUP	
Lodge halls					CUP	CUP	CUP	
Mortuaries						CUP	CUP	
Motion picture studios						CUP	CUP	
Offices, business or professional	CUP	CUP	CUP	CUP				
Outdoor dining					MUP	MUP	MUP	
Parcel delivery terminals						CUP	CUP	
Radio and television broadcasting, and recording studios						CUP	CUP	

**TABLE 22.44.120: USE REGULATIONS FOR BLUE LINE TRANSIT-ORIENTED DISTRICTS**

MUP - Minor Use Permit required, CUP - Conditional Use Permit required

LAND USE TYPES	ZONES WITHIN BLUE LINE TRANSIT-ORIENTED DISTRICTS							Additional Regulations
	RS	RM	RHD	RMI	CN	CG	CS	
Rental services, including recreational and commercial vehicle, tool and equipment rentals						CUP	CUP	
Restaurant	CUP	CUP	CUP	CUP				
Taxidermists						CUP	CUP	
Theaters and other auditoriums					MUP	MUP	MUP	
<b>Lodging</b>								
Hotel or motel						MUP	MUP	
Rooming or boarding house					MUP	MUP	MUP	
<b>Residential</b>								
Apartment house		CUP <sup>L1</sup>			MUP	MUP	MUP	
Residence, single-family					MUP	MUP	MUP	
Residence, two-family					MUP	MUP	MUP	
Senior citizen or disabled persons housing development					MUP	MUP	MUP	
<b>Other</b>								
Signs					MUP	MUP	MUP	
Restaurants and incidental service concessions offering newspapers, tobacco, notions, grocery, and other similar items		MUP <sup>L2</sup>	MUP <sup>L2, L3</sup>	MUP <sup>L2, L3</sup>				

**Limitations – The following limitations apply in addition to the permit requirement shown above:**

L-1: If the apartment house contains more than five dwelling units within a single structure.

L-2: Requirement applies provided that the restaurant or service concessions are located within an apartment house where at least 50 percent of the developed area is solely devoted to residential use.

L-3: Requirement applies provided that the restaurant or service concessions are located within a hotel development having not less than 20 guest rooms.

B. **Development Standards for All Zones in Blue Line Transit- Oriented Districts.**

1. ***Parking.***

- a. *General Parking Reduction.* Except as otherwise provided in following subsection B.1.b, the automobile parking requirements of Chapter 22.68 (Parking and Loading) shall be reduced by 40 percent for new construction, additions, alterations, and changes of use. This reduction shall not apply to additions and alterations of existing single dwelling detached structures, which shall continue to be subject to the full requirements of Chapter 22.68 (Parking and Loading).
- b. *Parking Reduction for Specific Uses.* The automobile parking requirements of Chapter 22.68 (Parking and Loading) shall be reduced by 60 percent for the following uses:
  - i. Banks and financial services.
  - ii. Barber shops.
  - iii. Beauty shops.
  - iv. Child and adult day care centers.
  - v. Colleges and universities, excluding trade schools, specialized education or training.
  - vi. Community centers.
  - vii. Drug stores/pharmacies.
  - viii. Dry cleaning establishments, excluding wholesale dry-cleaning plants.
  - ix. Employment agencies.
  - x. Grocery stores.
  - xi. Ice cream shops.
  - xii. Libraries.
  - xiii. Restaurants,
  - xiv. Schools, specialized education or training, but not including a school specializing in manual training, shop work, or in the repair and maintenance of machinery or mechanical equipment.

