PALMDALE

a place to call home

CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
38300 SIERRA HIGHWAY
SUITE B
PALMDALE, CA 93550
WEDNESDAY, MARCH 15, 2023
5:00 PM
7:00 PM
www.cityofpalmdale.org

WELCOME

The Council Chamber is open for in-person public comment and seating.

How to observe the meeting virtually:

1. Spectrum local access Channel 27
2. Online live webcast at www.cityofpalmdale.org.

How to Address the City Council

Any person who would like to address the Council regarding an item on the agenda, please fill out a Speaker's Form and submit it to the City Clerk prior to the agenda item you would like to discuss. You may address the Council once per meeting, per public comment section of the agenda on only those matters within the Council's jurisdiction. Please note that you are not required to complete this form or state your name and residence in order to speak. Each person addressing the Council is given up to three minutes to speak (with double the time allotted to non-English speakers using a translator). The amount of time authorized may be adjusted by the chair. If you wish to provide information to the Council, please present the City Clerk with 7 copies.

In accordance with the Americans with Disabilities Act of 1990, if you require a disability-related modification or accommodation to participate in this meeting, please contact the City Clerk's Office at (661) 267-5151 at least 72 hours prior to the meeting.

If you require oral Spanish translation, please contact the City Clerk's Office at (661) 267-

5151 at least 72 hours prior to the meeting.

Your courtesy is requested to help our meetings run smoothly. Please follow these simple rules so we can make the best possible use of your time and ours:

- Please refrain from public displays or outbursts, such as unsolicited applause, comments, cheering, foul language or obscenities.
- Any disruptive activities that substantially interfere with the ability of the City Council to carry out its meeting will not be permitted and offenders will be asked to leave the meeting.
- Please turn off/mute your cell phones and mobile devices.

5:00 P.M.

1. **CALL MEETINGS TO ORDER**

***Note: All City Council memberships are reflected in their City Council titles.**

2. **ROLL CALL**
   MAYOR BETTENCOURT, MAYOR PRO TEM ALARCÓN, COUNCILMEMBERS BISHOP, LOA, OHLSEN

3. **PUBLIC COMMENTS ON CLOSED SESSION ITEMS**
   This portion of the Agenda allows an individual the opportunity to address the Council on Closed Session items ONLY. **PLEASE NOTE: A three-minute time limit** will be imposed on each speaker.

4. **PRESENTATION BY CITY ATTORNEY**

   4.1 CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
   Ricky Thorstensen v. City of Palmdale, et al.
   Los Angeles County Superior Court
   Case No. 22STCV29463
   This closed session is being held pursuant to the authority of California Government Code Section 54956.9(d)(1).

   4.2 CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
   Ricci v. City of Palmdale, et al.
   Los Angeles County Superior Court
   Case No. 22STCV01269
   This closed session is being held pursuant to the authority of California Government Code Section 54956.9(d)(1).

4.3 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Shanae Smith, Patricia Nevarez and Michael "Mike" Behen vs. City of Palmdale, et al.
Los Angeles County Superior Court
Case No. 22STCV18219
This closed session is being held pursuant to the authority of California Government Code Section 54956.9(d)(1).

4.4 PUBLIC EMPLOYMENT
Title: City Attorney

4.5 CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: Number of cases – One.

5. **ANNOUNCEMENT BY CITY ATTORNEY**

6. **ADJOURN CLOSED SESSION MEETING**

7:00 P.M.

7. **PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**

8. **PRESENTATIONS**

8.1 Presentation by Mayor and Council of a Proclamation declaring March as Women's History month.

8.2 The City of Palmdale’s PGTV (Palmdale Government Television) Channel 27-produced “Courtney’s Playground Dedication” was recognized for Best Community Event Video as part of the 2023 ACM West WAVE Awards.
Staff Recommendation: Accept.

9. **WAIVER OF FULL READING OF RESOLUTION(S) and ORDINANCE(S)**
Staff Recommendation: Move to waive full reading of the Resolution (s) and/or Ordinance(s) to be considered and voted on at this meeting. (Voice Vote - Requires a majority to waive.)

10. **PUBLIC COMMENTS ON CONSENT CALENDAR ITEMS ONLY**
This portion of the Agenda allows an individual the opportunity to address the Council/Authority on Consent Calendar items ONLY. If you wish to comment on any

item(s) listed on the Consent Calendar, please come forward to the podium when called or acknowledged by the Chair and state the item number(s) and your comments.
PLEASE NOTE: A three-minute time limit will be imposed on each speaker.

11. **CONSENT CALENDAR**
All matters listed under the Consent Calendar will be enacted by one motion unless an item(s) is pulled by Council, in which case the item(s) will be removed from the Calendar and will be considered separately following this portion of the Agenda.

11.1 Adopt Resolution No. CC 2023-017, a Resolution of the City Council of the City of Palmdale approving the acquisition of tax defaulted property located on the southwest corner of Avenue Q-3 and 6th Street East Alley (APN 3008-013-042 and 3008-013-043) through a Chapter 8 Agreement Sale with the Los Angeles County Treasurer and Tax Collector. (Staff Reference: Director of Economic and Community Development Garibay)
Tax_Defaulted_Staff_Report Resolution.docx
Chapter 8 Purchase Resolution.doc
EXHIBIT_A.pdf

11.2 Approve First Amendment to Legal Services Agreement with Silver & Wright, LLP to increase the total amount of the Agreement by $65,000, to increase the the not to exceed amount to $565,000. (Staff Reference: Interim City Attorney Curley - Presented by Legal and Risk Coordinator Barajas)
SR - Silver & Wright, LLP A-7783 Amend 1 - 031523.docx
Silver & Wright, LLP (A-7783) Amendment 1.pdf
Silver & Wright, LLP (A-7783).pdf

11.3 Approve Agreement with J A D Hoyos, Inc. DBA Feathers Custom Signs to wrap 103 of the City of Palmdale's 332L traffic control utility cabinets with anti-graffiti laminate in the amount of $131,404.83 (Staff Reference: Parks and Recreation Director Smith)
Staff_Report_Agreement_Feathers_Signs_Draft (002).docx
Est_1727_from_Feathers_Signs__Printing_9476.pdf
Design Mockup Samples.jpg
City of Palmdale - Contract for Services (#2) - J A D HOYOS INC (A-8266) - 3-1-2023 - Preview.pdf

11.4 Approve the minutes from the previous meetings. (Staff Reference: Acting City Clerk Scott)

CC - February 15, 2023 (5:00 pm & 7:00 pm)

02 15 2023 Minutes CC Final.pdf

12. **PUBLIC HEARING**

12.1 INTRODUCTION AND ADOPTION OF ORDINANCE NO. 1603, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMDALE APPROVING ZONING ORDINANCE AMENDMENT 21-007; A REQUEST TO MODIFY THE ZONING CODE AND ZONING MAP TO BE IN COMPLIANCE WITH THE CITY'S GENERAL PLAN UPDATE (PALMDALE 2045), APPLICABLE LAWS, AS WELL AS COMPREHENSIVELY MODIFY PROCESSES, USES, AND STANDARDS OF DEVELOPMENT AND FIND THAT THE PROJECT IS CONSISTENT WITH PROGRAM ENVIRONMENTAL IMPACT REPORT (PEIR) 22-002 PREPARED AND CERTIFIED IN CONJUNCTION WITH PALMDALE 2045. (Staff Reference: Economic and Community Development Director Garibay - Presented by Associate Planner Almora)

Staff Report CC - ZOA 21-007.docx
Ordinance No. 1603 CC - ZOA 21-007.doc
ZOA 21-007_CC Exhibit IA Draft Zoning Code.pdf
ZOA 21-007_CC Exhibit IB Chpts 12 and 16.docx
ZOA 21-007_CC Exhibit II_Zoning Map.pdf

12.2 ADOPT RESOLUTION NO. CC 2023-019, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE APPROVING GENERAL PLAN AMENDMENT 23-001; A REQUEST TO MODIFY THE CITY'S GENERAL PLAN (PALMDALE 2045) TO ADDRESS INCONSISTENCIES, CORRECT TYPOGRAPHICAL ERRORS, UPDATE THE ASSOCIATED PALMDALE 2045 LAND USE MAP AND FIND THAT THE AMENDMENT IS CONSISTENT WITH PROGRAM ENVIRONMENTAL IMPACT REPORT 22-002 PREPARED AND CERTIFIED FOR PALMDALE 2045. (Staff Reference: Economic and Community Development Director Garibay - Presented by Deputy Director of Economic and Community Development Taggart and Acting Planning Manager Magaña)

Staff Report CC - GPA 23-001.docx
Resolution_CC_2023-019_GPA_23-001 (1).doc
Exhibit II - GPA 23-001 Land Use Map v1.pdf

12.3 INTRODUCTION AND ADOPTION OF ORDINANCE NO. 1606, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMDALE REVISING, DELETING, ADDING, AND STREAMLINING SELECTED PROVISIONS OF THE PALMDALE MUNICIPAL CODE TO PROMOTE PUBLIC HEALTH, SAFETY AND WELFARE RELATED TO SIDEWALK VENDING, MOBILE FOOD VENDING, AND FOOD FACILITY REGULATIONS TO STREAMLINE AND ENSURE CONSISTENCY WITH STATE LAW (AMENDING PMC SECTIONS 5.04.590, 5.04.150, 5.04.190, 8.24.210, 3.44.230; ADDING PMC SECTION 5.04.600; ADDING PMC CHAPTER 8.46; REPEALING AND DELETING PMC SECTIONS 8.04.105, 10.04.120); AND ADOPTION OF RESOLUTION NO. CC 2023-014, A RESOLUTION OF THE

CITY COUNCIL OF THE CITY OF PALMDALE APPROVING PERMIT FEES FOR SIDEWALK VENDING AND MOBILE FOOD VENDING. (Staff Reference: Community Compliance Manager Gallagher)

Staff Report - Ordinance No. 1606 and Resolution No. CC2023-14.docx
Ordinance No. 1606.docx
Resolution No. CC 2023-014.docx

13. **APPOINTMENT(S)**

13.1 Approve Appointment to the Antelope Valley Mosquito Abatement and Vector Control District. (Staff Reference: Acting City Clerk Scott)

CC_AV_Mosquito_Vector Appointment_SR .docx
AV Mosquito Vector application.pdf

13.2 City Council Nomination and Appointment of one (1) Public Member to the Palmdale Enhanced Infrastructure Financing District (EIFD). (Staff Reference: Acting City Clerk Scott)

Palmdale_EIFD_PFA_Appointment 03 15.docx
EIFD Applications.pdf

13.3 City Council Nomination and Appointment of Planning Commissioners - Districts 1 - 5. (Staff Reference: Acting City Clerk Faber)

StaffReport PC Appointments.docx
PC Applications.pdf

14. **NEW BUSINESS**

14.1 Discussion and possible action regarding Animal Care and Control Operations. (Staff Reference: City Manager Perez)

15. **PUBLIC COMMENTS ON NON-AGENDA ITEMS**

This portion of the Agenda allows an individual the opportunity to address the Council on any subject regarding City business not on the Agenda. Under state legislation, no action can be taken on items not specifically referenced on the Agenda and the Chair may refer you to the City Manager or staff to address your request. **PLEASE NOTE: A three-minute time limit** will be imposed on each speaker and your topic must remain relevant to items within the City's authority or purview.

16. **CITY COUNCIL ANNOUNCEMENTS AND REQUESTS FOR NEW AGENDA ITEMS**

17. **CITY MANAGER'S REPORT**

18. **ADJOURN meeting to April 5, 2023 at 5:00 p.m. in the City Hall Council Chamber located at 38300 Sierra Highway, Suite B, Palmdale, California.**

City Council Staff Report

DATE: **MARCH 15, 2023**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT**

DISTRICT: **ALL**

SUBJECT: **ADOPT RESOLUTION NO. CC 2023-017, APPROVING THE ACQUISITION OF TAX DEFAULTED PROPERTY LOCATED ON THE SOUTHWEST CORNER OF AVENUE Q-3 AND 6TH STREET EAST ALLEY (APN 3008-013-042 and 3008-013-043) THROUGH A CHAPTER 8 SALE AGREEMENT WITH LOS ANGELES COUNTY TREASURER AND TAX COLLECTOR.**

ISSUE

Adopt Resolution No. CC 2023-017, approving the acquisition of tax defaulted property located on the southwest corner of Avenue Q-3 and 6th Street East Alley (APN 3008-013-042 and 3008-013-043) through a Chapter 8 Agreement Sale with Los Angeles County Treasurer and Tax Collector.

RECOMMENDATION

Staff recommends that City Council:

1. Adopt Resolution No. CC 2023-017, approving the acquisition of tax defaulted property (APN 3008-013-042 and 3008-013-043) through a Chapter 8 Agreement Sale with Los Angeles County Treasurer and Tax Collector; and,

2. Authorize the City Manager or her designee to prepare and execute all necessary documents to complete property acquisition.

BACKGROUND

Upon the failure of a property owner to meet the payment obligation of his or her property tax, the LA County Treasurer and Tax Collector (TTC) sends the property owner a Notice of Auction. The default opens a 5-year waiting period for residential property and 3-year waiting period for non-residential commercial property during which the delinquent taxes, interest, and penalties accumulate until redeemed. At the end of the 5 years for residential property and 3 years for non-residential commercial property, if the tax is not

redeemed, the TTC has the power to sell the property. TTC conducts a tax defaulted property auction twice per year in April and October.

As a public agency, the City of Palmdale can acquire property from the tax defaulted property list if there is a public purpose for the property. To begin the process, a public agency or nonprofit organization submits an Application to Purchase Tax-Defaulted Property from the County to indicate which property the agency or organization is interested in purchasing. The City would also need to provide minutes from a public meeting where the City Council approved the potential acquisition of the property. If the City's application is approved, the TTC will designate the City as "pre-qualified" and forward an Agreement Sale packet, along with instructions on how to complete the forms and a checklist of requirements which includes an executed resolution.

DISCUSSION

The City reviewed the tax defaulted property list and identified two parcels that the City would be interested in purchasing. The parcels are located on the southwest corner of Avenue Q-3 and 6th Street East Alley (APN's 3008-013-042 and 3008-013-043). These parcels are located within the Palmdale Transit Area Specific Plan (PTASP) and will support the future development of the California High Speed Rail Palmdale Station. The acquisition of the properties will also allow the City to complete future street widening and pedestrian improvements along sections of Avenue Q-3 and 6th Street East Alley.

On October 19th, 2022, the City Council approved the TTC property acquisition application for the two properties. Since then, the application was accepted and approved by the TTC on January 26th, 2023. In order to complete the transaction, the City needs to adopt a resolution approving the property acquisition and executing the final agreement before March 26th, 2023. The property owner has the duration of the process to rectify their defaulted property tax status on the properties. The final purchase price shall include all costs of the sale, and the amount of outstanding taxes and penalties accrued up until the Agreement Sale is finalized which has now been notified by TTC as approximately $38,853 for APN 3008-013-042 and $36,350 for APN 3008-013-043. The sale process is expected to be completed by October 2nd, 2023.

FISCAL IMPACT

Not to exceed $80,000. The total cost includes the amount of outstanding taxes and penalties, auction fees and other minimal costs needed to complete the property acquisition. Funds are available in account 15761101-737133-1211

STRATEGIC PLAN

Goal III: Invest in infrastructure to improve community livability.

A. Launch an efficient regional multi-modal transportation hub connecting high speed rail, air, auto and, public transit.

Prepared by:	Zach Glynn, Management Analyst I
Certified as to availability of Funds:	Janelle Samson, Director of Finance
Approved by:	Ronda Perez, City Manager
Approved as to form:	William P. Curley III, Special Counsel

ATTACHMENTS

1. Exhibit A – Parcel Map

CITY COUNCIL
CITY OF PALMDALE, CALIFORNIA
RESOLUTION NO. CC 2023-017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE, AUTHOTIZING THE PURCHASE OF TAX-DEFAULTED PROPERTY (APN'S 3008-013-042 and 3008-013-043)

WHEREAS, the California Revenue and Taxation Code ("R&TC"), Chapter 8 of Part 6 of Division 1 ("Chapter 8"), beginning with Section 3791, allows public agencies, taxing agencies and nonprofit organizations to enter into Chapter 8 agreements to purchase tax-defaulted property; and

WHEREAS*,* real properties known as APN's 3008-013-042 and 3008-013-043 (the "Property") has annually defaulted in the payment of property taxes, penalties and administrative fees. The Property is more fully depicted in the aerial photo and parcel map attached hereto as Exhibits "A"; and

WHEREAS*,* the City desires to purchase the property, subject to the "Power to Sell" held by the Los Angeles County Treasurer and Tax Collector ("LATTC"), for a price not to exceed Eighty Thousand Dollars ($80,000.00)

NOW THEREFORE, BE IT RESOLVED, THE CITY COUNCIL OF THE CITY OF PALMDALE DOES HEREBY FIND, DETERMINE, RESOLVE AND ORDER AS FOLLOWS:

SECTION 1. The City Council does hereby authorize the City Manager or her designee to enter into a Chapter 8 "Agreement to Purchase Los Angeles County Tax Defaulted Property," in a form approved by the City Manager and City Attorney, with a price not to exceed $80,000.00.

SECTION X. The City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED and **ADOPTED** this _____ day of _____, _____.

_____
Laura Bettencourt, Mayor

Approved as to form:

ATTEST:

_____
William P. Curley, III
Special Counsel

_____
Rochelle Scott, Acting City Clerk

I, Rochelle Scott, Acting City Clerk of Palmdale, California, do hereby certify that the foregoing resolution was duly passed, approved, and adopted by the City Council of the City of Palmdale at a regular meeting of said Council held on the _____ day of _____, 20___ by the following roll call vote:

AYES: _____

NOES:_____

ABSTAIN:_____ABSENT:_____

Date: _____ _____
Rochelle Scott, Acting City Clerk

EXHIBIT A - PARCEL MAP



City Council Staff Report

DATE: **MARCH 15, 2023**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **CITY ATTORNEY'S OFFICE**

DISTRICT: **ALL**

SUBJECT: **APPROVE FIRST AMENDMENT TO LEGAL SERVICES AGREEMENT WITH SILVER & WRIGHT, LLP (A-7783) TO INCREASE THE TOTAL AMOUNT OF THE AGREEMENT BY $65,000 NOT TO EXCEED THE SUM OF $565,000**

ISSUE

Approve a First Amendment to Legal Services Agreement with Silver & Wright, LLP to increase the total amount of the Agreement by $65,000 not to exceed the sum of $565,000.

RECOMMENDATION

Staff recommends that the City Council:

1. Approve the First Amendment to Legal Services Agreement with Silver & Wright, LLP to increase the total amount of the Agreement by $65,000 not to exceed the sum of $565,000; and
2. Authorize the City Manager or her designee to execute the First Amendment with Silver & Wright, LLP substantially in the same form as presented to the City Council.

BACKGROUND

The law firm of Silver & Wright, LLP has represented the City since 2016, providing general advice regarding code enforcement and prosecuting nuisance abatement actions on behalf of the City. Silver & Wright, LLP has been successful abating nuisance properties within the City and routinely obtains full cost recovery for the City.

DISCUSSION

To continue Silver & Wright's representation of the City, an amendment must be executed to extend the maximum contract amount. By extending the maximum contract amount by $65,000, it will allow payment of previous and future services rendered by Silver & Wright, LLP for ongoing code enforcement, nuisance abatement, and general advisory services. Staff proposes that the City Council authorize the City Manager to execute the Amendment and allow Silver & Wright, LLP to continue to provide legal services.

FISCAL IMPACT

The Legal Services Agreement has the not-to-exceed amount of $565,000, however this amount is not guaranteed. Fees will only be paid to the extent services are provided. Funds for this agreement are currently budgeted in the City Attorney's Office budget accounts, Prosecuting Attorney Account (10114001-721121)

STRATEGIC PLAN

Goal I: Maintain effective public safety and protection for life, property and the environment.

A. Provide comprehensive and innovative safety services to prevent crime and promote a safe community.

Goal II: Ensure long-term fiscal health of the City and maintain funding for services.

A. Manage resources, costs and liabilities to ensure the City's long-term fiscal health.

Prepared by:	Angie Barajas, Legal & Risk Coordinator
Certified as to availability of Funds:	Janelle Samson, Director of Finance
Approved by:	Ronda Perez, City Manager
Approved as to form:	William P. Curley, III, Interim City Attorney

ATTACHMENTS

1. First Amendment with Silver & Wright, LLP
2. Agreement with Silver & Wright, LLP

FIRST AMENDMENT TO AGREEMENT A-7783
BETWEEN THE CITY OF PALMDALE AND SILVER & WRIGHT, LLP

This 1st Amendment to Agreement No. A-7783 (“Agreement”) between the City of Palmdale and Silver & Wright, LLP is made and entered into by and between the City of Palmdale (hereinafter called “CITY”) and Silver & Wright, LLP (hereinafter called "FIRM"). This Contract shall become effective on the date of the last signatory.

WHEREAS, CITY and FIRM entered into an Agreement on February 16, 2022 for legal services pursuant to California Business and Professions Code Section 6148; and

WHEREAS, CITY and FIRM desire to amend the contract amount of the Agreement to provide for additional services.

NOW THEREFORE, in consideration of the foregoing, the parties agree as follows:

1. The compensation identified in Section 4(e) shall be amended to increase the total amount of the Agreement by Sixty-Five Thousand Dollars ($65,000) not to exceed the sum of Five-Hundred and Sixty-Five Thousand Dollars ($565,000).

2. All other terms and conditions remain the same.

[REST OF PAGE INTENTIONALLY LEFT BLANK]

In Witness Whereof, the parties hereto have caused this Contract to be executed and attested by their respective officers thereunto duly authorized.

CITY OF PALMDALE

SIGNATURE AREA

SILVER & WRIGHT, LLP

SIGNATURE AREA

Matthew R. Silver, Esq.
Partner

ADDRESS FOR NOTICE:
CITY OF PALMDALE
38300 Sierra Hwy
Palmdale, CA 93550

ADDRESS FOR NOTICE:
SILVER & WRIGHT, LLP
3 Corporate Park, Suite 100
Irvine, CA 92606

APPROVE AS TO FORM:

SIGNATURE AREA

William P. Curley, III
Interim City Attorney

ATTEST:

SIGNATURE AREA

Roxanne Faber
Acting City Clerk

ORIGINAL

**AGREEMENT FOR LEGAL SERVICES BETWEEN
THE CITY OF PALMDALE AND SILVER & WRIGHT LLP
AGREEMENT NO. A-7783**

This Legal Services Agreement ("Agreement") is made and entered into by and between the City of Palmdale ("City") and Silver & Wright, LLP ("Firm"), collectively identified as "the parties."

RECITALS:

A. This Agreement is made pursuant to California Business and Professions Code Section 6148, and is intended to fulfill the requirements of that section.

B. The City desires to retain the Firm to provide specialized legal services related to the areas of code enforcement, nuisance abatement, as well as general advisory services related to municipal law.

C. The attorneys of the Firm are duly licensed under the laws of the State of California and are fully qualified to provide the services contemplated by this Agreement.

THE PARTIES AGREE AS FOLLOWS:

1. Scope of Services.

a. The Firm will provide those legal services as may be authorized and assigned by the Palmdale City Attorney, including, without limitation, legal services related to the areas of code enforcement, nuisance abatement, as well as general advisory services related to municipal law. The firm will provide those legal services reasonably required to accomplish City's stated goals.

b. The legal services the Firm will provide to City will be billed at the rates set forth in Exhibit "A", attached.

2. Designation of Responsible Attorneys.

Matthew R. Silver, Esq. is designated as the attorney responsible for providing the legal services under this Agreement to City and for supervising any other attorneys within the Firm assisting him in the performance of those services. The Firm's offices are located at 3 Corporate Park, Suite 100, Irvine, California 92606.

3. Confidentiality.

All reports, information, data or other documents prepared or assembled by the Firm under this agreement are confidential and the Firm shall not make the same

available to any individual or organization without the prior written approval of the Palmdale City Attorney.

4. **Maximum Contract Amount. Billing Procedures. and Monthly Statements.**

a. The Firm shall submit to the Palmdale City Attorney, within thirty (30) days after the end of each calendar month, an itemized statement of the professional services provided and the time expended providing those services. This statement will be in the form customarily submitted by the Firm to clients that are billed on an hourly basis. The parties acknowledge that payment of all monthly statements is expected to be made within thirty (30) days of the billing date.

b. The Firm will bill the City for items such as, but not limited to, long distance telephone calls, filing fees (if applicable), document duplication, computerized legal research, word-processing, and similar out-of-pocket expenditures. These items will be separately designated on the Firm's monthly statements as "disbursements," and will be billed in addition to the fees for professional services.

c. If the Firm's services are billed by the hour, time will be charged by the Firm in increments of 1/10 of an hour (i.e., six-minute units). Among the services which are routinely billed are telephone conversations and travel time. In addition to the fees charged for services, the Firm also bills for costs incurred, which include, but are not limited to, filing fees (if applicable), messenger and air courier expensed, parking expenses, local and out-of-town travel expenses, facsimile and other communication expenses, postage, and printing costs. In addition, the Firm charges for certain internal costs if incurred on City's behalf, such as photocopying, secretarial overtime, and word processing.

The rate structure in general, or the rates of particular attorneys, may be increased from time to time, after a minimum 30-day written notice to and written consent of the Palmdale City Attorney. To the extent feasible, these adjustments will be made so as to coincide with the beginning of City's fiscal year, which begins on July 1st. If possible, requests to increase fees should be forwarded to the Palmdale City Attorney in February of any given year

d. The Firm's fees for legal services are based primarily on hourly rates; other factors considered by the Firm in determining a fair fee are set forth in Rule 1.5 of the Rules of Professional Conduct of the California State Bar Association. If persons who are "Of Counsel" to the Firm work on City matters, the Firm and its Of Counsel may from time to time share the fees paid by City; however, if such is the case, City's fees will not be increased in any way, and the fees which City is requested to pay will be the same as would have been payable had there been no such sharing of fees.

e. All fees, charges, costs and reimbursable items for the term of the Agreement shall not exceed a maximum of $500,000.

5. **Resolution of Fee Disputes.**

City is entitled to require that any fee dispute be resolved by binding arbitration in Los Angeles in accordance with the arbitration rules of the Los Angeles County Bar Association for legal fee disputes. If City chooses not to use the Los Angeles County Bar Association's arbitration procedures, City agrees that any disputes regarding the professional services rendered or fees charged by the Firm will be submitted to binding arbitration in Los Angeles to be conducted by the American Arbitration Association in accordance with its commercial arbitration rules.

6. **Term of the Agreement.**

This Agreement will take effect on the date this Agreement is signed by the parties and will remain in full force and effect for a period of three (3) years, which may be extended for two additional one (1) year terms by the City Attorney or until terminated in accordance with the provisions of Section 7.

7. **Termination of the Agreement.**

City has the right to terminate the Firm's representation at any time, without cause, subject to an obligation to give notice in writing to the Firm at least thirty (30) days prior to termination. The Firm has the same right, subject to an obligation to give City written notice at least ninety (90) days prior to termination so that City will be able to arrange alternative representation. In either circumstance, City agrees to secure new counsel as quickly as possible and to cooperate fully in the substitution of the new counsel as counsel of record in any pending litigation matters. The Firm agrees to cooperate fully in any such transition, including the transfer of files. Upon termination, all finished or unfinished materials shall become the property of City. Notwithstanding the termination of the Firm's representation, City will remain obligated to pay to the Firm all fees and costs incurred prior to such termination.

8. **Modifications to the Agreement.**

Unless otherwise provided for in this Agreement, modifications relating to the nature, extent, or duration of the Firm's professional services to be rendered will require the written approval of the Palmdale City Attorney. Any such written approval will be deemed to be a supplement to this Agreement and will specify any changes in the Scope of Services and the agreed-upon billing rate to be charged by the Firm and paid by the City.

9. **Independent Contractor.**

No employment relationship is created by this Agreement with the Firm or any employees of the Firm. For all purposes, the Firm and its employees are independent contractors to City and shall not incur, nor have the authority to incur any debt, obligation, or liability for or against City.

10. **Assignment and Delegation.**

This Agreement contemplates the performance of professional services by the Firm. Neither this Agreement, nor any portion of it, may be assigned or delegated by the Firm without the prior written consent of the Palmdale City Attorney. Delegation to attorneys outside the Firm will be limited to those situations in which the Firm is disqualified by virtue of a conflict of interest, or where the Firm does not possess the expertise to perform services in a particular practice area. The Firm will supervise delegated work, except where precluded from doing so by virtue of a conflict of interest, and where otherwise agreed to by the parties.

11. **Conflict of Interest.**

The Firm affirms that it presently has no interest and shall not have any interest, direct or indirect, which would conflict in any manner with the performance of the services contemplated by this Agreement. No person having such interest shall be employed by or associated with the Firm.

12. **Insurance.**

a. The Firm shall obtain and maintain in full force and effect a professional liability insurance policy that provides coverage in an amount not less than $1,000,000 per occurrence. This insurance policy shall provide coverage to the City for any damages or losses suffered by City as a result of any error, omission, or neglect by the Firm that arises out of the professional services rendered under this Agreement. Such insurance may be subject to a self-insured retention or deductible to be borne entirely by the Firm.

b. The Firm will obtain and maintain workers' compensation insurance in accordance with Section 3700 of the California Labor Code.

c. The Firm will obtain and maintain in full force and effect comprehensive general liability insurance in an amount not less than $1,000,000 per occurrence with a $2,000,000 aggregate.

d. All insurance coverage specified above will provide for a minimum of thirty (30) days' notice of cancellation by the insurance carrier, and will be maintained in full force and effect throughout the term of this Agreement.

13. **Legal Files.**

a. During the period that the Firm is actively working upon a matter, the files pertaining thereto will be maintained in its offices. After the Firm has concluded working upon a matter, the files may be transferred to an offsite storage facility, from which they can be retrieved upon reasonable notice. All original agreements, modification or

deeds, easements or similar original documents should be forwarded to the Palmdale City Clerk either as created or at the expiration of the fourth calendar year following the consummation or conclusion of each matter for which a file is opened. City may request copies of its client matter files at any time, including, without limitation, upon termination of the Firm's engagement. City agrees that upon delivery of any client matter files that it will pay the Firm for its costs incurred in photocopying such files.

b. If the firm is called upon to give testimony or produce documents in any legal or administrative proceeding which concerns City in any way, whether before or after the representation and rendition of legal services to City under this agreement terminates, City agrees to pay the Firm, at its then prevailing hourly rates, for its time in investigating, preparing for and in giving testimony and/or in producing documents and for all expense incurred in connection with doing so.

14. **Entire Agreement**

This Agreement will constitute the full and complete agreement and understanding of the parties and supersedes all prior agreements and all other written or oral statements of either party relating to its subject matter.

TO EFFECTUATE THIS AGREEMENT, the authorized representatives of the parties have caused this Agreement to be executed as of the dates indicated below.

CITY OF PALMDALE

Steven D. Hofbauer
Mayor

Date: 2/16/2022

Attest:

Shanae Smith
City Clerk

Approved as to form:

Christopher Beck, Esq.
City Attorney

SILVER & WRIGHT, LLP

Matthew R. Silver, Esq.
Partner

Date: 1/26/22

EXHIBIT "A"
RATE SCHEDULE

A. Identification.

Client: City of Palmdale
Matter: Any matters assigned by the Palmdale City Attorney

B. **Attorney Fees**

Hourly Rate: $235.00 – attorneys; $140 – paralegals/law clerks.

These rates shall automatically increase by three percent each new fiscal year in order to offset rising costs.

C. **Standard Charges.**

Hourly rate will be billed in minimum units of one-tenth hours.

D. **Costs and Expenses.**

In-office photocopying	$0.25/page
Mileage	IRS prevailing mileage rates
Computerized Legal Research	At vendor cost
Word Processing	Varies
Postage	At vendor cost
Courier and Air Freight Charges	At vendor cost
Messenger Services	At vendor cost
Title Report and/or Litigation Guarantee	At vendor cost
Notary	At vendor cost
Court Photocopying	At cost
Incoming or out-going Fax Charges	No charge
Conference Call Charges	AT&T standard rates or equal
Travel Expenses	At cost
Other reasonable costs	At cost

E. **Subject to Change.**

The rates on this schedule are subject to change on thirty (30) days written notice and approval by the Palmdale City Attorney. If City declines to pay any increased rates, Firm will have the right to withdraw as Palmdale's counsel.

City Council Staff Report

DATE: **MARCH 15, 2023**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **PARKS AND RECREATION DEPARTMENT**

DISTRICT: **ALL**

SUBJECT: **APPROVE AGREEMENT WITH FEATHERS, SIGNS, PRINTING & WRAPS TO WRAP 103 OF THE CITY OF PALMDALE'S 332L TRAFFIC CONTROL UTILITY CABINETS WITH ANTI-GRAFFITI LAMINATE IN THE AMOUNT OF $131,404.83.**

ISSUE

Approve agreement with Feathers, Signs, Printing & Wraps to wrap 103 of the City of Palmdale's 332L traffic control utility cabinets with ant-graffiti laminate in the amount of $131,404.83 for a term of 4 months from the date of the Notice to Proceed.

RECOMMENDATION

Staff recommends that the City Council:

1. Award Agreement No. A-8266 with Feathers, Signs & Printing to wrap the City of Palmdale's 332L traffic control utility cabinets, in the amount of $131,404.83.
2. Authorize the City Manager or her designee to execute Agreement No. A-8266 with Feathers, Signs, Printing & Wraps.

BACKGROUND

The City owns 103 332L type traffic control utility cabinets throughout Palmdale which have been subject to ongoing incidents of graffiti. As a proactive measure utility box wraps are recommended to deter graffiti and continue beautification efforts. In following the City's procurement policy seven vendors were solicited to provide quotes for service. Feathers, Signs, Printing & Wraps was the lowest responsive vendor. Their proposal includes installation of full color print graphics on anti-graffiti laminate material on 103 utility cabinets. Prior to installation, utility cabinets will be cleaned, degreased and pressure washed by the contractor to ensure longevity of material installation. Artwork will be provided by the City. Longevity of wraps is dictated by exposure to weather, outdoor conditions and have an average lifespan of three to five years.

DISCUSSION

The City of Palmdale's Public Works graffiti abatement team responds to a high number of graffiti reports. Wrapping City-owned utility cabinets has proven in other communities to help deter graffiti. The graffiti resistant laminate simplifies removal of graffiti paint and markers, reducing response time if tagged. To expedite this work, the City's digital design team selected imagery from our Adobe catalog. The selected imagery is reflective of our community's natural landscape and habitat, to include wildflowers, birds, and reptiles.

FISCAL IMPACT

The project has been funded through Measure AV (157) funds, which have been allocated in Account No. 15733002-737100.

STRATEGIC PLAN

Goal III: Invest in infrastructure to improve community livability.

C. Plan and maintain safe and attractive neighborhoods, streets, facilities, and public spaces with exciting programming that promotes active fun for everyone.

Prepared by:	Keri Smith, Director of Parks and Recreation
Certified as to availability of Funds:	Janelle Samson, Director of Finance
Approved by:	Ronda Perez, City Manager
Approved as to form:	William P. Curley, III, Interim City Attorney

ATTACHMENTS

Estimate from Feathers, Signs, Printing & Wraps

Draft Agreement

Feathers Signs & Printing
26017 Huntington Lane, Unit F
Valencia, CA 91355

Estimate

Date	Estimate #
2/1/2023	1727

Name / Address
City of Palmdale Department of Parks and Recreation Attn: George Davis 827 East Avenue Q-9 Palmdale, CA 93550

Description	Qty	Rate	Total
Full Color Print of Graphics for Cabinets #332L Dimensions of Cabinets: 67” high, 37.4” wide, and 24.3” deep Material for Printing: 3M Car Wrap Laminated: Antigrafiti Gloss Finish Artwork to be provided by client (Regular Cost of Print: $890.00+tax)	103	745.00	76,735.00T
Installation Cost of Vinyl Graphics on Cabinets (Labor)	103	375.00	38,625.00
Logistics And Preparation Fee Fee includes: Clean up, Degreasing and Pressure Washing each Cabinet box Prior to installing due to dust, smog and outdoor dirt to give a better longevity to material installation.	103	85.00	8,755.00

	Subtotal
	Sales Tax (9.5%)
	Total

Fax #

Signature

Feathers Signs & Printing
26017 Huntington Lane, Unit F
Valencia, CA 91355

Estimate

Date	Estimate #
2/1/2023	1727

Name / Address
City of Palmdale Department of Parks and Recreation Attn: George Davis 827 East Avenue Q-9 Palmdale, CA 93550

Description	Qty	Rate	Total
Feathers signs and Printing will park vehicles on a parking lot during installation to avoid any obstruction to traffic. On locations where vehicle needs to be parked on shoulder. Feathers signs and printing will follow follow the California MUTCD (CA manual on Uniform Traffic Control Devices). To reduce any traffic obstruction to the location of installation.			

Subtotal	$124,115.00
Sales Tax (9.5%)	$7,289.83
Total	$131,404.83

Fax #

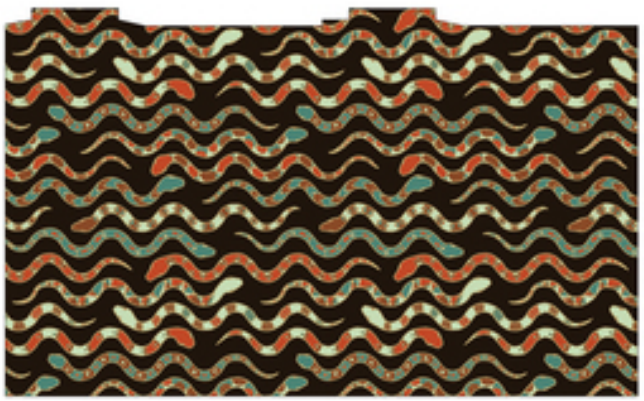
Signature _____

The samples provided are reflective of our community's natural landscape and habitat, to include local fauna and flora.









AGREEMENT NO. A-8266
CONTRACT FOR SERVICES
BETWEEN THE CITY OF PALMDALE AND J A D HOYOS, INC., DBA FEATHERS CUSTOM SIGNS

This CONTRACT for services ("Contract" herein) is made and entered into by and between the City of Palmdale, a public body corporate and politic, (hereinafter called "CITY"), and J A D HOYOS, INC., DBA FEATHERS CUSTOM SIGNS, a Corporation, (hereinafter called "CONTRACTOR"). This Contract shall become effective on the date of the last signatory.

RECITALS

WHEREAS, CONTRACTOR represents that CONTRACTOR has the expertise and is qualified to perform the services described in this Contract.

NOW THEREFORE, CITY and CONTRACTOR, in consideration of the mutual covenants hereinafter set forth, agree as follows:

1 CITY PROJECT MANAGER

To provide the services required by this Contract, CONTRACTOR shall act under the authority and approval of PUBLIC WORKS Director/designee, who shall oversee this Contract, the work performed by CONTRACTOR, assist CONTRACTOR with any necessary information, audit billings, and approve payments. The CONTRACTOR shall channel all contacts and requests through the City project manager.

2 DESCRIPTION OF WORK

2.1 CONTRACTOR shall provide the following services in a manner satisfactory to CITY:

CONTRACTOR shall wrap 103 utility cabinets located in Palmdale with artwork provided by the City. Prior to adhering wraps, CONTRACTOR will clean and prepare the surface of each utility cabinet for proper adhesion. Wrap material should include anti-graffiti laminate. Utility cabinets are 332L style controller cabinets located throughout Palmdale as indicated in the map. Utility cabinets are 67" high, 37.4" wide, and 24.3" deep.

CONTRACTOR must utilize existing parking facilities to stage for work to wrap utility cabinets whenever possible. For locations where no parking facilities are present the Contractor may park on the shoulder of the roadway. A letter on the contractor's letterhead must be submitted to the City Engineer that lists the locations where the roadway shoulder will be utilized. This letter needs to contain the project number, encroachment permit number, dates, and times of work, and refer to the California Manual on Uniform Traffic Control Devices (CAMUTCD) standard figures that are

proposed to be used. The standard figures (Typical Applications) from the CAMUTCD and their associated notes must be attached to the letter as well.

