

July 1, 2024

TO: Staff

FROM: Amy J. Bodek, AICP
Director of Regional Planning



SUBDIVISION AND ZONING ORDINANCE INTERPRETATION NO. 2024-03 - NEW DRIVE-THROUGH ESTABLISHMENTS

PURPOSE

This memorandum provides guidance on the permitting requirements for new drive-through establishments, as defined by [County Code Section 22.14.040](#), in the Mixed Use Development (MXD) Zone, in the mixed use zones established within Transit Oriented District (TOD) Specific Plans, and in the Industrial Zones.

BACKGROUND

The Zoning Code allows drive-through establishments as an accessory use to commercial service land uses, such as restaurants or banks. The Green Zones Program identified automobile-centric land uses, specifically drive-throughs and automobile service stations, as having negative environmental impacts on sensitive land uses.

The Green Zones Technical Update Ordinance (Ordinance), which took effect on June 20, 2024, required a Conditional Use Permit (CUP) for new drive-through establishments on industrially-zoned properties within the ()-GZ Combining Zone (County Code Section 22.84.040.A.1.a). The Ordinance also added drive-through establishments to the land use table for Commercial Zones (County Code Table 22.20.030-B) to clarify the permit requirements for new drive-through establishments outside and within the Green Zone communities. However, the MXD Zone and Industrial Zones also allow commercial service land uses associated with drive-through establishments and the Ordinance did not amend the land use tables for those zones to clarify whether drive-through establishments are allowed in those zones and what permit is required if they are allowed.

The MXD Zone was established concurrently with adoption of the General Plan in 2015 to promote higher housing densities with more concentrated commercial land uses to serve local residents and workers. The development standards in the zone result in compact development that helps improve walkability and encourages transit use. Drive-through establishments are not an appropriate land use based on the purpose of the zone. For the same reasons, drive-through establishments are not an appropriate land use in mixed use zones established within TOD Specific Plans.

Industrial Zones were established to develop employment centers for manufacturing and light to heavy industry. The zones devote land to the production and distribution of goods.

They also allow for land uses that serve the workers and visitors who commute into these areas, such as retail stores and restaurants. Therefore, drive-through establishments are appropriate land uses for these zones. In addition, the CUP requirement for drive-through establishments on industrially-zoned properties within the ()-GZ Combining Zone infers the continued allowance of drive-through establishments on industrially-zoned properties outside the ()-GZ Combining Zone.

POLICY

MXD Zone and Mixed Use Zones within TOD Specific Plans – New drive-through establishments are prohibited.

Industrial Zones – New drive-through establishments require a CUP on industrially-zoned properties within the ()-GZ Combining Zone. New drive-through establishments require the same permit as the primary land use on industrially-zoned properties outside the ()-GZ Combining Zone (e.g., if a restaurant requires a Site Plan Review (SPR), the drive-through establishment also requires a SPR). Note: A Planning Area Standards District, Community Standards District, or Specific Plan may prohibit new drive-through establishments or require a different permit.

ATTACHMENT

The attachment provides a comprehensive list of permitting requirements for new drive-through establishments in all zones outside and within the Green Zone communities, including commercial and industrial zones in TOD Specific Plans. As noted in the attachment, all new drive-through establishments shall comply with any applicable development standards.

APPLICABILITY

This memorandum applies to all existing applications for new drive-through establishments that are under review as of the date of this memorandum and to all applications for new drive-through establishments that are submitted on or after the date of this memorandum. This memorandum will remain in effect until such time that the Zoning Code is amended to clarify these provisions.

AJB:CC:ER:tf:ia

Attachment:
New Drive-Through Establishment Permitting Requirements

NEW DRIVE-THROUGH ESTABLISHMENT PERMITTING REQUIREMENTS

REQUIREMENTS OUTSIDE THE GREEN ZONE COMMUNITIES

Base Zones:

- **Commercial Zones:** Require the same permit as the primary land use in Zones C-H, C-1, C-2, C-3, C-M, and C-MJ (e.g., if a restaurant requires a Site Plan Review (SPR), the drive-through also requires a SPR). Prohibited in Zone C-R.
- **Industrial Zones:** Require the same permit as the primary land use (e.g., if a restaurant requires a SPR, the drive-through also requires a SPR).
- **Mixed Use Zone:** Prohibited in Zone MXD.
- **Rural Zones:** Require a Conditional Use Permit (CUP) in Zones C-RU and MXD-RU.