2. ***Signs.*** Notwithstanding the provisions of Chapter 22.74, the following standards shall apply to all signs:

- a. *Window Signs.* Window signs shall be displayed on the interior of windows or door windows only.
- b. *Freestanding Signs.* Freestanding signs shall:
  - i. Be permitted only on lots with street frontage of at least 100 feet;
  - ii. Have a solid base that rests directly on the ground;

- iii. Not exceed five feet in height measured vertically from ground level at the base of the sign;
      - iv. Not exceed 40 square feet in area per sign face; and
      - v. Not be located in nor extend above any public right-of-way or public sidewalk area.
    - c. *Awning Signs.* The following standards shall apply to awning signs:
      - i. The maximum allowable sign area for wall signs shall not be applicable to or include awning signs.
      - ii. Awning signs shall:
        - Not be permitted above the second floor; and
        - Be limited to a maximum letter height of 10 inches;
        - For the ground floor, not exceed 20 percent of the exterior surface area of each awning;
        - For the second floor, not exceed 10 percent of the exterior surface area of each awning.
3. ***Residential Uses - Fences.*** Where fences are to be located in required front and corner side yards in residential zones, the following standards shall apply:
- a. Chain link or wrought-iron fences shall not exceed a maximum height of four feet;
  - b. Wrought-iron style fences of up to six feet in height may be allowed. The Director may impose conditions on the fence design as are appropriate to ensure public safety, community welfare, and compatibility with all applicable development standards for residential uses; and
  - c. Portions of fences more than 42 inches high shall be substantially open, except for columns used in conjunction with wrought-iron style fences, and shall not cause a significant visual obstruction. No slats or other view-obscuring materials may be inserted into or affixed to such fences.
4. ***Commercial and Mixed-use Buildings.***
- a. *Pedestrian character.* At least 20 percent of the total building façade shall be composed of recessed windows, balconies, offset planes, or other architectural or decorative features.
  - b. *Landscape Plan.* Street furniture and related paving of up to 25 percent of the landscaped area, to a maximum of 250 square feet, may be substituted for required landscaped area.
5. ***Street, Sidewalk, and Planting Strips.***

- a. *Planting Strip.* All streets shall be designed so that a minimum six-foot wide, landscaped planting strip separates the sidewalk from the street.
- b. *Street and Sidewalk Dimensions.* To ensure pedestrian safety by slowing vehicular traffic and narrowing crosswalk lengths, a new commercial or mixed-use development shall include a narrowing of adjoining streets at pedestrian crossings, if acceptable to the Department of Public Works.

C. **RS-TOD (Single Family Residential) Zone – Blue Line**

1. ***Setback Requirements.*** Notwithstanding the yard requirements in Division 5-Development Standards, parcels in zone RS shall be subject to the following:
  - a. Corner side and rear yards setbacks are subject to the provisions of Division 5 – Development Standards.
  - b. Front yard setbacks shall be at least ten feet in depth; and
  - c. Interior side yard setbacks may be reduced from the five feet minimum to zero feet subject to the setback modification procedure and provided that a minimum distance of ten feet is maintained between the subject buildings and the building on the adjoining lot.

D. **RM-TOD (Medium Density Residential) Zone – Blue Line**

1. ***Setback Requirements.*** Development within a Blue Line RM-TOD zone shall comply with the following setback requirements, instead of those in Division 2:
  - a. Front yard setbacks shall be at least 10 feet in depth; and
  - b. Interior side yard setbacks may be reduced from the five feet minimum to zero feet subject to the setback modification procedure and provided that a minimum separation of 10 feet is maintained between the subject buildings and buildings on the adjoining lot.

E. **RHD-TOD (High Density Residential) Zone -- Blue Line**

1. ***Height Limits.*** No structure in the RHD zone shall exceed 40 feet in height, except for chimneys and rooftop antennas.
2. ***Setback Requirements.*** Development within a Blue Line RHD-TOD zone shall comply with the following setback requirements instead of those in Division 2:
  - a. Front yard setbacks shall be at least 10 feet in depth; and
  - b. Interior side yard setbacks may be reduced from the five foot minimum to zero feet provided that a minimum separation of 10 feet is maintained between the subject buildings and the buildings on the adjoining lot.
  - c. Not more than 25 percent of required front yard setback shall be utilized for vehicle access or storage.