2.2 CONTRACTOR shall have no claim for compensation for any services or work, which has not been authorized by CITY's Authorization to Proceed.

2.3 CONTRACTOR shall not accept any change of scope, or change in contract provisions, to this Contract unless issued in writing, as a contract change order or amendment and signed by CITY. Any extensions of time must be mutually agreed upon in writing and executed by both parties.

2.4 CONTRACTOR shall maintain in current status all Federal, State, and local licenses and permits required for the operation of the business conducted by the CONTRACTOR as applicable to this contract.

2.5 All work supplied under this Contract shall be fully guaranteed by CONTRACTOR for a minimum period of Three years days from the date of acceptance by CITY. Any defects of design, workmanship, or materials that would result in non-compliance with the Contract specifications shall be fully corrected by CONTRACTOR (including parts and labor) without cost to CITY. The written warranty shall be included with the delivered products to the using Department.

CITY shall provide to CONTRACTOR, without charge, all data, program information, including reports, records, maps, and other information, now in CITY's possession, which may facilitate the timely performance of the work.

3 CONTRACTOR'S KEY PERSONNEL

3.1 **Key Staff.** CITY reserves the right to review and approve CONTRACTOR'S staff including all subcontractors to be assigned to any project by CONTRACTOR during the term of this Contract.

This Contract has been awarded to CONTRACTOR based partially on the key personnel proposed to perform the services required herein. CONTRACTOR shall not change nor substitute any of these key staff for work on this Contract without prior written approval by CITY.

CONTRACTOR's Team and Key Personnel are as follows:

David Hoyos
Alexandro Hoyos
Edwin Cisneros
Natalie Aliaga
Luis Damian

This Services Contract has been awarded to CONTRACTOR based on its representation that those personnel and subcontractors submitted as part of its bid and listed above will perform the portions of the work listed above.

CONTRACTOR shall not deviate nor substitute any of these team members without prior written approval by CITY.

3.2 **Subcontractors.** During the performance of the Agreement, CONTRACTOR may engage such additional SUBCONTRACTORS as may be required for the timely completion of this Agreement. In the event of subcontracting, the sole responsibility for fulfillment of all terms and conditions of this Agreement rests with CONTRACTOR.

CONTRACTOR shall not enter into any Subcontract under this Contract for the performance of this Contract without the advance written approval of CITY. The subcontract shall incorporate by reference the terms and conditions of this Contract.

3.3 **Direct Responsibility.** All services required under this Contract shall be performed by CONTRACTOR, or under CONTRACTOR's direct supervision, and all personnel shall possess the qualifications, permits and licenses required by State and local law to perform such services.

3.3.1 CONTRACTOR shall be solely responsible for the satisfactory work performance of all personnel engaged in performing services required by this Contract, and compliance with all reasonable performance standards established by CITY.

3.3.2 CONTRACTOR shall be responsible for payment of all CONTRACTOR's employees' and subcontractor's wages and benefits and shall comply with all requirements pertaining to the employer's liability, workers' compensation, unemployment insurance, and Social Security.

3.3.3 CONTRACTOR shall indemnify and hold harmless CITY, and its respective officers, agents and employees from and against all claims, demands, damages or costs arising from CONTRACTOR's acts or omissions with respect to any liability, damages, claims, costs and expenses of any nature arising from alleged violations of personnel practices.

4 ACCEPTANCE AND DOCUMENTATION

Each task shall be reviewed and approved by the Contract Project Manager to determine acceptable completion.

4.1 **Records**. The CONTRACTOR shall retain and shall contractually require each SUBCONTRACTOR to retain all data and other "records" relating to the acquisition and performance of the Contract for a period of five years after the completion of the Contract.

4.2 **Property of CITY.** All materials, including reports, computer programs and other deliverables, supplied or created under this Contract are the sole property of CITY. CONTRACTOR is not entitled to a patent or copyright on those materials and may not transfer the patent or copyright to anyone else. CONTRACTOR shall not use or release these materials without the prior written consent of CITY.

4.3 **Products.** All equipment, materials, parts, and other components incorporated in the work or services performed pursuant to this Contract shall be new, or the latest model and of the most suitable grade for the purpose intended. All work shall be performed in a skilled and workmanlike manner.

5 PRICE

CITY shall pay to CONTRACTOR an amount not to exceed One Hundred Thirty One Thousand Four Hundred and Four Dollars and Eighty Three Cents dollars ($ 131404.83) for the completion of all the work and services described in Section 2, which sum shall include all costs or expenses incurred by CONTRACTOR, payable as follows:

See Exhibit A

5.1 An application for payment form must be submitted to CITY which shall include the following: a clear, detailed invoice reflecting work being billed for, a summary sheet showing percentage of work completed to date, amount/percent billed to date and current status of all tasks within a project; any/all backup documentation supporting the above items. Work schedule updates must also be included with the payment requests.

5.2 CONTRACTOR shall maintain adequate records and shall permit inspection and audit by CITY of CONTRACTOR's charges under this Contract. CONTRACTOR shall make such records available to CITY during normal business hours upon reasonable notice. Nothing herein shall convert such records into public records, and they will be available only to CITY and any specified public agencies. Such records shall be maintained by CONTRACTOR for one (1) year following completion of the work under this Contract unless a longer period of time is required by state or federal law, in which event CONTRACTOR shall retain its records for the time required by such laws.

5.3 **Payment.** A separate invoice shall be issued for each shipment of material or service performed, and no payment will be issued prior to receipt of material and/or completion of specified services and receipt of a correct invoice.

6 COMMENCEMENT AND COMPLETION OF WORK

6.1 The execution of this Contract by the parties does not constitute an authorization to proceed. The services of CONTRACTOR shall commence when CITY, acting by and through its Project Manager, has issued an Authorization to Proceed. CONTRACTOR shall complete all the work described in Section 1 and be ready for final acceptance of the work within Four months (4) Calendar days following CONTRACTOR's receipt of Authorization to Proceed.

6.2 Time is of the essence. All of the time limits for Milestones, if any, and for completion of the work, are of the essence of this Contract.

6.3 Failure of CONTRACTOR to perform any covenant or condition contained herein within the time periods specified therein shall constitute a material breach of this Contract, entitling CITY to terminate this Contract, unless CONTRACTOR applies for and receives an extension of time in accordance with the procedures set forth herein.

7 TAXES

7.1 CONTRACTOR shall pay all sales, consumer, use, and other similar taxes required to be paid by CONTRACTOR in accordance with state and local laws.

7.2 CONTRACTOR is an independent contractor and shall have no power or authority to incur any debt, obligation, or liability on behalf of CITY. No person employed by CONTRACTOR or acting on its behalf, in connection with this Contract shall be considered the Agent or employee of CITY.

7.3 CONTRACTOR shall be required to obtain a current City of Palmdale business license, as required by the Palmdale Municipal Code, before an Authorization to Proceed is issued.

7.4 When equipment, materials or supplies generally taxable to CONTRACTOR are eligible for a tax exemption due to the nature of the work, CONTRACTOR shall assist the City in applying for and obtaining such tax credits and exemptions, which shall be paid or credited to the City.

8 PATENT FEES AND ROYALTIES

CONTRACTOR shall pay all license fees and royalties and assume all costs incident to the use, in the performance of the work or the incorporation in the work of any invention, design, process, program, product or device which is the subject of patent rights or copyrights held by others. If a particular invention, design, process, program, product or device is specified in the contract documents for use in the performance of the work and if, to the actual knowledge of CITY, its use is subject to patent rights or copyrights calling for the payment of any license fee or royalty to others, the existence of such rights shall be disclosed by CITY in the contract documents. CONTRACTOR shall indemnify and hold harmless CITY and anyone directly or indirectly employed by CITY from and against all claims, damages, losses and expenses (including attorneys' fees) arising out of any infringement of patent rights or copyrights incident to the use in the performance of the work, or resulting from the incorporation in the work of any invention, design, process, program, product or device not specified in the contract documents, and shall defend all such claims in connection with any alleged infringement of such rights.

9 INDEMNIFICATION

To the fullest extent permitted by law, CONTRACTOR and any subcontractors working on its behalf agree to indemnify CITY, its officers, employees, agents and

elected and appointed boards (hereinafter “Indemnified Parties”) for any loss, claim, demand, cause of action, cost, expense, damage, obligation or liability which arises out of or is in any way connected with the performance of any work under this agreement, including any acts or omissions, willful misconduct or negligent conduct, whether active or passive, on the part of CONTRACTOR, or its subcontractors, and regardless of any acts, omissions or negligence (whether active or passive) of any person or entity indemnified hereunder. At their own expense, CONTRACTOR and, as applicable, any subcontractors working on its behalf, shall defend any suit, claim or action against the Indemnified Parties founded upon such loss, claim, demand, cause of action, cost, expense, damage, obligation or liability. CONTRACTOR shall ensure that the contract of any subcontractor working under this agreement contain an indemnity agreement, requiring the subcontractor to indemnify and defend the Indemnified Parties pursuant the terms set forth above. CONTRACTOR shall indemnify the Indemnified Parties, and save it harmless from any and all loss, damage, costs, expenses and attorney's fees suffered or incurred on account of any breach of the aforesaid obligations and covenants, and any other provision or covenant of this agreement.

10 INSURANCE

10.1 CONTRACTOR, at its expense, shall maintain in effect at all times during the performance of work under this Contract not less than the following coverage and limits of insurance, which shall be maintained with insurers listed “A” or better in the Best’s Insurance Guide and authorized to do business in the State of California. **Proof of Insurance, as identified in Section 10.8, must be reviewed and accepted by the City Attorney**.

10.1.1 Workers’ Compensation and Employer’s Liability

- Workers’ Compensation -- coverage as required by the State of California
- Employer’s Liability -- $1,000,000.00 each accident
  $1,000,000.00 policy limit bodily injury
  $1,000,000.00 each employee bodily injury by disease

10.1.2 Commercial General Liability

- $1,000,000.00 limit on a per occurrence basis
- $2,000,000.00 general aggregate limit

10.1.3 Commercial Automobile Liability

- $1,000,000.00 combined single limit including owned, non-owned and hired automobile coverage

10.2 All of CONTRACTOR’s policies shall contain an endorsement providing that written notice shall be given to CITY at least thirty (30) calendar days prior to termination, cancellation, or reduction of coverage in the policy.

10.3 Policies providing for bodily injury and property damage coverage shall contain the following:

A. An endorsement extending coverage to the City as an additional insured, as respects liability arising out of the performance of any work under the Contract. Such insurance shall be primary insurance, as respects the interest of the City, and any other insurance maintained by the City shall be considered excess coverage and not contributing insurance with the insurance required hereunder. The certificates shall state: “The City of Palmdale, Successor Agency to the Community Redevelopment Agency of the City of Palmdale, Palmdale Civic Authority, Housing Authority, Industrial Development Authority, Airport Authority, their officers, agents, employees and volunteers are named as additional insured”.

B. “Severability of Interest” Clause.

10.4 Promptly upon execution of this Contract, and prior to commencement of any work, CONTRACTOR shall deliver to CITY certificates of insurance and endorsements to all required policies demonstrating that CONTRACTOR has the required coverage and showing the required named insured. Within five (5) days of written request from CITY, CONTRACTOR shall deliver to CITY full and complete copies of all insurance policies required by this Contract.

10.5 The requirements as to the types and limits of insurance to be maintained by CONTRACTOR are not intended to and shall not in any manner limit or qualify CONTRACTOR’s liabilities and obligations under this Contract.

10.6 Any policy or policies of insurance that CONTRACTOR elects to carry as insurance against loss or damage to its equipment and tools or other personal property used in the performance of this Contract shall include a provision waiving the insurer’s right of subrogation against CITY.

10.7 All insurance coverage must be maintained throughout the duration of this Contract.

10.8 Acceptable Proof of Insurance:

10.8.1 ACORD Certificate of Insurance listing all coverage, limits, deductibles and insured; and endorsements for all applicable coverage if agent has authority to issue it; or additional insured Form CG20100704 and CG20370704 or equivalent must be provided for general liability coverage. Additional insured form CA0001 must be provided for automobile liability coverage.

10.8.2 Binders of insurance for all coverage. Agents must confirm that policy endorsements have been ordered from the respective insurance companies. Upon issuance, policy endorsements and a corresponding Certificate of Insurance listing all insurers and coverage must be submitted to the City Attorney.

10.9 Notwithstanding any other provision of this Contract, CITY may immediately terminate this Contract if, at any time CONTRACTOR fails to maintain the required

insurance for any period of time or fails to comply with any of the insurance requirements listed above.

10.10 CONTRACTOR shall require any and all subcontractor's working on its behalf to provide insurance coverages and limits that are based on the scope of work and nature of risk being performed by the subcontractor. Any and all subcontractors working on behalf of CONTRACTOR shall be subject to all other insurance requirements that are stated herein.

Any deviation in this requirement will be CONTRACTOR's sole risk. CONTRACTOR's insurance requirements in Section 10 will not be impacted and/or limited by such deviation.

11 TERMINATION WITHOUT CAUSE

City reserves the right to terminate this Contract or any part thereof for its sole convenience with fifteen (15) days written notice. In the event of such termination, CONTRACTOR shall immediately stop all work hereunder, and shall immediately cause any of its suppliers and subcontractors to cease such work. CONTRACTOR shall also surrender to CITY all finished or unfinished documents, processes, programs and other supplies and materials, which shall be City’s property. As compensation in full for services performed to the date of such termination, the CONTRACTOR shall receive an amount equal to the value of the work completed as of the termination date in accordance with the fee schedule or as negotiated between the parties. In no event shall the amount payable upon termination exceed the total maximum compensation provided for in this Contract.

12 TERMINATION FOR CAUSE

If CITY determines that CONTRACTOR has failed to supply an adequate working force, or to provide services of proper quality, or has failed in any other respect to satisfactorily perform the services specified in this Contract, CITY shall give written notice to CONTRACTOR specifying all defaults to be remedied within thirty (30) days. Such notice shall set forth the basis for CITY’s dissatisfaction and suggest corrective measures. If, after thirty days, CONTRACTOR has failed to implement appropriate corrective measures, CITY may elect to terminate this Contract in whole or in part.

12.1 In the event CITY terminates this Contract, in whole or in part, for cause, CITY may procure, upon such terms and in such manner, as it may deem appropriate, services similar to those terminated.

12.2 CONTRACTOR shall provide all finished or unfinished documents, data, studies, software, drawings, programs, processes, maps, photographs, reports, etc., prepared by CONTRACTOR within fifteen (15) working days after notice of termination. Upon such termination, CONTRACTOR shall be paid an amount equal to the value of the services provided and work performed as of the date of termination, taking into consideration the costs associated with hiring another CONTRACTOR to

complete the services. In ascertaining the value of the work performed up to the date of termination, consideration shall be given to both completed work and work in progress, to complete and incomplete documents when such are delivered to CITY, and to authorized reimbursement expenses. The above is in addition to any other remedies available by law or equity to CITY.

12.3 If, after notice of termination of the Contract under the provisions of this Section 12, it is determined, for any reason, that CONTRACTOR was not in default, or that the default was excusable, then the rights and obligations of the parties shall be the same as if the notice of termination had been issued pursuant to Section 11.

13 DISPUTE RESOLUTION

All claims, disputes, and other matters in question between CITY and CONTRACTOR arising out of or relating to this Contract or the breach thereof shall, to the extent reasonably feasible, be resolved through good faith negotiations between the parties.

14 OWNERSHIP OF PRODUCT

All product, data, documents, programs and software including, but not limited to, research, field notes, investigations, analysis, studies, processes, software, instructions for use and other manuals, whether complete or incomplete, which are prepared or produced in the performance of this Contract are to be, and remain the property of CITY and shall be delivered to or left with CITY upon the completion or termination of this Agreement. CONTRACTOR shall furnish CITY, upon its request, originals and reproducible and electronic copies of product, data reports, studies and of all other documents listed above. Electronic copies shall be provided in an unprotected format which allows CITY to copy, reproduce and makes changes as CITY deems necessary.

15 DELEGATION AND ASSIGNMENT

15.1 CONTRACTOR shall not delegate or assign its duties or rights hereunder, either in whole or in part, without the prior written consent of CITY; provided, however, that claims for money due or to become due to CONTRACTOR from CITY under this Contract may be assigned to a bank, trust company or other financial institution without such approval.

15.2 Any assignment, delegation or subcontract shall be made in the name of CONTRACTOR and shall not bind or purport to bind CITY and shall not release CONTRACTOR from any obligations under this Contract including, but not limited to, the duty to properly supervise and coordinate the work of employees, assignees, delegates and subcontractors. No such assignment, delegation or subcontract shall result in any increase in the amount of total compensation payable to CONTRACTOR under this Contract.

16 NON-DISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY

16.1 In performance of this Contract, CONTRACTOR shall not discriminate against any employee, subcontractor, or applicant for employment because of sex, color, race, religion, ancestry, national origin, disability, medical condition including the medical condition of Acquired Immune Deficiency Syndrome (AIDS) or any condition related thereto, marital status, sexual orientation, age, gender, gender identity, gender expression, genetic information, or military and veteran status. CONTRACTOR will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their sex, color, race, religion, ancestry, national origin, disability, medical condition including the medical condition of Acquired Immune Deficiency Syndrome (AIDS) or any condition related thereto, marital status, sexual orientation, age, gender, gender identity, gender expression, genetic information, or military and veteran status . Affirmative action relating to employment shall include, but not be limited to the following: employment, upgrading, demotion or transfer; recruitment; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

16.2 The provisions of subsection 16.1 above shall be included in all solicitations or advertisements placed by or on behalf of CONTRACTOR for personnel to perform any services under this Contract. CITY shall have access to all documents, data and records of CONTRACTOR and its subcontractors for purposes of determining compliance with the equal employment opportunity and non-discrimination provisions of this Section, and all applicable provisions of Executive Order No. 11246 which is incorporated herein by this reference. A copy of Executive Order No. 11246 is available for inspection at, and on file with, the Palmdale City Clerk’s Office.

17 FINANCIAL INTEREST CERTIFICATION

17.1 CONTRACTOR warrants that no person has been employed or retained to solicit or secure this Contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee; and that no officer or employee of the CITY has any interest, financially or otherwise, in CONTRACTOR’s firm.

17.2 For breach or violation of this warranty, CITY shall have the right to annul this Contract without liability or at its discretion to deduct from the Contract Price or consideration, the full amount of such commission, percentage, brokerage or contingent fee.

18 CONFLICT OF INTEREST

18.1 CONTRACTOR stipulates that its officers and employees do not now have a conflict of interest and it further agrees for itself, its officers and its employees that it will not contract for or accept employment for the performance of any work or services with any individual business, corporation or government unit that would create a conflict of interest in the performance of its obligations pursuant to this Contract or which would cause CONTRACTOR to be “financial interested” (as

provided in California Government Code Section 1090 et seq. or 87100 et seq.) in any contract or decision made by CITY on any matter.

18.2 CONTRACTOR shall not employ any City official or employee to perform any work required pursuant to this Contract.

18.3 To the extent required by the City Manager or his designee, CONTRACTOR shall complete and file with the City Clerk a Form 700 Statement of Economic Interests disclosing any reportable property interests, income, gifts, investments, or business positions.

19 COMPLIANCE WITH LAW

19.1 CONTRACTOR shall comply with all state and federal laws, including but not limited to, the requirement to hire only those persons authorized by federal law to work in the United States. If CONTRACTOR uses any subcontractors to complete this Contract, this same requirement shall be included in all subcontracts and strictly enforced by CONTRACTOR.

19.2 The law of the state of California shall govern this Contract. The venue of any legal action, either formal or informal, shall be the County of Los Angeles.

19.3 If applicable, CONTRACTOR acknowledges and understands it must comply with the prevailing wage requirements as set forth in Exhibit “A” attached hereto and incorporated herein by reference, as well as the execution of a Worker’s Compensation Certificate attached hereto as Exhibit “B” and incorporated herein by reference.

20 NOTICES

Any notice required under this Contract shall be in writing, addressed to the appropriate party at its address on the signature page and given personally or by registered or certified mail postage prepaid, or by a commercial courier service. All notices shall be effective upon the date of receipt.

21 ENTIRE AGREEMENT AND AMENDMENTS

21.1 This Contract is the complete Agreement between the parties and supersedes all prior proposals, agreements, and understandings between the parties and may not be modified or terminated orally.

21.2 No attempted waiver of any of the provisions hereof, nor any modification in the nature, extent or duration of the work to be performed by CONTRACTOR hereunder, shall be binding unless in writing and signed by the party against whom the same is sought to be enforced.

21.3 The failure of any party to enforce against another party any provision of this Contract shall not constitute a waiver of that party's right to enforce such a provision at a later time, and shall not serve to vary the terms of this Contract.

22 ATTORNEY'S FEES

If any action at law or in equity is brought to enforce or interpret any provisions of this Contract, the prevailing party in such action shall be entitled to reasonable attorney's fees, costs and necessary disbursements, in addition to such other relief as may be sought and awarded.

In Witness Whereof, the parties hereto have caused this Contract to be executed and attested by their respective officers thereunto duly authorized.

CITY OF PALMDALE:

SIGNATURE AREA

Laura Bettencourt
Mayor

SIGNATURE AREA

ADDRESS FOR NOTICE:
CITY OF PALMDALE
38300 Sierra Highway
Palmdale, CA 93550

NAME OF CONTRACTOR:

SIGNATURE AREA

David Hoyos
President

ADDRESS FOR NOTICE:
J A D HOYOS, INC., DBA FEATHERS CUSTOM SIGNS
26017 Huntington Lane, Unit F
Valencia, CA 91355

APPROVE AS TO FORM:

SIGNATURE AREA

William P. Curley, III
Interim City Attorney

ATTEST:

SIGNATURE AREA

Roxanne Faber
Acting City Clerk

EXHIBIT “A”
PREVAILING WAGE REQUIREMENTS

1. This Contract calls for work to be performed constituting public works. Contractor and all subcontractors shall pay the general prevailing rate of per diem wages as determined and as published by the State Director of the Department of Industrial Relations pursuant to Article 2 of Chapter 1 of Part 7, of Division 2 of the State Labor Code, including, but not limited to, Sections 1770, 1771, 1773, 1773.2 and 1774.

2. This is a public work and requires the payment of prevailing wages for the work or craft in which the worker is employed for any public work done under the contract by Contractor or by any subcontractor pursuant to Section 1771 of the Labor Code. Pursuant to the provisions of Section 1773 of the Labor Code of the State of California, the City has obtained the general prevailing rate of per diem wages and the general rate for holiday and overtime work in this locality for each craft, classification, or type of workman needed to execute this contract from the Director of the Department of Industrial Relations. These rates are on file with the City or may be obtained at http://www.dir.ca.gov/OPRL/DPreWageDetermination.htm. Contractor shall post a copy of such wage rates at the job site and shall pay the adopted prevailing wage rates as a minimum. Contractor shall comply with the provisions of Sections 1775, 1776, 1777.5, 1777.6, and 1813 of the Labor Code. Pursuant to the provisions of 1775 of the Labor Code, Contractor shall forfeit to the City, as a penalty, not more than $200.00 for each calendar day, or portion thereof, for each laborer, worker, or mechanic employed, paid less than the stipulated prevailing rates for any work done under this Contract, by him or by any subcontractor under him, in violation of the provisions of this Agreement.

3. Contractors and subcontractors who are ineligible to bid for work on, or be awarded, a public works project pursuant to Labor Code Sections 1777.1 and 1777.7 are prohibited from bidding on, being awarded, or performing work as a subcontractor, on this Project pursuant to Public Contract Code Section 6109.

4. Contractor's attention is directed to the provisions in Sections 1774, 1775, 1776, 1777.5 and 1777.6 of the Labor Code. Contractor shall comply with the provisions in these Sections. The statutory provisions for penalties for failure to comply with the State's wage and hours laws will be enforced. Pursuant to Section 1775 of the Labor Code, the Contractor and any subcontractors, shall, as a penalty to the City forfeit the prescribed amounts per calendar day, or portion thereof, for each worker paid less than the prevailing wage rates.

5. Pursuant to Labor Code Section 1771.4, the Project is subject to compliance monitoring and enforcement by the California Department of Industrial Relations.

6. Each Contractor and subcontractor shall furnish the records specified in Labor Code Section 1776 directly to the State Labor Commissioner at least monthly in the format prescribed by the State Labor Commissioner.

7. Sections 1774 and 1775 require the Contractor and all subcontractors to pay not less than the prevailing wage rates to all workmen employed in the execution of

the Contract and specify forfeitures and penalties for failure to do so. The minimum wages to be paid are those determined by the State Director of the Department of Industrial Relations. Section 1776 requires the Contractor and all subcontractors to keep accurate payroll records, specifies the contents thereof, their inspection and duplication procedures and certain notices required of the Contractor pertaining to their location.

8. Section 1777.5 of the Labor Code requires Contractor or subcontractor employing workers in any apprenticeable occupation to apply to the Joint Apprenticeship Committee nearest the site of the public works project, which administers the apprenticeship program in that trade for a certificate of approval. The certificate will also fix the ratio of apprentices to journeymen to be used in the performance of the Contract. The Contractor is required to make contributions to funds established for the administration of apprenticeship programs if he employs registered apprentices or journeymen in any apprenticeable trade and if other contractors on the public works site are making such contributions. Information relative to apprenticeship standards, contributions, wage schedules and other requirements may be obtained from the State Director of Industrial Relations or from the Division of Apprenticeship Standards. Section 1777.6 of the Labor Code provides that it shall be unlawful to refuse to accept otherwise qualified employees as registered apprentices solely on the grounds of race, religious creed, color, national origin, ancestry, sex, or age.

9. Eight hours labor constitutes a legal day's work, as set forth in Labor Code Section 1810. The statutory provisions for penalties for failure to comply with the State's wage and hour laws will be enforced as set forth in Labor Code Section 1813.

EXHIBIT “B”

WORKERS’ COMPENSATION INSURANCE CERTIFICATE

Pursuant to Section 1861 of the State Labor Code, and all amendments thereto, each contractor to whom a public works contract has been awarded shall sign the following certificate and shall submit same to the City of Palmdale prior to performing any work on the contract:

> “I am aware of the provisions of Section 3700 of the Labor Code which requires every employer to be insured against liability for Worker’s Compensation or to undertake self-insurance in accordance with the provisions of that Code, and I will comply with such provisions before commencing the performance of work of this contract.”

NAME OF CONTRACTOR
Contractor

By _____

Print Name

_____

Signature

_____

Title

_____

Date

Section 3700 of the State Labor Code reads as follows:

> “Every employer except the State shall secure the payment of compensation in one or more of the following ways:
>
> (a) By being insured against liability to pay compensation in one or more insurers duly authorized to write compensation insurance in this state.
>
> (b) By securing from the Director of Industrial Relations a certificate of consent to self-insure, which may be given upon furnishing proof satisfactory to the Director of Industrial Relations of ability to self-insure and to pay any compensation that may become due to his employee.”

---------- INTERNAL USE ONLY ----------

□Certificate(s) and Endorsement(s) attached
□Confirmed business name on contract with certificate(s)
□Attached Agreement Checklist and met all requirements

MINUTES
CITY COUNCIL/HA
CITY HALL COUNCIL CHAMBER
38300 SIERRA HIGHWAY, SUITE B
PALMDALE, CALIFORNIA
FEBRUARY 15, 2023

www.cityofpalmdale.org

5:00 P.M.

1) CALL MEETINGS TO ORDER
Mayor Pro Tem Alarcón called the meeting to order at 5:11 pm.

*Note: All City Council memberships are reflected in their City Council titles.

2) ROLL CALL
MAYOR BETTENCOURT, MAYOR PRO TEM ALARCÓN, COUNCILMEMBERS BISHOP, LOA, OHLSEN
PRESENT: Laura Bettencourt, Andrea Alarcón, Austin Bishop, Richard J. Loa, Eric Ohlsen.
ABSENT: None.

Acting City Clerk Scott announced that beginning with the March 1, 2023, City Council meeting, the ability for the public to participate via Zoom would no longer be available, but the public would be welcome to provide comments in-person.

Motion: Move to advance Presentation Item 9.2 to be heard at this time.
Moved by Richard J. Loa, seconded by Eric Ohlsen.

Vote: Motion carried (5-0)
Yes: Laura Bettencourt, Andrea Alarcón, Austin Bishop, Richard J. Loa, Eric Ohlsen.

Mr. Nigel Holley, Bishop Hearns, and the participants shared their experiences of being a part of the Justice Sunday event.

3) PUBLIC COMMENTS ON CLOSED SESSION ITEMS

None.

A motion was made and carried unanimously to close the Public Comments.

4) PRESENTATION BY CITY ATTORNEY

Interim City Attorney Curley confirmed all items would be heard as listed.

4.1) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Shanae Smith, Patricia Nevarez and Michael "Mike" Behen vs. City of Palmdale,

et al.
Los Angeles County Superior Court Case No. 22STCV18219
This closed session is being held pursuant to the authority of California Government Code Section 54956.9(d)(1).

4.2) CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
Ricci v. City of Palmdale, et al.
Los Angeles County Superior Court Case No. 22STCV01269
This closed session is being held pursuant to the authority of California Government Code Section 54956.9(d)(1).

4.3) CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
Ricky Thorstensen v. City of Palmdale, et al.
Los Angeles County Superior Court Case No. 22STCV29463
This closed session is being held pursuant to the authority of California Government Code Section 54956.9(d)(1).

4.4) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Donald Ross D'Angelo v. City of Palmdale, et al.
Los Angeles County Superior Court Case No. 21AVCV00441
This closed session is being held pursuant to the authority of California Government Code Section 54956.9(d)(1).

4.5) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Gerald Lynn Dolen and Roberta Dora Dolen v. City of Palmdale et al.
Los Angeles County Superior Court Case No. 21AVCV00377
This closed session is being held pursuant to the authority of California Government Code Section 54956.9(d)(1).

4.6) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Tammy Rose Necessary and Glenn Necessary v. City of Palmdale, et al.
Los Angeles County Superior Court Case No. 22AVCV00857
This closed session is being held pursuant to the authority of California Government Code Section 54956.9(d)(1).

4.7) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Daniel Joseph Stoneham and La Eenya Grace Marie Stoneham v. City of Palmdale et al.
Los Angeles County Superior Court Case No. 22AVCV00780
This closed session is being held pursuant to the authority of California Government Code Section 54956.9(d)(1).

4.8) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Marlene Jannet Hernandez
Claim No. 2022-049
This closed session is being held pursuant to the authority of California Government Code Section 54957.5:

4.9) PUBLIC EMPLOYMENT
Title: City Attorney

5) ANNOUNCEMENT BY CITY ATTORNEY

Closed Session was held from 5:44 p.m. - 7:08 p.m.

Interim City Attorney Curley announced the Council considered nine (9) items, they were updated and gave direction to the attorneys, and there was nothing required to be reported and no actions taken.

6) ADJOURN CLOSED SESSION MEETING

Mayor Pro Tem Alarcón adjourned the Closed Session meeting at 7:09 p.m.

7:00 P.M.

Mayor Pro Tem Alarcón called the meeting to order at 7:10 p.m.

7) PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

8) ROLL CALL MAYOR BETTENCOURT, MAYOR PRO TEM ALARCÓN, COUNCILMEMBERS BISHOP, LOA, OHLSEN COMMISSIONERS FRAGA-SAENZ, DENNY

PRESENT: Laura Bettencourt, Andrea Alarcón, Austin Bishop, Richard J. Loa, Eric Ohlsen.
ABSENT: None.

Mayor Pro Tem Alarcón announced that presentation Item 9.2 was advanced to the beginning of the 5:00 p.m. meeting.

Motion: Move to continue Item 14.1 to the March 15, 2023 meeting.
Moved by Eric Ohlsen, seconded by Laura Bettencourt.

Vote: Motion carried (5-0)
Yes: Laura Bettencourt, Andrea Alarcón, Austin Bishop, Richard J. Loa, Eric Ohlsen.

9) PRESENTATION(S)

9.1) Mayor Pro Tem Alarcón presented a Proclamation to Cedric White, Director of the Black Chamber of Commerce, declaring February as Black History month. Mr. White thanked the City of Palmdale for partnering with the Black Chamber of Commerce and allowing them to serve the citizens.

9.2) Mayor Pro Tem Alarcón presented of Certificates of Recognition to the students who participated in the Justice Sunday event.

This item was taken out of order and heard at the 5:00 p.m. meeting.

9.3) LaDonna DiCamillo, Regional Director of the California High-Speed Rail Authority, provided an overview of their progress. Margaret Cedroth, Director of Planning and Sustainability of the California High-Speed Rail, provided an overview of the station planning implementation. Discussion ensued regarding the 10,000 job milestone, completion of construction of the different

phases, Brightline, power source, Environmental Impact Report (EIR), funding, and grade separation.

9.4) Ken Craft, Chief Executive Officer of Hope the Mission provided a presentation regarding the Mission for the Palmdale Knights Inn Hotel - Project Home Key.

There were Council questions and discussion regarding occupancy and security.

Motion: Direct City Manager Perez to provide a letter of support for Hope the Mission.
Moved by Andrea Alarcón, seconded by Richard J. Loa.

Vote: Motion carried (5-0)
Yes: Laura Bettencourt, Andrea Alarcón, Austin Bishop, Richard J. Loa, Eric Ohlsen.

10) WAIVER OF FULL READING OF RESOLUTION(S) and ORDINANCE(S)
Motion: Move to waive full reading of the Resolution (s) and/or Ordinance(s) to be considered and voted on at this meeting.
Moved by Richard J. Loa, seconded by Eric Ohlsen.

Vote: Motion carried (5-0)
Yes: Laura Bettencourt, Andrea Alarcón, Austin Bishop, Richard J. Loa, Eric Ohlsen.

11) PUBLIC COMMENTS ON CONSENT CALENDAR ITEMS ONLY

Acting City Clerk Scott announced that beginning with the March 1, 2023, City Council meeting, the ability for the public to participate via Zoom would no longer be available, but the public would be welcome to provide comments in-person.

Jason Zink commented regarding assistance for seniors, veterans, unhoused and Yellen Park construction.

12) HOUSING AUTHORITY CONSENT CALENDAR

12.1) Review and Approve Budget Adjustments for Acquisition of Property. (Staff Reference: Assistant City Manager Miller - Presented by Housing Manager Reyes)

12.2) Approve the minutes from the previous meetings. (Staff Reference: Acting Authority Secretary Scott)

HA - December 7, 2022
HA - January 18, 2023

Motion: Approve all items listed on the Housing Authority Consent Calendar.
Moved by Christina Fraga-Saenz, seconded by Phil Denny.

Vote: Motion carried (7-0)
Yes: Laura Bettencourt, Andrea Alarcón, Austin Bishop, Richard J. Loa, Eric Ohlsen, Christina Fraga-Saenz, Phil Denny.

A motion was made and carried unanimously to adjourn the Housing Authority meeting.

13) CONSENT CALENDAR

13.1) Adopt Resolution No. CC 2023-013, a Resolution of the City Council of the City of Palmdale adopting a Fee Schedule for The Palmdale Film Stage. (Staff Reference: Director of Economic and Community Development Garibay - Presented by Senior Management Analyst Schuler).

Councilmember Bishop pulled this item for discussion. Senior Management Analyst Schuler provided a general overview of the project. Councilmember Bishop thanked staff and Council for their support on this project. Discussion ensued regarding reinvesting fees and rental rates.

Motion: Adopt Resolution No. CC 2023-013, a Resolution of the City Council of the City of Palmdale adopting a Fee Schedule for The Palmdale Film Stage.
Moved by Austin Bishop, seconded by Richard J. Loa.

Vote: Motion carried (5-0)
Yes: Laura Bettencourt, Andrea Alarcón, Austin Bishop, Richard J. Loa, Eric Ohlsen.

13.2) Award construction agreement with R.C. Becker and Son, Inc. for PN 795, Sam Yellen Park Phase II Project, in the amount of $17,530,162.72. (Staff Reference: Director of Public Works Glidden)

Director of Public Works Glidden provided a detailed overview of this item. Discussion ensued regarding the bid process, grant funds, and cost of the project. Councilmember Ohlsen thanked staff and Assemblyman Carrillo for their hard work on this project over the years.

Motion: Award construction agreement with R.C. Becker and Son, Inc. for PN 795, Sam Yellen Park Phase II Project, in the amount of $17,530,162.72.
Moved by Eric Ohlsen, seconded by Richard J. Loa.

Vote: Motion carried (5-0)
Yes: Laura Bettencourt, Andrea Alarcón, Austin Bishop, Richard J. Loa, Eric Ohlsen.

13.3) Approve the updated Sewer System Management Plan for the City of Palmdale. (Staff Reference: Director of Public Works Glidden)

13.4) Notice of Completion - accept public improvements for Courson Arts Colony-East located at 939 East Avenue Q-12. (Staff Reference: Director of Public Works Glidden)

13.5) Accept the Local Agency Technical Assistance Grant from the California Public Utilities Commission in the amount of $325,000 for a Digital Equity Study. (Staff Reference: Director of Public Works Glidden - Presented by Innovation and Environmental Manager Lucha)

13.6) Adopt Resolution No. CC 2023-015 Authorizing California Choice Energy Authority to Enter into a Long-Term Renewable Energy Agreement with 3Degrees Group, Inc. on behalf of Energy for Palmdale's Independent Choice. (Staff Reference: Director of Public Works Glidden - Presented by Energy Resource Manager Salt)

13.7) Approve the minutes from the previous meetings. (Staff Reference: Acting City Clerk Scott)

CC - January 18, 2023 (5:00 pm & 7:00 pm)

Motion: Approve all items listed on the Consent Calendar with the exception of Items 13.1 and 13.2.
Moved by Eric Ohlsen, seconded by Richard J. Loa.

Vote: Motion carried (5-0)
Yes: Laura Bettencourt, Andrea Alarcón, Austin Bishop, Richard J. Loa, Eric Ohlsen.

14) PUBLIC HEARING

14.1) INTRODUCTION AND ADOPTION OF ORDINANCE NO. 1606, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMDALE REVISING, DELETING, ADDING, AND STREAMLINING SELECTED PROVISIONS OF THE PALMDALE MUNICIPAL CODE TO PROMOTE PUBLIC HEALTH, SAFETY AND WELFARE RELATED TO SIDEWALK VENDING, MOBILE FOOD VENDING, AND FOOD FACILITY REGULATIONS TO STREAMLINE AND ENSURE CONSISTENCY WITH STATE LAW (AMENDING PMC SECTIONS 5.04.590, 5.04.150, 5.04.190, 8.24.210; ADDING PMC SECTION 5.04.600; ADDING PMC CHAPTER 8.46; REPEALING AND DELETING PMC SECTIONS 8.04.105, 10.04.120); AND ADOPTION OF RESOLUTION NO. CC 2023-014, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE APPROVING PERMIT FEES FOR SIDEWALK VENDING AND MOBILE FOOD VENDING

Mayor Pro Tem Alarcón announced Item 14.1 would be continued to the March 15, 2023, meeting.

15) NEW BUSINESS

15.1) Discussion and possible direction regarding a possible partnership with the City of Santa Monica regarding housing opportunities. (Staff Reference: City Manager Perez)

City Manager Perez provided a brief overview of this item. Discussion ensued regarding the unhoused in Santa Monica, legislation, and regional housing needs allocation.

Motion: Authorize the City Manager Perez to enter into discussion with the City of Santa Monica regarding housing opportunities.
Moved by Eric Ohlsen, seconded by Andrea Alarcón.

Vote: Motion carried (4-1)
Yes: Andrea Alarcón, Austin Bishop, Richard J. Loa, Eric Ohlsen.
No: Laura Bettencourt.

16) PUBLIC COMMENTS ON NON-AGENDA ITEMS

The following individuals provided public comments:

Jason Zink spoke regarding renaming Desert Sands Park, free internet and cable for seniors, Amargosa Recharge project, Measure J, and parks.

Claudia Perez spoke regarding reduction of city fines.

Marcos Alvarez commented on the unhoused and rules and regulations.

Juan Blanco spoke regarding regional housing needs.

A motion was made and carried unanimously to close the Public Comments.