Community Standards Districts:

- **Acton:** Prohibited.
- **Altadena:** Require a CUP in Commercial Zones.
- **La Crescenta-Montrose:** Require a CUP in the Foothill Boulevard Area.
- **Leona Valley:** Prohibited.
- **Southeast Antelope Valley:** Require a CUP in the Pearblossom Highway Commercial Area if the primary land use is a restaurant that is located on a parcel adjoining Pearblossom Highway.
- **Three Points-Liebre Mountain:** Prohibited.

Specific Plans: Refer to the Specific Plan for permitting requirements.

REQUIREMENTS WITHIN THE GREEN ZONE COMMUNITIES

Base Zones:

- **Commercial Zones:** Require a CUP in Zones C-H, C-1, C-2, C-3, C-M, and C-MJ if proposed on a lot within a 500-foot radius of a lot containing an existing sensitive land use or require the same permit as the primary land use if not proposed on a lot within a 500-foot radius of a lot containing an existing sensitive land use (e.g., if a restaurant requires a SPR, the drive-through also requires a SPR). Prohibited in Zone C-R.
- **Industrial Zones:** Require a CUP if proposed on a lot in the ()-GZ Combining Zone or require the same permit as the primary land use if not proposed on a lot in the ()-GZ Combining Zone (e.g., if a restaurant requires a SPR, the drive-through also requires a SPR).
- **Mixed Use Zone:** Prohibited in Zone MXD.

Specific Plans:

- **Connect Southwest TOD:** Prohibited in Zones CSLA NC, CSLA CC, CSLA MXD-1, and CSLA MXD-2.
- **East Los Angeles Third Street TOD:** Prohibited in Zones TOD, CC, FS, AB, and NC.
- **Florence-Firestone TOD:**
 - **Commercial Zones.** Require a CUP in “Modified” Zone C-2 and “Modified” Zone C-M if proposed on a lot within a 500-foot radius of a lot containing an existing sensitive land use or the same permit as the primary land use if not proposed on a lot within a 500-foot radius of a lot containing an existing sensitive land use (e.g., if a restaurant requires a SPR, the drive-through also requires a SPR). Require a CUP in “Modified” Zone C-3.
 - **Industrial Zones.** Require a CUP in M-1-GZ, M-2-GZ, and M-3-GZ. Require the same permit as the primary land use in Zone IX (e.g., if a restaurant requires a SPR, the drive-through also requires a SPR).
 - **Mixed Use Zones.** Prohibited in Zones MU-1, MU-2, MU-3, MU-T, and MXD.
- **West Carson TOD:**
 - **Commercial Zones.** Prohibited in Zone NC. Require a CUP in Zone UC if proposed on a lot within a 500-foot radius of a lot containing an existing sensitive land use or require the same permit as the primary land use if not proposed on a lot within a 500-foot radius of a lot containing an existing sensitive land use (e.g., if a restaurant requires a SPR, the drive-through also requires a SPR).
 - **Industrial Zones.** Prohibited in Zone IF.
 - **Mixed Use Zones.** Prohibited in Zones MU1 and MU2.
- **Willowbrook TOD:**
 - **Commercial Zones.** Require a CUP in Zone IC if proposed on a lot within a 500-foot radius of a lot containing an existing sensitive land use or require the same permit as the primary land use if not proposed on a lot within a 500-foot radius of a lot containing an existing sensitive land use (e.g., if a restaurant requires a SPR, the drive-through also requires a SPR).
 - **Mixed Use Zones.** Prohibited in Zones MU-1 and MU-2.

In addition, all new drive-through facilities that require a CUP or a SPR shall comply with any applicable development standards, including but not limited to the development standards applicable to the –(GZ) Combining Zone in County Code Section 22.84.040.C.3.d, the development standards applicable to the Commercial Zones in County Code Section 22.140.185, and any applicable development standards in a Planning Area Standards District, Community Standards District, or Specific Plan.