F. **RMI-TOD (Maximum Intensity Residential) Zone – Blue Line**

1. **Height Limits.** No structure in the RMI zone shall exceed 40 feet in height, except for chimneys and rooftop antennas.
2. **Setback Requirements.** Development within a Blue Line RMI-TOD zone shall comply with the following setback requirements instead of those in Division 2:
  - a. Interior side yard setbacks may be reduced from the five feet minimum to zero, provided that at least 10 feet of separation is maintained between the subject buildings and the buildings on the adjoining lot.
  - b. Not more than 25 percent of the required front yard setback shall be utilized for vehicle access or storage.
  - c. Not more than 25 percent of required front yard setback shall be utilized for vehicle access or storage.

G. **CN-TOD (Neighborhood Commercial) Zone – Blue Line**

1. **Height Limits.** Mixed-use (commercial/ residential) buildings in which the residential portions are at least 33 percent of total gross floor area may be constructed to a maximum height of 45 feet above grade, excluding chimneys and rooftop antennas.
2. **Floor Area.** At least 50 percent of the floor area of a single-story mixed-use building shall be occupied by commercial use.

H. **CG-TOD (General Commercial) Zone – Blue Line**

1. **Height Limits.**
  - a. Commercial buildings may be constructed to a maximum height of 45 feet, excluding chimneys and rooftop antennas.
  - b. Mixed-use (commercial/residential) buildings in which residential portions constitute at least 33 percent of all floor area may be constructed to a maximum height of 60 feet, excluding chimneys and rooftop antennas.
2. **Floor Area.** At least 50 percent of the floor area of a single-story structure and 100 percent of the ground floor area of a multi-story structure in a mixed-use building shall be devoted to commercial uses.

I. **CS-TOD (Commercial Services) Zone – Blue Line**

1. **Height Limits.** No commercial building shall exceed 40 feet in height, excluding chimneys and rooftop antennas.
2. **Floor Area.**
  - a. **Commercial Floor Area.** The total gross commercial floor area in all the buildings on any one lot shall not exceed 1.8 times the total net area of the lot.

- b. *Mixed-Use (Commercial/ Residential) Buildings.*
  - i. The total gross mixed-use floor area on any one lot shall not exceed 2.7 times the total net area of the lot.
  - ii. The residential portion shall constitute at least all floor area exceeding 1.8 times the total net area of the lot.
  - iii. At least 50 percent of the floor area of a single-story structure and 100 percent of the ground floor area of a multi-story structure in a mixed-use building shall be devoted to commercial or manufacturing uses.
- 3. ***Lot Coverage.*** Maximum lot coverage shall not exceed 80 percent of the net area of a lot.
- 4. ***Build-To-Lines and Use of Setbacks.*** Structures shall be built abutting the front lot line, except that they may be constructed up to 15 feet back from the front lot line if one or more of the following are maintained within the setback area:
  - a. Display windows;
  - b. Landscaping;
  - c. Outdoor dining facilities;
  - d. Outdoor display/sales; and/or
  - e. Street furniture.

**J. Development Standards for Specific Blue Line Transit-Oriented Districts.**

- 1. ***Slauson Station TOD- Paving Material.*** Pedestrian circulation areas and driveway entrances within the boundaries of private, commercially developed land shall be paved with textured and/or colored pavement.
- 2. ***Florence Station TOD.***
  - a. ***Colors.*** For commercial development, muted pastel colors are recommended as the primary or base building color. Darker, more colorful paints should be used as trim colors for cornices, graphics, and window and door frames.
  - b. ***Paving Material.*** Pedestrian circulation areas and driveway entrances within the boundaries of private, commercially developed lots shall be developed with colored and/or textured pavement.
- 3. ***Firestone Station TOD.***
  - a. ***Colors.*** For commercial development, muted pastel colors are recommended as the primary or base building color. Darker, more colorful paints should be used as trim colors for cornices, graphics, and window and door frames.