17) CITY MANAGER'S REPORT

City Manager Perez announced the following:

- The low cost spay and neuter program just serviced its seven-hundredth animal in 7 months.
- The City will be partnering with Karma Rescue on March 26th to provide a vaccine clinic and ten-dollar microchips at SAVES. The City will partner with the County on two additional dates this year to provide similar services.
- Season of Service is coming up in the next couple months.
- March is Women's History Month, and the City will host a Women's Symposium.
- The City is making a dent in graffiti and illegal dumping, almost two- thousand tons of illegal dumping was picked up in the month of January and staff members have cleaned up well over a thousand graffiti tags.

Councilmember Loa provided clarification regarding his vote on the City settlement with former City Manager Murphy and other allegations.

Mayor Pro Tem Alarcón commended city staff for graffiti clean-up efforts and stated the City is receiving applications for the Planning Commission and the Human Rights Advisory Committee.

18) ADJOURNMENT
Mayor Pro Tem Alarcón adjourned the meeting at 9:30 p.m. in honor of Dr. William "Bill" Mathis.

PASSED, APPROVED, and ADOPTED this 15th day of March 2023

_____
Laura Bettencourt, Mayor

ATTEST:

_____
Rochelle Scott, Acting City Clerk

City Council Staff Report

DATE: **MARCH 15, 2023**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT PLANNING DIVISION**

DISTRICTS: **ALL**

SUBJECT: **ADOPT ORDINANCE NO. 1603, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMDALE APPROVING ZONING ORDINANCE AMENDMENT 21-007**

ISSUE

Adopt Ordinance No. 1603 approving Zoning Ordinance Amendment (ZOA) 21-007

RECOMMENDATION

The Planning Commission recommends that the City Council:

1. Receive public testimony regarding Ordinance No. 1603;
2. Adopt Ordinance No. 1603 approving ZOA 21-007; and,
3. Find that the project is consistent with Program Environmental Impact Report (PEIR) 22-002 prepared and certified in conjunction with the City's General Plan update (Palmdale 2045).

BACKGROUND

On September 21, 2022, Palmdale 2045 was approved by the City Council and replaced the previously adopted General Plan (1993). ZOA 21-007 is necessary to implement the vision of Palmdale 2045 as well as support new land use patterns and future development. In addition to ensuring consistency with Palmdale 2045 and applicable laws, ZOA 21-007 also includes the following revisions to the Palmdale Municipal Code (PMC):

- PMC Chapter 17.95 (Communications and Utilities) has been reorganized so that information relating to wireless telecommunications facilities within the public right-of-way (previously PMC Section 17.95.050) has been moved to Title 12 (Streets, Sidewalks, and Public Places).

- PMC Title 16 (Subdivisions) has been revised to include development regulations, processes, and procedures consistent with applicable laws relating to Urban Lot Splits.

- PMC Chapter 17.88 (Signage) has not been comprehensively updated, as it was amended in 2021, but was reformatted to ensure consistency with the remainder of the updates made within Title 17 of the PMC.

Public Notification and Community Feedback

With the comprehensive update of Palmdale 2045, a comprehensive zoning code amendment was necessary, therefore the public engagement process began alongside the General Plan. The public notification of the update to the zoning code was promoted via digital notification in both English and Spanish (social media, press releases, online advertisements, newsletters, eblasts, electronic billboard advertisements, and Palmdale Minute Videos).

Given that the engagement process of Palmdale 2045 was robust, it provided the framework for the zoning code and when the draft zoning code was available, staff conducted two virtual office hours, which included availability for Spanish interpretation. The virtual office hours included a brief overview of the ZOA, but were primarily intended to answer questions about the proposed modifications to Title 17 of the PMC, while also allowing the community to voice concerns.

On February 9, 2023, the Planning Commission adopted Resolution No. PC-2023-001 recommending City Council approval of ZOA 21-007.

PROJECT DESCRIPTION

ZOA 21-007 would amend Title 17 of the PMC to ensure compliance with Palmdale 2045, applicable State and Federal laws, as well as comprehensively modify processes, uses, and standards of development to enhance usability, streamline processes and encourage flexibility. The new zoning regulations and the associated zoning map have been revised in a manner that is understandable, allows flexibility for development, and will encompass the goals and policies of Palmdale 2045.

DISCUSSION

The proposed ZOA is a comprehensive amendment to Title 17 of the PMC and the associated zoning map, as described below:

- The Zoning Code identifies uses that are permitted, conditionally permitted, or prohibited, within permissions tables within each zoning designation and encourages flexibility and supportive uses.

- The comprehensive update implements the land use patterns and development framework established within Palmdale 2045. This includes the creation of new zones and development standards for zoning designations such as RN3 (Residential Neighborhood 3), MH (Mobile Home), MEDFX (Medical Flex), EDFX (Educational Flex) and MU 1,2, and 3 (Mixed-Use 1, 2, and 3). Additionally, the update incorporates new design standards for commercial and industrial designations to improve the overall appearance of these types of developments within the City.

- The proposed ZOA includes a comprehensive update to processing practices to improve and streamline project review and approval. For example, a clear and concise Review Authority table has been provided to enhance usability of the document. Additionally, shifting of review responsibilities has allowed more applications, such as Site Plan Reviews, to be approved administratively, which will save the development and business community time and money.

- The proposed update will also introduce a new application type (Minor Use Permit). The purpose of a Minor Use Permit is to allow certain uses to be approved administratively that require special consideration in their design or operation to ensure compatibility with the surrounding area.

- In compliance with State housing laws such as Senate Bill (SB) 13 and SB 9, the zoning code update enhances development regulations and processes to ensure consistency with applicable laws (i.e., related to Accessory Dwelling Units, Urban Lot Splits, etc.) and the General Plan.

The zoning code update will improve usability and streamline development by creating a highly modernized and illustrative document. Although the document will look very different from its current form, some chapters such as Divisions 8 and 10, will remain substantially the same.

Draft Zoning Map

The General Plan and land use map serve as a guide to land use and development, by identifying land use designations for all properties within the City and the City's sphere of influence. The updates to Title 17 maintain several existing zoning designations and create new zoning designations as needed to be consistent with Palmdale 2045. The zones have been established to enhance flexibility and allow a wide variety of supportive uses in order to meet the vision of the City, while still accommodating the development and business community. In addition, the proposed zoning designations maintain a one-to-one correlation with the General Plan land use designation, with the exception of EF (Employment Flex), HW (Health and Wellness), and IND (Industrial) land use designations. For instance, within the EF (Employment Flex) land use designation,

zoning designations include OFX (Office Flex) and LI (Light Industrial), and within the IND (Industrial) land use designation, zoning designations include LI (Light Industrial) and HI (Heavy Industrial).

Changes since Release of Public Draft

Based on the input from the development and business community, minor modifications related to processes, allowable uses, and development standards have been made to the document since the release of the public draft zoning code.

FISCAL IMPACT

ZOA 21-007 will accelerate the entitlement process, streamline new development, and facilitate opportunities for housing and jobs, which will increase property and sales tax revenues for the City.

STRATEGIC PLAN

Goal IV: Maintain a desirable community where everyone wants to live, work and play.

B. Provide inclusive access to a variety of supportive services that build a resilient and healthy community.

Prepared by:	Megan Taggart, Planning Manager Jasmine Almora, Associate Planner
Certified as to availability of Funds:	Janelle Samson, Director of Finance
Approved by:	Ronda Perez, City Manager
Approved as to form:	William P. Curley, III, Special Counsel

ATTACHMENT

1. Ordinance No. 1603

CITY OF PALMDALE
COUNTY OF LOS ANGELES, CALIFORNIA
ORDINANCE NO. 1603

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMDALE APPROVING ZONING ORDINANCE AMENDMENT 21-007; A REQUEST TO MODIFY THE ZONING CODE AND ZONING MAP TO BE IN COMPLIANCE WITH THE CITY'S GENERAL PLAN UPDATE (PALMDALE 2045), APPLICABLE LAWS, AS WELL AS COMPREHENSIVELY MODIFY PROCESSES, USES, AND STANDARDS OF DEVELOPMENT AND FIND THAT THE PROJECT IS CONSISTENT WITH PROGRAM ENVIRONMENTAL IMPACT REPORT (PEIR) 22-002 PREPARED AND CERTIFIED IN CONJUNCTION WITH PALMDALE 2045

A. RECITALS

WHEREAS, City of Palmdale (City), has prepared a comprehensive zoning code and zoning map update as outlined within Exhibits I and II;

WHEREAS, the City, has filed an application that applies to the City and the City's sphere of influence, requesting the approval of Zoning Ordinance Amendment (ZOA) 21-007, described herein (herein referred to as "Application");

WHEREAS, California State law requires that the regulations governing the use and development of lands within the municipal limits of a city be consistent with the adopted General Plan for that city. On September 21, 2022, the City Council adopted a comprehensive update to the General Plan (Palmdale 2045), which required a comprehensive update to Title 17 of the Palmdale Municipal Code (PMC);

WHEREAS, on February 9, 2023, the Planning Commission of the City of Palmdale adopted Resolution No. PC-2023-001 recommending City Council approval of ZOA 21-007 by the City Council; and,

WHEREAS, on March 15, 2023, the City Council of the City of Palmdale conducted a duly noticed public hearing on the Application and concluded said hearing on that date. Evidence, both written and oral, was duly presented and considered by the City Council at the aforesaid public hearing, including but not limited to, the staff report dated March 15, 2023.

B. ORDINANCE

THE CITY COUNCIL OF THE CITY OF PALMDALE DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council hereby specifically finds that all of the facts set forth in the Recitals, Part A of this Ordinance, are true and correct.

SECTION 2. The City Council hereby finds as follows with respect to the environmental documentation:

(a) The project is consistent with Program Environmental Impact Report (PEIR) 22-002 prepared and certified in conjunction with Palmdale 2045. Following the close of the public comment period, the City prepared a Final PEIR, including comments submitted by agencies and other interested parties and responses to those comments. PEIR 22-002 (State Clearinghouse # 2021060494) was certified by the City Council (Resolution No. CC 2022-096) on September 21, 2022, for approval of Palmdale 2045. As part of the environmental analysis, PEIR 22-002 also considered the adoption and implementation of the comprehensive zoning code and map update. Staff review has determined that a subsequent or supplemental PEIR as described in California Environmental Quality Act (CEQA) Guidelines Sections 15162, 15163, or 15164, is not required because the proposed ZOA modifies language in the PMC to ensure compliance with the recently adopted General Plan and applicable laws, and would not require major revisions of the PEIR, there are no significant changes in circumstances and there is no new information of substantial importance that will involve new significant environmental effects or increase the severity of previously identified significant effects. As such, staff concluded that the request is consistent with the previous PEIR in accordance with CEQA Guidelines and has determined that no additional environmental analysis is required.

(b) The custodian of records for the environmental document, and all other materials which constitute the record of proceedings upon which the City Council's decision is based, is the Planning Manager of the City of Palmdale. These documents are available for public review in the Planning Division of the City of Palmdale located at 38250 Sierra Highway, Palmdale, California 93550, telephone (661) 267-5200. In addition, the Final PEIR is available at: https://palmdale2045gp.org/wp-content/uploads/2022/10/PalmdaleGP_FinalEIRAppendicesResponsetoCommentsFindingofFactandStatementofOverridingConsiderations.pdf.

SECTION 3. Based upon substantial evidence presented to the City Council during the March 15, 2023, public hearing, including public testimony and written and oral staff reports, the City Council specifically finds as follows:

(a) The proposed ZOA conforms with the goals, objectives and policies of the General Plan. (ZOA)

(b) The proposed change in zone is consistent with the General Plan. (ZC)

The Application comprehensively amends Title 17 of the PMC to ensure compliance with Palmdale 2045, applicable State and Federal laws, as well as comprehensively modify processes, uses, and standards of development to enhance user usability, streamline projects and encourage flexibility. The proposed Application will allow the City to meet the goals, policies, and objectives of Palmdale 2045, because it has been refined to encompass best practices, improve approval procedures, and enhance flexibility. The zoning designations are intended to allow flexibility and a wide range of supportive uses in order to meet the vision of the City.

(c) The proposed ZOA is necessary to implement the General Plan and to provide for public safety, convenience and/or general welfare. (ZOA)

Pursuant to Government Code Section 65860, State law requires that the regulations governing the use and development of lands within the municipal limits of a city be consistent with the adopted General Plan for that city. Therefore, following the adoption of Palmdale 2045, a comprehensive update to Title 17 of the PMC is required. ZOA 21-007 is necessary to be consistent with the vision of Palmdale 2045, it will create a modern and streamlined document for the general public, development and business community and staff. Furthermore, the proposed ZOA will address recently adopted housing law requirements associated with Accessory Dwelling Units (ADUs) and Junior ADUs, affirmatively broadening the Fair Housing component, and addressing special-needs populations. The proposed ZOA will assist with the overall growth and development throughout the City, which will in turn enhance safety and welfare by encouraging active public spaces, promote “eyes on the street” building designs, and avoiding blight caused by vacancies.

(d) The proposed ZOA conforms with the intent of the Zoning Ordinance and is consistent with all other related provisions thereof. (ZOA)

(e) The site of the proposed change in zone is suitable for any of the land uses permitted within the proposed zone district. (ZC)

With the recent adoption of Palmdale 2045, new land use designations were incorporated within the document and its associated map. Therefore, the Application is required to maintain existing zoning designations and to establish new zoning designations as needed to be consistent with the recently adopted General Plan land use map. The proposed changes are consistent with the purpose and intent of the zoning code, because the Application encourages flexibility for future development, streamlines use of the zoning code, modernizes the code to include best practices and updated standards, provides descriptive regulations and illustrations, and ensures consistency with State law, the PMC and the General Plan. Furthermore, the comprehensive zoning update will assist the City's long-term vision of future growth and development by encouraging flexibility and allowing a wide variety of supportive uses. Lastly, the proposed Application will implement the land use patterns and development framework established within the Palmdale 2045.

(f) The proposed ZOA is reasonable and beneficial at this time. (ZOA)

(g) The proposed change in zone is reasonable and beneficial at this time. (ZC)

(h) The proposed change in zone will not have a substantial adverse effect on surrounding properties or the community in general. (ZC)

ZOA's occur over time in order to improve the quality of life, provide convenience, remain current with local government best practices and ensure compliance with applicable laws and regulations. Additionally, the proposed changes to the existing provisions and procedures will allow greater flexibility for development within the City, which will improve the quality of life for residents. Furthermore, the proposed ZOA comprehensively modifies processes, uses, and standards of development to enhance usability and streamline processes. The Application is intended to allow a wide range of supportive uses in order to meet the vision of the City, while refining best practices. Lastly, the proposed Application will not have a substantial adverse effect on the community because it will assist with the overall growth and development needs within the City, while enhancing active public spaces and building designs consistent with the vision of Palmdale 2045.

SECTION 4. Based on the findings and conclusions set forth in the above Sections, and based on all other evidence in the record, the City Council hereby approves Zoning Ordinance Amendment 21-007 modifying the City's zoning code and map to be consistent with Palmdale 2045 as shown in Exhibits I and II of this Ordinance. Additionally, the City Council directs the Director of Economic and Community Development to utilize the appropriate current fee as established by City Council resolution for new applications and existing applications with new processes until such time as the fee resolution is updated and adopted by City Council.

SECTION 5. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this Ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, or invalid, or ineffective, provided the basic purposes of this Ordinance and the benefits to the City and the public are not substantially impaired.

SECTION 6. The City Clerk shall certify to the adoption of this ordinance and shall cause this ordinance to be published or posted as required by law.

PASSED, APPROVED and **ADOPTED** this 15th day of March, 2023.

Approved as to form:

_____
Laura Bettencourt, Mayor

ATTEST:

_____
William P. Curley, III,
Special Counsel

_____
Rochelle Scott, Acting City Clerk

I, Rochelle Scott, Acting City Clerk of the City of Palmdale, California, do hereby certify that the foregoing resolution was duly passed, approved, and adopted by the City Council of the City of Palmdale at a regular meeting of said Council held on the 15th day of March, 2023 by the following roll call vote:

AYES: _____

NOES: _____

ABSTAIN: _____ ABSENT: _____

Date: _____ _____
Rochelle Scott, Acting City Clerk

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17.10 Introductory Provisions

17.10.010 Authority for this Ordinance

This Ordinance is adopted under the authority granted to the City of Palmdale by Article 11, Section 7 of the California Constitution and pursuant to the requirements of California Government Code Sections 65800 et. seq. and 66410 et. seq.

17.10.020 Short Title

This Title 17 of the Palmdale Municipal Code shall be known as the “Zoning Ordinance” or “Ordinance” hereafter.

17.10.030 Replacement of Previous Ordinances

The provisions of this Ordinance insofar as they are substantially the same as the provisions of any ordinance or portions of any ordinance repealed by this Ordinance shall be construed as restatements and continuations thereof, and not as new enactments.

17.10.040 Purpose

The purpose of this Ordinance is to promote the public health, safety, and general welfare and to preserve and enhance the quality of life within the City by establishing standards to ensure that an appropriate mix of land uses is developed in an orderly manner. To achieve this purpose, the City desires to achieve a pattern and distribution of land uses which generally meets the following objectives:

A. To implement the goals, objectives, and policies of the City of Palmdale General Plan;
B. To retain and enhance established residential neighborhoods, commercial and industrial districts, public facilities, recreation, open space and other amenities;
C. To allow for the infill and redevelopment of areas at similar scale and character;
D. To accommodate expansion of development into vacant and underutilized lands, while considering environmental and infrastructural constraints;

E. To provide a diversity of areas throughout the community characterized by differing land use activity, scale, and intensity;

F. To maintain and enhance significant environmental and visual resources;

G. To provide opportunities for economic development, including business creation and expansion in a variety of manufacturing, service, and marketing industries; and

H. To establish Palmdale as a distinctive community with a high quality of life and a visually pleasing, secure environment for the City's residents and businesses.

17.10.050 Prohibitions

A. General Prohibitions.

1. No structure shall be moved into an area, erected, reconstructed, added to, enlarged, advertised on, or structurally altered or maintained, and no structure or land shall be used for any purpose, except as specifically provided and allowed by this Ordinance and any other applicable codes, ordinances, and resolutions.
2. No person shall use or permit to be used any structure or land, nor shall any person erect, structurally alter or enlarge any structure or advertise on any structure except in accordance with the provisions of this Ordinance and any other applicable codes, ordinances, and resolutions.
3. No permit, entitlement, or other approval under this Zoning Ordinance may be issued or renewed for any use, construction, improvement or other purpose unless specifically provided for, or permitted by, this Zoning Ordinance, and any other applicable codes, ordinances and resolutions. In all cases, no permit, entitlement, or other approval may be issued or renewed where the property, including all structures and land, fails to comply with all applicable health, zoning, fire, building and safety, or nuisance prevention laws of the State or of the City or where there are fees, fines, or other penalties owing the City in connection with the property; provided, however, that this Section shall not be construed to require that the applicant actually be in compliance with such laws or have paid such penalties at the time set for review and approval or to prohibit legal non-conforming land uses that otherwise comply with applicable laws and have no penalties owing in connection with the property. The reviewing authority of the City, as applicable, may approve a permit, entitlement, or other approval and condition its operative date upon the later submission by the applicant a certificate of occupancy issued by the Division of Building and Safety or other satisfactory evidence that the property is then in compliance with all such applicable laws or proof of payment of such penalties.

B. Violations. Any person violating any provision of this Ordinance, or any amendment thereto, is guilty of a misdemeanor. Each violation is a separate offense for each and every day during any portion of time during which the violation is committed and is subject to the penalties specified in PMC Chapter 1.12 (Penalty Provisions).

C. Public Nuisance. Any use of property contrary to the provisions of this Ordinance is illegal and is deemed to be a public nuisance. The authorized legal representative of the City may commence actions and proceedings for the abatement thereof, in the manner provided by law, and may take such other steps and may apply to any court having jurisdiction to grant such relief as will abate or remove such use and restrain and enjoin any person from using any property contrary to the provisions of this Ordinance.

D. Injunctions. The provisions of this Section may also be enforced by injunction issued by any court having jurisdiction over the owner or occupant of any real property affected by such violation or prospective violation.
E. Enforcement. The Director of Economic & Community Development, Code Enforcement Officer, or any representative they may designate, is hereby authorized to notify, cite, and take legal action against any person who is in violation of the provisions of this Ordinance.

17.10.060 General Plan Consistency

The Zoning Ordinance is the primary tool for implementing the goals, objectives, and policies of the Palmdale General Plan pursuant to the mandates of State law. All project proposals within the incorporated area of the City shall be consistent with the General Plan prior to approval.

No land shall be developed, nor shall any use be initiated which is not found to be in conformance with the General Plan, applicable Specific Plan, Zoning Ordinance or other applicable provisions of the PMC.

17.11 Scope

17.11.010 Replacement of Other Ordinances

The provisions of this Ordinance shall not be deemed or construed to repeal, amend, modify, alter, or change any other ordinance or any part thereof not specifically repealed, amended, modified, altered or changed herein, except in such particulars or matters as this Ordinance is more restrictive than such other ordinance, or part thereof.

17.11.020 Compliance with Other Ordinances and Laws

Nothing in this Ordinance shall be construed to authorize the use of any lot or parcel of land in violation of this Ordinance or any other applicable statute, ordinance, or regulation. Nothing in this Ordinance eliminates the need for obtaining any other permits required by the City, or any permit, approval, or entitlement required by any other applicable special district or agency, and/or the regulations of any County, State, or Federal agency. No use that is illegal under local or State law shall be allowed in any zone within the city.

17.11.030 Reference to any Portion of this Ordinance

Whenever reference is made to any portion of this Ordinance, or of any other law or ordinance, the reference applies to all amendments and additions now or hereafter made.

17.11.040 Severability of any Portion of this Ordinance

Provisions of this Ordinance are declared to be severable. If any provision, clause, sentence, section, or any part thereof is held to be unconstitutional, invalid, or inapplicable to any person or circumstance by a court of competent jurisdiction, such unconstitutionality, invalidity, or inapplicability shall not affect or impair any of the remaining provisions, sentences, sections, or parts of this Ordinance or their applicability to other persons or circumstances.

17.11.050 Continuation of Previously Granted Variances

All exceptions and variances heretofore granted pursuant to the provisions of Ordinance No. 140 shall be deemed to exist hereafter as variances pursuant to Chapter 17.23 PMC (Variances), and shall be subject to all the conditions and provisions governing such variances upon the effective date of this Ordinance.

17.11.060 Continuation of Previously Granted Permits

All permitted uses heretofore lawfully existing under Ordinance No. 140 shall continue in effect until revoked or terminated and shall be continued under this Ordinance and shall be subject to all conditions governing such permit.

17.11.070 Continuation of Previously Adopted Development Agreements

Nothing in this Ordinance shall be interpreted to supersede the provisions of a development agreement which was adopted prior to the effective date of this Ordinance and which is still in effect. However, in any instance where a development agreement is silent on standards, requirements or other provisions as contained in this Ordinance, and such provisions are not in conflict with that development agreement, the Zoning Ordinance shall apply.

17.11.080 Continuation of Existing Nonconforming Uses

Existing legal nonconforming uses and structures may continue, pursuant to the provisions of PMC Chapter 17.29 (Nonconforming Uses and Structures).

17.11.090 Substandard Lots

Legally created substandard lots on record prior to the adoption of this Code shall be deemed in compliance with the minimum lot area requirements. The lot area per dwelling unit, however, shall remain as specified in the applicable zone. In no instance shall these provisions prevent the erection of a single-family dwelling on any substandard residential lot.

17.11.100 Procedures Regarding Projects in Progress and Pending Proceedings

A. Except as otherwise provided in this Section, after the effective date of this Ordinance, any pending application or project which has not been deemed complete shall be subject to the applicable provisions of this Ordinance. Any pending application for a project or proceeding which has been deemed complete shall be subject to the requirements in effect on the date such application was deemed complete.

B. The Director may determine that the approval of a Subdivision Development Plan (SDP) pursuant to PMC Section 17.26.020 (Subdivision Development Plan Review) is subject to the side setback provisions in effect as of the effective date of the tentative tract map approval in which the lot is located, provided that evidence submitted by the developer substantiates that the project met any one of the following criteria on the effective date of this Ordinance, and that said criterion is still met on the date of SDP submittal for each lot on which the exemption is sought.

    1. The lot is in a recorded tract in which the shape or dimension of the lot, or infrastructure or improvements have been constructed which would preclude adherence to the residential setback standards in Division 3 (Residential Zones) of this Ordinance without substantial expense on the part of the builder or developer. Such improvements could include, but are not limited to, utility stub-outs, individual lot grading, curb cuts or driveways.

2. The lot is part of an approved tentative tract map within which at least one phase has been recorded and in which construction is underway, based on structural plans or model homes with five-foot setbacks on each side; provided, however, that if the lot is in a phase of said map which is proposed for development with a different product type than those depicted in the originally approved building plans or model homes, then the lot shall adhere to all applicable provisions of this Ordinance.

17.11.110 Violation of Previous Ordinance

Any use established or conducted, or any building or improvement existing in violation of the Zoning Ordinance upon the effective date of this Ordinance, shall not be deemed to have acquired the status of a nonconforming use by reason of the adoption of this Ordinance, or any provision thereof. To the extent that such use, building, or improvement was a violation of any ordinance, statute or law, or is a violation of this Ordinance, it shall be deemed a continuing violation.

17.11.120 Private Agreements

The provisions of this Ordinance are not intended to repeal, rescind, or revoke any easements, covenants, conditions, approvals, restrictions, or agreements which are more restrictive than the provisions of this Ordinance.

17.12 Interpretations

17.12.010 Interpretation of Language

The Director shall have the responsibility and authority to interpret the meaning and applicability of all provisions and requirements of this Ordinance. Whenever the Director determines that the meaning or applicability of any of the requirements of this Ordinance are subject to interpretation generally, or as applied to a specific case, the Director may issue an official interpretation or refer the question to the Planning Commission (hereafter referred to as “Commission”) for determination. The Planning Commission shall be the final authority unless the matter is appealed to the City Council, pursuant to PMC Section 17.20.100 (Appeal Procedures).

17.12.020 Similar Use Determination

The Director may authorize a use not listed within a zoning district if the Director makes a determination that the use is similar to, and no more objectionable than other uses permitted or conditionally permitted in the zoning district, pursuant to PMC 17.24.040 (Determination on Unlisted Uses).

17.12.030 Minimum Requirements of this Ordinance

When the provisions of this Ordinance provide for more discretion on the part of a City official or body, that discretion may be exercised to impose more stringent requirements than set forth in this Ordinance, as may be determined by the applicable Review Authority, if it is deemed necessary to promote health and safety, orderly land use development, and the other purposes of this Ordinance.

17.12.040 Conflicting Regulations

Where conflict occurs between the provisions of this Ordinance and any other City ordinance, Specific Plan, or General Plan, the Director shall determine which document prevails.

17.12.050 Discretion

When this Ordinance provides for discretion on the part of a City official or body, that discretion may be exercised to impose conditions on the issuance of any City approvals, consistent with PMC Division 2 (Review Procedures).

17.12.060 Time Limits

Whenever a number of days is specified in this Ordinance, or in any permit, Condition of Approval, or notice provided pursuant to the Ordinance, the number of days shall be consecutive calendar days. A time limit shall extend to 5:00 p.m. on the following working day where the last of the specified number of days falls on a weekend or holiday.

17.12.070 Terminology

A. Gender. When consistent with the context, words in the masculine gender include the feminine and neutral genders.

B. Plural. When consistent with the context, words in plural include the singular.

C. Singular. When consistent with the context, words in the singular shall include the plural.

D. Tenses. When consistent with the context, words used in the present tense include the past and future tenses; and words in the future tense include the present tense.

E. Mandatory Language. The words “shall,” “will,” “is to,” “must,” and “are to” are always mandatory and not discretionary.

F. Encouraged Language. “Should” indicates that the standard is not mandatory but is strongly recommended. “May” is permissive and does not represent a regulatory requirement.

G. Indicative Language. The words “include,” “includes,” and “including” mean “including, but not limited to.” The word “and” means that all connected words or provisions apply; the word “or” means that the connected words or provisions shall apply singly or in any combination. The words “either … or” indicate that the connected words or provisions shall apply singly, but not in combination.

17.12.080 Photo and Figure Disclaimer

Images, photos, and diagrams in this Ordinance are not intended to be interpreted literally; they are provided to illustrate regulations and assist in understanding the desired character or proposed implementation of a standard (e.g., measurement/calculation, range of scale, intensity, site organization, streetscape, building design). In case of conflict between the text and a figure, illustration, heading, caption, diagram, or graphic, the text prevails.

17.13 Delegation of Authority

17.13.010 Responsibility of Administration

This Ordinance shall be administered by the City Council, the Planning Commission, the City Manager, the Director or designee, the Economic and Community Development Department, the Building Official or staff person designated by the Director to perform such actions, and any other departments, groups, personnel, or individuals as identified in a specific Chapter of this Code, in compliance with Division 2 (Review Procedures).

17.13.020 Assumption of Power or Duty of Public Officer

Whenever a power is granted to, or a duty imposed upon a public officer by this Ordinance, the power may be exercised, or the duty may be performed by a deputy of the public officer, or a person authorized, pursuant to law or ordinance, by said officer, unless this Ordinance expressly provides otherwise.

17.14 Designation of Zones and Districts

17.14.010 List of Zones

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

Table 17.14.010-1. List of Zones

Zone Symbol	Name of Zone	Division Reference	General Plan Land Use Designation Implemented by Zone
Residential Zones			
ER	Equestrian Residential	Division 3 (Residential Zones)	Equestrian Residential
LDR	Low Density Residential	Division 3 (Residential Zones)	Low Density Residential
SFR1	Single Family Residential 1	Division 3 (Residential Zones)	Single Family Residential 1
SFR2	Single Family Residential 2	Division 3 (Residential Zones)	Single Family Residential 2
SFR3	Single Family Residential 3	Division 3 (Residential Zones)	Single Family Residential 3
RN1	Residential Neighborhood 1	Division 3 (Residential Zones)	Residential Neighborhood 1
RN2	Residential Neighborhood 2	Division 3 (Residential Zones)	Residential Neighborhood 2
RN3	Residential Neighborhood 3	Division 3 (Residential Zones)	Residential Neighborhood 3
RN4	Residential Neighborhood 4	Division 3 (Residential Zones)	Residential Neighborhood 4
Mixed-Use Zones			
MU1	Mixed-Use 1	Division 5 (Mixed-Use Zones)	Mixed-Use 1
MU2	Mixed-Use 2	Division 5 (Mixed-Use Zones)	Mixed-Use 2 (MU2)
MU3	Mixed-Use 3	Division 5 (Mixed-Use Zones)	Mixed-Use 3 (MU3)
Commercial/Office Zones			
NC	Neighborhood Commercial	Division 4 (Commercial/Office Zones)	Neighborhood Commercial
RC	Regional Commercial	Division 4 (Commercial/Office Zones)	Regional Commercial
VC	Visitor Commercial	Division 4 (Commercial/Office Zones)	Visitor Commercial
MEDFX	Medical Flex	Division 4 (Commercial/Office Zones)	Health & Wellness
EDFX	Educational Flex	Division 4 (Commercial/Office Zones)	Educational Flex
OFX	Office Flex	Division 4 (Commercial/Office Zones)	Industrial & Employment Flex
Industrial Zones			
LI	Light Industrial	Division 6 (Industrial Zones)	Industrial & Employment Flex
HI	Heavy Industrial	Division 6 (Industrial Zones)	Industrial
AI	Aerospace Industrial	Division 6 (Industrial Zones)	Aerospace Industrial
MRE	Mineral Resource Extraction	Division 6 (Industrial Zones)	Mineral Resource Extraction
Special Purpose Zones			
SP	Specific Plan	Division 7 (Special Purpose Zones)	Specific Plan
PF-C	Public Facilities - Civic	Division 7 (Special Purpose Zones)	Public Facilities – Civic
PF-S	Public Facilities - School	Division 7 (Special Purpose Zones)	Public Facilities – School
PF-P	Public Facilities - Park	Division 7 (Special Purpose Zones)	Public Facilities – Park
OS	Open Space	Division 7 (Special Purpose Zones)	Open Space
U-ROW	Utilities & ROW	Division 7 (Special Purpose Zones)	Utilities

17.14.020 Zone Regulations and Use Classifications

Divisions 3 through 7 of this Ordinance establish allowed land uses and corresponding requirements for permits and entitlements for each of the City's base zones. Uses allowed are consistent with and implement the corresponding land use designations in the General Plan.

All land uses shall conform to the purpose and intent of the applicable zone, and shall comply with the following:

A. Special Use Regulations. Additional use regulations for special land uses are listed in Division 9 (Special Regulations) of this Ordinance.

B. Special Planning Areas. Special Planning Areas include areas of the City with adopted planning documents for development within each respective project area (e.g., specific plans, planned developments, master plans). These Special Planning Area documents establish land use and/or development regulations that are unique to the particular project area. When a property is located within a Special Planning Area, the allowed use provisions of that Special Planning Area document shall govern. If a planning document refers to, utilizes, or defers to one or more of the City's base zones, the allowed use provisions in those base zones shall apply. If there are any conflicts between a base zone and a Special Planning Area document, the Special Planning Area document shall control.

C. Overlay Zones. When a property is located within an overlay zone, the allowed use provisions of that overlay zone shall control. When an overlay zone is silent on allowed use provisions, it defers to the allowed use provisions of the base zone. Only where there is a conflict between two standards will the overlay zone provisions control.

D. Unlisted or Similar Compatible Uses. If a use is not specifically listed, or if the use is not substantially similar to a use classification provided in this Ordinance, the use shall not be allowed. When a use is not specifically listed in this Ordinance, the use may be allowed if the Director determines that the use is substantially similar to other uses pursuant to PMC Section 17.24.040 (Determination on Unlisted Uses).

E. Unlisted Standards and Regulatory Requirements. When the Director determines that an unlisted use is substantially similar to a use classification provided in this Ordinance, the proposed use will be treated in the same regulatory manner as the zone listed use for which the unlisted use is substantially similar for allowable location(s), permits required, and all other applicable standards and requirements of this Ordinance.

F. Illegal Uses. No use that is illegal under local, State, or Federal law shall be allowed in any zone within the City.

G. Prohibited Uses. No operations conducted on any property shall create objectionable and/or obnoxious dust, light, matter, mud, noise, odor, refuse, smoke, steam, vibration, maintenance needs of grounds or structures, or other nuisance(s) as defined in PMC Chapter 8.10 (Public Nuisance and Abatement Procedures). No land use shall be detrimental to the health and welfare of the Palmdale community.

17.14.030 Permissions Tables and Establishment of an Allowed Use

The land use permissions, as established in Divisions 3 through 7 of this Ordinance, shall be applicable to all new uses, structures, and activities within the identified zone.

A. Prior to the establishment of any land use identified in the land use permissions tables, the applicant shall obtain all necessary approvals and permits pursuant to all applicable requirements of this Ordinance. Division 2 (Review Procedures) of this Ordinance identifies the requirements of project proposals, and procedures and processing requirements for administrative and discretionary permit applications.

B. Land uses listed in the land use permissions tables and throughout this Ordinance have been grouped into general categories based on common function, product, or compatibility characteristics. These use categories are called use classifications. The classifications are listed in alphabetical order in the use tables. Use classifications describe one or more uses having similar characteristics but do not list every use or activity that may be appropriate within the classification. For that reason, the City has established a similar use determination process as described in PMC Section 17.24.040 (Determination on Unlisted Uses). Each land use is described in PMC Chapter 17.16 (Definitions). For example, personal service use includes a wide range of individual personal service uses (e.g., beauty parlor, dry cleaning, tanning salons, and tailors).

C. Any one or more land uses allowed pursuant to the land use permissions tables in this Ordinance may be established on any lot within the zone, subject to the planning permit requirement listed in the tables, and pursuant to all applicable requirements of this Ordinance. Accessory uses are allowed only in conjunction with a primary use to which the accessory use relates, or as specified in the tables.

D. Where a single parcel is proposed for development with two or more of the land uses listed in the table at the same time, the overall project will be subject to the highest level of review required by the table for any individual use and all applicable fees shall be paid.

17.14.040 Allowed Uses and Permit Requirements

Allowed uses by zone and corresponding requirements for entitlements are provided in Divisions 3 through 7 of this Ordinance for all of the City's base zones. Generally, a use is either allowed by right, allowed through an approval process, or not allowed. In addition to the requirements for planning entitlements of this Ordinance, other permits may be required prior to establishment of the use (e.g., building permit, engineering permit, or permits required by other agencies). The requirements for planning entitlements include:

A. Permitted (P). A land use shown with a "P" indicates that the land use is allowed by right in the designated zone, subject to compliance with all applicable provisions of this Ordinance (e.g., development standards) as well as County, State, and Federal law.

B. Accessory Use (A). A land use shown with an "A" indicates that the land use is allowed only as a secondary use in conjunction with a primary use, subject to compliance with all applicable provisions of this Ordinance (e.g., development standards) as well as County, State, and Federal law.

C. Minor Use Permit (MUP) Required. A land use shown with "MUP" indicates that the land use is allowed in the designated zone upon issuance of a Minor Use Permit from the designated Review Authority, subject to compliance with all applicable provisions of this Ordinance (e.g., development standards), as well as County, State, and Federal law.

D. Conditional Use Permit (CUP) Required. A land use shown with "CUP" indicates that the land use is allowed in the designated zone upon issuance of a Conditional Use Permit from the designated Review Authority, subject to compliance with all applicable provisions of this Ordinance (e.g., development standards) as well as County, State, and Federal law.

E. Not Permitted (-). A land use shown with a "-" is not allowed in the applicable zone.

F. Temporary Use (T). On occasion, property will be used for an event, activity, or use on a short-term basis. Such use is considered a temporary use. A land use shown with "T" indicates that the land use is allowed by right as a temporary use, subject to compliance with all applicable provisions of this Ordinance (e.g., development standards) as well as County, State, and Federal law.

G. Temporary Use Permit Required (TUP). On occasion, property will be used for an event, activity, or use on a short-term basis. Such use is considered a temporary use. A land use shown with "TUP" indicates that the land use is allowed as a temporary use in conjunction with the issuance of a Temporary Use Permit pursuant to PMC Chapter 17.26.100 (Temporary Use and Special Event Permits). PMC Section 17.98.020 (Temporary Uses) provides the regulations for these uses, including development standards and time limits.

17.15 Maps

17.15.010 Zoning Maps

The "Official Zoning Map of the City of Palmdale" has been adopted by the City Council and is on file with the Planning Division. All property within the City is hereby placed in such zones as indicated on said map, and no property shall be used except pursuant to the zoning designations on said map and the provisions of this Ordinance. Said map shall be maintained on file with the Planning Division. All amendments to the Official Zoning Map shall be noted thereon with the date of the amendment and references to the amending ordinance. Said Official Zoning Map is hereby made a part of this Ordinance and may be amended by reference thereto and to this Section.

17.15.020 Interpretation of Zone Boundaries

When uncertainty exists about the location of any zone boundary or section shown on the Official Zoning Map, the precise location of the boundary shall be determined by the Director. Generally, the following boundary guidelines shall be used for reading the Zoning Map and for interpretation, unless otherwise determined by the Director.

A. General Boundaries. Zone boundaries approximately following the right-of-way shall be construed to follow the proximate property line or right-of-way line.

B. Centerline Boundaries. Zone boundaries shown within a right-of-way that do not follow the outside right-of-way line(s) shall be construed to follow the centerline of such rights-of-way.

C. Scale. If a zone boundary does not follow a property line, or where a zone boundary divides a property, the location scale on the Official Zoning Map shall be used to determine the location of the boundaries, unless the boundaries are indicated by dimensions.

D. Split-Zone Properties. If a zone boundary does not follow a property line, or where a zone boundary divides a property, the location scale on the Official Zoning Map shall be used to determine the location of the boundaries, unless the boundaries are indicated by dimensions.

E. Vacated Areas. The zone for the vacated or abandoned uses shall be determined in one of the following ways, through a Zoning Clearance:

1. Revert to the identified or existing zone.
2. Where no zone is identified by the Official Zoning Map, the vacated right-of-way or non-occupancy use shall acquire the zone classification of the adjacent property to which it reverts.
3. The Director shall determine the applicable zone.