- b. *Paving Material.* Pedestrian circulation areas and driveway entrances on private commercially developed lots shall be developed with colored and/or textured pavement.
  - c. *Wall Finish.* In order to preserve and enhance a mixed urban use environment on Firestone Boulevard, building walls shall be constructed primarily of stucco, brick, or other appropriate materials as approved by the Director.
4. *Imperial Station TOD. [Reserved.]*

**K. Nonconforming buildings, uses, and structures – Blue Line**

All nonconforming buildings and structures nonconforming due to use, and building and structures nonconforming due to standards are subject to regulation as specified by Division 7, except as modified herein. The effective date which commenced the running of the amortization periods contained in subsection B.1.f of Section 22.56.1540 for all Blue Line transit oriented districts, shall be August 5, 1999, the effective date of Ordinance Number 99-0057, and the listing of periods for discontinuance and removal below shall supersede those set forth in subsections B.1.f.i through iv of Section 22.56.1540 for the following building types as follows:

- 1. *Type IV and Type V Buildings.* Type IV and Type V buildings used as:
  - a. Three-family dwellings, apartment houses, and other buildings used for residential occupancy, 35 years;
  - b. Stores and factories, ten years; and
  - c. Any other building no herein enumerated, ten years.
- 2. *Type III Buildings.* Type III buildings used as:
  - a. Three-family dwellings, apartment houses, offices, and hotels, 40 years;
  - b. Structures with stores below and residences, offices or a hotel above, 40 years;
  - c. Warehouses, stores, and garages, 15 years; and
  - d. Factories and industrial buildings, 15 years.
- 3. *Type I and Type II Buildings.* Type I and Type II buildings used as:
  - a. Three-family dwellings, apartment houses, offices, and hotels, 50 years;
  - b. Theaters, warehouses, stores, and garages, 20 years; and
  - c. Factories and industrial buildings, 15 years.

4. The termination periods enumerated in subsections D.1, D.2, and D.3 of this section shall not apply to apartment houses which are rendered nonconforming due to the requirement in Table 22.44.120 that requires them to obtain a CUP to operate in the RM-TOD zone.

**22.44.130 Green Line Transit-Oriented Districts.**

**A. Land Use Regulations.**

The following table identifies uses within the RS-TOD, RM-TOD, RHD-TOD, CN-TOD, CG-TOD, and CS-TOD zones within the Blue Line TOD. The uses listed have permit requirements differing from those of the base zone, in at least one of the base zone listed. Where uses have no requirements listed, the requirements of the base zone shall dictate the appropriate permit.

<b>TABLE 22.44.130: USE REGULATIONS FOR GREEN LINE TRANSIT-ORIENTED DISTRICTS</b>					
MUP - Minor Use Permit required, CUP - Conditional Use Permit required					
<b>LAND-USE TYPES</b>	<b>ZONES WITHIN GREEN LINE TRANSIT-ORIENTED DISTRICTS</b>				<i>Additional Regulations</i>
	<i>RS</i>	<i>RM</i>	<i>CN</i>	<i>CG</i>	
<b>Sales</b>					
Auction houses				CUP	
Automobile sales, sale of new and used motor vehicles			CUP	CUP	
Boat and other marine sales			CUP	CUP	
Grocery store	CUP <sub>L1</sub>	CUP <sub>L1</sub>			
Ice sales				CUP	
Mobilehome sales				CUP	
Motorcycle, motor scooter, and trail bike sales				CUP	
Newsstands			MUP		
Recreational vehicle sales			CUP	CUP	
Retail store					
Trailer sales, box and utility			CUP	CUP	
<b>Services</b>					
Air pollution sampling stations			CUP	CUP	
Automobile services, including battery service, break repair, muffler and radiator shops				CUP	
Automobile rental and leasing agencies			CUP	CUP	
Automobile repair garages, excluding body and fender work, painting and upholstery				CUP	