F. Unclassified Areas. Areas in dedicated highways, streets or alleys, aqueducts, or flood control channels, or in railroad rights-of-way, that are unclassified (i.e., not designated in the zoning map as falling within one of the zones) shall be deemed to be in the Utilities and ROW zone, and in the case of highways, streets or alleys allowed to be used only for purposes lawfully allowed, and in the case of railroad rights-of-way be allowed to be used solely for the purpose of accommodating tracks, signals, other operative devices and the movement of rolling stock.

17.16 Definitions

For the purpose of carrying out the intent of this Ordinance, the words, phrases and terms included herein shall be deemed to have the meaning ascribed to them in this Chapter.

17.16.010 (A)

A. **Abandon** shall mean to cease or suspend from developing, maintaining, or operating a structure or use for a stated period of time. A structure or use is deemed abandoned upon an absence of any reported sales or activity for within a continuous period of 180 days unless otherwise specified in this Ordinance (exceptions include temporary closures for repairs, alterations, or other similar situations).

B. **ABC License** shall mean a license issued by the California Department of Alcoholic Beverage Control.

C. **Abut or Abutting** shall mean the same as **Adjacent**.

D. **Access** shall mean the place or way by which pedestrians and/or vehicles shall have safe, adequate, and usable ingress and egress to a property or use as required by this Ordinance.

E. **Accessory Dwelling Unit (ADU)** shall mean an additional detached or attached residential dwelling unit which provides complete independent living facilities for one or more persons. The unit shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family unit is located. An ADU also includes an "Efficiency Unit" as defined in Health and Safety Code Section 17958.1 and a "Manufactured Home" as defined in Health and Safety Code Section 18007. Accessory structures are not considered accessory dwelling units.

F. **Accessory Equipment** shall mean any equipment including but not limited to cabling, generators, fans, air conditioning units, electrical panels, equipment shelters, equipment cabinets, equipment structures, pedestals, meters, vaults, splice boxes, and surface location markers.

G. **Accessory Structure** shall mean a structure customarily incidental and subordinate to a principal, structure or use on the same lot. If a structure is attached to the principal structure by a common wall, or by a continuation of the roof of the main structure (and not simply by a breezeway or porch), such accessory structure shall be considered a part of the main structure.

H. **Accessory Use** shall mean a use customarily incidental or secondary to the primary use on the same lot.

I. **Action** shall mean a decision made by the Review Authority on a land use approval, by a process as specified in this Ordinance.

J. **Addition** shall mean any construction which increases the size of a structure, dwelling, or facility in terms of site coverage, height, length, width, or gross floor area, occurring after completion of the original structure or facility.

K. **Adjacent** shall mean two or more lots or parcels of land separated only by an alley, street, highway or recorded easement, or sharing a common boundary of at least one point.

L. **Adult-Oriented Business.** See PMC Section 17.92.010 (Adult-Oriented Businesses).

M. **Aerospace Manufacturing** shall mean establishments engaged in the assembly, fabrication, or manufacturing of aerospace products from extracted or raw materials or recycled or secondary materials, or bulk storage and handling of such products and materials. Includes manufacturing, testing, modification, repair, overhaul, and storage of aircraft and component parts, communications equipment, aircraft instruments and equipment, missiles, space vehicle propulsion units, and freight and distribution services ancillary to aircraft operations. Toxic, hazardous, or explosive materials may be produced or used in large quantities as part of the manufacturing or testing process. This classification also includes the accessory storage of manufacturing or processing equipment and supplies in addition to any necessary administrative offices.

N. **Aerospace Services** shall mean facilities providing administrative functions, services, laboratories, and research and development for the aerospace and aircraft-related industries. These activities produce limited impacts on nearby properties and/or residents, include including, but not limited to noise, gas, odor, or vibration. This classification also includes the accessory indoor storage of equipment and supplies in addition to any necessary administrative offices.

O. **Agent** shall mean any person showing written verification that he/she/they is acting for, and with the knowledge and consent of, a property owner.

P. **Agricultural Support, Sales, Service, and Storage** shall mean the use of a site for supporting agricultural purposes including, but not limited to on-site sale of feed, grain, fertilizers, pesticides, and similar goods; storage of materials, equipment, and products used in the operation of an agricultural industry or business; and the provision of agricultural services with incidental storage of goods off-site; and hay, feed, and grain stores.

Q. **Agricultural Worker Housing** shall mean agricultural workers' living quarters for persons employed and deriving the major portion of their income from employment on the premises.

R. **Agriculture** shall mean the cultivation of row, field or tree crops, floricultural specialties, or the raising of animals, on a large-scale basis, for commercial purposes.

S. **Aircraft** shall mean any device used, or designed for flight in the air, and capable of conveying persons or goods.

T. **Airports and Heliports** shall mean facilities for the takeoff and landing of airplanes and helicopters, including runways, helipads, aircraft storage buildings, public terminal buildings and parking, air freight terminal, baggage handling facility, aircraft hangar and public transportation and related facilities, including bus operations, servicing, and storage. Also includes support activities including, but not limited to fueling and maintenance, storage, airport operations and air traffic control, incidental retail sales, coffee shops and snack shops and airport administrative facilities, including airport offices, terminals, operations buildings, communications equipment, buildings and structures, control towers, lights, and other equipment and structures required by the United States Government and/or the State for the safety of aircraft operations.

U. **Alcohol Beverage Establishment.** See definitions in PMC Section 17.92.020 (Alcoholic Beverage Establishments).

V. **Alcohol & Drug Free Residential Recovery Home Non-Licensed**. See **Sober Living Home**.

W. **Alcohol & Drug Treatment Facility, Large** means any premises, place or building that provides 24-hour residential non-medical services (as defined in the California Community Care Facilities Act) to seven or more persons, unrelated by blood, marriage, or legal adoption, in exchange for monetary or non-monetary consideration, who are recovering from problems related to alcohol or drug misuse or abuse, and who need drug or alcohol recovery treatment or detoxification services. A license from the State of California is required and the facility shall comply with the provisions of PMC 17.91.020 (Alcohol & Drug Treatment Facility).

X. **Alcohol & Drug Treatment Facility, Small** means any premises, place, or building that provides 24-hour residential non-medical services to six or fewer adults who are recovering from problems related to alcohol, drug, or alcohol and drug misuse or abuse, and who need alcohol, drug, or alcohol and drug recovery treatment or detoxification services and is licensed by the state to provide such treatment or services. These facilities are treated as small residential care facilities and are not subject to the provisions of PMC Section 17.91.020 (Alcohol & Drug Treatment Facility).

Y. **Alcohol Sales, Off-Sale** shall mean an establishment that sells, serves, or gives away alcoholic beverages for consumption off the premises (e.g., liquor store). See PMC Section 17.92.020 (Alcoholic Beverage Establishments).

Z. **Alley** shall mean any public thoroughfare, having a width of not more than 30 feet, which affords only a secondary means of access to abutting property.

AA. **Allowed Use** shall mean any use allowed in a zone and subject to the restrictions applicable to that zone.

BB. **Alteration** shall mean any construction or physical change in the internal arrangement of rooms or the supporting members of a building or structure, or change in the appearance of any building or structure.

CC. **Alternate Section** shall mean a method of delineating the required front setback area on single-family residential lots, which allows the required building setback to be measured from back of sidewalk rather than from the public right-of-way. This method was utilized on certain subdivision maps within the city before 1988, and is no longer in use on projects.

DD. **Alternative Transportation** shall mean the use of modes of transportation other than single passenger motor vehicle, including but not limited to carpools, vanpools, buspools, public transit, walking, bicycling, or other modes approved by the Director.

EE. **Amendment** shall mean a change in the wording, context or substance of this Ordinance, or a change in the zoning maps, which are part of this Ordinance when adopted by ordinance by the City Council in the manner prescribed by law.

FF. **Amusement Machine** shall mean any device, whether mechanical, electrical or electronic, or similar object, which by payment of a fee, or insertion of a coin, card or token, may be operated for the primary purpose of amusement. For the purposes of this definition, each station of the device that allows an individual to simultaneously operate the device shall be considered an amusement machine. For example, a device that allows four individuals to simultaneously operate the device shall be considered four amusement machines. The term amusement machine does not include any device or object the primary purpose of which is to play music.

GG. **Animal Enclosure** shall mean any pen, corral or fenced area intended for the confinement of animals.

HH. **Animal Husbandry and Production** shall mean the raising and breeding of animals for commercial purposes or production of animal products. Typical uses include grazing, ranching, dairy farming, poultry farming, and beekeeping, but exclude slaughterhouses and feedlot operations. This classification includes agricultural structures accessory to such uses.

II. **Animal Raising and Keeping** shall mean the raising, care, and maintenance of animals on private property for non-commercial purposes. This classification is distinct from **Animal Husbandry and Production, Animal Sales and Services**, and **Stable/Equestrian Facility**. Also see **Kennels/Boarding, Commercial**, which provides for the boarding of animals.

1. **Animal Raising and Keeping, Domestic** shall mean small animals (no larger than the largest breed of dogs) customarily kept as pets within a dwelling unit. This classification includes dogs, cats, fish, and birds (excluding large tropical birds and poultry).
2. **Animal Raising and Keeping, Exotic** shall mean wild animals not customarily confined or cultivated by man for domestic or commercial purposes, not considered domesticated within California or requiring a permit from the State of California Department of Fish and Wildlife. This classification includes miniature pigs, snakes, reptiles, and large tropical birds (including peacocks).
3. **Animal Raising and Keeping, Horses** shall mean horses, ponies, donkeys, and mules.
4. **Animal Raising and Keeping, Livestock** shall mean domesticated animals that may be kept or raised in pens, barns, houses, and pastures, whether for commercial or private use. Livestock includes, but is not limited to, cattle, sheep, swine, goats, alpaca, and other similarly sized animals. This classification excludes horses, ponies, donkeys, and mules.
5. **Animal Raising and Keeping, Poultry** shall mean domesticated birds (fowl) customarily kept for eggs or meat. This classification includes chickens, roosters, ducks, geese, turkeys, guinea fowl, and Cornish game hens.
6. **Animal Raising and Keeping, Beekeeping** shall mean the keeping, maintaining, or allowing of any hive of any size on any parcel in the City.

JJ. **Animal Sales and Services** shall mean retail sales of animals and/or services, including grooming, for animals on a commercial basis. Typical uses include, but are not limited to, domestic animal bathing and clipping salons, pet grooming shops, and pet stores and shops. This classification excludes dog walking and similar pet care services not carried out at a fixed location and pet supply stores that do not sell animals or provide on-site animal services.

KK. **Antelope Valley Air Quality Management District (AVAQMD)** shall mean the local agency with the primary responsibility for the control of non-vehicular sources of air pollution throughout the Antelope Valley.

LL. **Antenna.** See definitions in PMC Section 17.95.010 (Communication/Wireless Telecommunications Facilities).

MM. **Antique or Collectible Store** shall mean a store which sells or consigns to sell items which are by their style, design or use are commonly considered to be of another era or age, a collectible, or of heirloom quality. These items shall be in proper working order or restorable to working condition. Consignment, secondhand or thrift items are not considered antiques. Antique or collectible stores are included under **General Retail**.

NN. **Applicant** shall mean owner(s) or lessee(s) of property or their agent(s), or person(s) who have contracted to purchase property contingent upon their ability to acquire the necessary permits under this Ordinance, or the agent(s) of such persons.

OO. **Application** shall mean the form and information submitted by an applicant, which is used by the City to determine whether to approve or deny a project or other permit.

PP. **Approval** shall mean the action taken by the Review Authority pursuant to this Ordinance to approve or conditionally approve an application for a land use approval and/or related permits.

QQ. **Aquaculture** shall mean the large-scale cultivation of marine or freshwater fish, shellfish, or plants under controlled conditions. Aquaculture includes aquaponics which integrates aquaculture with hydroponics by recycling the waste products from fish to fertilize hydroponically growing plants.

RR. **Area** shall mean the extent or measurement of a surface or piece of land.

SS. **Artisan Manufacturing/Makers Space** shall mean any establishment primarily engaged in on-site production or fabrication of goods by hand manufacturing or artistic endeavor, which involves only the use of hand tools or small mechanical equipment, and which may include incidental instruction or direct sale to consumers. This classification includes, but is not limited to, ceramic studios, fabric and needleworking, leather working, metalworking, glass working, candle-making shops, woodworking, and custom jewelry manufacturers.

TT. **Assessor** shall mean the Assessor of the County of Los Angeles.

UU. **Athletic Fields, Lighted** shall mean lighted athletic fields including baseball and football fields with all necessary grandstands and stadiums.

VV. **Athletic Fields, Unlighted** shall mean unlighted athletic fields including baseball and football fields with all necessary grandstands and stadiums.

WW. **ATM (Accessory Use)** shall mean a pedestrian-oriented machine used by bank and financial service patrons for conducting transactions, including deposits, fund transfers, and withdrawals, without contact with financial institution personnel. ATMs may be located as a freestanding machine or a machine installed in an exterior wall that functions as an ATM as an accessory use to the primary building use(s), or as a space located inside a building dedicated to the functions of an ATM as an accessory use to the primary building use(s). ATMs accessed by drive-through space shall be regulated as a drive-through service (See **Drive-Through Services**).

XX. **Attached** shall mean any structure that has an interior wall or roof in common with another structure.

YY. **Auction Sales, Indoor** shall mean an indoor sale open to the public where property or goods are sold to the highest bidder. Auction sales shall not include one-time bankruptcy or asset liquidation auctions.

ZZ. **Auction Sales, Outdoor** shall mean an outdoor sale open to the public where property or goods are sold to the highest bidder. Auction sales shall not include one-time bankruptcy or asset liquidation auctions.

AAA. **Awning** shall mean an architectural projection that provides weather protection, identity, or decoration, and is wholly supported by the building to which it is attached. An awning is typically constructed of non-rigid materials on a supporting framework which projects from and is supported by the exterior wall of a building.

17.16.020 (B)

A. **Bail Bonds** shall mean a facility that provides bail bonds, documents that ensure to the court system that a person facing charges, and who typically is in jail, will appear for future court appointments if released.

B. **Banks, Financial, Savings and Loan Institutions** shall mean financial institutions providing retail banking services. This classification includes only those institutions serving walk-in customers or clients, including but not limited to, banks, savings and loan institutions, and credit unions, but excludes **Check Cashing Businesses.**

C. **Bar/Nightclub/Lounge** shall mean an age-restricted establishment where alcoholic beverages are offered for on-site consumption as its principal function pursuant to applicable California Department of Alcoholic Beverage Control standards, where food service, if any, is incidental and subordinate to the sale of alcohol. This classification may feature entertainment which includes, but is not limited to, music, dancing, comedy, and karaoke with the issuance of an entertainment permit. Uses include but are not limited to a tavern, bar, cocktail lounge, or nightclub. This classification shall exclude restaurants, cafes, or coffee shops which may include alcohol sales for on-site consumption as incidental to the primary use.

D. **Basement** shall mean any floor level (story) which is partly or completely below grade. A basement shall be counted as a story for the purposes of height measurement where any portion of a basement has more than one-half of its height above grade.

E. **Bed and Breakfast** shall mean a transient lodging establishment, typically limited to 20 or less rooms with a common dining area, primarily engaged in providing overnight or otherwise temporary lodging for the general public, which is inhabited as a primary residence by the owners or operators, and which may provide meals to the extent allowed by law. This classification shall exclude short-term residential rentals (e.g., Airbnb, VRBO, HomeAway, etc.).

F. **Berm** shall mean a mound or embankment of earth.

G. **BIA** refers to the California Building Industry Association.

H. **Biosolid Material** shall have the same meaning as **Sludge**.

I. **Body Piercing** shall mean the creation of an opening in the body of a human being for the purpose of inserting jewelry or other decoration, including, but not limited to, the piercing of a lip, tongue, nose, or eyebrow. Body piercing does not include the piercing of an ear with a disposable single-use, presterilized stud or clasp or solid needle that is applied using a mechanical device to force the needle or stud through the ear.

J. **Borrow Pit.** See **Mining/Resource Extraction**.

K. **Brewery/Distillery/Winery** shall mean establishments engaged in the production, processing, packaging, or manufacturing of alcoholic beverage products primarily for off-site consumption, where retail sales are incidental. This use is regulated based on size and the presence of retail sales/tasting rooms where alcoholic beverages are sold and consumed on site. Includes incidental food sales and entertainment.

   1. **Brewery/Distillery/Winery - with tasting room** shall mean a Brewery/Distillery/Winery with retail sales/tasting rooms where alcoholic beverages are sold and consumed on site.
   2. **Brewery/Distillery/Winery - without tasting room** shall mean a Brewery/Distillery/Winery without tasting rooms where alcoholic beverages are sold and consumed on site.

L. **Brewpub/Taproom/Wine Bar/Microdistillery** shall mean a drinking establishment that also serves food, and where beer or malt beverages, wine, and other alcoholic beverages are manufactured, brewed, ~~or~~ distilled, or stored on site for retail purchase as an accessory use.

M. **Buildable Area** shall mean the portion of the lot remaining after deducting all required setbacks and easements from the net area of the lot.

N. **Building** shall mean any structure for the shelter, housing, or enclosure of any person, animal, article, or chattel and when any portion thereof is completely separated from every other portion thereof by a division wall or fire wall, without openings, each such portion shall be a separate building. A building shall include any structure requiring a building permit.

O. **Building, Accessory**. See **Accessory Structure**.

P. **Building Coverage**. See **Lot Coverage.**

Q. **Building Distance, Minimum** shall mean the shortest distance measured from any point between buildings from wall to wall, exclusive of eaves and other allowed projections which are regulated separately.

R. **Building Envelope, Horizontal and Vertical** shall mean the maximum width and height of a structure based on minimum setback requirements and maximum building height limitations for the zone within which the structure is located. These envelopes may be utilized to evaluate visual impacts when specific architectural plans are not provided for subdivision review.

S. **Building Facade** shall mean that portion of any exterior elevation of a building extending vertically from grade to top of a parapet wall or eaves, and horizontally across the entire width of the building elevation.

T. **Building Frontage** shall mean the length of a building wall as measured continuously in one plane for the entire length of the subject building, excluding eaves or roof overhangs. Where a building is visible from more than one street or parking area, the building frontage of the main public entry shall be designated as the primary building frontage with all other such frontages designated as secondary.

U. Building Height. See PMC Section 17.17.030 (Measuring Heights).

V. **Building Materials Sales and Services** shall mean retail sales or rental of building supplies or equipment. This classification includes, but is not limited to, lumber yards, tool and equipment sales or rental establishments, and includes establishments devoted principally to taxable retail sales to individuals for their own use. This definition does not include **Construction and Material Yards**, home improvement centers, hardware stores less than 10,000 square feet in floor area, or **Nursery/Garden Center**.

W. **Building, Principal** shall mean one or more buildings on a lot or building site designed or used to accommodate the primary use to which the premises are devoted.

X. **Building Setback Line** shall mean that line parallel to the street right-of-way line at a distance therefrom equal to the depth of the front setback required for the zone in which the lot is located.

Y. **Building Site**. See **Development Site.**

Z. **Business Office** shall mean an office which has as its main function the arrangement of business transactions, the holding of sales meetings and administrative conferences, the receiving of client payments, and the keeping of records and accounts pertaining to a business.

AA. **Business or Commerce** shall mean the purchase, sale or other transaction involving the handling or disposition of any article, substance or commodity or service for profit or livelihood, and shall include office buildings, offices, recreational or amusement enterprises.

BB. **Business to Business Support Services** shall mean establishments providing non-retail-related services to other businesses on a fee or contract basis. Examples of these uses include, but are not limited to business equipment repair services; architecture, CAD services, drafting, engineering, etc.; interior decorator services; dispatch office (including taxi, plumbing, limo, emergency) limited to fielding calls; no on-site vehicle operations or storage; office use for mobile businesses, blueprint printing, binding, engraving, photocopying, job printing or related services; computer-related services (rental, repair); electronics/small machinery maintenance and repair; locksmith services; mailbox services; outdoor advertising services; janitorial/custodial and window-cleaning services; office security; equipment rental businesses within buildings; heavy equipment repair services where repair occurs on the client site; and taxi or delivery services with two or fewer fleet vehicles on-site. **Business to Business Support Services** exclude vehicle repair services.

17.16.030 (C)

A. **Café/Bakery** shall mean establishments where food and beverages may be prepared and are sold to patrons for predominately off-site consumption. This classification includes, but is not limited to, cafés, coffee shops, delicatessens, ice cream shops, and bakeries. This classification may include limited seating for on-site consumption of products.

B. **California Environmental Quality Act (CEQA)** shall mean the statute found in Public Resources Code Section 21000 et seq. that requires all jurisdictions in the State of California to evaluate the extent of environmental degradation posed by a proposed project.

C. **Campground** shall mean an open-air facility, where recreational vehicle or camping spaces are rented, or reserved, for overnight stay in tents, trailers, or recreational vehicles for 30 consecutive days or less.

D. **Care Facility, Residential**. See **Residential Care Facility**.

E. **Caretaker's Unit** shall mean a permanent residence that is secondary or accessory to the primary use of the property and used for housing a caretaker on the site of a nonresidential use where needed for security purposes or to provide 24-hour oversight or operations, equipment, or other resources on the site, including, but not limited to the care or monitoring of people, plants, animals, equipment, or other conditions on the site.

F. **Carpool** shall mean a vehicle carrying two to six persons commuting together to and from work on a regular basis.

G. **Carport** shall mean a permanent roofed structure not completely enclosed, used, or intended to be used for vehicle parking.

H. **Cellar** shall mean the same as **Basement**.

I. **Cemeteries, Crematories, or Mausoleums** shall mean land and or structures that are dedicated for cemetery purposes or for the burial of the dead, including columbariums, crematoriums, and mausoleums. Excludes funeral homes and mortuaries (see **Funeral Homes and Mortuaries**).

J. **Certificate of Occupancy** shall mean a document issued by the proper authority allowing the occupancy or use of a building and certifying that the structure or development conforms with all the applicable municipal codes, ordinances, and conditions of approval.

K. **Charitable Organization** shall mean an organization, association, corporation, or other legal entity duly qualified for tax-exempt status by the United States Internal Revenue Service and the California Franchise Tax Board.

L. **Check-Cashing Businesses** shall mean establishments that, for compensation, engage in the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving the same purpose. Check-Cashing Businesses also include the business of deferred deposits, whereby the check casher refrains from depositing a personal check written by a customer until a specific date pursuant to a written agreement as provided in Civil Code 1789.33. Check Cashing Businesses exclude state or federally chartered banks, savings associations, credit unions, or industrial loan companies. Check-Cashing Businesses also exclude retail sellers engaged primarily in the business of selling consumer goods, which include, but are not limited to, consumables to retail buyers, that cash checks or issue money orders incidental to their main purpose or business.

M. **Child Day Care in a Home** shall mean a day care facility licensed by the State of California, located in a residential unit where a resident of the dwelling provides care and supervision for periods of less than 24 hours for up to 14 children under the age of 10, including children who reside at the home.

N. **Churches.** See **Community Assembly**.

O. **Cinema/Theater/Performing Arts Center** shall mean any indoor facility for performing arts or display of films and motion pictures on single or multiple screens/stages. This classification may include incidental food and beverage service to patrons and shall exclude adult-oriented entertainment (see **Adult-Oriented Business**).

P. **City** shall mean the City of Palmdale, California, or the area within the territorial limits of the City of Palmdale, California, and such territory outside of the City of Palmdale, California, over which the City of Palmdale, California, has jurisdiction or control by virtue of any constitutional or statutory provision.

Q. **City Council** shall mean the City Council of the City of Palmdale.

R. **Civic/Government** shall mean administrative, clerical, or public contact offices of a government agency, including postal facilities and courts, along with accessory storage and maintenance. This classification excludes corporation yards, equipment service centers, and similar facilities that require maintenance and repair services and storage facilities for related vehicles and equipment (see **Utilities, Major and Utilities, Minor**).

S. **Clubhouse** shall mean any building used by an association of persons, organized for some common purpose, but not including a group organized solely or primarily to render service customarily carried on as a commercial enterprise.

T. **Code** shall mean a code adopted by Ordinance of the City of Palmdale.

U. **College/University** shall mean the use of a site for either a public or private college or university, excluding **Vocational/Trade schools**. This classification may include, but is not limited to, incidental/accessory dining and food service facilities, event spaces, sports fields, and student housing (dormitories).

V. **Co-located Small Wind Energy System (CSWES)** shall mean a wind energy conversion system that is located on a pole, which has a rated capacity of eight kW or less.

W. **Commercial Recreation and Sports, Indoor** shall mean establishments providing sports, indoor amusement, and entertainment services conducted within an enclosed structure, including coin-operated electronic amusement centers. Typical uses include but are not limited to, bowling alleys, billiard parlors, card rooms, health clubs, ice- and roller-skating rinks, indoor racquetball courts, athletic clubs, escape rooms, rage rooms, and physical fitness centers. See **Instructional Services** for small group/specialized instructional facilities.

X. **Commercial Recreation and Sports, Outdoor** shall mean sports conducted in open or partially enclosed or screened facilities. Typical uses include driving ranges, golf courses, miniature golf courses, tennis clubs, futsal, soccer fields, outdoor batting cages, swimming pools, and archery ranges. May include some indoor facilities.

Y. **Commercial Vehicle Parking (Primary)** shall mean any vacant lot or facilities used for off-street parking for commercial trucks and vehicles as a primary use.

Z. **Commission** shall mean the Planning Commission of the City of Palmdale.

AA. **Communications, Facilities within Buildings** shall mean facilities for the provision of broadcasting and other information-relay services using electronic and telephonic mechanisms. This classification includes, but is not limited to, radio, television, or recording studios, and telephone switching centers.

BB. **Communications/Wireless Telecommunications Facility** shall mean any facility or facilities that transmits and/or receives electromagnetic waves. This classification includes, but is not limited to, antennas and/or other types of equipment for the transmission or receipt of such signals, telecommunications towers or similar structures supporting such equipment, related accessory equipment, equipment buildings, parking areas, and other accessory development. The term "communication facility" does not apply to the following: 1) Government-owned and government-operated telecommunications facilities; 2) Emergency medical care provider-owned and emergency medical care provider-operated telecommunications facilities; 3) Mobile services providing public information coverage of news events of a temporary nature; and 4) Any wireless telecommunications facilities exempted from this Ordinance by Federal law or State law.

1. **Communication/Wireless Telecommunications Facilities, Major** shall mean a communication facility that, due to size, scale, location, or other characteristics, is likely to have some detectable impact on adjacent uses or on the environment, including aesthetic or visual impacts, or that may have a cumulative impact City-wide or on the regional environment due to the number of sites included or in combination with other projects. This definition includes freestanding antenna structures, including monopoles and towers, or the placement of a network of wireless communication facilities throughout an area onto existing structures, or other facilities which, as determined by the Director, warrant this classification. ~~See PMC Section 17.95.010 (Communication/Wireless Telecommunications Facilities).~~
2. **Communication/Wireless Telecommunications Facilities, Minor** shall mean a communication facility which by its size, scale, location, design, or combination of such measures, allows the facility to be aesthetically integrated into the surrounding environment so as not to be readily seen or recognized as a communication facility and is not likely to have some detectable impact on adjacent uses or on the environment. Such a facility is commonly referred to as a **Stealth Telecommunications Facility** (see PMC Section 17.95.010 (Communication/Wireless Telecommunications Facilities). ~~See PMC Section 17.95.010 (Communication/Wireless Telecommunications Facilities).~~

CC. **Community Assembly** shall mean a facility for public or private meetings, including community centers, places of worship, union halls, meeting halls, country clubs, club houses, banquet centers, and other membership organizations. Included in this classification is the use of functionally related facilities for the use of members and attendees including, but not limited to, kitchens, multi-purpose rooms, classrooms, and storage.

DD. **Composting Facility** shall mean a facility which causes, under controlled conditions, the biological degradation of organic waste materials, including leaves, grass clippings, garden waste, brush and branches and Christmas trees. The term composting facility shall not include compost bins or piles on developed residential property for the exclusive use of the residents of said property.

EE. **Conditional Use Permit** shall mean a discretionary entitlement which may be granted under the provisions of this Ordinance which when granted authorizes a specific use for a specific property, subject to compliance with conditions of approval imposed on the entitlement by the Reviewing Authority.

FF. **Condominium** shall mean a development of an undivided interest in common for a portion of a parcel coupled with a separate interest in space in a residential, industrial, or commercial building on the parcel.

GG. **Congregate Meal Facility** shall mean a facility that provides scheduled meals on a daily basis for families or individuals who are homeless or low income. This type of facility is included within **Social Service Facilities**. This term does not include homeless shelters or transitional housing.

HH. **Construction** shall mean any parcel preparation, assembly, erection, substantial repair, alteration, or similar action conducted on public or private property.

II. **Construction and Materials Yards** shall mean the storage of construction materials or equipment on a site other than a construction site. This classification includes, but is not limited to, contractor's storage yards and facilities used for the storage and wholesale trade of building materials.

JJ. **Construction Commencement** shall mean the start of construction on- and-off-site and structural improvements after a building permit or grading permit has been issued.

KK. **Contiguous** shall mean directly abutting or sharing a lot line in common.

LL. **Convenience Market** shall mean a neighborhood-serving retail store of 5,000 square feet or less in gross floor area that carries a range of merchandise oriented to daily convenience shopping needs, which may include grocery items and alcoholic beverage sales as allowed by this Ordinance. This classification excludes convenience markets with drive-through service.

MM. **Cottage Food Operation** shall mean an enterprise where an individual prepares or packages non potentially hazardous foods in his/her/their private home for sale to consumers and as it is defined in California Health and Safety Code Section 113758. The definitions set forth in Health and Safety Code Section 113758 are hereby incorporated herein by reference, as they are now enacted or hereafter amended.

NN. **Cottage Industry** shall mean a more intensive form of home-based business, having more employees, more floor area used for the business, or other signs of greater use of a residential parcel for business purposes. A cottage industry, like a home occupation, remains clearly subordinate to the use of the parcel and dwelling for residential purpose, but includes one or more of the following aspects: requires regular visits by clients or customers; needs frequent delivery or shipment of goods; conducts regular operations or stores materials outside of the residence; has a tendency to create noise, odors, or glare; employs two or more individuals who reside off premises; or includes on-site sales to the public. See **Cottage Food Operation** for food related operations.

OO. **Counseling** shall mean the application of mental health, psychological, or human development principles, through cognitive, affective, behavioral, or systemic intervention strategies, that address wellness, personal growth, or career development as well as pathology. Counseling and mental health services are activities that focus on the cognitive, emotional, behavioral, and social needs of individuals, groups, and families. They are designed to prevent and address problems, facilitate positive learning and behavior, and enhance healthy development. Counseling includes individual counseling, small group counseling, classroom guidance, prevention, and crisis response.

PP. **Council** shall mean the City Council of the City of Palmdale, California. "All its members" or "all councilmembers" means the total number of councilmembers holding office.

QQ. **County** shall mean the County of Los Angeles.

RR. **Court or Court Yard** shall mean an open, unoccupied space other than a yard, unobstructed from ground to sky, bounded on two or more sides by the walls of a building. An inner court is a court entirely enclosed within the exterior walls of a building. All other courts are outer courts.

SS. **Crop Production** shall mean the cultivation of tree, vine, field, forage, and other plant crops intended to provide food or fibers. This classification excludes wholesale or retail nurseries (See **Nursery/Garden Center**).

TT. **Cross Lot Drainage** shall mean a drainage system that conveys parcel run-off toward the rear or side lot line where it is captured in a drainage channel, pipe, or similar structure and directed across lot lines to an approved point of discharge, or detention or retention.

UU. **Cultural Institutions** shall mean public or quasi-public cultural institutions, examples of which include but are not limited to, aquariums, arboretums, art galleries and exhibitions, botanical gardens, zoos, historic sites and exhibits, libraries, and museums. May also include accessory retail uses including, but not limited to, gift/book shops, restaurants, etc.

VV. **Custom Home** shall mean a detached single-family dwelling which is individually designed and constructed to fit the unique requirements of both the parcel and the intended owner.

WW. **Custom Home Subdivision** shall mean the division of land into lots which are improved but not developed, intended for sale to purchasers who thereafter will construct custom homes on an individual basis, without development sequencing or phasing by a single builder.

17.16.040 (D)

A. **Daylight Grading** shall mean a grading technique which designates an existing natural contour as the transition line between a manufactured pad for development and an adjacent natural slope face and which eliminates the need for fill slopes along the exposed edges of the development pad.

B. **Days** shall always be consecutive calendar days unless otherwise stated.

C. **Decision, Administrative** shall mean decisions that are approved by the Director in the process of approving or disapproving a particular use or activity based on adherence with this Ordinance and other applicable regulations and statutes.

D. **Decision, Discretionary** shall mean decisions that require the exercise of judgment, deliberation, or decision on the part of the Review Authority in the process of approving or disapproving a particular activity, as distinguished from ministerial decisions in which the Review Authority's determination is limited to finding whether there has been conformity with applicable statutes, ordinances, or regulations.

E. **Decision, Ministerial** shall mean decisions that are approved by a Review Authority based upon a given set of facts in a prescribed manner in obedience to the mandate of legal authority.

F. **Dedication** shall mean the donation to a public agency of land or the right to utilize land, for a specific public use.

G. **Density.** See PMC Section 17.17.060 (Density).

H. **Density Bonus** shall mean an increase above the otherwise maximum allowable residential density under the General Plan (the base density).

I. **Density Transfer** shall mean an increase in density on one portion of a property to a level that may exceed the underlying General Plan designation of that portion of the property while maintaining a net density over the entire property that is consistent with the underlying General Plan designation.

J. **Department** shall mean the City of Palmdale Economic and Community Development Department, unless otherwise stated.

K. **Detached** shall mean any building or structure that does not have a wall or roof in common with any other building or structure.

L. **Developer** shall mean the builder who is responsible for the planning, design, and construction of an applicable development project. A developer may be responsible for implementing the provisions of the Ordinance codified in this chapter as determined by the property owner.

M. **Development** shall mean the placement or erection of any solid material or structure; discharge or disposal of any dredged material or any gaseous liquid, solid or thermal waste; grading, removing, dredging, mining or extraction of any soil or materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure including any facility of any private, public or municipal utility; and the removal of any major vegetation. As used in this Ordinance, “structure” includes but is not limited to any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line. A “project,” as defined in Government Code Section 65931, is included with this definition.

N. **Development Proposal** shall mean an application for approval of a comprehensive plan, subdivision, Conditional Use Permit, Tentative Tract or Parcel Map, or any other development permit or entitlement application which has been filed with and is pending for consideration by the City.

O. **Development Site** shall mean the land area, consisting of one or more recorded lots when comprehensively designed and developed. A development site could be either under one ownership or for use as a condominium. The site may be either currently occupied or proposed to be occupied by a main building(s)/primary use(s) and accessory building(s)/use(s) together.

P. **Director** shall mean the Director of Economic and Community Development, or his/her/their designee, unless otherwise specified.

Q. **Discontinue (Discontinuance)** shall mean the cessation or removal of a use for a specified period of time or permanently.

R. **District, Zone**. See **Zone**.

S. **Drainage Facilities** shall mean improvements constructed for the storage or conveyance of storm runoff in drainage channels, including channels, culverts, ponds, storm drains, drop-inlets, outfalls, basins, pumps, gutter inlets, manholes, and conduits.

T. **Drive-Through Services (Accessory)** shall mean any business that sells products or provides services to occupants in vehicles, including drive-through or drive-up windows and drive-through services. For drive-throughs as part of an eating establishment, see **Restaurant, Drive-Through**.

U. **Driveway** shall mean a paved area providing direct access for vehicles between a street and an allowed off-street parking or loading area.

V. **Duplex**. See **Two-Family Dwellings, Duplex**.

W. **Dwelling** shall mean a structure or portion thereof designed for residential occupancy, not including hotels or motels.

1. **Dwelling, Multiple.** See **Multi-Family Residential, ≥ 5 Units.**
2. **Dwelling, Primary** shall mean the principal dwelling unit located on a lot where a second or dependent dwelling unit is existing or proposed.
3. **Dwelling, Single-Family.** See **Single-Family Dwelling, Attached** and **Single-Family Dwelling, Detached.**
4. **Dwelling, Three Family (Triplex).** See **Multi-Family Dwelling, Triplex/Quadplex.**

X. **Dwelling Unit** shall mean one or more rooms in a building or portion thereof, designed, intended to be used or used for occupancy by one household for living and sleeping quarters, and containing only one kitchen, not including hotels or motels.

17.16.050 (E)

A. **Easement** shall mean the grant of a nonpossessory property interest that provides the easement holder permission to use another person's land.

B. **Eave** shall mean the projecting lower edge of a roof overhanging the wall of a building.

C. **Efficiency Apartment** shall mean a dwelling unit that combines kitchen, living, and sleeping facilities into one room in a multi-family dwelling.

D. **Electric Distribution Substation** shall mean an assembly of equipment which is part of a system for the distribution of electric power where electric energy is received at a sub-transmission voltage and transformed to a lower voltage for distribution for general consumer use.

E. **Elevation** shall mean:

1. A vertical distance above or below a fixed reference level; or
2. A flat scale drawing of the front, rear or side of a building or structure.

F. **Emergency** shall mean a sudden, unexpected occurrence demanding immediate action to prevent or mitigate loss of or damage to life, health, property, or public services.

G. **Emergency Shelters** shall mean housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less as defined in Section 50801 of the California Health and Safety Code. Medical assistance, counseling, and meals may be provided.

H. **Emergency Standby Generator** shall mean stationary generator used for the generation of electricity that meets the criteria set forth in paragraph (29) of subdivision (a) of Section 93115.4 of Title 17 of the California Code of Regulations.

I. **Employee Parking Area** shall mean the portion of total required parking at a development used by on-site employees.

J. **Enclosed** shall mean a covered space fully surrounded by walls, including windows, doors, and similar openings or architectural features, unless otherwise specified.

K. **Engineer, City** shall mean the City Engineer of the City of Palmdale.

L. **Entertainment, Live** shall mean any act, play, revue, pantomime, scene, dance act, musical performance, performance art, or song and dance act, or any combination thereof, performed by one or more persons whether or not they are compensated for the performance. See also **Live Entertainment as Accessory Use, Indoor (Accessory)**, and **Live Entertainment as Accessory Use, Outdoor (Accessory).**

M. **Entitlement.** See **Approval.**

N. **Exotic Animal** shall mean any warm or cold-blooded animal not normally maintained in a dwelling unit with people, not considered domesticated within California, or requiring a permit from the State of California Department of Fish and Wildlife.

O. **Explosives** shall mean any explosive substance, having a power equal to or greater than that of ordinary black powder, including but not limited to blasting caps, detonating, fulminating or electric caps, gunpowder, and dynamite, but shall not include fixed ammunition for small arms.

P. **Extraction** shall mean the removal from the earth of oil, water, gas, gravel, mineral or geothermal resources by drilling, pumping or other means, whether for exploration or production purposes.

17.16.060 (F)

A. **Fair Market Value** shall mean the amount to be determined pursuant to Business and Professions Code Section 5412.

B. **Family Day Care Center** shall mean establishments providing non-medical care for persons on a less than 24-hour basis other than **Child Day Care in a Home**. This classification includes nursery schools, preschools, and day care facilities for children or adults, and any other day care facility licensed by the State of California.

C. **Farmer's Market** shall mean any location or activity where a variety of agricultural and home-made products, including but not limited to fruits, vegetables, meats, nuts, and flowers are offered for sale to the general public by farmers and produce growers who are certified by a farmer's market association.

D. **Feasible** means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.

E. **Fence** shall mean an artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land.

F. **Fence, Open View** shall mean a fence that permits at least 50 percent open visibility through the fence.

G. **Fill** shall mean any material or substance which is deposited, placed, pushed, dumped, pulled, transported or moved to a new location and the conditions resulting therefrom. Fill also includes pilings placed for the purpose of erecting structures thereon when located in a submerged area. Examples of fill material include, but are not limited to, earth, excavated or dredged materials, sand, gravel, rock, riprap, and concrete.

H. **Film Production & Postproduction** shall mean motion picture and television facilities, and related media support facilities for the production, processing, reconstruction, synchronization of film with soundtrack, and distribution of motion pictures and other forms of audiovisual products, including but not limited to, education and entertainment films, tapes, and other reproduction media. This classification includes, but is not limited to, film sets, workshops, prop houses, sound stages, accessory administrative and production offices, post-production facilities (editing and sound recording studios, foley stages, and the like), special effects and optical effects units, film laboratories, and the like.