**TABLE 22.44.130: USE REGULATIONS FOR GREEN LINE TRANSIT-ORIENTED DISTRICTS**

MUP - Minor Use Permit required, CUP - Conditional Use Permit required

LAND-USE TYPES	ZONES WITHIN GREEN LINE TRANSIT-ORIENTED DISTRICTS				Additional Regulations
	RS	RM	CN	CG	
Automobile service stations			CUP	CUP	
Automobile supply stores			CUP		
Automobile washing, waxing, and polishing, when incidental to the sale of new automobiles and automobile service stations			CUP		
Bakery goods distributors				CUP	
Car washes, including automatic, coin operated, and hand wash				CUP	
Electric distribution substations, including microwave facilities			CUP	CUP	
Furniture transfer and storage				CUP	
Gas metering and control stations, public utility			CUP	CUP	
Health clubs or centers				MUP	
Laboratories, research and testing				CUP	
Lodge halls			CUP	CUP	
Mortuaries				CUP	
Motion picture studios				CUP	
Outdoor dining			MUP	MUP	
Parcel delivery terminals				CUP	
Radio and television broadcasting, and recording studios				CUP	
Rental services, including recreational and commercial vehicle, tool and equipment rentals				CUP	
Restaurant	CUP L1, L2	CUP L1, L2			
Taxidermists				CUP	
Theaters and other auditoriums					
Storage					
<i>Warehouse, indoor storage</i>					

<b>TABLE 22.44.130: USE REGULATIONS FOR GREEN LINE TRANSIT-ORIENTED DISTRICTS</b>					
MUP - Minor Use Permit required, CUP - Conditional Use Permit required					
<b>LAND-USE TYPES</b>	<b>ZONES WITHIN GREEN LINE TRANSIT-ORIENTED DISTRICTS</b>				<i>Additional Regulations</i>
	<i>RS</i>	<i>RM</i>	<i>CN</i>	<i>CG</i>	
Wholesaling and distribution					
<b>Lodging</b>					
Hotel or motel				MUP	
Rooming or boarding house			MUP	MUP	
<b>Residential</b>					
Residence, single-family					
Residence, two-family					
Senior citizen or disabled persons housing development			MUP	MUP	
L-1: Requirement applies provided the store is limited to 5,000 square feet in gross floor area and located on a corner lot, which may be extended to an immediately adjoin lot					
L-2: Requirement applies provided that the restaurant or service concessions are located within an apartment house where at least 50 percent of the developed area is solely devoted to residential use.					

**B. Development Standards for all Green Line Transit-Oriented Districts**

**1. *Parking.***

- a. *Parking Reductions for Specific Use Types.* The automobile parking requirements of Chapter 22.68 (Parking and Loading) shall be reduced by 25 percent for new construction, additions, alterations, and changes of use for the following commercial uses:
  - i. Bakeries.
  - ii. Banks/check cashing establishments
  - iii. Barber shops.
  - iv. Beauty shops.
  - v. Business support services.
  - vi. Child care centers.
  - vii. Colleges and universities giving advanced academic instruction approved by the State Board of Education or other recognized accrediting agency, but excluding trade schools.
  - viii. Community centers.
  - ix. Copy/mail services.

- x. Day care centers.
  - xi. Delicatessens.
  - xii. Donut shops.
  - xiii. Drug stores and/or pharmacies.
  - xiv. Dry cleaning, excluding wholesale dry-cleaning cleaning plants.
  - xv. Employment agencies.
  - xvi. Flower shops.
  - xvii. Grocery stores.
  - xviii. Hardware stores.
  - xix. Ice cream shops.
  - xx. Libraries.
  - xxi. Restaurants, coffee shops, juice bars.
  - xxii. Schools, specialized education and training, but not including any school specializing in manual training, shop work, or in the repair and maintenance of machinery or mechanical equipment.
  - xxiii. Shoe repair/alterations.
  - xxiv. Stationary stores.
  - xxv. Video sales and rentals.
- b. *Parking Reductions for Open Leisure Areas.* A commercial use may receive up to a five percent reduction in the number of required parking spaces when open leisure areas with benches and other streetscape furniture appropriate for relaxing and eating are provided to the satisfaction of the Director. This five percent reduction may be added to the reduction allowed in subsection B.1.a of this Section.
- c. *Parking for Persons with Disabilities.* Parking for persons with disabilities shall be calculated based on the total number of parking spaces required prior to any reduction allowed by subsections B.1.a and B.1.b of this section, or based on the total number of parking spaces actually provided, whichever is greater.
- d. *Residential Parking.* With the exception of fully subterranean structures, all parking shall:
- i. Where related to multi-unit residential structures, be located in the rear of the housing development; and
  - ii. Be completely screened with walls and/or landscaping so that it is not visible from the street that provides frontage except from the access driveway.
2. **Signs.** Freestanding signs, including pole signs and A-frame sandwich signs, are prohibited.