I. **Flag** shall mean a piece of fabric, plastic or other flexible material that is designed to hang from a pole, flex in the wind, and be used to display a symbol of a nation, government entity, religious entity or other organization, or be used to signal or attract attention.

J. **Floor Area, Habitable** shall mean the total horizontal area of all the floors of a building measured from the interior surface of the walls including all floors below ground level but exclusive of vent shafts, courts, and garages.

K. **Floor Area Ratio (FAR).** See PMC Section 17.17.050 (Floor Area and Lot Coverage).

L. **Food or Beverage Manufacturing** shall mean establishments engaged in the production, processing, packaging, or manufacturing of food or beverage products for off-site consumption and any instruction, direct sales, or on-site consumption are incidental to the food production activity. This classification includes, but is not limited to, coffee roasters, meat or fish processing, and wholesale bakeries. This classification also includes the storage of manufacturing or processing equipment and supplies in addition to any necessary administrative offices, necessary to support the use. This classification excludes slaughtering of animals or fowl.

M. **Food Preparation, Commercial** shall mean businesses preparing and/or packaging food primarily for off-site consumption, excluding those of an industrial character in terms of processes employed, waste produced, water used, and traffic generation (see **Food or Beverage Manufacturing**). Typical uses include, but are not limited to, caterers and commercial kitchens, and commercial/wholesale bakeries. This classification excludes bakeries, cheese shops, butchers, etc. operating for on-site sales only (not engaging in distribution to other food sellers inside/outside of the city).

N. **Fortunetelling, Palm and Card Reading** shall mean establishments providing any type of palm or card reading, psychic services, future telling, spirit communication, and/or any other related type of trade for donation or compensation.

O. **Freight/Trucking Facility** shall mean any property and improvements used for freight, courier, and postal services; trucking/freight operations; or freight transfer truck terminals including the parking, servicing, repairing, storage of trucks, truck tractors, and/or truck trailers. This classification excludes local messenger and local delivery services (see **Light Fleet-Based Services**).

P. **Front Wall** shall mean the nearest wall of a structure to the street upon which the structure faces, excluding cornices, canopies, eaves, and any other allowed projections.

Q. **Frontage** shall mean that side or sides of a parcel abutting a street.

R. **Fueling Station** shall mean an establishment primarily engaged in retailing vehicle fuels or providing Electric Vehicle (EV) charging facilities in combination with activities including, but not limited to, minor vehicle repair services; selling vehicle oils, replacement parts, and accessories; and/or providing incidental food and retail services. Car washes are excluded.

S. **Funeral Homes and Mortuaries**. A place of business where deceased are prepared for burial or cremation, and funeral services may be conducted.

17.16.070 (G)

A. **Gable** shall mean the vertical triangular end of a structure from cornice or eaves to ridge.

B. **Garage, Private** shall mean an accessory structure or an accessory portion of the main structure, designed and intended to be used primarily for the shelter or storage of vehicles owned or operated by the occupants of the main structure.

C. **Garage, Public** shall mean a structure other than a private garage used for the parking and storage of vehicles that is available to the general public.

D. **Garage Sale**. See **Yard Sale**.

E. **Garden/Greenhouse, Private** shall mean a private food-producing garden or greenhouse that is accessory to the primary use of the site.

F. **Gas Station**. See **Fueling Station.**

G. **General Plan** shall mean the comprehensive, long-term General Plan for the physical development of the City of Palmdale, as adopted by the City Council, and as thereafter amended.

H. **General Retail** shall mean the retail sale or rental of merchandise not specifically listed under another use classification. This classification is regulated by size and includes retail establishments including, but not limited to, department stores, home improvement centers, clothing stores, furniture stores, pet supply stores (no on-site sale/keeping of animals), small hardware stores (with 10,000 square feet or less of floor area), and businesses retailing the following goods: collectible stores, toys, hobby materials, handcrafted items, jewelry, cameras, photographic supplies and services (including portraiture and retail photo processing), medical supplies and equipment, pharmacies, electronic equipment, firearms, sporting goods, kitchen utensils, hardware, appliances, art supplies and services, paint and wallpaper, carpeting and floor covering, office supplies, and bicycles. **General Retail** includes new vehicle sales with indoor display of up to two vehicles. **General Retail** sales may be combined with ancillary services including, but not limited to office machine, computer, electronics, and similar small-item repairs.

I. **Glare** shall mean the effect produced by brightness sufficient to cause annoyance, discomfort, or loss in visual performance and ability.

J. **Government Code** shall mean the State of California Government Code.

K. **Grade** shall mean the vertical location of the ground surface.

1. **Grade, Existing or Natural** shall mean the ground elevation prior to any grading or other site preparation related to, or to be incorporated into, a proposed development or alteration of an existing development.
2. **Grade, Finished** shall mean the final ground elevation after the completion of any grading or other site preparation related to, or to be incorporated into, a proposed development or alteration of an existing development.
3. **Grade, Rough** shall mean the ground elevation after the completion of any grading or other site preparation to establish the approximate final elevations and drainage patterns for the proposed development or alteration of an existing development.

L. **Gradient** shall mean the rate of vertical change of a ground surface expressed as a percentage figure and determined by dividing the vertical distance by the horizontal distance. See also **Slope** and **Slope Steepness**.

M. **Grading** shall mean any excavation, filling, or movement of earth material by mechanical means, including but not limited to rock processing, dredging, blasting, bulldozing, and digging.

N. **Grading, Mass** shall mean a grading technique in which all lots, building pads and streets are graded over the entire parcel area resulting in the disruption of the majority of the on-site natural grade and vegetation, and often resulting in, but not required to result in, a successive pad/terrace configuration.

O. **Grocery Store** shall mean an establishment over 5,001 square feet, primarily engaged in the retail sale of products including, but not limited to, food, meat, dry goods, canned goods, produce, dairy, fresh and prepared meats, fish, and poultry. This classification excludes **Convenience Markets.**

P. **Gross Leasable Area (GLA)** shall mean the total floor area designed for tenant occupancy and exclusive use, including basements, mezzanines, and upper floors, if any; expressed in square feet and measured from the center line of joint partitions and from inside wall faces.

Q. **Group Residential Home** shall mean shared living quarters without separate kitchen or bathroom facilities for each room or unit, offered for rent for permanent or semi-transient residents on a weekly or longer basis. This classification includes rooming and boarding houses, employee housing, dormitories and other types of organizational housing, and private residential clubs, but excludes **Lodging, Hotels and Lodging, Motels**, **Sober Living Homes, Transitional Housing,** and **Residential Care Facilities**.

R. **Guest House** shall mean living quarters within a detached building located on the same premises with the main building, for use by temporary guests of the occupants of the premises. Such quarters may have a bath and toilet facilities, but no kitchen facilities and not be rented or otherwise used as a separate dwelling. Guest houses must be less than 300 square feet in area.

17.16.080 (H)

A. **Habitable Structure**. A structure that is suitable for human occupancy for purposes of employment, habitation, or other purpose.

B. **Hardscape** shall mean any inorganic decorative landscape materials, including but not limited to, stones, boulders, cobbles, pavers, decorative concrete, and/or mulch, incorporated into an overall landscape design.

C. **Hazardous Materials Facility** shall mean a hazardous materials facility, including all contiguous land and structures used for the treatment, transfer, storage, resource recovery, disposal, or recycling of hazardous materials or waste as defined in California State Health and Safety Code Section 25117.1. This classification excludes the storage of small quantities of explosives or hazardous materials, as customary in hardware, landscaping, or sporting goods stores, etc. See related definitions in PMC Chapter 17.96 (Hazardous Materials Facilities).

D. **Health Department** shall mean the County of Los Angeles Department of Health Services/Public Programs.

E. **Height.** See **Building Height**.

F. **Hillside Area** shall mean any property containing slope areas of 10 percent or greater.

G. **Home Occupation** shall mean any activity of a non-residential nature carried on within a living unit or accessory structure, by an occupant of the living unit and which is clearly incidental and secondary to the residential use of the living unit. Home occupations typically include uses which involve infrequent or no visits by clients or customers, need infrequent delivery or shipment of goods, and utilize only a small area of the residence to conduct operations. A home occupation may include, but is not limited to, the handicraft manufacturing of products, the conduct of an art or profession, the offering of a service, or an administrative office for the conduct of a business.

H. **Homeless Shelter.** See **Emergency Shelter.**

I. **Homeowners Association** shall mean an organization incorporated under State law among property owners who have a common interest in certain property.

J. **Horticultural Production** shall mean commercial facilities for growing flowers, trees, and ornamentals. This classification excludes wholesale or retail nurseries (See **Nursery/Garden Center**).

K. **Hospital** shall mean a facility providing medical, psychiatric, or surgical services for sick or injured persons, primarily on an inpatient basis, and including supplementary facilities for outpatient and emergency treatment, diagnostic services, training, research, administration, and services to patients, employees, or visitors. Hospitals shall be licensed by the State of California to provide surgical and medical services. Hospitals may include on-site accessory clinics and laboratories, accessory retail uses, and on-site ambulance dispatch facilities.

L. **Household** shall mean one or more individuals, related or unrelated, living together in a single dwelling unit.

17.16.090 (I)

A. **Illegal Structure, Use, or Lot** shall mean a structure, lot, or use which did not conform to applicable laws when constructed or initiated and has not been granted legal nonconforming status by a categorical provision of this Ordinance or has not been brought into full conformity by a specific remedy provided in this Ordinance.

B. **Immobile Populations** shall mean persons who cannot or should not be moved. Centers of immobile populations include, but are not limited to, schools, hospitals, convalescent homes, prisons, and facilities for the mentally ill.

C. **Improvement** shall mean any place, building, structure, natural feature, or object constituting a physical addition to real property or a structure on real property, or any part of such addition or facade.

D. **Improvement, Tenant** shall mean an improvement within the confines of an existing building exclusive of those required to meet minimum Uniform Building Code occupancy standards which include, but are not limited to wiring or plumbing.

E. **Income, Low** shall mean those households earning 80 percent or less of the area median income as defined in Section 50079.5 of the Health and Safety Code.

F. **Income, Moderate** shall mean those households earning 120 percent or less of the area median income as defined in Section 50093 of the Health and Safety Code.

G. **Income, Very Low** shall mean those households earning 50 percent or less of the area median income as defined in Section 50079.5 of the Health and Safety Code.

H. **Indoor Warehousing, Storage, Wholesaling, and Distribution** shall mean indoor storage and/or sale of goods to other firms for resale; storage of goods for transfer to retail outlets; or storage and sale of materials and supplies used in production or operation, including janitorial and restaurant supplies. This classification includes cold storage, freight moving and storage, warehouses, distribution and wholesalers. Wholesalers are primarily engaged in business-to-business sales but may sell to individual consumers through mail or internet orders. Wholesalers typically operate from a warehouse or office having little or no display of merchandise and are not designed to solicit walk-in traffic. This classification excludes wholesale sale of building materials (see **Building Materials Sales and Services**) or any use that involves cannabis.

I. **Inoperative Vehicle** shall mean any vehicle which is not currently registered, or which is not capable of self-propulsion.

J. **Institutional Use** shall mean an established organization, foundation, civic, or governmental agency dedicated to education, public service, or culture.

K. **Instructional Services** shall mean facilities that offer specialized programs in personal growth for students of any age group. Examples of these facilities include but are not limited to, individual and group instruction and training in the arts; production rehearsal; photography; martial arts training studios; gymnastics instruction; and aerobics and gymnastics studios with no other associated fitness facilities (e.g., health club, pool, etc.). Also includes production studios for individual musicians, painters, sculptors, photographers, and other artists.

L. **Intersection** shall mean where two or more roads connect at grade.

M. **Irrigation System** shall mean a connection of system components, including the water distribution network and the irrigation equipment downstream from the backflow prevention device that is necessary to ensure that all landscape areas and landscape materials are thoroughly and adequately watered.

17.16.100 (J)

A. **Junior Accessory Dwelling Unit (JADU)** shall mean an Accessory Dwelling Unit that is no more than 500 square feet in size and contained entirely within a single-family residence. A junior accessory dwelling unit may include separate sanitation facilities or may share sanitation facilities with the existing structure.

B. **Junk** shall mean any scrap, waste, reclaimable material, or debris, whether or not stored or used in conjunction with dismantling, processing, salvage, storage, baling, disposal or other use or disposition. Materials or equipment kept on any premises for use in the construction of any building on such premises, and any materials or equipment customarily used on a farm or ranch, and so situated, shall not be deemed "junk" or "salvage material" within the meaning of this Ordinance.

C. **Junk Yard** shall mean the same as **Salvage Yard**.

17.16.110 (K)

A. **Kennels, Private/Hobby** shall mean any lot where four or more dogs or cats, over the age of four months, are kept or maintained.

B. **Kennels/Boarding, Commercial** shall mean a commercial, non-profit, or governmental facility for keeping, boarding, training, breeding, or maintaining dogs, cats, or other household pets not owned by the kennel owner or operator that provide 24-hour accommodations of animals. Typical uses include pet clinics, pet hotels, animal shelters, but excludes **Veterinary Hospitals** and **Pet Daycare**.

C. **Kiosk/Outdoor Vending** shall mean a free-standing, walk-up facility for retail sales of merchandise or services; this use is generally operated as a kiosk or cart in conjunction with a shopping center or other retail establishment. For facilities with a drive-through access, see **Drive-Through Services.**

D. **Kitchen** shall mean any space within a building designed, intended to be used or used for the cooking or the preparation of food, including storage and refrigeration.

17.16.120 (L)

A. **Land Reclamation Project**. See **Sanitary Landfill**.

B. **Land Use** shall mean the way in which property is or will be utilized or occupied.

C. **Landform Grading** shall mean a design concept which utilizes grading techniques that stress the preservation of significant topographic features, the selective placement of development, variations to slope gradients, transitional slopes, and the sculpture-like shaping of manufactured slopes in a manner that replicates the shapes and characteristics of natural landforms.

D. **Landscape Setback Area** shall mean the entire setback areas less the footprint of legally erected structures, driveways, non-irrigated portions of parking lots, and structures including, but not limited to decks and patios. Areas dedicated to edible plants, such as orchards or vegetable gardens, are not included.

E. **Landscape, Live Plant Material** shall mean any combination of live plant materials (trees, shrubs, vines, ground cover) and pervious non-plant materials (gravel, stones, decomposed granite, mulch, etc.). Live plant materials include ground cover, shrubs, and trees.

F. **Landscaping** shall mean the planting and continuous maintenance of some combination of trees, shrubs, vines, ground cover, flowers, lawns, pervious non-plant materials, or other decorative features to land. This may include the installation of natural landscape features including, but not limited to rock and stone, earthen berms, walkways, plazas, courtyards, and structural features including but not limited to fountains, reflecting pools, art works and benches.

G. **Large Residential Care Facility**. See **Residential Care Facility, Large**.

H. **Laundromat** shall mean a business premises equipped with individual clothes washing and drying machines whether coin-operated or attendant operated for the use of retail customers, exclusive of laundry facilities provided as an accessory use in an apartment house, hotel, or motel. This classification excludes commercial laundry facilities (see **Manufacturing/Processing, Light)**.

I. **Law** denotes applicable Federal law, the Constitution and statutes of the State of California, the ordinances of the City, and when appropriate, any and all rules and regulations which may be promulgated thereunder.

J. **Legislative Body** shall mean the City Council of the City of Palmdale.

K. **Light Fleet-Based Services** shall mean passenger transportation services, local delivery services, medical transport, and other businesses that rely on fleets of three or more vehicles with rated capacities less than 10,000 pounds. This classification includes, but is not limited to, parking, dispatching, and offices for taxicab and limousine operations, ambulance services, non-emergency medical transport, local messenger and document delivery services, home cleaning services, and similar businesses.

L. **Light Source** shall mean a device that produces illumination, including incandescent light bulbs, fluorescent and neon tubes, halogen, and other vapor lights and reflecting surfaces or refractors incorporated into a lighting fixture. Any translucent enclosure of a light source or reflective surface is considered to be part of the light source.

M. **Liquor Store.** See **Alcohol Sales, Off-Sale.**

N. **Live Entertainment as Accessory Use, Indoor (Accessory)** shall mean music, comedy, dancing, acting, or other entertainment performed indoors. This includes dancing by patrons to live or recorded music and any activity with amplified sound that can be heard outside the facility. This classification excludes adult-oriented entertainment (see **Adult-Oriented Business**).

O. **Live Entertainment as Accessory Use, Outdoor (Accessory)** shall mean music, comedy, readings, dancing, acting, or other entertainment performed in an outdoor setting. This classification excludes adult-oriented entertainment (see **Adult-Oriented Business**).

P. **Live/Work** shall mean an integrated housing unit and working space, occupied, and utilized by a single household structure, either single-family or multi-family, that has been designed or structurally modified to accommodate joint residential occupancy and work activity, and where the residential use is secondary and accessory to the primary use as a place of work.

Q. **Loading Space** shall mean an area used exclusively for loading or unloading of goods from a vehicle in connection with the use of the site on which such space is located.

R. **Located within the Public Right-of-Way** shall include any facility which, in whole or in part, itself or as part of another structure, rests upon, in, over or under the public right-of-way.

S. **Lodging, Extended Stay** shall mean a building or group of buildings under single ownership, containing six or more rooms or suites providing transient or temporary lodging for periods not limited to 30 days, available at daily, weekly, or monthly rates to guests only. Rooms often have independent cooking facilities, and these establishments may also include accessory services including, but are not limited to restaurants, meeting rooms, function halls, common facilities, and recreation facilities. Includes extended stay hotels and apartment hotels.

T. **Lodging, Hotels** shall mean a building or group of buildings containing individual rooms or suites of rooms, each having a private bathroom, for the purpose of providing overnight accommodations to the general public for compensation, for periods of 30 consecutive days or less. These establishments may provide additional services and amenities including, but not limited to, conference and meeting rooms, restaurants, bars, spas, or recreation facilities available to guests or to the general public. Common facilities, including, but not limited to those for reservations, cleaning services, and on-site management, are provided.

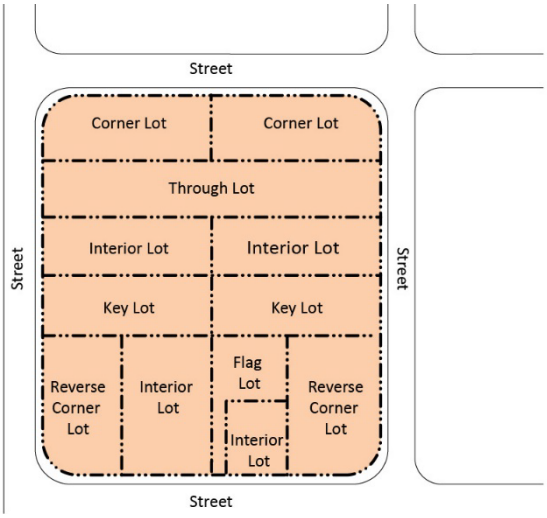
U. **Lodging House**. See **Group Residential Home**.

V. **Lodging, Motels** shall mean a building or group of buildings containing individual sleeping or living units for the purpose of providing overnight accommodations to the general public for compensation, for periods of 30 consecutive days or less. Typically, such units open individually and directly to the outside, where a garage is attached or a parking space is conveniently located near each unit, all for temporary use by automobile tourists or transient travelers. Generally, includes limited amenities or services.

W. **Lodging, Timeshares** shall mean a facility in which a person receives the right in perpetuity, for life or for a specific period of time, to the recurrent, exclusive use or occupancy of a lot, parcel, unit, or portion of real property for a period of time which has been or will be allocated from 12 or more occupancy periods into which the facility has been divided. A timeshare use may be coupled with an estate in the real property, or it may entail a license, contract, membership, or other right of occupancy not coupled with an estate in the real property.

X. **Lot** shall mean a parcel, tract or area of land established by plat, subdivision, or as otherwise allowed by law, to be used, developed or built upon. The classification of lots are:

Figure 17.16.120-1. Lot Types



1. **Corner** shall mean a lot located at the intersection of two or more streets at an angle of not more than 135 degrees. If the angle is greater than 135 degrees, the lot shall be considered an **Interior Lot**.
2. **Flag** shall mean a lot having access or an easement to a public or private street by a narrow, private right-of-way.

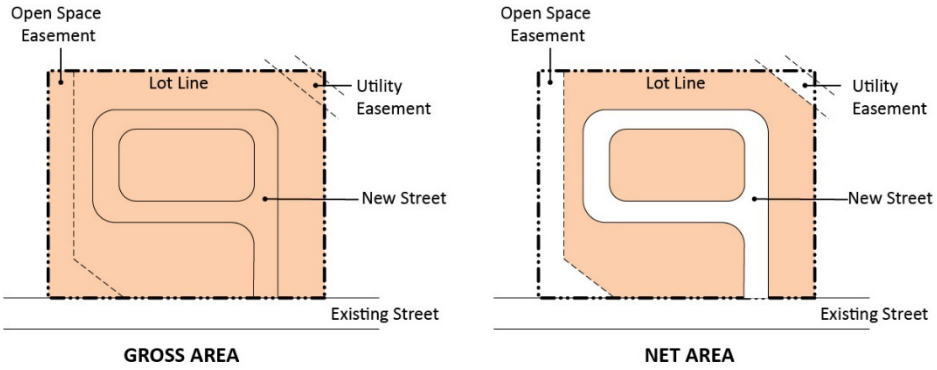
3. **Interior** shall mean a lot abutting only one street.
4. **Key** shall mean a lot with a side line that abuts the rear line of any one or more adjoining lots.
5. **Reverse Corner** shall mean a corner lot, the rear of which abuts the side of another lot.
6. **Through** shall mean a lot having frontage on two generally parallel streets, with only one primary access.

~~Y. **Lot Area** shall mean the total horizontal area included within the lot lines of a lot or parcel of land, exclusive of any landscape easement.~~

~~Z.~~Y. **Lot Area, Gross** shall mean the total horizontal area of ~~that area of~~ a lot or parcel of land inclusive of the following, except as otherwise provided in this Ordinance:

1. Public alleys, highways or streets; or
2. Proposed public facilities which include, but are not limited to alleys, highways, streets, or other necessary public sites when included within a proposed project; or,
3. Other public or private easements where the owner of the property does not have the right to use the entire surface of the land.

Figure 17.16.120-2. Gross Lot Area



~~AA.~~Z. **Lot Area, Net** shall mean the total horizontal area of~~that area of~~ a lot or parcel of land exclusive of the following, except as otherwise provided in PMC Chapter 17.81.010 (Lot Area):

1. Public alleys, highways, or streets, except as provided in PMC 17.81.010 (Lot Area); or
2. Proposed public facilities which include, but are not limited to alleys, highways, streets, or other necessary public sites when included within a proposed project; or
3. Other public or private easements where the owner of the property does not have the right to use the entire surface of the land.

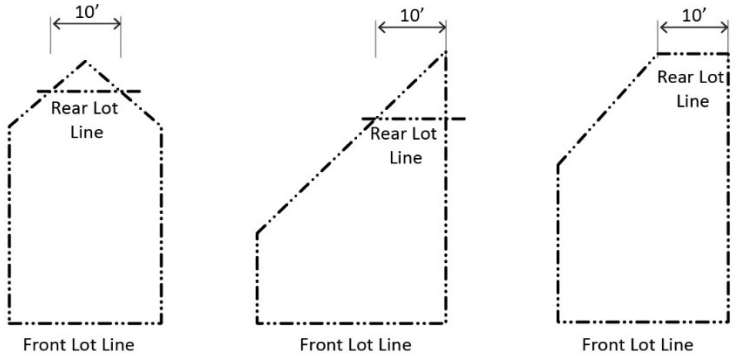
~~BB.~~AA. **Lot Coverage**. See PMC Section 17.17.050.C (Determining Lot Coverage).

~~CC.~~BB. **Lot Depth.** See PMC Section 17.17.040 (Lots and Setbacks).

~~DD.~~CC. **Lot Line** shall mean any boundary of a lot. The classification of lot lines are:

1. **Lot Line, Front** shall mean the line separating the parcel from the street on an interior lot. On a corner lot, front shall mean the shorter lot line abutting a street. If the lot lines on a corner lot are equal in length, the front lot line shall be based on the street with the highest classification in the General Plan. On a through lot, both lot lines are front lot lines and the lot is considered to have no rear lot line. For flag lots and other irregularly shaped parcels, the front lot line is determined to be the narrowest portion of the lot (for flag lots, the front shall be the portion with the "pole," excluding the "pole").
2. **Lot Line, Interior** shall mean any lot line not abutting a street.
3. **Lot Line, Rear** shall mean a lot line not intersecting a front lot line, which is most distant from and most closely parallel to, the front lot line. Where no lot line is within 45 degrees of being parallel to the front lot line (e.g., triangular lot), a line 10 feet in length within the lot, parallel to and at the maximum possible distance from the front lot line, will be deemed the rear lot line for establishing the minimum rear setbacks, and other provisions of this Ordinance.

Figure 17.16.120-3. Rear Lot Line on Irregular Lots



4. **Lot Line, Side** shall mean any lot line that is not otherwise defined as a front, rear, or street side lot line.
5. **Lot Line, Street Side** shall mean any lot line abutting a street that is not determined to be a front lot line.

~~EE.~~DD. **Lot Width.** See PMC Section 17.17.040 (Lots and Setbacks).

17.16.130 (M)

A. **Manufactured Home**, as defined in State of California Health and Safety Code Section 18007, shall mean a structure that was constructed on or after June 15, 1976, is transportable in one or more sections, is eight body feet or more in width, or 40 body feet or more in length, in the traveling mode, or, when erected on site, is 320 or more square feet, is built on a permanent chassis and designed to be used as a single-family dwelling with or without a foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein.

B. **Manufactured Slope.** See **Slope, Manufactured.**

C. **Manufactured/Mobile Home Park** shall mean a development designed and occupied by manufactured/mobile housing units or park models including development with facilities and amenities used in common by occupants who rent, lease, or own spaces for mobile/manufactured/park model housing units through a subdivision, cooperative, condominium, or other form of resident ownership.

D. **Manufactured/Mobile Home Subdivision** shall mean an area of land where lots are divided for sale, rent, or lease to accommodate manufactured or mobile homes. See also **Manufactured/Mobile Home Park.**

E. **Manufacturing** shall mean the mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, the construction of products, and the blending of materials including, but not limited to plastics, resins, or oils.

F. **Manufacturing, Outdoors** shall mean establishments engaged in the outdoor assembly, fabrication, or manufacturing of non-edible products from extracted, raw, recycled or secondary materials, or bulk storage and handling of such products and materials. Production typically involves some transformation by way of heating, chilling, combining, or through a chemical or biochemical reaction or alteration. Toxic, hazardous, or explosive materials may be produced or used in large quantities as part of the manufacturing process. These industrial activities may produce impacts on nearby properties, including, but not limited to, noise, gas, odor, dust, or vibration. This classification includes manufacturing for biomass energy conversion, commercial advertising, cosmetics and perfumes, electrical appliances and explosives, film and photographic processing plants, apparel and textile mills, leather and allied products manufacturing, wood and paper, glass and glass products, chemical products, medical/pharmaceutical products, plastics and rubber, nonmetallic minerals, primary and fabricated metal products, and automotive and heavy equipment. This classification also includes the storage of manufacturing or processing equipment and supplies in addition to any necessary administrative offices necessary for the associated use.

G. **Manufacturing/Processing, Heavy** shall mean indoor establishments engaged in the assembly, fabrication, or manufacturing of non-edible products from extracted, raw, recycled or secondary materials, or bulk storage and handling of such products and materials. Production typically involves some transformation by way of heating, chilling, combining, or through a chemical or biochemical reaction or alteration. Toxic, hazardous, or explosive materials may be produced or used in large quantities as part of the manufacturing process. These industrial activities may produce impacts on nearby properties including, but not limited to, noise, gas, odor, dust, or vibration. This classification includes manufacturing for biomass energy conversion, commercial advertising, cosmetics and perfumes, electrical appliances and explosives, film and photographic processing plants, apparel and textile mills, leather and allied products manufacturing, wood and paper, glass and glass products, chemical products, medical/pharmaceutical products, plastics and rubber, nonmetallic minerals, primary and fabricated metal products (large), and automotive and heavy equipment. This classification also includes the storage of manufacturing or processing equipment and supplies in addition to any necessary administrative offices necessary for the associated use.

H. **Manufacturing/Processing, Light** shall mean indoor establishments engaged in manufacturing of non-edible products and finished parts primarily from previously prepared materials by means of physical assembly or reshaping. These industrial activities produce limited impacts on nearby properties including, but not limited to, noise, gas, odor, or vibration. This classification includes uses where retail sales are clearly incidental to an industrial or manufacturing use; monument works; printing, engraving, and publishing; computer and electronic product manufacturing; fabricated metal products (small); furniture and related product manufacturing (excluding **Artisan Manufacturing/Makers Spaces**); commercial laundry processing and other cleaning operations that use chemical solvents, and industrial services. This classification also includes the storage of manufacturing or processing equipment and supplies in addition to any necessary administrative offices necessary for the associated use.

I. **Mass Grading.** See **Grading, Mass**.

J. **Massage** means any method of treating the external parts of the body for remedial, health, or hygienic purposes by means of pressure on or friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating or stimulating the external parts of the body with the hands or other parts of the body, with or without the aid of any mechanical or electrical apparatus or appliances, or with or without supplementary aids including, but not limited to rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotions, ointments, other similar preparations commonly used in this practice, or any other system for treatment or manipulation of the human body with or without any form of bath, including, but not limited to Turkish, Russian, Swedish, Japanese, Shiatsu, acupressure, vapor, shower, electric tub, sponge, mineral, fomentation, or any other type of bath, including herbal body wraps.

K. **Massage Establishment, Accessory** shall mean massage services as an accessory use. Examples include, but are not limited to, massage chairs/services at shopping malls or in hotels.

L. **Massage Establishment, Stand-Alone** shall mean any establishment having a fixed place of business where any person engages in or carries on any method of pressure on or friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulating of the external parts of the body with the hands or with the aid of any mechanical electrical apparatus or appliances with or without such supplementary aids as rubbing alcohol, liniments, antiseptics, oils, powder, creams, lotions, ointments, or other similar preparations commonly used in this practice. Such establishment shall have health enhancement as part of its purpose. Exempted from this definition are massage therapists operating in conjunction with and on the same premises as a physician, surgeon, chiropractor, osteopath, nurse, or any physical therapist (State-licensed professions or vocations) who are duly State-licensed to practice their respective professions in the State of California.

M. **Massage Technician** includes “masseur”, or “masseuse”, “massage practitioner” and “massage therapist”, and means any person who administers to any other person, for any form of consideration or gratuity, a massage as defined in this Ordinance.

N. **Median** shall mean a paved or planted area separating a street, accessway or highway into one or more lanes of opposite direction of travel.

O. **Medical Services, Extended Care** shall mean a private medical services facility providing for regular care on an extended basis as required beyond immediate in-office visits; generates limited to no walk-in service. Examples include, but are not limited to, nursing homes, adult residential facilities treating mental health, and the like. Usually includes incidental medical laboratories.

P. **Medical Services, Medical/Dental/Holistic/Clinic** shall mean a facility other than a hospital where medical, dental, holistic, mental health, surgical, and/or other personal health care services are provided on an outpatient basis (for example, chiropractors, medical doctors, psychiatrists, other than nursing staff). May also include incidental medical laboratories, supporting pharmacies, etc. Medical Services, Medical/Dental/Holistic/Clinic excludes any establishment offering professional, or counseling services conducted, operated, or supervised by other types of professionals other than medical doctors or psychiatrists (e.g., social workers, career counselors), are included under **Office - Professional/Administrative**.

Q. **Medical Services, Urgent Care** shall mean an establishment providing limited clinical and emergency medical services through primarily walk-in service. May also include incidental medical laboratories. This classification excludes urgent care services as part of a hospital.

R. **Microblading/Permanent Makeup** shall mean an establishment whose principal business activity is using ink or other substances that result in the permanent coloration of the skin using needles or other instruments designed to contact or puncture the skin as a means of producing designs that resemble makeup, including, but are not limited to eye-lining and other permanent enhancing colors to the skin of the face, lips, eyebrows, and eyelids. This classification excludes **Tattoo/Body Art/Piercing Establishments**.

S. **Mining/Resource Extraction** shall mean the use of a site for extraction of surface or subsurface mineral products or natural resources. This use includes **Borrow Pits**, mining operations, oil drilling or fracking, and uses incidental to mining operations including temporary stockpiling of materials and structures necessary for the on-site production of mineral products or natural resources.

T. **Mobile Home** shall have the meaning set forth in State of California Health and Safety Code Section 18008.

U. **Model Home (on-site)** shall mean a dwelling unit temporarily used for display purposes as an example of dwelling units available for sale in a particular residential development.

V. **Modular/Prefabricated Homes** shall mean modular or prefabricated units are constructed inside building facilities and then transported to the building site for assembly. The main difference between manufactured homes and modular homes is that manufactured homes are built to the national HUD code, while modular/prefabricated units are built to all applicable State and local building codes.

W. **Month** means a calendar month.

X. **Motor Vehicle** shall mean a self-propelled device by which any person or property may be propelled, moved, or drawn upon a street or highway, excepting a device moved by human power or used exclusively upon stationary rails or tracks.

Y. **Mounted** shall mean attached or supported.

Z. **Mulch** shall mean any material, organic or inorganic, including, but not limited to leaves, straw, gravel, decomposed granite or other materials left loose and applied to the soil surface to reduce evaporation.

AA. **Multi-Family Dwelling, Triplex/Quadplex** shall mean three or four dwelling units on a permanent foundation on one lot or parcel, or a single structure designed or used for occupancy by three or four households, living independently of each other. Three or four side-by-side dwellings sharing a common wall but located on their own lots are considered single-family attached dwellings/townhomes. Includes stationary **Modular/Prefabricated Homes.**

BB. **Multi-Family Residential, ≥ 5 Units** shall mean a building, parcel, or site with five or more dwelling units; units may be attached or detached. Includes stationary **Modular/Prefabricated Homes.**

CC. **Municipal Code.** See **Palmdale Municipal Code (PMC)**.

17.16.140 (N)

A. **Neighborhood Market** shall mean an establishment under 5,000 square feet, primarily engaged in the retail sale of a variety of products including, but not limited to, dry goods, canned goods, fresh fruits and vegetables, dairy products, fresh and prepared meats, fish, and poultry. No alcohol sales are allowed (See **Convenience Market**).

B. **Nonconforming Structure, Legal** shall mean any structure or improvement that was lawfully established pursuant to all applicable ordinances and laws at the time it was erected, but which, due to the application of this Ordinance or any amendment thereto, no longer complies with all of the applicable regulations and standards of the zone in which the structure or improvement is located.

C. **Nonconforming Use, Legal** shall mean any use of land or property that was lawfully established pursuant to all applicable ordinances and laws at the time the use commenced, but which, due to the application of this Ordinance or any amendment thereto, no longer complies with all of the applicable regulations and standards of the zone in which the use is located.

D. **Nonresidential Development** shall mean any development which is designated, used, or intended to be used for any purpose other than a residence or residences.

E. **Nuisance** shall mean anything which is injurious to health, or is indecent or offensive to the senses, or is an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property, or which unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake or river, bay, stream, canal, or basin or any public square, street or highway.

F. **Nuisance Activities** shall mean any conduct or actions which is a nuisance, which includes without limitation the following: disturbance of the peace; illegal drug activity; public drunkenness; illegal public consumption of an alcoholic beverage; public urination; harassment of passerby; gambling; prostitution; sale of stolen goods; excessive loud noise; lewd conduct; loitering; vandalism; assault; battery; sale to and/or consumption of alcohol by minors; and illegal parking.

G. **Nursery/Garden Center** shall mean any establishment(s) primarily engaged in retailing nursery and garden products, including, but not limited to trees, shrubs, plants, seeds, bulbs, and sod that are predominantly grown elsewhere. This classification includes commercial and wholesale greenhouses and nurseries offering plants for sale.

17.16.150 (O)

A. **Office, Processing** shall mean office-type facilities characterized by high employee densities and occupied by businesses engaged in information processing and other computer-dependent and/or telecommunications-based activities. Examples of these uses include, but are not limited to, airline and rental car company reservation centers, computer software and hardware design and development, consumer credit reporting, data processing services, call centers, medical offices where no medical services are provided, insurance claim processing, telecommunications facility design and management, and mail order and electronic commerce transaction processing.

B. **Office, Professional/Administrative** shall mean office-type facilities occupied by businesses that provide professional services or are engaged in the production of intellectual property. Examples of these uses include, but are not limited to, accounting services, advertising agencies, attorneys, business associations, commercial art and design services, construction contractor offices, design services (e.g., architecture, engineering), management and public relations services, news services, photography studios, financial management/counseling, clerical employee services, security and commodity brokers, and writer/artist offices.

C. **Office, Service** shall mean establishments providing direct services to consumers. Examples of these uses include employment agencies, insurance agent offices, real estate offices, travel agencies, utility company offices, and elected official satellite offices. This classification excludes **Banks, Financial, Savings and Loan Institutions.**

D. **Official Zoning Map** shall mean a map which graphically shows all zone boundaries and classifications within the City, as contained within this Ordinance, and is on file in the Palmdale Economic and Community Development Department.

E. **Open Space, Common** shall mean usable open space within a project owned, designed, and set aside for use by all occupants of the project or by occupants of a designated portion of the project. Common open space is not dedicated to the public and is owned and maintained by a private organization made up of the open space users. Common open spaces may be indoor rooms or outdoor open spaces that are shared and accessible only to building residents and their visitors. They can be located at the ground level, on parking podiums, or on rooftops, provided they are adequately landscaped. Common open spaces include courtyards, gardens, play areas, open landscaped areas, outdoor dining areas, recreational amenities, rooftop amenities, and community rooms, among others, but excludes pavement or driveway areas, or parkway landscaping within the public right-of-way.

F. **Open Space, Natural** shall mean natural open space, and habitat and/or resource conservation areas.

G. **Open Space, Private** shall mean usable open space intended for private use for each dwelling unit and may include balconies (covered or uncovered), private gardens, private yards, terraces, decks, and porches, among others. Private open space includes private patios or balconies and front, rear, or side setbacks on a lot designed for single-family detached or attached housing.

H. **Open Space, Usable** shall mean outdoor or unenclosed area on the ground or on a deck or terrace, designed and accessible for outdoor living recreation, pedestrian access, or landscaping but excluding streets, parking facilities, driveways, utility, or service areas. Setback areas are not considered usable open space unless they are at least 20 feet wide.

I. **Ordinance** shall mean an ordinance of the City of Palmdale.

J. **Outdoor Dining (Accessory)** shall mean any group of tables and chairs, and its authorized decorative and accessory features, situated and maintained in an open or partially enclosed or screened area on public or private property for use in connection with the consumption of food and beverage sold on-site.

K. **Outdoor Display** shall mean the long-term placement of goods or merchandise not located within an entirely enclosed building and without screening or fencing. ~~See PMC Section 17.92.1010 (Outdoor Display).~~

L. **Outdoor Entertainment** shall mean a predominantly spectator use, conducted in open or partially enclosed or screened facilities. This classification typically includes amusement and theme parks, sports stadiums and arenas, racetracks, amphitheaters, and drive-in theaters.

M. **Outdoor Storage (Accessory)** shall mean on-site at-grade or shelved space for the storage of business-related materials, products, and goods. All on-site storage shall be limited to those materials directly used or produced in relation to the functional on-site business activity, subject to all storage and screening requirements of the applicable zone.

N. **Outdoor Storage (Primary)** shall mean an establishment whose principal use is the outdoor storage of materials, products, or equipment, subject to all storage and screening requirements of the applicable zone.

O. **Outdoor Storage (Temporary)** shall mean the outdoor storage of materials, products, or equipment on a temporary basis~~, subject to all storage and screening requirements in PMC Section 17.98.020 (Temporary Uses)~~.

P. **Overspray** shall mean water from an irrigation system that is delivered beyond the landscaped area, wetting pavements, walks, walls, structures, or other non-landscaped areas.

Q. **Owner, Building or Land** shall mean any person appearing on the last equalized assessment roll of the County of Los Angeles, including any part owner and joint owner.