3. ***Standards for Commercial and Mixed-use (Commercial/Residential) Buildings.***
  - a. Single story mixed-use buildings are prohibited.
  - b. Ground floor space in a mixed-use (commercial/residential) building shall be devoted solely to commercial uses.
  - c. Retail uses shall be limited to the ground floor.
  - d. Where office commercial and residential uses are located on the same floor, they shall have separate entrance hallways and/or entrance balconies.
  - e. Where office commercial and residential uses have a common wall, the wall shall be constructed to minimize the transmission of noise and vibration between the uses.
  - f. Separate commercial and residential parking spaces must be provided and specifically designated by posting, pavement marking and/or physical separation.
  
4. ***Pedestrian Character.*** The following standards apply in the interest of achieving a pedestrian character
  - a. *Recessed Upper Stories.* The third and fourth stories of commercial and mixed-use buildings shall be recessed a successive minimum of at least ten feet on each story.
  - b. *Paving Material.* Pedestrian circulation areas and driveway entrances within the boundaries of private property may be developed with colored stamped concrete.
  - c. *Pedestrian Amenities.* In addition to amenities allowed elsewhere in this Section, pedestrian amenities may also include leisure areas, open, with benches and other street furniture appropriate for relaxation and eating.
  
5. ***Public Spaces.***
  - a. In addition to the uses listed in Division 2, open leisure areas, including benches and other street furniture appropriate for relaxation and eating may also be provided.
  - b. To create pleasing and convenient leisure areas, public space shall be furnished with amenities such as trees, landscaping, benches, trash containers, and water fountains.
  
- C. **RS-TOD (Single Family Residential) and RM-TOD (Medium Density Residential) Zones – Green Line**
  1. ***Density Bonuses.*** Development proposed within the RM-TOD zone along the Green Line may receive the following density bonuses:

- a. *Infill Development.* A density bonus of 25 percent shall be allowed for infill development on vacant lots and on lots with nonconforming uses, subject to a Director's review, to ensure that the proposed development is compatible with the height, bulk, and colors of existing surrounding development.
- b. *Lot Consolidation.* If amenities including recreation facilities, laundry facilities, and significant landscaping are provided to the satisfaction of the Director, a lot consolidation may qualify for the following density bonuses:
  - i. Consolidation of lots with a combined total of 15,000 square feet up to 24,999 square feet: 10 percent density bonus.
  - ii. Consolidation of lots with a combined total of 25,000 square feet or more: 15 percent density bonus.
- c. *Total of Combined Density Bonus Grants.* In the event that a project may qualify for more than one category of density bonuses in compliance with this subsection C.1., the total combined density bonus granted under these provisions shall not exceed 50 percent.

2. *Signs.*

- a. *Signs for Commercial Uses in Multi-Unit Residential Buildings.* Signs shall comply with the following requirements instead of those in Chapter 22.74.
  - i. Incidental Restaurants and Service Commercial Uses. Where incidental restaurants and service commercial uses within apartment houses are authorized by this Chapter, related signs shall:
    - Be limited to 12 inches in height and 18 inches in width; and
    - Not be visible from any public right-of-way.
  - ii. Small Grocery Stores and Restaurants. Small grocery stores and restaurants for corner and corner-adjointing lots authorized by this Chapter, may be allowed either one wall sign or one projecting sign in compliance with the following:  
Wall Signs. Wall signs shall:
    - Be limited to 15 square feet in size; and
    - Contain letters of not more than 18 inches in height.
  - iii. Projecting Signs. Projecting signs, including awning signs, shall:
    - Be limited to seven and one-half square feet in size;
    - Contain letters of not more than 10 inches in height; and

- Not project beyond the face of the building in excess of 50 percent of the limitations set forth in diagram A of subsection C.1 of Chapter 22.74.