17.16.160 (P)

A. **Pad, Building** shall mean that area of a lot graded relatively flat, or to a minimum slope, for the purpose of accommodating a building and related outdoor space.

B. **Palmdale Municipal Code (PMC)** shall mean the compilation of the applicable ordinances (rules, regulations, or standards) that establish the legal foundations of the City of Palmdale.

C. **Parapet** shall mean the extension of the main walls of a building above the roof level.

D. **Parcel of Land** shall mean a contiguous quantity of land in the possession of, or owned by, or recorded as the property of, the same claimant(s) or person(s).

E. **Park Model or Park Trailer** shall mean a trailer mounted on wheels, or originally mounted on wheels and from which the wheels have been removed. A park trailer shall meet all of the following requirements:

1. It contains 400 square feet or less of gross floor area, excluding loft area space if that loft area space meets the requirements of Subdivision (b) and Section 18033 of the California Health and Safety Code. It may not exceed 14 feet in width at the maximum horizontal projection.
2. It is built on a single chassis; and,

3. It may only be transported upon the public highways with a permit issued pursuant to Section 35780 of the California Vehicle Code.

F. **Parking, Covered** shall mean a permanent carport or garage that provides full overhead protection from the elements with roof coverings customarily used in building construction. Canvas, plastic, lathe, and vegetation are not ordinary roof coverings and do not qualify, when used, as providing a covered parking space.

G. **Parking Lots & Structures** shall mean surface parking lots and structures when such use is not incidental to another on-site activity. This classification may include park and ride facilities, be located above or below grade, and use of the parking structure may be subject to a fee.

H. **Parking Space** shall mean land or space, covered or uncovered, including space in a private garage, laid out for, surfaced, and used or designated to be used for parking of a motor vehicle and permanently maintained as such. **Parking Space** does not include drive aisles, ramps, loading or work/service areas and other areas used for ingress and egress to parking spaces.

I. **Parks and Recreation Facilities** shall mean parks, playgrounds, recreation facilities, trails, and related open spaces, all of which are noncommercial. This classification includes playing fields, courts, gymnasiums, swimming pools, picnic facilities, tennis courts, golf courses, botanical gardens and community gardens, as well as related food concessions or community centers within the facilities. For facilities that include a lighted field, see **Athletic Fields, Lighted**.

J. **Parkway** shall mean the area of a public street that lies between the curb and the adjacent property line or physical boundary definition including, but not limited to fences or walls, which is used for landscaping and/or passive recreation purposes, and utility services.

K. **Passenger Transportation Facilities** shall mean a facility for passenger transportation operations, including, but not limited to, rail stations, bus terminals and pick-up areas, and scenic and sightseeing facilities. This classification excludes terminals serving airports or heliports, taxis, etc. (see **Airports and Helicopters**).

L. **Patio Cover** shall mean any roof-like structure attached to another structure, or any extension of a roof line, constructed for the purpose of decoration or protection from the elements in connection with outdoor living.

M. **Patio Sales**. See **Yard Sales**.

N. **Pawnshop** shall mean an establishment engaged in the loaning of money on the security of property pledged in the keeping of the pawnbroker, and the incidental sale of such property.

O. **Permit** shall mean written governmental permission issued by an authorized official, empowering the holder thereof to do some act not forbidden by law but not allowed without such authorization.

P. **Permitted Use** shall mean the same as **Allowed Use.**

Q. **Permittee** shall have the meaning of persons who have been issued a permit including owner(s) or lessee(s) of property or their agent(s), or person(s) who have contracted to purchase property contingent upon their ability to acquire the necessary permits under this Ordinance, or the agent(s) of such persons, and all successors in interest.

R. **Person** shall mean any individual, partnership, joint venture, association, social club, fraternal organization, company, joint stock association, corporation, estate, trust, organization, business, business trust, public agency, school district, the State of California and its political subdivisions or instrumentalities, receiver, syndicate or any group or combination thereof, acting as a unit, including any trustee, receiver, or assignee.

S. **Personal Services** shall mean establishments providing non-medical services to individuals as a primary use. In addition to the uses included herein, Personal Services uses may also include accessory retail sales of products related to the services provided. Examples include, but are not limited to, barber/beauty shops, clothing rental, computer-related services (rental/repair), electronics/small machinery maintenance and repair, blueprint printing, binding, engraving, photocopying, or related services, film processing and photofinishing, locksmith, mailbox services, shoe and luggage repair, tailors, waxing/tanning salons, and dry-cleaning (pick-up/retail storefront, without processing facilities).

T. **Personal Storage Warehousing or Facility** shall mean facilities offering enclosed storage with individual access for personal effects and household goods including mini-warehouses and mini-storage. May include accessory RV storage. This classification shall exclude workshops, hobby shops, manufacturing, or commercial activity.

U. **Pet Daycare** shall mean a commercial, non-profit, or governmental facility for keeping or maintaining dogs, cats, or other household pets not owned by the facility owner or operator that provide daily accommodations of animals (not including overnight stays).

V. **Piercing, Ear** shall mean making a hole(s) through the ear lobe or other parts of the ear with the use of a disposable single-use, presterilized stud or clasp or needle. “Ear Piercing” does not include the piercing of any other body part of the human body other than the ear. See **Tattoo/Body Art/Piercing Establishments.**

W. **Planned Development** shall mean the planning, construction or implementation and operation of any use or structure, or a combination of uses and structures, based on a comprehensive and complete design or plan treating the entire complex of land, structures, and uses as a single project.

X. **Planning Commission** shall mean the Planning Commission of the City of Palmdale.

Y. **Pole** shall mean a single shaft of wood, steel, concrete, or other material capable of supporting the equipment mounted thereon in a safe and adequate manner and as required by provisions of this Ordinance.

Z. **Porch** shall mean a structure attached to a building to shelter an entrance or to serve as a semi-enclosed landing area providing access to the building; usually roofed and generally open-sided.

AA. **Preceding and Following** mean next before and next after, respectively.

BB. **Principal Use** shall mean the primary purpose for which a building, structure, or lot is designed, arranged, or intended, or for which they may be used, occupied, or maintained under this Ordinance.

CC. **Professional Office**. See **Office, Professional/Administrative.**

DD. **Project** shall mean any proposal for a new or changed use or for new construction, alteration, or enlargement of any structure that is subject to the provisions of this Ordinance. This term includes, but is not limited to, any action that qualifies as a “project” as defined by the California Environmental Quality Act.

EE. **Projection, Architectural** shall mean a building feature that is mounted on, and/or extends from the surface of the building wall or facade, typically above ground level. Examples of architectural projections include balconies, bay windows, eaves, cornices, porches, chimneys, awnings, canopies, or similar projections from a building.

FF. **Prominent Landform** shall mean a hill, portion of a ridge, canyon or similar features which possess a high level of visibility from existing and undeveloped areas within the City's Sphere of Influence and form a component of the City's natural skyline backdrop. Included within this definition would be landforms associated with the San Andreas Rift Zone and the lower foothills of the San Gabriel mountains.

GG. **Property** includes real and personal property.

HH. **Property, Contiguous** shall mean those properties which touch property lines of any parcel that is the subject of a land use decision, including those properties which touch said property lines of the subject parcel when projected across public or private rights-of-way and/or easements.

II. **Property Line.** See **Lot Line.**

JJ. **Property Owner** shall mean the individual or company that has ownership rights to a property such as a parcel of land or building. The property owner is responsible for the payment of any rates and taxes that arise. The property owner shall be responsible for complying with the provisions of this Ordinance either directly or by delegating such responsibility as appropriate to a tenant and/or his agent.

KK. **Public Facilities** shall mean any establishment, building or operation which is intended to be utilized for the establishment of public and/or quasi-public uses.

LL. **Public Right-of-Way** shall mean a strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation and intended to be or is presently occupied by a road, sidewalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer, bikeway, pedestrian walkway, or other public use.

MM. **Public Service Facility** shall mean facilities providing public safety and emergency services, including police and fire protection and emergency medical services, with incidental storage, training and maintenance facilities. Excludes **Hospitals**.

17.16.170 (Q)

A. **Quarry**. See Mining/Resource Extraction.

17.16.180 (R)

A. **Reclamation** shall mean the process of land treatment that minimizes water degradation, air pollution, damage to aquatic or wildlife habitat, flooding, erosion, and other adverse effects from surface mining operations, including adverse surface effects incidental to underground mines, so that mined lands are reclaimed to a usable condition which is readily adaptable for alternate land uses and create no danger to public health or safety. The process may extend to affected lands surrounding mined lands, and may require backfilling, grading, resoiling, revegetation, soil compaction, stabilization, or other measures.

B. **Recorder** shall mean the Recorder of the County of Los Angeles.

C. **Recreational Vehicle (RV)** shall mean a mobile structure designed as temporary living quarters for recreation, vacation, camping, or travel use, which is either self-propelled or is mounted on or drawn by another vehicle. Examples include, but are not limited to, an RV, travel trailer, camping trailer, fifth-wheel trailer, truck camper, motor home, or camper van.

D. **Recreational Vehicle Park** shall mean any area or tract of land where one or more lots are rented or leased or held out for rent or lease to owners or users of RVs or tent camping used for travel or recreation purposes. RV parks can include utility hook-ups and amenities which could include but are not limited to a pool, recreational structure, and playground.

E. **Recyclable Material** shall mean reusable material including, but not limited to, metals, glass, plastic, and paper, which are intended for reuse, remanufacture, or reconstitution for the purpose of using the altered form. Recyclable material does not include refuse or hazardous materials. Recyclable material may include used motor oil collected and transported pursuant to Section 25250.11 and 25143.2(b)(4) of the California Health & Safety Code.

F. **Recycling Collection Facility** shall mean any establishment, including a place of business, center, or standalone container, for collecting recyclable materials.

   1. **Recycling Collection Facility, Small** shall mean a center which occupies an area no more than 500 square feet for the acceptance by donation, redemption, or purchase, of recyclable materials from the public. Such a facility does not use power driven processing equipment. Collection facilities may include the following:
      a. Mobile units;
      b. Bulk reverse vending machines occupying more than 50 square feet;
      c. Kiosk type units which may include permanent structures; and,
      d. Unattended containers placed for the donation of recyclable materials.
   2. **Recycling Collection Facility, Large** shall mean a center which occupies an area in excess of 500 square feet and which may include permanent structures.

G. **Recycling Processing Facility** shall mean a building or enclosed space used for the processing of recyclable materials. Processing means the preparation of material for efficient shipment, or to an end-user's specifications, by such means as bailing, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning, and remanufacturing. Processing facilities include the following:

   1. **Recycling Processing Facility, Heavy** shall mean any processing facility other than a light processing facility.
   2. **Recycling Processing Facility, Light** shall mean a facility that occupies an area of not more than 45,000 square feet of gross collection, processing and storage area and has up to an average of two outbound truck shipments per day. Light processing facilities are limited to baling, briquetting, crushing, compacting grinding, shredding, and sorting of source separated recyclable materials and repairing of reusable materials sufficient to qualify as a certified processing facility. A light processing facility shall not shred, compact, or bale ferrous metals other than food and beverage containers.

H. **Religious Assembly Use.** See Community Assembly.

I. **Resale/Consignment/Thrift Shop** shall mean an establishment engaged primarily in the retail sale of secondhand merchandise.

J. **Research & Development** shall mean any business combining activities, laboratories, and facilities for research; uses involve the production of experimental products that neither constitute nor cause a public health risk to employees and/or to surrounding properties and/or residents.

K. **Residence** shall mean one or more rooms designed, used, or intended to be used as permanent living quarters for a household and not as temporary or overnight accommodations.

L. **Residential Care Facilities** shall mean an integrated facility that provides accommodations for varying levels of care to residents, depending on need. This classification contains the following components: independent living units; residential care facilities; and continuing care, Alzheimer, and related facilities. **Residential Care Facilities** may include supportive medical and non-medical services directly affiliated with the treatment of on-site patients. **Residential Care Facilities** are categorized by the following programmatic elements:

1. **Residential Care Facility, Small** shall mean any state-licensed facility, place, or structure that is maintained and operated to provide non-medical residential care, day treatment, or foster agency services for six or fewer adults, children, or adults and children as defined in Article 1 of Chapter 3 of the California Health and Safety Code, Section 1500 et seq. This use includes the administration of limited medical assistance (e.g., dispensing of prescribed medications).
2. **Residential Care Facility, Large** shall mean any state-licensed facility, place, or structure that is maintained and operated to provide non-medical residential care, day treatment, or foster agency services for seven or more adults, children, or adults and children as defined in Article 1 of Chapter 3 of the California Health and Safety Code, Section 1500 et seq. This use includes the administration of limited medical assistance (e.g., dispensing of prescribed medications). This definition excludes Hospitals and those facilities that qualify as small residential care facilities.

M. **Residential Sports Court** shall mean any recreational court or activity area constructed on the same parcel as an existing residence for the private use of the occupants of the principal dwelling or their nonpaying guests. Residential sports courts shall not be allowed to be utilized for paid instructional or commercial purposes or as a sport team practice facility. Residential sports courts include, but are not limited to, complete or partial portions of the following: basketball courts, batting cages, football fields, hockey rinks, badminton, racquetball or squash courts, skateboard ramps, tennis courts, volleyball courts or other similar uses. A basketball hoop utilizing a driveway or attached to a structure is not a residential sports court for purposes of this Ordinance.

N. **Residentially Designated Property** shall mean property in any jurisdiction which is either zoned or designated in the General Plan for residential uses.

O. **Restaurant, Bona Fide** shall mean a place which is regularly and in a bona fide manner used and kept open for the serving of meals to guests for compensation and which has suitable kitchen facilities connected therewith, containing conveniences for cooking an assortment of foods which may be required for ordinary meals, the kitchen of which shall be kept in a sanitary condition with the proper amount of refrigeration for keeping of food on said premises and shall comply with all the standards of the local Department of Health. For purposes of this Chapter, a restaurant will be considered a Bona Fide Restaurant if the following criteria are satisfied:

1. A Bona Fide Restaurant shall have an on-site operational kitchen from which a substantial portion of the menu items are prepared.
2. A Bona Fide Restaurant shall keep its kitchen open and operational and shall provide food service until one-half hour before the establishment closes.
3. No more than 10 percent of the gross floor area is used for the sale, display and storage of alcoholic beverages for consumption on the premises.
4. Alcoholic beverages are sold only for consumption on the Bona Fide Restaurant premises.
5. The primary use is sit-down dining.
6. Any take-out food service is incidental to the primary use.
7. If a dance floor is provided, less than 10 percent of the gross floor area is utilized for dancing.
8. Alcoholic beverages are not served in conjunction with any recreational activity, game of chance, athletic event, or adult entertainment.

P. **Restaurant, Dine-In and Take-Out** shall mean any establishment operated for the primary purpose of providing food, beverages, or meals for compensation that has suitable kitchen facilities for the preparation, storage, and service of food. Food service may be for on-site consumption, off-site consumption, or a combination of service types. Excludes alcohol sales/consumption.

Q. **Restaurant, Drive-Through** shall mean any dine-in or take-out eating establishment with an affiliated drive-through facility for the service of food and beverages directly to patrons in vehicles.

R. **Retreat Center** shall mean a facility providing a setting to allow for the temporary gathering of individuals to educate, train, counsel, and recreate together. **Retreat Centers** include, but are not limited to, conference centers, youth camps, and spiritual retreat centers. This classification also includes incidental temporary lodging, dining and cooking facilities, administrative offices, and event spaces.

S. **Reverse Vending Machine** shall mean an automated recycling/depository mechanical device, as an accessory use, that accepts one or more types of recyclable beverage containers and issues a cash refund or a redeemable credit slip with a value not less than the container's redemption value as determined by the state. The reverse vending machine may sort and process containers mechanically, provided the entire process is fully enclosed. A grouping of multiple reverse vending machines may be necessary/provided to meet the requirements of certification as a recycling facility.

T. **Review Authority** shall mean the person or decision-making body (i.e., Director, Planning Commission, City Council, City official, or other designees) responsible for the review and/or final action on a land use approval.

U. **Right-of-Way**. See **Public Right-of-Way**.

V. **Roof Line** shall mean the top edge of the roof or top of the parapet, whichever forms the top line of the building silhouette.

W. **Room** shall mean an unsubdivided portion of the interior of a dwelling, excluding bathrooms, kitchens, closets, hallways, and service porches.

X. **Rooming House**. See **Group Residential Home**.

17.16.190 (S)

A. **Safety Visibility Area** shall mean is the triangle formed at the intersection of two streets and/or alley rights-of-way by measuring 20 feet along both the front and side property lines and connecting the lines diagonally across the property, as regulated by Section 17.82.070 (Safety Visibility Area Restrictions).

B. **Salvage.** Any article or material which is to be or intended to be reclaimed or saved from destruction.

C. **Salvage Yards** shall mean any property used for the keeping or storage of junk, the breaking up, dismantling, sorting, storage, distribution, or sale of any scrap, waste material or junk. The includes but not limited to, iron and scrap metals, paper, rags, glass, wood, and similar materials and shall include the dismantling of machinery or the storage or keeping for sale of parts and equipment resulting from dismantling operations on said property or elsewhere. Excludes **Vehicle Wrecking/Dismantling**.

D. **Sanitary Landfill** shall mean an engineered land burial facility licensed and approved by the State of California for the disposal of household waste which is located, designed, constructed, and operated to contain and isolate the waste so that it does not pose a substantial present or potential hazard to human health or the environment.

E. **Satellite Dish** shall mean an apparatus capable of receiving communications from a transmitter relay located in planetary orbit.

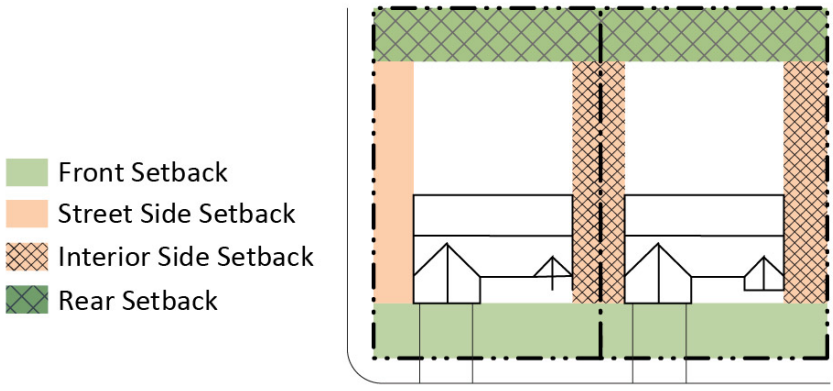
F. **Schools, Public or Private (TK-12)** shall mean an institution of learning for minors, whether public or private, offering instruction in those courses of study required by the California Education Code and maintained in compliance with the standards set by the State Board of Education. This classification includes elementary school, middle or junior high school, or senior high school.

G. **Screening** shall mean a method of visually shielding or obscuring a structure or portion thereof or use from an abutting or nearby use, or from the general public, by a fence, wall, hedge, berm or similar structure, architectural or landscape feature, or combination thereof.

H. **Setback** shall mean the minimum required horizontal distance from the nearest point of the front, side, or rear property line of the parcel to the nearest structure, parking area, or other designated item. Such distances shall be measured as a horizontal line at right angles to the property line or its target, exclusive of any landscape easements. When a property abuts a street with a required dedication or easement, the required setback shall be measured from the dedication/easement line.

1. **Setback, Front** shall mean an area extending across the full width of the lot between the front lot line or the existing or future street right-of-way and the required setback line parallel thereto. The depth of a front yard shall be a distance specified by this Ordinance for the zone in which it is located and measured inward from the front lot line. For corner lots or parcels of land with two or more street and/or highway frontages approximately equal in length, the front lot line shall apply on the street with the highest classification in the General Plan. If a site fronts on two public streets of equal classification, the Director shall determine the front lot line.
2. **Setback, Interior Side** shall mean a setback area which does not abut a street. An area extending from the required front yard or, where there is no required front yard, from the front lot line to the required rear yard or, where there is no required rear yard, to the rear lot line and from the interior side lot line to a setback line parallel thereto.
3. **Setback, Rear** shall mean an extending across the rear of a lot for its full width between side lot lines, and to a depth specified by this Ordinance for the zone in which it is located. If a lot has no rear lot line, a line 10 feet in length within the lot, parallel to and at the maximum possible distance from the front lot line, will be deemed the rear lot line for establishing the minimum rear setback.
4. **Setback, Required** shall mean a yard which complies with the minimum setback requirements for the zone in which the lot is located.
5. **Setback, Side** shall mean a yard extending from the rear line of the required front yard, or the front property line of the site where no front yard is required, to the front line of the required rear yard, or the rear property line of the site where no rear yard is required, the depth of which is the minimum horizontal distance between the side property line and a line parallel thereto on the site.
6. **Setback, Street Side** shall mean an area extending from the required front yard or, where there is no required front yard, from the front lot line to the rear lot line, and from the side street lot line, or the existing or future side street right-of-way (whichever is greater) to a structural setback line parallel thereto.

Figure 17.16.190-1. Setback Types



I. **Setback Line** shall mean a line within a lot parallel to and measured from a corresponding lot line, forming the boundary of a required setback and governing the placement of structures and uses on the lot.

J. **Sex Offender** shall mean an individual that has served a term of imprisonment or jail time for an offense for which registration is required pursuant to Section 290 of the California Penal Code.

K. **Sexually-Oriented Business** shall mean the same as **Adult-Oriented Business.**

L. **Sidewalk** means the paved surface between the street curbing and the adjacent property line intended for the use of pedestrians.

M. **Sign.** See all sign definitions in PMC Chapter 17.88 (Signs).

N. **Significant Ridgeline** shall mean a long, conspicuous, continuous elevated landform that forms a part of the natural backdrop and skyline to the city. Said landform may consist of one or more ridge features each of varying elevations dependent on the characteristics of the ridgeline being evaluated. Distinct natural ridgelines forming a portion of the City's skyline backdrop to the City include Ritter Ridge, Portal Ridge, Verde Ridge, and the Sierra Pelona mountains.

O. **Single-Family Dwelling, Attached** shall mean a dwelling unit on a permanent foundation that is designed for occupancy by one household located on a separate lot from any other unit (except a second dwelling unit, where allowed), and is attached through common walls to one or more dwellings on abutting lots. An attached single-family dwelling is sometimes called a **Townhouse**. Includes stationary **Modular/Prefabricated Homes.**

P. **Single-Family Dwelling, Detached** shall mean a dwelling unit on a permanent foundation that is designed for occupancy by one household with private yards on all sides and located on a separate lot from any other unit (except an accessory dwelling unit, where allowed). Includes stationary **Modular/Prefabricated Homes**.

Q. **Single-Room Occupancy** shall mean a residential facility where living accommodations are individual secure rooms, with or without separate kitchen or bathroom facilities for each room, are rented to one- or two-person households for a weekly or monthly period of time. This use classification is distinct from **Lodging, Hotel**, **Lodging, Motel,** and short and long-term vacation rentals, which are commercial uses.

R. **Site Plan** shall mean a plan, prepared to scale, showing accurately and with complete dimensioning all of the structures, uses, easements, and the exact manner of a project proposed for a specific parcel of land.

S. **Site Plan Review.** See PMC Chapter 17.21 (Site Plan Review).

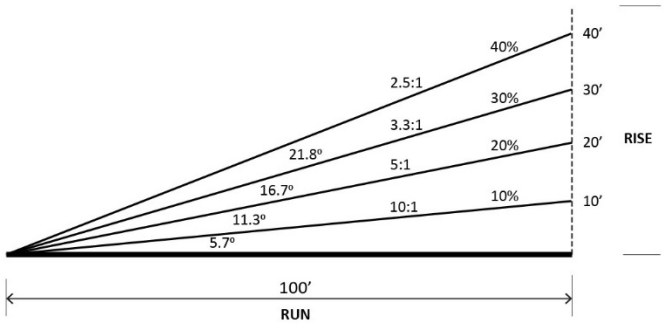
T. **Slope** shall mean an inclined ground surface, the inclination of which is expressed as a ratio of horizontal distance to vertical distance. See **Gradient**.

U. **Slope Face** shall mean the slopes located directly below, and leading up to, the crest of a significant ridgeline or prominent landform.

V. **Slope, Manufactured** shall mean a human-made slope created by grading that consists wholly of cut or filled material.

W. **Slope Steepness** shall mean the relationship (the ratio) between the change in elevation (rise) and the horizontal distance (run) over which that change in elevation occurs. The percent of steepness of any given slope is determined by dividing the rise by the run on the natural slope of land, multiplied by 100.

Figure 17.16.190-2. Slope Steepness



Slope Percentage = $\frac{\text{Rise}}{\text{Run}}$ X 100 **Slope Ratio = $\frac{\text{Rise}}{\text{Run}}$ where rise equals one foot**

% Grade	100%	50%	40%	33%	30%	35%	20%	15%	12%	10%	8%	6%
Degree	45°	26.6°	21.8°	18.4°	16.7°	14°	11.3°	8.5°	6.8°	5.7°	4.6°	3.4°
Ratio	1:1	2:1	2.5:1	3:1	3.3:1	4:1	5:1	6.7:1	8.3:1	10:1	12.5:1	16.7:1

X. **Sludge** shall mean the accumulated matter, whether mechanically treated, irradiated, digested, stabilized, composted or untreated, produced in the treatment of wastewater. This includes liquid, semi-liquid, and solid material that has been mechanically dewatered or air dried.

Y. **Small Residential Care Facility**. See **Residential Care Facility, Small**.

Z. **Small Residential Wind Generator Systems (SRWGS)** shall mean a wind energy conversion system that is located on a pole designed with a vertical axis or a small conventional blade generator suitable for single-family residential zones consisting of a wind turbine, tower, associated controls, and conversions systems and which will be used primarily to reduce on-site consumption of utility power by converting mechanical energy into electricity.

AA. **Small Residential Wind Generator Systems (SRWGS) Height** shall mean the vertical distance from ground level to the tip of the wind generator at its highest point.

BB. **Small-Scale Solar Energy System** shall mean a solar energy system consisting of one or more roof-mounted and/or ground-mounted solar collector devices and solar-related equipment. A small-scale system is intended to primarily reduce on-site consumption of utility power but may include solar power generated for purchase by a utility provider; provided, that the generating facilities and any appurtenant equipment remain accessory to the primary use and structure(s).

CC. **Smoke Shop** shall mean any establishment, structure, facility, or stand that devotes more than 15 percent of either its gross floor space or display area to the retail sale, display, marketing, bartering, trading or exchange of any combination of tobacco, tobacco products, or exchange of tobacco paraphernalia, including electronic smoking devices and accessories.

DD. **Smoking Lounge** shall mean any business establishment that is dedicated, in whole or in part, to the smoking of tobacco products, electronic cigarettes, or other substances, including but not limited to establishments known variously as cigar lounges, hookah lounges, tobacco clubs, tobacco bars, etc.

EE. **Smoking Product** shall mean any substance produced or sold to be used for smoking, ingestion, or consumption in cigarettes, cigars, pipes, hookahs, e-cigarettes, or other similar objects.

FF. **Sober Living Home** shall mean a residential structure or unit, not licensed by the State, which houses six or fewer residents and which meets the definition and complies with all the requirements set forth in PMC 17.91.090 (Sober Living Home).

GG. **Social Service Facilities** shall mean facilities providing a variety of supportive services on a less than 24-hour basis. Examples of services provided include, but are not limited to, counseling, limited medical services, meal programs, personal storage lockers, showers, instructional programs, television rooms, and meeting spaces. This classification excludes licensed day care centers (see **Family Day Care Center**), clinics, and emergency shelters providing 24-hour care (see **Emergency Shelter**).

HH. **Solar Access** shall mean a property owner's right to have sunlight shine on their land or buildings for the specific purposes and to the extent provided under existing State law.

II. **Solar Energy System, Primary** shall mean a facility where solar energy generation for the purpose of sales of generated electricity is the principal use. Primary/utility-scale solar generating facilities consist of one or more freestanding ground-mounted solar collector devices, solar-related equipment and other accessory structures and buildings including substations, electrical infrastructure, transmission lines and other appurtenant structures and facilities. See PMC Section 17.99.030 (Solar Energy System (Primary)).

JJ. **Specific Plan** shall mean a plan consisting of text maps, and other documents and exhibits regulating development within a defined area of the City, consistent with the General Plan and the provisions of Government Code Section 65450 et seq.

KK. **Stable/Equestrian Facility, Commercial/Public** shall mean commercial horse, pony, donkey, and mule facilities including horse ranches, boarding stables, riding schools and academies, horse exhibition facilities (for shows or other competitive events), and pack stations. This classification shall also include accessory and incidental barns, stables, corrals, and paddocks.

LL. **Stable/Equestrian Facility, Hobby/Private** shall mean stables, corrals, and paddocks used by the individual homeowners of corresponding property and their animals.

MM. **State** shall mean the State of California.

NN. **Stockpile** shall mean the temporary placement or storage of inert materials, including but not limited to rock, sand, gravel, and soil. No stockpile shall contain biological material, including, but not limited to greenwaste, trash, composted material, biosolid material or sludge.

OO. **Storage Shed** shall mean a single-story accessory structure incidental to a main building and used for storage purposes. This term shall not include animal enclosures, garages, trailers, motor homes, mobile homes shipping and cargo containers, or other similar structures.

PP. **Story** shall mean that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above.

QQ. **Story, Half** shall mean a story with at least two of its opposite sides situated immediately under a sloping roof, with the floor area of said story not in excess of two-thirds of the floor area of the floor immediately below it.

RR. **Strand Lights** shall mean two or more light bulbs connected along any length of wire and not contained in conduit or other rigid enclosure.

SS. **Street** shall mean any public or private thoroughfare which affords primary means of access to abutting property.

1. **Street, Regional** shall mean a regional street as shown as such on the Circulation Map of the City of Palmdale General Plan.
2. **Street, Crosstown** shall mean a crosstown street as shown as such on the Circulation Map of the City of Palmdale General Plan.
3. **Street, Connector** shall mean a connector street as shown as such on the Circulation Map of the City of Palmdale General Plan.
4. **Street, Neighborhood** shall mean a neighborhood street as shown as such on the Circulation Map of the City of Palmdale General Plan.

TT. **Structure** shall mean anything constructed or erected, which requires a fixed location on the ground, or is attached to something having a fixed location on the ground.

1. **Structure, Accessory** shall mean a detached structure not for human habitation (as opposed to an accessory dwelling) which is incidental to and associated with a specific principal use or facility located on the same lot.
2. **Structure, Principal** shall mean one or more buildings conducting the principal use of the lot upon which it is situated.

UU. **Subdivision** shall mean the division of a lot, tract, or parcel of land into two or more lots, tracts, parcels or other divisions of land for sale, development or lease.

VV. **Subdivision Development Plan** shall mean the specific development plan for an approved tentative map, including plot plans, architectural elevations, grading plans and landscape plans applicable to individual lots within said tentative map.

WW. **Supportive Housing** shall mean dwelling units with no limit on length of stay, that are occupied by the target population as defined in subdivision (d) of Section 53260 of the California Health and Safety Code ("Target population" means adults with low incomes having one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health conditions, or individuals eligible for services provided under the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may, among other populations, include families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, or homeless people). **Supportive Housing** usually includes onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his/her/their health status, and maximizing his/her/their ability to live and, where possible, work in the community.

XX. **Swap Meet, Indoor** shall mean an indoor event at which two or more persons or entities offer goods or services for sale or exchange, and at which a fee is charged to the party selling the goods or the buyer is charged for the privilege of entering the site to engage in sales transactions. Also, may be referred to as flea markets, swap lots, markets, or bazaars.

YY. **Swap Meet, Outdoor** shall mean an outdoor event at which two or more persons or entities offer goods or services for sale or exchange, and at which a fee is charged to the party selling the goods or the buyer is charged for the privilege of entering the site to engage in sales transactions. Also, may be referred to as flea markets, swap lots, open air markets, or outdoor bazaars.

17.16.200 (T)

A. **Tandem Parking** shall mean that two or more vehicles are parked on a driveway, parking space, or in any other location on a lot, lined up behind one another.

B. **Tattoo** shall mean to insert pigment under the surface of the skin of a human being, by pricking with a needle or otherwise, so as to produce an indelible mark or figure visible through the skin. See **Tattoo/Body Art/Piercing Establishment.**

C. **Tattoo/Body Art/Piercing Establishment** shall mean an establishment whose principal business activity is one or more of the following: 1) using ink or other substances that result in the permanent coloration of the skin using needles or other instruments designed to contact or puncture the skin; or 2) creation of an opening in the body of a person for the purpose of inserting jewelry or other decoration. This classification excludes **Microblading/Permanent Makeup** establishments.

D. **Technically Infeasible** shall mean a circumstance in which compliance with a specific requirement within this Ordinance is incapable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

E. **Telecommunications Tower.** See PMC Section 17.95.010 (Communication/Wireless Telecommunications Facilities).

F. **Temporary Real Estate Sales Office** shall mean a temporary office (on-site or off-site) used solely for the sale of new residences within a tract and/or complex.

G. **Temporary Structure** shall mean a structure without any foundation or footings, and which is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.

H. **Temporary Structures or Storage Facilities (Accessory)** shall mean temporary buildings, include accessory to a primary use on the site, including, but not limited to, construction trailers or temporary storage containers for the temporary storage of goods on a site.

I. **Temporary Use** shall mean a use established for a specified period of time, with the intent to discontinue the use at the end of the designated time period.

J. **Tenant and Occupant** applied to a building or land, shall mean any person who occupies the whole or a part of such building or land, whether alone or with others.

K. **Tobacco Product** shall mean any of the following: (1) A product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, or snuff. (2) An electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, pipe, or hookah. (3) Any component, part, or accessory of a tobacco product, whether or not sold separately. **Tobacco Product** does not include a product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where the product is marketed and sold solely for such an approved purpose.

L. **Tobacco/Smoking Paraphernalia** shall mean cigarette papers, wrappers, or blunt wraps as defined in Section 308 of the Penal Code, pipes, holders of smoking materials of all types, cigarette rolling machines, and any other instrument or paraphernalia designed for the smoking, preparation, storing, ingestion or consumption of tobacco and other smoking products. See **Smoke Shop**.

M. **Townhouse** shall mean an attached, single-family dwelling unit which is part of a group of two or more such units that are connected to, but separated from, one another by a common party wall having no doors, windows, or other provisions for human passage or visibility. Each owner owns the unit structure and the land on which the unit is located or an exclusive easement for it, plus a common interest in the land upon which the building is located.

N. **Trailer** shall mean a vehicle designed for carrying persons or property on its own structure and is capable of being drawn by a motor vehicle.

O. **Transfer Station** shall mean an area, including any necessary buildings or structures, for the temporary storage and the salvage of rubbish, garbage, or industrial waste.

P. **Transit Operator** shall mean the Antelope Valley Transit Authority (AVTA) which serves as the local and regional public transportation provider in the Antelope Valley.

Q. **Transitional Housing** shall mean housing that has a predetermined end point in time, typically no less than six months, and operated under a program that requires the termination of assistance, in order to provide another eligible program recipient to the service.

R. **Transportation Demand Management (TDM)** shall mean the alteration of travel behavior – usually on the part of commuters – through programs of incentives, services, and policies. TDM addresses alternatives to single occupant vehicles including, but not limited to, carpooling and vanpooling, and changes in work schedules that move trips out of the peak period or eliminate them altogether (as is the case in telecommuting or compressed work weeks).

S. **Travel Center** shall mean a site where the primary activity is the retail sale and dispensing of vehicle fuels for non-passenger vehicles. This use may be accessory to a primary industrial or public agency use or a primary use for the regular fueling of site-specific or general commercial fleet vehicles. It may include maintenance and service facilities conducted completely within an enclosed structure, overnight parking, and/or the sale of accessories and equipment for heavy commercial vehicles. This classification may also include accessory food, showers, laundry facilities, and sleeping facilities.

T. **Travel Trailer** shall mean a **Recreational Vehicle (RV)** other than a motor vehicle, which is designed or used for human habitation, and which may be moved upon a public highway without a special permit or chauffeur's license or both, without violating any provision of the California Vehicle Code.

U. **Trip Reduction** shall mean reduction in the number of work-related trips made by single occupant vehicles.

V. **Triplex**. See **Multi-Family Dwelling, Triplex/Quadplex**.

W. **Tutoring Facilities** shall mean facilities providing instruction to individuals or groups of students in a classroom setting for personal or professional enrichment involving scholastic, non-physical pursuits, including but not limited to academics, language instruction, and computer training. Establishments providing instruction as a part of a certificate or degree granting program are included under **Vocational/Trade School** or **College/University**.

X. **Two-Family Dwelling/Duplex** shall mean a residential building on a permanent foundation containing two dwelling units, both of which are located on a single parcel (also referred to as a **Duplex** or "two-flat"). The dwelling units are attached and may be located on separate floors or side-by-side. Includes stationary **Modular/Prefabricated Homes.**

17.16.210 (U)

A. **Unit, Attached** shall mean a unit completely within an existing principal building or added to an existing principal building; provided, that both dwelling units shall be attached by a common wall, floor, or ceiling and not simply by a breezeway or porch; and shall be contained within one building.

B. **Unit, Detached** shall mean a unit that is structurally independent and separated from the existing primary dwelling or other structure on the site.

C. **Urban Lot Split Housing Development**- shall mean the subdivision of one single-family residential parcel for the purpose of constructing or altering no more than two residential units per parcel within a single-family residential zone that meets the requirements of PMC Chapters 16.03 (Urban Lot Splits) and 17.39 (Standards for Two-Unit Developments and Urban Lot Splits in Single-Family Zones). The two units may consist of two new units or one new unit and one existing unit.

D. **Use** shall mean the purpose for which land, or a building or structure is arranged, designed, or intended to be used, or for which it is or may be used, occupied, or maintained.

E. **Use, Accessory**. See **Accessory**.

F. **Use Inauguration** shall mean the institution of use or occupancy of a property or that applicable grading and building permits have been issued, internal infrastructure installed, foundations poured, and above ground construction initiated and ongoing.

G. **Use, Sensitive,** among others, depending on the use and surrounding conditionsd~~epending on the situation~~, shall mean any residential use, public or private school, tutoring facility, day care, hospital, park, library, playground, or retirement facility.

H. **Utilities, Major** shall mean services for the public good that include generating plants, solid waste collection including transfer stations and materials recovery facilities, solid waste treatment and disposal, water or wastewater treatment plants, water towers, dams, flood control facilities, and other services that provide major public infrastructure services for urban development. Such services may be publicly or privately operated.

I. **Utilities, Minor** shall mean services for the public good that include utility substations, pumping stations, telephone repeater stations, and other transmission and distribution facilities. May be publicly or privately operated.

J. **Utility Pole** shall mean any pole or tower owned by any utility company that is primarily used to support wires or cables necessary to the provision of electrical or other utility services regulated by the California Public Utilities Commission.

K. **Utility Yard** shall mean a parcel of land, or portion of land, used by a private company or public entity for the production, storage, or repair of utility equipment (e.g., telecommunications, transit vehicles). Utility Yards may include, but are not limited to, bus yards, corporation yards, telecommunications equipment yards, etc.

17.16.220 (V)

A. **Vanpool** shall mean a vehicle carrying seven or more persons commuting together to and from work on a regular basis, usually in a vehicle with a seating arrangement designed to carry seven to 15 adult passengers on a prepaid subscription basis.

B. **Variance** shall mean a discretionary entitlement which permits the departure from the strict application of the development standards contained in this Ordinance.

C. **Vehicle** shall mean any motorized form of transportation, including but not limited to automobiles, vans, buses, and motorcycles.

D. **Vehicle and Equipment Services and Repair, Major** shall mean the repair of vehicles, trucks, motorcycles, motor homes, boats, recreational vehicles, and equipment generally on an overnight basis that may include disassembly, removal or replacement of major components including, but not limited to engines, drive trains, transmissions, or axles; and vehicle body and fender work, vehicle painting or other operations that generate excessive noise, objectionable odors, or hazardous materials. This classification excludes vehicle dismantling or salvaging and tire retreading or recapping.

E. **Vehicle and Equipment Services and Repair, Minor** shall mean the service and repair of vehicles, light-duty trucks, boats, motorcycles, and equipment including the incidental sale, installation, and servicing of related equipment and parts. This classification includes, but is not limited to, the replacement of small vehicle parts and liquids as an accessory use to a fueling station or vehicle accessories and supply store, general retail store and smog checks, tire sales and installation, vehicle radio/electronics installation, vehicle air conditioning/heater service, and quick-service oil, tune-up and brake and muffler shops where repairs are made or service provided in enclosed bays and no vehicles are stored overnight. This classification excludes repair of heavy trucks and construction vehicles.

F. **Vehicle, Commercial** shall mean a vehicle customarily used as part of a business for the transportation of goods or people.

G. **Vehicle Rental** shall mean an establishment providing for the rental of vehicles, light/noncommercial trucks and vans, motorcycles. Typical uses include car rental agencies.

H. **Vehicle Reservoir Area** shall mean an area for temporary stopping of motor vehicles in a line while awaiting service, such as provided at a drive-through business.

I. **Vehicle Sales and Rental, Large Vehicles and Equipment** shall mean the use of a site for sales, servicing, rental, fueling, and washing of large trucks, trailers, tractors, boats, and other equipment used for construction, moving, agricultural, or landscape gardening activities (e.g., cranes, earth moving equipment, tractors, combines). May include large vehicle operation training facilities as an ancillary use.

J. **Vehicle Sales, New** shall mean the sale or lease, retail, or wholesale, of new vehicles, light/noncommercial trucks and vans, motorcycles, and motor homes, together with associated repair services and parts sales, but excluding body repair and painting. Typical uses include new vehicle dealers and recreational vehicle sales agencies.

K. **Vehicle Sales, Used** shall mean the retail sale of previously owned or used vehicles, light/noncommercial trucks and vans, motorcycles, and motor homes, not directly from the manufacturer.

L. **Vehicle Sight Distance** shall mean the area through which a driver has a clear view of oncoming vehicle and pedestrian traffic when waiting to proceed at a street corner or driveway. See also **Safety Visibility Area.**

M. **Vehicle Towing/Impounding** shall mean establishments primarily engaged in towing light or heavy motor vehicles, both local and long distance. These establishments may provide incidental services, including, but not limited to, vehicle storage and emergency road repair services (for vehicle dismantling, see **Vehicle Wrecking/Dismantling**.

N. **Vehicle Washing & Detailing** shall mean any business, indoor or outdoor, providing machinery or staffing for the cleaning, washing, or detailing of vehicles, buses, trucks, and similar vehicles as a primary use. Washing and detailing are allowed as an accessory use in conjunction with a vehicle and equipment services and repair use. This classification also includes self-service vehicle washing facilities that include all appropriate utility connections and drainage.

O. **Vehicle Wrecking/Dismantling** shall mean the dismantling or wrecking of used vehicles or trailers, or the storage and sale of dismantled or damaged vehicles or their parts, but does not include the incidental storage of damaged vehicles in connection with the operation of a repair garage.

P. **Veterinary Hospitals** shall mean an establishment providing medical and surgical treatment for domestic and small animals. This classification allows 24-hour accommodation of animals receiving medical services.

Q. **Vocational/Trade School** shall mean a postsecondary institution offering educational services which provide career training or lead to an occupation or job title; prepare students to take or pass a licensing examination or other qualifying test for employment; or which licenses persons in a particular profession, trade, or job category. This classification excludes programs that lead to a bachelor, master, or doctoral degree or that provide solely a vocational or recreational program, or programs sponsored by a business or professional organization solely for the benefit of its members.

17.16.230 (W)

A. **Warehousing** shall mean the act of maintaining or operating a warehouse.

B. **Wholesale Sales** shall mean the sale of goods by an individual or firm, usually in large quantities and at lower prices, to another individual or firm for the purposes of resale; or a product for which no sales tax is paid by the purchaser.

17.16.240 (X)

A. **Xeriscape** shall mean a water conservation concept that stresses the use of the appropriate plant material and irrigation techniques which are well suited for the local microclimate. This concept incorporates native plants, selected hardscapes, and proper planting and irrigation techniques that improve the overall water efficiency of a landscape system.

17.16.250 (Y)

A. **Yard.** See **Setback.**

B. **Yard Sales (Temporary Use)** shall mean any sale of personal property to the general public occurring on private or public property; commonly referred to as “garage sales,” “yard sales,” “patio sales,” “rummage sales,” “estate sales,” and similar activities.

C. **Year** means a calendar year.

17.16.260 (Z)

A. **Zero Lot Line** shall mean the location of a structure on a lot in such a manner that one or more of the structure’s sides rest directly on a lot line.

B. **Zone** shall mean a portion of the territory of the City, exclusive of streets, alleys, and other public ways, within which certain uses of land, premises and structures are not allowed and within which certain yards and open spaces are required and certain height limits are established for structures, all as set forth and specified within this Ordinance.

C. **Zoning Ordinance** shall mean this document, approved by Ordinance No. 1603, and any subsequent amendments thereto.

17.17 Rules of Measurement

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

17.17.010 Fractions

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

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

B. Exception for State Affordable Housing Density Bonus. The calculation of fractional number of bonus units related to projects eligible for bonus density pursuant to Government Code Section 65915 shall be rounded up to the next whole number pursuant to PMC 17.25.020 (Density Bonus Agreements).

17.17.020 Measuring Distances

A. Measurements are Shortest Distance. When measuring a required distance, such as the minimum distance between a structure and a lot line, the measurement is made at the closest or shortest distance between the two objects.

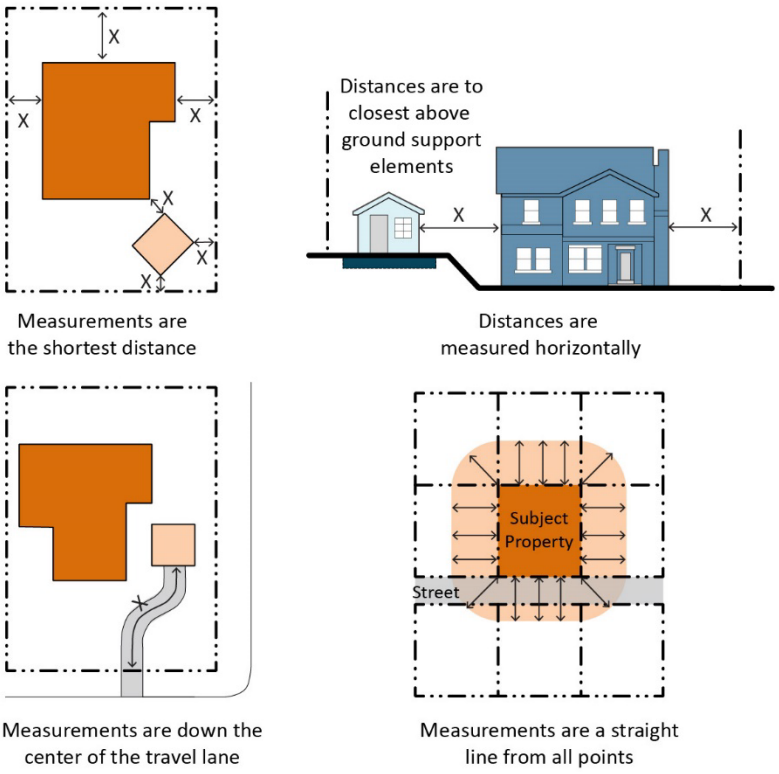
B. Distances are Measured Horizontally. When determining distances for setbacks and structure dimensions, all distances are measured along a horizontal plane from the appropriate line, edge of structure, storage area, parking area, or other object. These distances are not measured by following the topography or slope of the land.

C. Measurements Involving a Structure. Measurements involving a structure are made to the closest support element of the structure. Structures or portions of structures that are entirely underground are not included in measuring required distances.

D. Measurement of Vehicle Stacking or Travel Areas. Measurement of a minimum travel distance for vehicles, such as garage entrance setbacks and stacking lane distances, are measured down the center of the vehicle travel area. For example, curving driveways and travel lanes are measured along the center arc of the driveway or traffic lane.

E. Measuring Radius. When a specified land use is required to be located a minimum distance from another land use, the minimum distance is measured in a straight line from all points along the lot line of the subject project, in all directions, unless otherwise specified in this Ordinance.

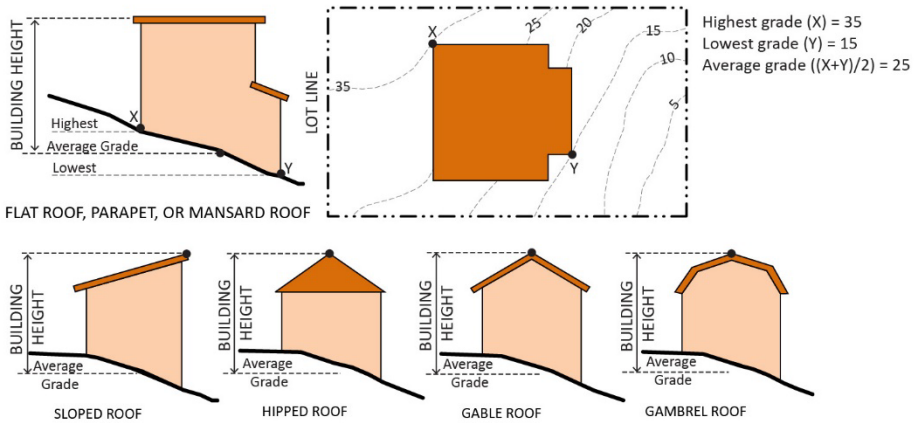
Figure 17.17.020-1. Measuring Distances



17.17.030 Measuring Heights

A. Height Measurements. Height shall be measured as the vertical distance from finished grade at all points adjacent to the structure exterior to the highest point of the structure directly above (see Figure 17.17.030-1 Measuring Heights). For properties on a slope, the height of a structure shall be measured as the vertical distance from the average elevation of the finished grade to the highest point of the structure. The average elevation is determined by averaging the highest and lowest elevation points of the structure (see Figure 17.17.030-1 Measuring Heights)).

Figure 17.17.030-1 Measuring Heights



B. Height of Structures. The height of each structure shall not exceed the height limit established for the applicable zone except as otherwise provided by this Section. Additional height limits are established for PMC Sections 17.82.020 (Accessory Structures), 17.86.030 (Outdoor Lighting), 17.86.040 (Walls and Fences), PMC Chapter 17.88 (Signs), and 17.95.010 (Communication/Wireless Telecommunications Facilities)~~, and PMC Chapter 17.88 (Signs)~~.

C. Height of Structure Exceptions. The overall structure height shall not exceed the maximum height standard of the zone, except that the following architectural features may project above the maximum height by five feet or as established by zone, by Review Authority approval, or as otherwise allowed by this Code:

1. Architectural features, including skylights, chimneys, steeples, spires, towers, cupolas, and similar unoccupied features as approved by the Director.
2. Elevators and stairways;
3. Solar roof panels and appurtenant equipment;
4. Antennas allowed without a discretionary permit, as identified by the FCC;
5. Other mechanical equipment usually required to be placed above the roof level and not intended for human occupancy or to be used for any commercial or advertising purpose (e.g., water tanks, air conditioning units); and,
6. Flagpoles and sculptures, provided that the same may be safely erected and maintained at such a height with respect to the surrounding conditions and circumstances.

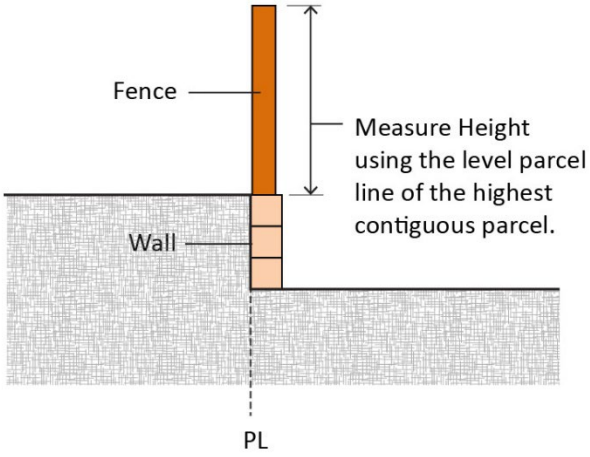
D. Measuring the Number of Stories. In measuring the number of stories in a structure, the following rules shall apply:

1. An interior balcony or mezzanine shall be counted as a full story if its floor area exceeds one-half of the total area of the nearest full floor directly below it.
2. Subterranean stories do not count towards maximum number of stories except as noted. A subterranean story shall be counted as a story for the purposes of height measurement where any portion of a subterranean story has more than one-half of its height above grade.
3. A story shall not exceed 25 feet in height from the upper surface of the floor to the ceiling above.

E. Fence and Wall Height Measurement

1. Fence and wall height shall be measured as the vertical distance from the average ground level immediately adjacent to the fence or wall to the top edge of the fence, wall, or other screening device.
2. When there is a difference in the ground level between two adjoining parcels, the height of any wall or fence constructed along any property line shall be determined by using the level parcel line of the highest contiguous parcel. See Figure 17.17.030-2 Measurement of Fence and Wall Height on Parcels with Different Elevations).
3. An earthen berm or mound not taller than two feet may count toward required height of landscaping and screening.

Figure 17.17.030-2 Measurement of Fence and Wall Height on Parcels with Different Elevations



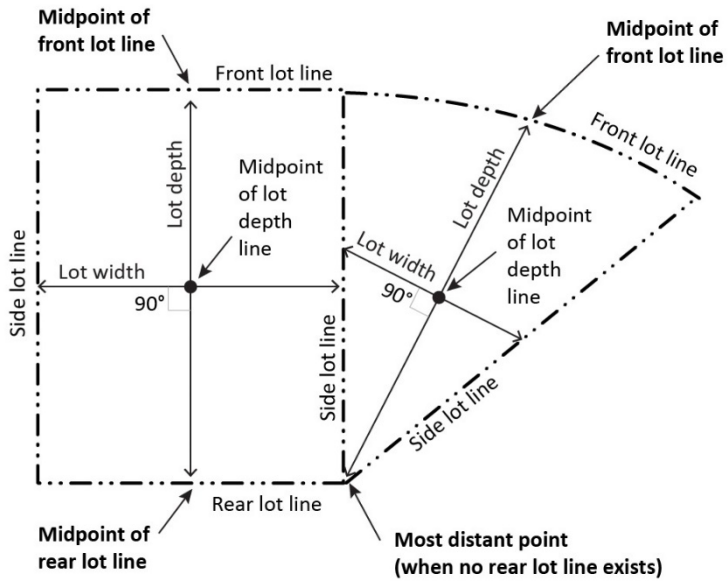
F. Measuring the Height of Decks. Deck height is determined by measuring from the ground to the top of the floor of the deck directly above the ground below.

17.17.040 Lots and Setbacks

A. Lot Width. Lot width is the horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines.

B. Lot Depth. Lot depth is the horizontal length of a straight line measured down from the midpoint of the front property line of the lot to the midpoint of the rear property line or to the most distant point on any other lot line where there is no rear lot line, exclusive of any landscape easement.

Figure 17.17.040-1. Measuring Lot Width and Depth



C. Setbacks and Yards. The calculations of measurements related to setbacks and yards are defined in PMC Chapter 17.16 (Definitions).

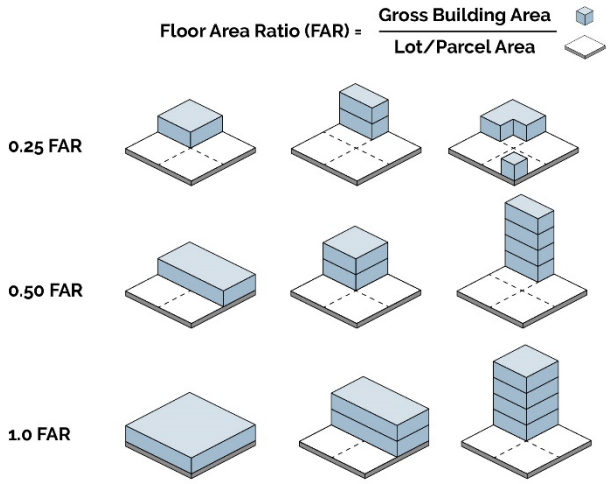
17.17.050 Floor Area and Lot Coverage

A. Determining Floor Area. The floor area of a structure is the sum of the gross horizontal areas of all floors of a structure or other enclosed structures, measured from the outside perimeter of the interior walls.

1. Included in Floor Area. Floor area includes, but is not limited to, all habitable space (as defined in the California Building Code) that is below the roof and within the outer surface of the main walls of principal or accessory buildings. In the case of a multi-story structures that has covered or enclosed stairways, stairwells, or elevator shafts, the horizontal area of such features shall be counted only once at the floor level of their greatest area of horizontal extent.
2. Excluded from Floor Area. Floor area does not include mechanical, electrical, and communication equipment rooms that do not exceed two percent of the structures' gross floor area; bay windows or other architectural projections where the vertical distance between the lowest surface of the projection and the finished floor is 30 inches or greater; areas that qualify as usable open space include, but are not limited to balconies and outdoor terraces; and subterranean floors submerged more than four feet below finished grade of the property. Also excluded are areas used for all off-street parking spaces or loading spaces, driveways, ramps between floors of a multi-level parking garage, and maneuvering aisles.
3. Non-Residential Uses. For non-residential uses, gross floor area includes pedestrian access interior walkways or corridors, interior courtyards, walkways, paseos, or corridors covered by a roof or skylight. Non-residential gross floor area does not include arcades, porticoes, and similar open areas that are located at or near street level and are accessible to the public but are not designed or used as sales, display, storage, service, or production areas.

B. Determining Floor Area Ratio. The floor area ratio (FAR) is the ratio of the floor area, excluding unenclosed and unroofed areas as described in PMC Section 17.17.050.C (Determining Lot Coverage), of all primary and accessory buildings to the site area. To calculate the FAR, gross floor area is divided by site area, and typically expressed as a decimal. For example, if the floor area of all buildings on a site totals 20,000 square feet, and the site area is 10,000 square feet, the FAR is expressed as 2.0. Excludes below-grade floor area.

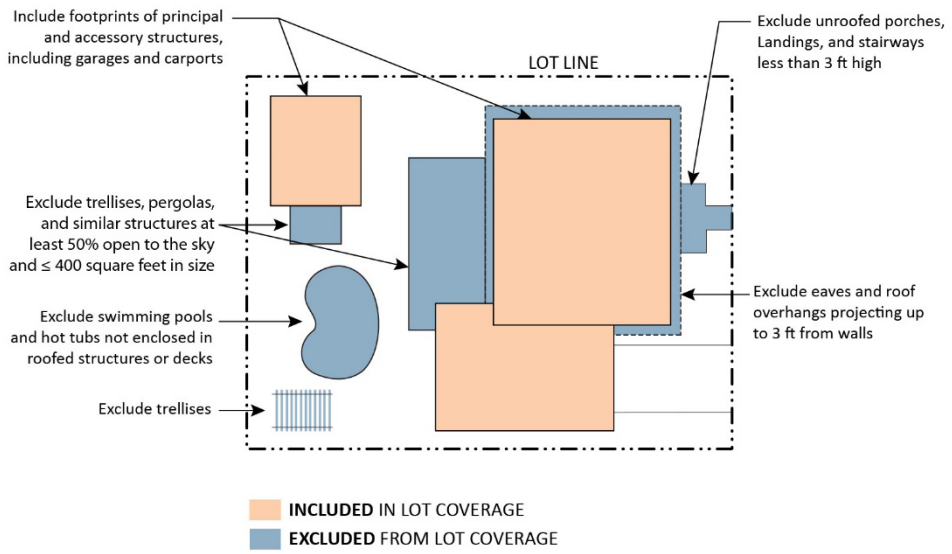
Figure 17.17.050-1. FAR



C. Determining Lot Coverage. Lot coverage is the ratio of the total footprint area of all structures on a lot to the net lot area, typically expressed as a percentage. The footprints of all principal and accessory structures, including garages, carports, covered patios, and roofed porches, shall be summed to calculate lot coverage. The following structures shall be excluded from the calculation:

1. Unenclosed and unroofed decks, patio slabs, porches, landings, and stairways less than four feet in height;
2. Eaves and roof overhangs projecting up to three feet from a wall;
3. Trellises, pergolas, and similar structures that have roofs that are at least 50 percent open to the sky through uniformly distributed openings and that are less than 400 square feet in size; and
4. Swimming pools and hot tubs that are not enclosed in roofed structures or decks.

Figure 17.17.050-2. Determining Lot Coverage



17.17.060 Density

Density shall be calculated as the number of units per net acre of a given land area (project area, subdivision, parcel). In mixed-use projects, density is the number of housing units divided by the land area of the mixed-use development (that includes areas used for non-residential uses such retail space).

Title 17. Zoning

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17.20 General Review Procedures

17.20.010 Review Procedures

A. Land use applications will be reviewed and approved pursuant to the following procedures:
   1. Public hearing by the City Council or Planning Commission. At a public hearing by the City Council or Planning Commission when required by law. The Review Authority shall invite public testimony, review evidence, and render a decision; or,
   2. Administrative Review by the Director. Administrative Review by the Director applies to applications where land use decisions are made based upon standards that have been adopted by the City as law or policy or ministerial review required by State statute. The Review Authority may render a land use decision without giving notice to surrounding property owners and other parties. Review procedures for each application type are specified in PMC Chapter 17.21 (Site Plan Review) through PMC Chapter 17.27 (Comprehensive Development Plans).

B. For all hearings conducted by the City pursuant to these review procedures, the City may issue subpoenas requiring attendance of witnesses or production of books or other documents for evidence or testimony at the hearing ~~pursuant to PMC Section 2.08.090 (XX)~~ unless otherwise noted.

C. Review Authority and the procedures for each approval type are summarized in PMC Table 17.20.010-1 (Review Authority), below.

Table 17.20.010-1. Review Authority

Type of Action	Code Chapter/ Section	Director	Planning Commission	City Council
Administrative Approvals		Decision	Appeal	Appeal
Subdivision Development Plan Review	17.26.020			
Zoning Clearance Review	17.26.030			
Minor Modifications to Approved Plans	17.26.040			
Minor Use Permit	17.26.050			
Home Occupation Clearance	17.26.060			
Additional Animals Clearance	17.26.070			
Requests for Reasonable Accommodations	17.26.080			
Minor Site Plan Review	17.26.090			
Special Event Permit	17.26.100			
Temporary Use Permit	17.26.100			
Conditional Use Permit	17.22	Recommend	Decision	Appeal
Density Bonus Agreements	17.25.020	Recommend	N/A	Decision
Determination on Unlisted Uses	17.24.040	Decision	Appeal	Appeal
Development Agreements	17.25.010	Recommend	Recommend	Decision
General Plan Amendments	17.24.030	Recommend	Recommend	Decision
Minor Exceptions	17.23	Decision	Appeal	Appeal
Planned Development	17.27.050	Recommend	Recommend	Decision
Site Plan Review	17.21	Decision	Appeal	Appeal
Specific Plan	17.27.040	Recommend	Recommend	Decision
Time Limits and Extensions for Conditional Land Use Decisions	17.20.120~~.B~~	Decision	Appeal	Appeal
Variances	17.23	Recommend	Decision	Appeal
Zoning Map Changes	17.24.010	Recommend	Recommend	Decision
Zoning Ordinance Amendments	17.24.020	Recommend	Recommend	Decision

17.20.020 Notification Procedures

A. Public Notice Sign of Submitted Application

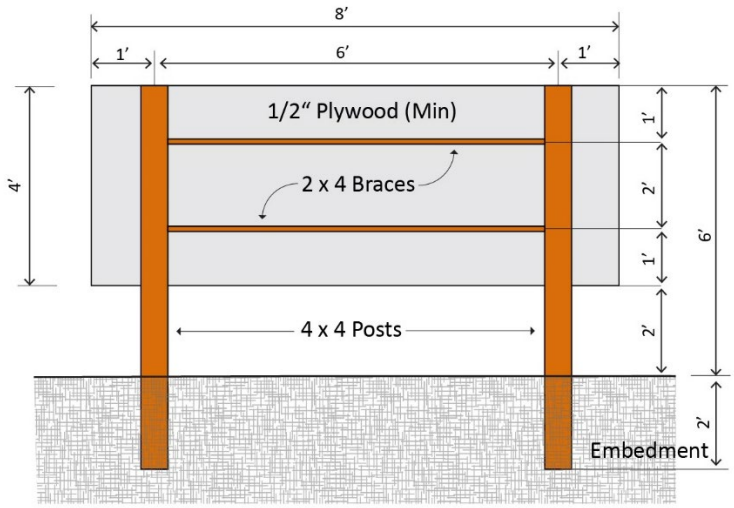
1. Requirement for a Public Notice Sign. The Director may require that at the time an application requiring a public hearing has been filed and deemed complete, a public notice sign or signs be posted at the project site. The purpose of the sign notice requirement is to notify the community and the residents in the affected area of the proposed project. At a minimum, the sign shall be installed on the subject property a minimum of 10 days prior to

the day of the public hearing, and shall state the application file number, a description of the proposed use (including square footage), the area of the project site, the current zoning, the proposed zoning if applicable, and any other pertinent information needed to clearly convey the nature of the proposed project.

2. For projects with a street frontage of 500 linear feet or more, the Director may determine that more than one sign is necessary, e.g., one sign per street frontage if the project is located on a corner site. In determining the boundaries of an expanded notification area, the following criteria shall be used:
    a. The expanded area may be directly affected by the proposed project due to proposed or established circulation, drainage patterns, view, grading, or other environmental or infrastructural conditions; or,
    b. The expanded area is an integral part of the affected neighborhood or subdivision.
3. Sign Criteria and Maintenance. The following rules and standards apply to required public notice signs:
    a. Sign Size and Specifications. All public notice sign(s) shall be four feet by eight feet in size and be constructed to the specifications of PMC Figure 17.20.020-1 (Installation Requirements for Public Notice Signs). The specific project information text on the sign shall be provided by the Department.
    c. Location and Installation Standards. All public notice sign(s) shall be installed pursuant to the specifications of PMC Figure 17.20.020-1 (Installation Requirements for Public Notice Signs). The public notice sign shall not be installed within public right-of-way. The location for the sign(s) on the project site shall be determined by the Director.
    d. Sign Removal and Maintenance. All public notice sign(s) shall be adequately maintained and remain in place until the final decision on the application has been made or the application has been withdrawn. All sign(s) shall be removed by the applicant within 14 days of the final decision or date of withdrawal. Failure to remove the sign within the prescribed period may result in removal and forfeiture of the sign to the City, with the cost of removal and storage to be paid by the applicant.

B. Notice of Land Use Decisions
    1. General Provisions
        a. Notice shall be given by first class mail or delivery to all surrounding property owners and occupants for land use decisions using the public hearing procedures as described in this Section.
        b. Notice shall be given by first class mail or via email to any person who has filed a written request for the notice.

Figure 17.20.020-1 Installation Requirements for Public Notice Signs



c. When the notification procedures for applications as specified in this Section allow decisions with limited notice, notice shall be given by first class mail or delivery to all contiguous property owners.

d. Notice shall be given in the case of a conversion of residential real property to a condominium project, community apartment project, or stock cooperative, pursuant to State law.

e. Notice may be given in the manner as required by State law or deemed necessary or desirable by the Department. The notice shall include information about the proposal, project site, hearing, environmental review process, and proposed findings pursuant to the California Environmental Quality Act (CEQA) Guidelines. Surrounding property, for the purposes of this Section, shall be defined as those properties that fall within a radius drawn from the nearest limits of the property that is the subject of the land use application, as follows:

   i. If the subject property is 25 acres or less in size, all properties within a 500-foot radius shall be notified;

   ii. If the subject property is 26 acres or greater in size, all properties within a 700-foot radius shall be notified; and,

   iii. The Director may expand the surrounding property notice requirement if deemed necessary to include all properties potentially affected by the application.

f. A one-eighth page display advertisement in a newspaper of general circulation within the City or a posting on the City's webpage may be substituted for notice provided to individual property owners, whenever the individual notice would require notification of 1,000 or more property owners.

2. Public Hearing Notification. At least 10 days before a public hearing on a land use decision, the Director shall provide notice of the time and place of the public hearing on the project to be given in the following manner:

   a. Notice shall be published once in a newspaper of general circulation within the City if the newspaper has been legally adjudicated for this purpose.

b. Notice shall be posted at least ten days prior to the public hearing in at least three public places.

c. The public notice sign(s) required pursuant to PMC Section 17.20.020.A shall indicate the public hearing date and shall be installed pursuant to PMC Figure 17.20.020-1 (Installation Requirements for Public Notice Signs) upon the subject parcel a minimum of 10 days prior to the hearing.

d. Additional public notification beyond the boundaries specified in PMC Section 17.20.020.B.1.f may be required for a project as determined by the Director in any one of the following circumstances:

   i. The proposed project is an infill project which requires a General Plan Amendment;

   ii. The project is a proposed infill project which requires an Environment Impact Report (EIR); or,

   iii. As determined to be necessary and desirable by the Director based on the nature of the proposed project.

e. If it is determined upon initial submittal that supplemental notification is necessary, the applicant shall be notified within 30 days, as part of the City's Notice of Complete Application, of the expanded notification area-, and shall be required to submit two sets of self-adhesive address labels based on equalized Los Angeles County Assessor's rolls compiled within the subsequent six months for the expanded area. The application shall not be deemed complete until the labels have been submitted.

17.20.030 Pre-Application

A. The Department may request that an applicant submit materials for, and attend, an optional Pre-Application meeting with the Development Advisory Board (DAB) to review the project proposal prior to submitting an application. The purpose of this Pre-Application is to:

   1. Acquaint the City with the intentions of the applicant;
   2. Acquaint the applicant with any applicable policies and procedures applicable to the project;
   3. Identify City Codes and improvement standards applicable to the proposal;
   4. Identify any potential problems as early in the process as possible, especially on large and complex projects; and,
   5. Identify any significant development opportunities and/or constraints on the site.

B. The submittal of a Pre-Application and Development Advisory Board meeting shall include an exchange of information concerning the entire area intended by the applicant to be developed, even if the project is intended to proceed in stages/phases, regardless of whether applications for review of the entire project area are made at the time of the initial application.

C. Submittal of a Pre-Application shall be made to the Department, and shall be accompanied by the appropriate fee as adopted by City Council resolution. The applicant shall submit project plans and/or other applicable materials, showing proposed land use types, areas, and locations. The conceptual project plan and/or materials shall include sufficient information about the proposal to allow evaluation of the project issues identified in this Section.

D. The Pre-Application shall address, but not be limited to, the following subject matter:

1. Subject site, size location, dimensions, and area; any existing improvements or projects on-site; existing General Plan and zoning designations;
2. Proposed uses for the parcel; type and placement of buildings, and other improvements;
3. Existing and proposed land uses and projects on adjacent parcels; any identified natural or man-made hazards on-site or the surrounding area;
4. Proposed circulation improvements include, but are not limited to access points and vehicular accessways, parking, loading, traffic calming measures, and pedestrian circulation; location, width, and existing and proposed improvements on adjacent roadways;
5. Type, location, and sizes of public improvements likely to be required to support the proposal, including utilities, sewer, water, and drainage, along with a plan for providing and maintaining improvements;
6. Location, amount, type, and method of maintenance for proposed open space and landscaped areas; and,
7. Estimated impacts on public services, including schools, parks, fire and police protection, and solid waste disposal.

17.20.040 Development Applications

A. Scope. Applications for all land use decisions shall be made at the Department on forms available from the Department. Each application for a land use decision shall be accompanied by the information and materials deemed necessary by the Department to render the requested land use decision. All applications shall comply with all applicable procedures of this Section and be consistent with the following:
   1. Any application made pursuant to the provisions of this Ordinance may be initiated by the City Council, or by any person who has a legal interest in the property which is the subject of the application unless otherwise indicated in this Ordinance;
   2. All land use decisions that are subject to CEQA, pursuant to Public Resources Code Section 21000 et seq, shall be reviewed by the Department;
   3. When more than one land use decision is required for a single project, each applicable application type shall be filed concurrently, unless otherwise approved by the Director; and,
   4. The Department shall prepare application forms and a list of required submittal materials for each application. The applications include an attached document called the Plan Preparation Guidelines which outline necessary information for the preparation of plans and supporting documents. Any application for a land use decision that does not meet the requirements set forth in the applicable guidelines may be deemed incomplete or not accepted for filing.

B. Application fees and deposits. Concurrent with the submittal of an application for development, all applicable fees and/or deposits shall be paid, in the amount determined by City Council resolution, to cover the cost incurred in the processing of each individual application(s).

17.20.050 Time Limitations for Application Acceptance

The following time limits are established for accepting land use applications as complete, unless otherwise required or authorized by applicable law.

A. After the City has received an application for a project, the City shall determine, in writing, whether submitted application materials are complete and timely filed within the timeframes established by State law or City policy, and shall immediately transmit the determination to the applicant.

B. Upon receipt of any resubmittal of the application, a new review period shall begin during which the City shall determine the completeness of the application within the timeframes established by State law or City policy.

C. The Director and the applicant may mutually agree to a reasonable extension of these time limits, as allowed by State law.

17.20.060 Denial of Incomplete Applications

An application which has been deemed incomplete, and no further action to complete the application has been taken by the applicant for a period of 12 months from the date of the last incomplete letter, will be deemed automatically withdrawn and a new application shall be required.

17.20.070 Time Limits for Rendering Land Use Decisions

The following time limits are established for rendering land use decisions, unless otherwise required or authorized by applicable law.

A. Except for legislative acts of the City Council, the City shall render its decision on a land use application within the following time limits unless otherwise required or authorized by applicable law:

1. If a Negative Declaration is prepared, or if the project is exempt pursuant to the Public Resources Code, the project shall be approved or denied within the time limits set forth by California Government Code Section 65950, as amended from time to time, except as provided in PMC Section 17.20.070.A.3.
2. If an Environmental Impact Report (EIR) is prepared, the project shall be approved or denied within the time limits set forth by California Government Code Section 65950, as amended from time to time, except as provided in PMC Section 17.20.070.A.3.
3. Should compelling circumstances justify additional time to complete the environmental review process, an extension of time may be granted by the Department, if the applicant requests or consents to the extension, subject to the applicable provisions of State law and the City's adopted CEQA Guidelines.
4. The Review Authority shall approve, conditionally approve, extend, or deny a tentative map within the legal time limits established by the Subdivision Map Act. These time limits or any other time limits for reporting and acting on maps as specified in the PMC Title 16 (Subdivisions) or any other applicable adopted ordinance, policy, or code, may be extended by mutual consent of the applicant and the Department. Upon consent of the applicant, a waiver of any of these time limits may be obtained for the purpose of allowing concurrent processing of related land use applications, or an environmental review on the same project or subdivision.

B. When a land use application decision is contingent upon the approval of another application which requires legislative action which include, but are not limited to a General Plan Amendment or Zone Change, the time limits specified by this Section shall commence on the effective date of the last legislative action on which that land use application is contingent.

17.20.080 Decisions by the Review Authority

A. The Review Authority may refer a request for a land use decision to the Review Authority designated as the appeal body for that type of land use application, e.g., the Director may refer a decision on Site Plan Review to the Planning Commission. In these cases, a statement containing the reasons for referring the land use decisions shall be prepared by the referring Review Authority.

~~A.~~B. Prior to rendering a land use decision, the Review Authority shall address each of the required findings or criteria that apply to each individual application type as described in this Ordinance. Evidence or testimony shall be given to substantiate the Review Authority's determination on each of the findings applicable to the case being considered, and shall be specifically cited in the action taken by the Review Authority.

~~B.~~C. From time to time, development actions may be continued. Where the continuance is requested by the applicant, the City may require payment of fees as specified by City Council resolution, to reimburse costs reasonably borne for the continuance of the public hearing.

~~C.~~D. The Review Authority may take an action of denial without prejudice on a land use application. This action shall allow the applicant to reapply for the same approval with a modified application immediately upon the effective date of the decision unless otherwise specified in this Ordinance.

~~D.~~E. In approving an application for a land use decision, the Review Authority may establish reasonable conditions for its approval that are found to be necessary to protect the public health, safety, and general welfare.

17.20.090 Effective Date of Land Use Decisions

A. Ordinances approving land use decisions shall become effective 30 days after adoption of the ordinance, unless otherwise specified within the ordinance.

B. Land use decisions made at a public hearing shall be effective on the 11th day after the decision date, except when the 10th such day is not a City business day. In this circumstance, the land use decision shall become effective on the second consecutive City business day following the 10th day.

C. Land use decisions made by administrative action shall become effective on the 11th day after the date of the written notice of the land use decision, except when the 10th such day is not a City business day. In this instance, the land use decision shall become effective on the second consecutive City business day following the 10th day.

D. Notwithstanding the provisions of this Section, land use decisions which are made contingent upon approval of a legislative action including, but not limited to, a General Plan Amendment or Zone Change, shall become effective on the date when the approval of the last application to which they are subject becomes effective.

17.20.100 Modifications to Land Use Approvals

A. Minor modifications to the approved site plan or the conditions of approval for a project may be approved by the Director through an application for a Minor Modification, pursuant to PMC Section 17.26.040 (Minor Modifications to Approved Plans).

B. If the Director determines that the modification(s) may have significant impacts on the project site or surrounding properties, the Director may require submittal of an application and approval of a Major Modification to the original project approval, in which case, the review procedures for the requested modification(s) shall be the same as when the project was originally reviewed.

17.20.110 Appeal Procedures

A. Prior to its effective date, any land use decision made pursuant to the provisions of this Ordinance by a Review Authority other than the City Council, may be appealed by the applicant, a member of the City Council, or any other person as follows:

1. The Planning Commission shall consider appeals regarding land use decisions made by the Director.
2. The City Council shall consider appeals regarding land use decisions made by the Planning Commission, except as specified above.

B. Applications for an appeal of a land use decision, including an appeal filed by a member of the City Council, shall be made upon forms supplied by the Department. All such applications for appeals shall be submitted to the Department and shall be accompanied by a written statement of the grounds upon which the appeal is based. All applicable application fees, as established by City Council resolution, shall be paid at the time the appeal is filed.

C. An appeal of a land use decision shall be filed prior to the date on which the land use decision becomes effective, as specified in PMC Section 17.20.090 (Effective Date of Land Use Decisions). A properly filed application for appeal stays proceedings in the matter appealed until a decision is rendered on the appeal.

D. Within 30 days of the acceptance of an application for an appeal of a land use decision (except as otherwise provided in the Subdivision Map Act), the Director shall establish a hearing date and shall give notice of the date, time and place of the hearing for an appeal of a land use decision (except where otherwise provided in the Subdivision Map Act) to the appellant, the applicant, and to any other party who has requested in writing to be so notified within the timeframe as established by State law or City policy. In addition, notice shall also be given in the same manner as notice was given for the land use decision being appealed pursuant to PMC Section 17.20.020 (Notification Procedures).

E. Any member of the City Council who appeals a land use decision made pursuant to the provisions of this Ordinance to the City Council shall abstain from participating as a member of the City Council in the appeal hearing and decision, but may provide written or oral testimony on the matter to the City Council in the same manner as, and in the time provided for, members of the general public.

F. Upon hearing the appeal, the appeal body shall consider the record and the additional evidence as may be offered and may affirm, reverse, or modify, in whole or in part, the order, requirements, decision, determination, interpretation or ruling being appealed, or may make or substitute the other or additional decision or determination as it may find warranted pursuant

to the provisions of this Ordinance, or other applicable adopted City ordinance, resolution, or standards. The appeal body is subject to all of the criteria and findings requirements imposed upon the original Review Authority, including the requirements for environmental review. The appeal body shall forthwith transmit a copy of the decision to the applicant, appellant and, in the case of a City Council decision, to the original Review Authority.

17.20.120 Time Limits and Extensions for Conditional Land Use Decisions

Any conditional land use decision made pursuant to the provisions of this Ordinance shall be subject to the following time limitations:

A. Unless all conditions have been complied with and the occupancy, use, or division of land authorized by the land use decision has been inaugurated or been recorded within the time specified for each land use application type within this Ordinance, the land use decision shall become null and void. For the purposes of this Section, the term “inaugurated” shall mean that applicable Grading and/or Building Permits have been issued, and construction is initiated and ongoing.