3. ***Street, Sidewalk and Planting Strip Development Standards.*** Streets shall be designed so that a minimum six-foot wide, landscaped planting strip separates the sidewalk from the street.
4. ***Prohibited Uses.*** The following uses shall be prohibited:
  - a. Airports.
  - b. Cemeteries.
  - c. Earth stations.
  - d. Electric distribution substations.
  - e. Explosive storage.
  - f. Gas metering and control stations, public utility.
  - g. Heliports and helistops.
  - h. Landing strips.
  - i. Oil wells.
  - j. Radio and television stations and towers.
  - k. Sewage treatment plants.
  - l. Surface mining operations.
  - m. Water reservoirs.

**D. RHD-TOD (High Density Residential) Zone – Green Line**

1. ***Signs.*** The standards for signs in subsection C.2, above for the RM (Medium Density Residential) zone within a Green line TOD also apply to signs within the RHD zone.
2. ***Street, Sidewalk and Planting Strip Development Standards.*** The standards for street, sidewalk and planting strip development in subsection C.3, above for the RM zone within a Green line TOD also apply within the RHD zone.

**E. CN-TOD (Neighborhood Commercial) Zone – Green Line**

1. ***Build-to-Line and Use of Setbacks.*** Structures shall be constructed abutting the front lot line, except that they may be constructed up to 10 feet back from the front lot line if one or more of the following is located within the setback area:

- a. Display windows, highly visible;
- b. Landscaping;
- c. Outdoor dining facilities, subject to the conditions of Division 6;
- d. Outdoor display/sales; and/or
- e. Street furniture.
- f. Leisure areas, open, with benches and other street furniture appropriate for relaxing and eating

**F. CG-TOD (General Commercial) Zone – Green Line**

**1. *Height Limits.***

- a. Mixed-Use (commercial/ residential) buildings in which residential portions constitute less than 33 percent of all floor area shall be restricted to a maximum height of 35 feet, excluding chimneys and roof antennas.
- b. Mixed-use (commercial/ residential) buildings in which residential portions constitute at least 33 percent of all floor area may be constructed to a maximum of 45 feet in height, excluding chimneys and roof antennas.

**2. *Build-to-line and Use of Setbacks.*** Structures shall be constructed abutting the front lot line, except that they may be placed up to 10 feet back from the front lot line if one or more of the following is located within the setback area:

- a. Display windows, highly visible;
- b. Landscaping;
- c. Outdoor dining facilities, subject to the conditions of Division 6- Standards for Specific Uses;
- d. Outdoor display/sales; and/or
- e. Street furniture.
- f. Leisure areas, open, with benches and other street furniture appropriate for relaxing and eating

**G. Vermont Station Transit-Oriented District Standards.**

[Reserved.]

**H. Hawthorne Station Transit-Oriented District.**

[Reserved.]

I. **Case Processing Procedures.**

1. ***Conditional Use Permits.*** Applicants shall pay 50 percent of the fees specified by The Department of Regional Planning Fee Schedule for Conditional Use Permits, if required, for the following uses:

- a. Child care centers.
- b. Community centers.
- c. Libraries.

J. **Nonconforming buildings, uses, and structures.** All buildings, uses, and structures that are nonconforming due to use, and buildings and structures that are nonconforming due to standards are subject to regulation as specified by Section 22.56.1540, except that where a nonconforming use is carried on in a conforming structure, a ten-year amortization period shall apply, except where the provisions of subsection C of Section 22.56.1540 apply.

**22.44.140 Gold Line Transit-Oriented Districts**

[Reserved.]