B. Where circumstances warrant, the Review Authority may grant an extension of time. The length of the extension shall be determined by the Review Authority based on the limitation specified in this Division, but in no case shall a conditional land use decision be extended for a total approval period exceeding five years unless otherwise provided by State law. The Review Authority of an application for an extension of time of a previously approved project shall be the Director. However, the Director may refer the time extension request back to the original Review Authority. The Review Authority is authorized to update any existing conditions of approval or add new conditions of approval as needed so that the conditional land use approval will ensure the public health, safety, and welfare. All requests for a time extension shall be submitted prior to the expiration date within the timeframes established by State law or City policy, shall be diligently pursued by the applicant pursuant to PMC Section 17.20.060 (Denial of Incomplete Applications) and shall be reviewed by the City pursuant to PMC Section 17.20.050 (Time Limitations for Application Acceptance).

C. Public projects shall not be subject to a time limitation unless specific time limits are included within conditions placed upon project approval. When time limits are placed within the conditional approval of a public project, extensions of time may be granted whenever warranted, provided no single action is taken to grant an extension greater than 24 months.

17.20.130 Final Clearance

A. No building, structure, or land shall be used or occupied, and no change in the existing occupancy classification or existing use of a building, structure, land, or portion thereof, shall be made unless a Zoning Clearance application pursuant to PMC Section 17.26.030 (Zoning Clearance Review) is first obtained from the Department, in addition to other required approvals, inspections, and certificates.

B. New Buildings. Final clearance from the Department shall be granted only after the new buildings, enlargement, or alteration have been completed in conformity with the provisions of this Ordinance and with any approved architectural or civil plans and required conditions, and when the proposed use conforms to this Ordinance and any other applicable adopted City codes, resolutions, ordinances, or standards.

C. Existing Buildings and Undeveloped Land. Except as provided in PMC Chapter 17.28 (Non-Conforming Uses, Structures and Parcels), final clearance from the Department shall be granted for the re-use of an existing building or the use of undeveloped land only after the improvements to the building or land conform to the property development standards of this Ordinance and other applicable City ordinances, resolutions, codes, or standards. The standards may include the provision of required walls, landscaping, parking, trash enclosures, street improvements, and all other improvements determined by the Review Authority to be necessary or required by any regulating authority for the particular use.

17.21 Site Plan Review

17.21.010 Purpose

This Chapter establishes a Site Plan Review process by which certain types of projects and structures are subject to an administrative review and approval process before the Review Authority, to ensure that the site plan, building layout, size, shape, scale, mass, height, architectural design, architectural components, materials, colors, landscaping, and other aspects of the project are compatible with the surrounding area, are appropriate for the site, achieve the highest level of design that is feasible for the project, and is consistent with codified objective criteria. The City intends to use this Site Plan Review process to improve the aesthetic character of the community, preserve and enhance property values, protect adjacent properties from adverse impacts caused by projects, assist applicants to be more cognizant of public concerns for the aesthetics of projects, and facilitate a community that is safe, functional, and attractive.

17.21.020 Applicability

A. No person shall undertake, conduct, or use, or cause to be undertaken, conducted, or used, any project(s) which requires Site Plan Review, without having first complied with the provisions of this Chapter.

B. The following shall require approval of a Site Plan Review, unless otherwise specified:

1. Any new construction of a commercial, mixed-use, industrial, or civic structure (including public and quasi-public facilities), except as otherwise specified in this Chapter;
2. Multi-family residential projects of 10 units or greater;
3. New applications for additions to pre-existing multi-family residential, commercial, mixed-use, industrial, or civic structures which have been previously legally established and which are allowed in the applicable zone, which do not qualify as a Minor Modification as specified within PMC Section 17.26.040 (Minor Modifications to Approved Plans) or a Minor Site Plan Review as specified within PMC Section 17.26.090 (Minor Site Plan Review).

C. Exemptions. The following shall be exempt from Site Plan Review requirements, but are still subject to approvals from the Department and other agencies, including Zoning Clearance Review pursuant to PMC Section 17.26.030 (Zoning Clearance Review) and ~~b~~Building ~~p~~Permits, as required in this Division:

1. Interior remodels;
2. Alterations to building exteriors, drainage patterns, parking, traffic, easements, which do not result in greater impacts on infrastructure and public services, as determined by the Director;
3. Repair and maintenance of structures or parking areas, unless constrained by existing infrastructure and existing drainage patterns and/or easements;
4. Reductions of floor or building area within a previously approved Site Plan Review where it is determined that the modification would not result in a significant change in circumstances requiring additional environmental or planning review; and,
5. Single-family residential development (one residence per parcel) and duplex development (two residences per parcel) on existing lots of record.

D. Pre-Existing Structures. Any structure existing on the effective date of this Ordinance which was allowed subject to an approved Site Plan Review shall be deemed a pre-existing structure. The structure may continue pursuant to this Ordinance, provided that the site is operated and maintained pursuant to the conditions prescribed at the time of its establishment, if any. Any expansion, alteration, or reconstruction of a structure with a previously approved Site Plan Review, which has become non-conforming due to adoption of this Ordinance or any subsequent amendments thereto, shall comply with PMC Chapter 17.28 (Non-Conforming Uses, Structures and Parcels) regulating non-conforming structures until the structure is brought into conformance with this Ordinance. Any structure existing on the effective date which would require approval of a Site Plan Review to be established in that zone, but for which the approval has not been obtained, shall be deemed a non-conforming structure and regulated by PMC Chapter 17.28 (Non-Conforming Uses, Structures and Parcels).

17.21.030 Application Procedure

A. Pre-Application. A Pre-Application with the DAB, City staff, and interested agencies may be conducted pursuant to PMC Section 17.20.030 (Pre-Application).

B. Formal Application Submittal

1. After submittal of a Pre-Application and a DAB meeting has been held, when applicable, the applicant shall prepare a comprehensive site plan and complete the required application forms supplied by the Department. The applicant shall file said plans and application with the Department, along with all applicable fees as adopted by City Council resolution. Information requested on the application form and other processing requirements including, but not limited to, the number of copies requested, maps, graphics, or informational reports and studies, shall be determined by the Department.
2. The applicant may be required to clarify, correct, or supply additional information before the application is determined by the City to be complete. Upon making the determination as to whether the application conforms to these standards, the City will notify the applicant in writing when the application has been accepted, or whether the application has been deemed incomplete, within the time limitations outlined in PMC Section 17.20.050 (Time Limitations for Application Acceptance).

C. Site Plan. The application shall be accompanied by the required number of site plans, drawn at a scale approved by the Department, on standard sheets of 24 inches by 36 inches. The site plans shall indicate the location of all known and proposed easements and improvements; structures and improvements proposed to be demolished, relocated, or constructed; and all other pertinent information that can be graphically depicted on the plan, as specified in the checklist provided by the Department.

D. Drawings and Architectural Elevations. When required by the Department, drawings and architectural elevations shall be submitted in addition to those accompanying the site plan which shall include, but not be limited to, the following:

1. Roof overhangs and any other parts of the structures that protrude from the building surfaces;
2. Details indicating rooftop screening materials, methods, and a view analysis of proposed screening, when required;
3. Uses of each room and floor plans, if required; and,

4. Architectural elevations showing the general appearance, features and heights of proposed structures shall be submitted, as required on the application checklist.

17.21.040 Review Authority

All applications for Site Plan Review or a Major Revision of a Site Plan Review pursuant to PMC Section 17.21.070.A.2, shall be reviewed and determined by the Director following the procedures for Administrative Review, pursuant to PMC Section 17.20.010.A.2, except as otherwise provided by PMC Section 17.20.080 (Decisions by Review Authority).

17.21.050 Approval Requirements and Conditions

A. Site Plan Review approval only applies to the property for which the application was made, and shall apply to that property as long as the development for which approval was granted is in effect, regardless of changes in ownership or occupancy.

B. The following Conditions of Approval may be placed upon the project by the Review Authority:

1. Dedications and/or easements for streets, alleys, drainage, public utilities, recreational trails, flood control, and other rights-of-way determined essential to the orderly development of the site and abutting properties.
2. On- and off-site improvements including, but not limited to, the following:
    a. Grading, drainage, and drainage structures necessary to protect the public safety;
    b. Curbs and gutters, street pavement, sidewalks, street lights and traffic control devices, and bus turnouts and shelters; all road improvements are to be constructed pursuant to plans and specifications of the City's Engineering Design Standards;
    c. Adequate water service and fire protection equipment, pursuant to plans and specifications of the serving water purveyor and Los Angeles County Fire Department;
    d. Sanitary sewer facilities and connections;
    e. Services from public utilities, where provided;
    f. Street trees and landscaping, pursuant to the plans and specifications of the City's Landscaping Design Standards;
    g. On-site landscaping, walls and/or fences, trash enclosures, and lighting fixtures;
    h. Pedestrian walkways and site amenities, including seating and other fixtures, where appropriate; and,
    i. In addition to the above requirements, the Review Authority shall require additional improvements and facilities as determined reasonably necessary for the proper development of the site and the area.

17.21.060 Required Findings for Approval

No application for Site Plan Review shall be approved by the Review Authority unless the design and layout of the proposed project or structures, in its final submitted form, or as conditioned, meets all of the following criteria, and the development is consistent with:

A. The City's General Plan and any applicable Specific Plan;

B. The development standards set forth in this Ordinance; and,

C. Any applicable design guidelines.

17.21.070 Post Decision Procedures

A. Appeal. A decision made by the Review Authority on a Site Plan Review may be appealed, pursuant to the provisions of PMC Section 17.20.110 (Appeal Procedures).

B. Revisions and Modifications. Revisions or modifications of an approved Site Plan Review can be requested by the applicant.

   1. Minor Revisions. A revision or modification to an approved Site Plan Review includes, but is not limited to, minor changes in the site design, parking or building placement, which will not increase or change the intensity of the site, may be acted on by the Director upon submittal of an application, required materials and applicable fees for Minor Modification, pursuant to PMC Section 17.26.040 (Minor Modifications to Approved Plans).
   2. Major Revisions. A major revision or modification to an approved Site Plan Review that does not qualify for a Minor Modification as described within PMC Section 17.26.040.B and which includes, but is not limited to, expansions, intensification, or reconfiguration of site access/circulation, may be requested by the applicant. This request shall be processed through the submittal of a Major Modification or new Site Plan Review application, pursuant to the provisions contained in this Ordinance.

C. New Applications Following Denial. Following the denial of an application for a Site Plan Review, no application for a Site Plan Review for the same or substantially the same project and design on the same or substantially the same site shall be filed within one year from the date of denial.

17.21.080 Time Limits and Extensions for Site Plan Review Decisions

One or more extensions of time, not to exceed a total of 24 months from the original expiration date, may be granted pursuant to PMC Section 17.20.120 (Time Limits and Extensions for Conditional Land Use Decisions).

17.22 Conditional Use Permits

17.22.010 Purpose

The purpose of a Conditional Use Permit is to allow certain uses that contribute to the orderly growth and development of the City to be properly integrated into the surroundings in which they are to be located. The Conditional Use Permit process is intended to provide an opportunity for public review and evaluation of site specific requirements and characteristics, to provide adequate mitigation of any potentially adverse impacts, and to ensure that all site development standards and performance standards are provided pursuant to this Ordinance. In addition, the Conditional Use Permit ensures ongoing compliance with conditions of operation which may be applied to the use in order to protect public health, safety, and welfare, and to ensure compliance with the goals, objectives, and policies of the General Plan.

17.22.020 Applicability

A. No person shall undertake, conduct, or use, or cause to be undertaken, conducted, or used, any projects which require a Conditional Use Permit, without having first complied with the provisions of this Division.

B. Uses listed in the land use permissions tables, as "Uses Permitted Subject to Approval of a Conditional Use Permit" may be allowed in the applicable zone pursuant to the provisions of this Chapter.

C. Pre-existing Use. Any use existing on the effective date of this Ordinance which was allowed subject to an approved Conditional Use Permit shall be deemed a pre-existing use. The use may continue pursuant to this Ordinance, provided that the use is operated and maintained pursuant to the conditions prescribed at the time of its establishment, if any. Any expansion of the use with a previously approved Conditional Use Permit, which has become non-conforming due to the adoption of this Ordinance or any subsequent amendments thereto shall comply with PMC Chapter 17.28 (Non-Conforming Uses, Structures and Parcels) regulating non-conforming uses until the use is brought into conformance with this Ordinance. Any use existing on the effective date of this Ordinance which would require approval of a Conditional Use Permit to be established in that zone, but for which the approval has not been obtained, shall be deemed a non-conforming use and regulated by PMC Chapter 17.28 (Non-Conforming Uses, Structures and Parcels).

17.22.030 Application Procedure~~s~~

A. Pre-Application. Submittal of a Pre-Application, and meeting with City staff and interested agencies through a DAB meeting, may be conducted pursuant to PMC Section 17.20.030 (Pre-Application).

B. Formal Application Submittal

1. After submittal of a Pre-Application and a DAB meeting has been held, when applicable, the applicant shall prepare a comprehensive floor plan and complete the required application forms supplied by the City. The applicant shall file said plans and application with the Department, along with all applicable fees as adopted by City Council resolution. Information requested on the application form and other processing requirements,

including but not limited to, the number of copies requested, maps, graphics or informational reports and studies, shall be determined by the Department.

2. The applicant may be required to clarify, correct, or supply additional information before the application is determined by the City to be complete. Upon making the determination as to whether the application conforms to these standards, the City will notify the applicant in writing when the application has been accepted, or whether the application has been deemed incomplete, within the time limitations outlined in PMC Section 17.20.050 (Time Limitations for Application Acceptance).

C. Plans. The application shall be accompanied by the required number of floorplans, drawn at a scale approved by the Department, on standard sheets of 24 inches by 36 inches. The plans shall indicate all information as specified in the checklist provided by the Department.

D. Other Pertinent Information, As Required. Where deemed necessary by the Department to complete the City's review and evaluation of the proposed use, additional information may be required regarding ongoing use of the site, including but not limited to, hours of operation, number of employees, provisions for on- or off-site security, and other similar conditions of operation.

17.22.040 Review Authority

The Planning Commission shall review and approve with conditions, or deny requests for Conditional Use Permits, or review and approve Modifications to a Conditional Use at a public hearing, pursuant to PMC Section 17.20.020 (Notification Procedures).

17.22.050 Approval Requirements and Conditions

A. Conditional Use Permit approval shall only apply to the property for which the application was made, and shall apply to that property as long as the use for which approval was granted is in effect, regardless of changes in ownership.

B. In granting any Conditional Use Permit, the Review Authority may affix those conditions which it deems necessary in order to safeguard the public health, safety, and general welfare of the zone and to ensure compliance with the goals, policies, and objectives of the General Plan. Where the use is proposed, the adjacent land uses, environmental significance or limitations, topography, or traffic circulation is found to so require, the Review Authority may establish more stringent regulations than those otherwise specified for the zone in which the project is located.

C. The following requirements for the regulation of uses and operations on the site may be placed upon the development project by the Reviewing Authority as Conditions of Approval:

1. Regulation of use;
2. Regulation of time for certain activities;
3. Duration of use;
4. Regulation of noise, vibration, odors, and lights;
5. Maintenance of special setbacks, spaces, and buffer areas;
6. Regulation of points of vehicular ingress and egress;
7. Regulation of signs;
8. Required landscaping and site maintenance; and,

9. Any other conditions to ensure the possible use of the site and surrounding area in an orderly and efficient manner, and in conformity with the intent and purposes of this Ordinance.

17.22.060 Required Findings for Approval

The Review Authority will determine the merits of the proposed Conditional Use Permit, and its compliance with the principles, standards, policies, and goals of the General Plan, this Ordinance and other applicable ordinances and codes adopted by the City, in order to protect the public health, safety, and general welfare. Approval shall be based upon the following minimum criteria, which shall also constitute the findings to be made by the Review Authority in approving or denying a Conditional Use Permit:

A. The proposed use is consistent with the goals, policies, and objectives of the General Plan;

B. The proposed use is beneficial and desirous to the community and is consistent with the purpose, intent and standards of this Ordinance and other applicable ordinances and codes adopted by the City;

C. The proposed use and the ongoing operation of the use will not have a substantial adverse effect on abutting property or the allowed use thereof, and will not generate excessive noise, vibration, traffic, or other disturbances, nuisances, or hazards; and,

D. The site for the proposed use has adequate pedestrian and vehicular access.

17.22.070 Post Decision Procedures

A. Appeal. Prior to its effective date, any decision made on a Conditional Use Permit may be appealed to the City Council, pursuant to the provisions of PMC Section 17.20.110 (Appeal Procedures).

B. Revisions and Modifications. Revisions or modifications of Conditional Use Permits can be requested by the applicant pursuant to the procedures and criteria specified below.

1. Minor Revisions. A revision or modification to an approved Conditional Use Permit including, but not limited to, minor changes in operations, floor plan, etc., which will not increase or change the use or intensity of the site, may be acted on by the Director upon submittal of an application, required materials, and applicable fees for Minor Modification, pursuant to PMC Section 17.26.040 (Minor Modifications to Approved Plans).
2. Major Revisions. A major revision or modification to an approved Conditional Use Permit that does not qualify for a Minor Modification as described within PMC Section 17.26.040.B and which includes, but is not limited to, expansions or intensification of the use, may be requested by the applicant. The request shall be processed through the submittal of a Major Modification or new Conditional Use Permit application, as determined by the Director.

C. Revisions/Modification/Revocation by the Planning Commission. The Planning Commission may review, modify, or revoke a Conditional Use Permit as specified below.

1. The Planning Commission may review and examine, during a public hearing, any Conditional Use Permit to ensure that it is being operated in a manner that is consistent with the conditions of approval or in a manner which is not detrimental to the public health, safety, or welfare, or materially injurious to properties in the vicinity.
2. Modification or Revocation by the Review Authority.

a. After scheduling a date for a public hearing, the Director shall notify the applicant and owners of the Conditional Use Permit in question. Such notice shall be sent by certified mail and shall state that the Review Authority will be reviewing the Conditional Use Permit for possible modification or revocation. It shall also state the date, time, and place of hearing. The public hearing shall be conducted and noticed pursuant to PMC Section 17.20.020 (Notification Procedures).

b. The Director shall fully investigate the evidence and prepare a report for consideration by the Review Authority. Upon conclusion of the public hearing, the Review Authority shall render a decision to do one of the following measures:

i. Find that the conditional use is being conducted pursuant to the terms and conditions of the Conditional Use Permit and in an appropriate manner and that no action to modify or revoke is necessary;

ii. Find that the conditional use is not being conducted pursuant to the terms and conditions of the Conditional Use Permit or in an appropriate manner and that modifications to conditions are necessary; or,

iii. Find that the conditional use is not being conducted pursuant to the terms and conditions of the Conditional Use Permit or in an appropriate manner and that measures are not available to mitigate the impacts of the use; upon making this determination, the Review Authority may revoke the Conditional Use Permit and order the operation to cease and desist in the time allotted by the Review Authority.

3. If the Review Authority either modifies or revokes a Conditional Use Permit, the resolution shall state the reasons for the action.

D. New Applications Following Denial or Revocation. Following the denial or revocation of a Conditional Use Permit application, no application for a Conditional Use Permit for the same or substantially the same use at the same or substantially the same location shall be filed within one year from the date of denial or revocation.

17.23 Variances and Minor Exceptions

17.23.010 Purpose

The purpose of a Variance or Minor Exception is to ensure that no property, because of special circumstances specifically related to its size, shape, topography, location, or surroundings, shall be deprived of privileges commonly enjoyed by other properties in the same vicinity and zone.

17.23.020 Applicability

A. In no case shall a Variance or Minor Exception be granted to allow a use other than a use allowed or conditionally allowed in the zone applicable to the property.

B. The Review Authority may grant Variances and Minor Exceptions from any property development standard including, but not limited to, setbacks, heights, lot coverage, etc., in this Ordinance, subject to the procedures set forth in this Division.

C. Minor Exceptions. The following modifications are subject to approval of a Minor Exception.

1. Fence Height. The maximum height of any fence, wall, hedge, or equivalent screening may be increased by a maximum of two feet, where topography or a difference in grade between abutting parcels warrants an increase in height to maintain a level of privacy, to maintain the effectiveness of screening, or to provide additional security when warranted, provided that the increased height does not encroach into the Vehicle Site Distance standards established in PMC Section 17.82.~~18.72.~~070 (Safety Visibility Area Restrictions) or otherwise impede the visibility of motorists.

2. Setbacks. The minimum setback may be decreased by not more than 10 percent where the proposed setback area is in character with the surrounding neighborhood and is not required as an essential open space or recreational amenity for the parcel, and where the decrease will not unreasonably affect abutting parcels. Notwithstanding the provisions of this paragraph, a Minor Exception may be granted to allow the reduction of a required side setback on a single-family residential lot by not more than five feet, if it can be determined that the tentative map in which the parcel is located was approved prior to the effective date of this Ordinance and that development patterns or conditions within the parcel or tract make a larger setback impractical.

3. Lot Coverage. The maximum lot coverage may be increased by not more than 10 percent of the parcel area, where an increase is necessary for improved site planning or architectural design, creation, or maintenance of views, or otherwise facilitate desirable features or amenities, and where the increase will not unreasonably affect abutting parcels.

4. Off-Site Parking. A maximum of 10 percent of the required parking for a use may be located on a contiguous parcel. Said parking shall not be located more than 300 feet walking distance from the structure entrance on the parcel of the use which the parking will serve, provided that the Director determines that the use will be served effectively, safely, and conveniently. For the purpose of this Section, contiguous shall mean sharing a common lot line and shall not include parcels, separated by public rights-of-way. The Review Authority shall require an agreement to ensure on-going availability and maintenance of off-site parking facilities, pursuant to PMC Section 17.87.0~~95~~0.~~H~~A.2 (Non-Residential Uses)~~3~~.

5. On-Site Parking. ~~A maximum 10 percent reduction in the required on-site parking spaces may be granted pursuant to PMC Section 17.87.030.C.~~ The Review Authority may grant

reductions in the number of required parking spaces in accordance with an approved Transportation Demand Management program, pursuant to PMC Section 17.87.070.H (Transportation Demand Management (TDM) Programs)~~30.B.5~~, for provision of a bus turnout, pursuant to PMC Section 17.87.070.B (Bus Turnout)~~30.B.6~~, or ~~if~~ a maximum of 10 percent reduction if the use can demonstrate through submittal of studies and other materials that the amount of parking demand for the particular use is less than what is required by PMC Table 17.87.060-1 (Required Number of Vehicle Parking Spaces).

6. Minor Reconfiguration of Existing Parking. The Review Authority may authorize the minor reconfiguration of an existing parking lot in order to comply with the requirements of the Americans with Disabilities Act. The reconfiguration may include a maximum 10 percent reduction of the applicable on-site parking requirements when it is demonstrated that the reduction will not result in a traffic hazard.
7. Loading Facilities. A reduction in the number of required loading spaces may be granted by the Review Authority, based upon a finding supported by evidence that the space will not be needed by the use.
8. Height. The Review Authority may authorize a 10 percent increase in the maximum height limitation for structures, excluding signage. Such increases may be approved where necessary to significantly improve the site plan or architectural design, and where scenic views or solar access on surrounding properties are not affected.
9. On-Site Landscaping. The Review Authority may authorize a 10 percent decrease in the required on-site landscaping requirement, where it can be demonstrated that the reduction is necessary in order to provide for necessary public transportation and transit improvements including, but not limited to, bus turnouts and turning lanes; where site constraints preclude the relocation of such landscaping to another location; and where the overall appearance of the site will not be adversely affected.
10. Landscape Setback Area. The Review Authority may allow averaging of the required landscape setback area adjacent to Regional, Crosstown or Connector streets as designated by the General Plan, provided the following conditions are met:
    a. The required on-site landscaping requirement is fully met;
    b. No more than 30 percent of the landscape setback area along the parcel frontage shall be reduced in width; and,
    c. In no case shall the landscaped setback area be less than the 10 feet in width.

~~11. Mixed-Use Parking Reduction Study. A reduction in the quantity of on-site parking or loading facilities required for uses in the Mixed-Use Zones may be approved by the Director and City Engineer in consideration of any one of the following elements:~~

~~a. Availability and proximity of on-street parking and/or municipal parking lots. Striped on-street parking, unstriped but allowed on street parking, median parking, and parking within future municipal parking lots may be counted toward meeting a portion of the parking requirements, provided that the applicant can demonstrate the following to the satisfaction of the Director and City Engineer:~~

~~i. On-street public parking, which is underutilized during the peak hours of the proposed business operation, exists within 500 feet of the subject property; or,~~

~~ii. Off-street municipal parking lots, which are underutilized during the peak hours of~~

~~the proposed business operation, exist within 500 feet of the subject property.~~

~~b. Provision of transit shelters may qualify a proposed project for a parking credit of up to 10 percent toward the overall parking requirements listed in this Chapter, as determined by the City Engineer. Provision of bus benches or a bus turnout may also qualify a proposed project for a parking credit of up to five percent toward the overall parking requirements listed in this Chapter, as determined by the City Engineer;~~

~~c. Provision of any three or more Pedestrian Amenities listed in PMC Section 17.75.030.A.7 may qualify a proposed project for a parking credit of up to five percent toward the overall parking requirements listed in this Ordinance;~~

~~d. Any project which provides both transit and pedestrian amenities as described above may qualify for a cumulative parking credit of up to 15 percent.~~

~~e. The Director and City Engineer will review and consider requests for reductions in the quantity of required parking or loading facilities for any use where the applicant can submit reliable and compelling evidence to demonstrate the adequacy of a lesser quantity of required parking or loading facilities. The evidence shall consist of a parking study or parking survey, prepared by a qualified individual and meeting appropriate technical standards as deemed necessary by the Director and the City Engineer;~~

~~f. Joint use of loading zones may be incorporated into a Mixed-Use Parking Reduction Study. When considering a request for joint use of loading zones, the Review Authority shall consider the proximity of the loading zone to the uses being served, the nature of the uses being served, their demand for frequent or continuous loading and the nature of the goods being loaded;~~

~~g. Any change of use, change in combination of uses or change in location shall require application and approval of a new Mixed-Use Parking Reduction Study; and,~~

~~h. Other deviations from development standards determined by the Director to be minor in nature, provided that the deviation does not exceed 10 percent of any required specification and no adverse effects will result from the deviation.~~

D. In calculating percentages specified in PMC Section 17.23.020.C, fractions shall be rounded down.

E. Variance. Any request to deviate from development standards required by this Ordinance which is not listed in PMC Section 17.23.020.C shall require submittal and review of a Variance. Variance requests may include, but are not limited to, the following:

1. Fences, walls, and screening;
2. Site area, width, and depth;
3. Front, rear, and side setbacks;
4. Lot coverage;
5. Height of structures;
6. Landscaping;
7. Usable open space; and,
8. Parking facilities/requirements.

F. Any Variance or Minor Exception granted shall be subject to the conditions which will assure that the authorized adjustment shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated.

17.23.030 Application Procedures

A. An application for a Variance or Minor Exception shall be filed with the Department, along with the required fee as established by City Council resolution. The signed application shall be made by the property owner, an authorized agent of the property owner or an applicant for which the property owner or authorized agent has granted approval for the submittal of the application.

B. An application for a Variance or Minor Exception shall be accompanied by all required materials and plans depicting the subject property as well as the surrounding area, and the scope of the proposed request. Plans of the subject property shall depict all existing and proposed buildings, uses, and any other data required by the Department to adequately review the application.

17.23.040 Review Authority

A. Minor Exceptions

1. The Review Authority for Minor Exception requests shall be the Director, based upon the findings contained in PMC Section 17.23.060.C, except that if the project requesting a Minor Exception requires additional applications which will be reviewed by the Director, Planning Commission, or City Council (e.g., Conditional Use Permit), the Review Authority shall approve the Minor Exception in conjunction with the project approval.
2. Prior to rendering a decision, the Director shall provide written notice to contiguous property owners of the requested Minor Exception, pursuant to PMC Section 17.20.020.B. The notice shall contain a description of the type and location of the requested Minor Exception, the anticipated decision date, and shall allow a minimum period of 10 days for recipients of such notice to submit comments to the City. Upon the passage of the minimum 10-day comment period, the Director may render a decision.

B. Variances. The Planning Commission shall be authorized to review and make a decision on requests for Variances at a public hearing pursuant to PMC Section 17.20.010 (Review Procedures) and pursuant to the procedures in this Division.

17.23.050 Approval Requirements and Conditions

The following requirements may be placed upon a Variance or Minor Exception by the Review Authority as conditions of approval. All these conditions shall be binding upon the applicants, property owners, and their successors.

A. Requirements for special setbacks, open spaces, buffers, fences, walls, and screening;

B. Requirements for installation and maintenance of landscaping, erosion control measures, and other improvements;

C. Requirements for street improvements and dedications, regulation of vehicular ingress and egress, and traffic circulation;

D. Establishment of development schedules or time limits for performance, completion, or removal;

E. Requirements for periodic review by the Review Authority; and,

F. Any other such conditions as the Review Authority may deem reasonably necessary to ensure compatibility with surrounding uses, to preserve the public health, safety, and welfare, and to enable the Review Authority to make the findings required by PMC Section 17.23.060.C.

17.23.060 Required Findings for Approval

A. Minor Exception. The Director shall determine that the request satisfies the applicable requirements of PMC Section 17.23.020.C and the required findings contained in PMC Section 17.23.060.C and, if granted, is consistent with the General Plan and all applicable codes and ordinances.

B. Variance. The Planning Commission shall determine that the request satisfies the applicable requirements of PMC Section 17.23.020.E and the required findings contained in PMC Section 17.23.060.C and, if granted, is consistent with the General Plan and all applicable codes and ordinances.

C. Findings for Approval of a Variance or Minor Exception

1. There are special circumstances applicable to the property, so that the strict application of this Ordinance would deprive the property of privileges enjoyed by other properties in the vicinity and under the same zone;
2. The application is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the vicinity and under the same zone and denied to the property for which this approval is sought;
3. The application will not be materially detrimental to the public health, safety, or welfare, or injurious to the properties or improvements in the vicinity and under the same zone in which the property is located; and,
4. The application does not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and in the same zone in which the property is located.

17.23.070 Post Decision Procedures

A. Appeal. Any decision made by the Review Authority on a Variance or Minor Exception may be appealed, pursuant to the provisions of PMC Section 17.20.110 (Appeal Procedures).

B. New Applications Following Denial or Revocation. Following the denial of a Variance or Minor Exception application, no application for the same or substantially the same application on the same or substantially the same parcel shall be filed within one year of the date of denial.

C. Voiding of Variances or Minor Exceptions

1. Except as otherwise provided in this Section, any Variance or Minor Exception granted pursuant to the provisions of this shall become null and void unless the construction authorized by said Variance or Minor Exception has been inaugurated within 36 months of the effective date of said Variance or Minor Exception, and pursued diligently to completion.
2. Where a Variance or Minor Exception request is granted concurrently with one or more other approvals, the Variance or Minor Exception shall be in effect for the time period allotted pursuant to the other land use approvals, not to exceed an initial period of 36 months.
3. Extension. Where circumstances beyond the control of the applicant cause delays which do not allow compliance with the time limits established in this Division, the Review Authority

may grant an extension of time for a period not to exceed 24 additional months except as provided herein. Where a Variance or Minor Exception request is granted concurrently with one or more approvals, an extension of the Minor Exception or Variance may be considered by the Review Authority concurrently with the time extension requests for the other approvals; however, in no event shall a Minor Exception or Variance be extended beyond the expiration date of any other land use approval on the parcel.

4. The Review Authority may void any Variance or Minor Exception for non-compliance with the conditions set forth in approving the Variance or Minor Exception following the procedures under which the Variance or Minor Exception was initially approved.

17.24 Zoning/Land Use Administration

17.24.010 Zoning Map Changes

A. Purpose. Whenever the public necessity, convenience, general welfare, or the policies set forth in the General Plan justify this action, zoning boundaries on the Official Zoning Map may be amended through the procedures established in this Ordinance.

B. Applicability

1. A change in the boundaries of any zone on the Official Zoning Map may be initiated by filing an application for a Zone Change as prescribed in this Ordinance. If the property for which rezoning is proposed is under more than one ownership, all the owners or their authorized agents shall join in filing the application. If deemed appropriate by the City to expand the boundaries of any proposed Zone Change, notice shall be given to all property owners within the proposed expansion boundaries pursuant to the requirements of PMC Section 17.20.020 (Notification Procedures).
2. A change in the boundaries of any zone may be initiated by the City Council.

C. Review Authority. The Planning Commission shall review and recommend approval, approval with conditions, or deny an application for a Zone Change at a public hearing pursuant to PMC Section 17.20.020 (Notification Procedures) and shall forward a recommendation to the City Council.

D. Application Procedure

1. An application for a Zone Change shall be made on a form provided for that purpose by the Department, along with the required fee as established by City Council resolution.
2. An application for a Zone Change shall be filed concurrently with any other application(s) required for the project on the same property.
3. The Director may require additional information if deemed necessary to enable the Review Authority to determine whether the Zone Change is consistent with the standards of this Ordinance and the maps and policies of the General Plan.

E. Action by Planning Commission

1. The Planning Commission shall hold a public hearing on each application for a Zone Change. The hearing shall be scheduled and notice given as prescribed in PMC Section 17.20.020 (Notification Procedures).
2. The Planning Commission shall determine whether the proposed Zone Change is consistent with the required findings for approval as set forth in PMC Section 17.24.010.G~~F~~, and if so, shall recommend to the City Council that the Zone Change be granted or granted in a modified form. If the Planning Commission determines that the proposed Zone Change does not meet the required findings for approval, the Planning Commission shall recommend denial to the City Council.
3. When the Planning Commission determines that a change to a zone other than the proposed zone specified in the hearing notice is desirable, the Planning Commission may recommend an alternate zone to the City Council.

F. Action by the City Council

1. Upon recommendation of the Planning Commission on a proposed Zone Change, the City Council shall hold a public hearing. The hearing shall be scheduled and notice given as prescribed in PMC Section 17.20.020 (Notification Procedures).
2. Following the closing of a public hearing, the City Council may approve, modify, or deny the recommendation of the Planning Commission; provided that any modification of the proposed ~~ordinance or amendment~~Zone Change by the City Council not previously considered by the Planning Commission during its hearing, shall first be referred to the Planning Commission for report and recommendation. Failure of the Planning Commission to report within 40 days after the reference, shall be deemed to be approval of the proposed modification by the City Council.
3. In approving a request for a Zone Change, the City Council shall make specific findings as specified within PMC Section 17.24.010.~~F~~G.

G. Required Findings for Approval. Approval of a Zone Change shall be based on the following findings:
   1. The proposed Zone Change is consistent with the goals, policies, and objectives of the General Plan; and,
   2. The proposed Zone Change will not have a substantial adverse effect on surrounding properties or the community in general.

H. Pre-Zoning
   1. For the purpose of establishing zone boundaries to become effective only upon annexation, property outside the corporate boundaries of the City and within the City's adopted sphere of influence may be classified within one or more zones following the procedures for a Z~~z~~one C~~c~~hange pursuant to PMC Section 17.24.010 (Zoning Map Change~~s~~).
   2. Upon passage of an ordinance establishing the applicable pre-zoning designation for property outside the corporate boundaries of the City, the Official Zoning Map shall be revised to show the "pre-zoned" classification to become effective upon annexation. The Official Zoning Map shall also identify each zone or zones applicable to the property with the label of "PZ" in addition to such other zone designation as may be applicable.

I. Post Decision Procedures
   1. New Application Following Denial. Following the denial of an application for a Zone Change, an application for the same or substantially the same change shall not be accepted within one year of the date of denial.
   2. Updated Map. A Zone Change shall be indicated on the Official Zoning Map.

17.24.020 Zoning Ordinance Amendments

A. Purpose. These provisions are intended to provide the City Council with a procedure to amend this Ordinance when deemed necessary or appropriate to protect public health, safety, and welfare or to implement the goals, policies, and objectives of the General Plan.

B. Applicability
   1. If property that is the subject of an application, is under more than one ownership, all of the owners or their authorized agents shall provide written acknowledgement of the submittal of the application.

2. A Zoning Ordinance Amendment may be initiated by the City Council. An application for a Zoning Ordinance Amendment shall be filed concurrently with any other applicable application(s) required for a project on the same property.

C. Review Authority. The Planning Commission shall review and recommend approval, approval with conditions, or deny an application for a Zoning Ordinance Amendment at a public hearing pursuant to PMC Section 17.20.020 (Notification Procedures) and shall forward a recommendation to the City Council.

D. Application Procedure

1. An application shall be made on a form provided for that purpose by the Department, along with the required fee as established by City Council resolution.
2. The Director may require additional information as necessary to enable the Review Authority to determine whether the amendment is consistent with the goals, policies, and objectives of the General Plan.

E. Action by Planning Commission. The Planning Commission shall hold a public hearing on each application for a Zoning Ordinance Amendment. The hearing shall be scheduled and notice given as prescribed in PMC Section 17.20.020 (Notification Procedures). The Planning Commission shall determine whether the Zoning Ordinance Amendment is consistent with the required findings for approval pursuant to PMC Section 17.24.020.G~~F~~, and shall recommend to the City Council that the Zoning Ordinance Amendment be approved, approved as amended, or denied based upon said findings.

F. Action by City Council

1. Upon recommendation of the Planning Commission on a proposed Zoning Ordinance Amendment, the City Council shall hold a public hearing. The hearing shall be scheduled and notice given as prescribed in PMC Section 17.20.020 (Notification Procedures).
2. Following the closing of a public hearing, the City Council may approve, modify, or deny the recommendation of the Planning Commission; provided that any modification of the proposed ordinance or amendment by the City Council not previously considered by the Planning Commission during its hearing, shall first be referred to the Planning Commission for report and recommendation. Failure of the Planning Commission to report within 40 days after the reference, shall be deemed to be approval of the proposed modification by the City Council.

~~3.~~G. ~~In approving a request for a Zoning Ordinance Amendment, the City Council make specific findings for approval as specified within PMC Section 17.24.020.F.~~ Required Findings for Approval. Prior to taking an action to approve or recommend approval of a Zoning Ordinance Amendment, the Review Authority shall find as follows:

~~a.~~1. The proposed Zoning Ordinance Amendment conforms with the goals, objectives, and policies of the General Plan; and,

~~b.~~2. The proposed Zoning Ordinance Amendment is necessary to implement the General Plan and to provide for public safety, convenience, and/or general welfare.

~~G.~~H. Post Decision Procedures

1. New Application Following Denial. Following the denial of an application for a Zoning Ordinance Amendment, an application for the same or substantially same amendment shall not be accepted within one year of the date of denial.
2. Updated Ordinance. A Zoning Ordinance Amendment adopted by the City Council shall be incorporated into this Ordinance, upon the effective date of the Zoning Ordinance Amendment.

17.24.030 General Plan Amendments

A. Purpose. Whenever the public necessity, convenience, general welfare, or the policies set forth in the General Plan justify this action, land use boundaries may be amended through the procedures established in this Ordinance.

B. Applicability
   1. If property that is the subject of an application is under more than one ownership, all of the owners or their authorized agents shall provide written acknowledgement of the submittal of the application.
   2. A change in the boundaries of any land use may be initiated by the City Council.

C. Review Authority. The Planning Commission shall review and recommend approval with conditions or deny an application for a General Plan Amendment at a public hearing pursuant to PMC Section 17.20.020 (Notification Procedures) and shall forward a recommendation to the City Council.

D. Application Procedure
   1. An application for a change of land use shall be made on a form provided for that purpose by the Department, along with the required fee as established by City Council resolution.
   2. An application for a General Plan Amendment shall be filed concurrently with any other application(s) required for the project on the same property.
   3. The Director may require additional information if deemed necessary to enable the Planning Commission and City Council to determine whether the General Plan Amendment is consistent with the goals, policies, and objectives of the General Plan.

E. Action by Planning Commission
   1. The Planning Commission shall hold a public hearing on each application for a General Plan Amendment. The hearing shall be scheduled and notice given as prescribed in PMC Section 17.20.020 (Notification Procedures).
   2. The Planning Commission shall determine whether the proposed General Plan Amendment is consistent with the required findings for approval as set forth in PMC Section 17.24.030.G~~F~~, and, if so, shall recommend to the City Council that the General Plan Amendment be granted or granted in a modified form. If the Planning Commission determines that the proposed change does not meet the required findings for approval, the Planning Commission shall deny the application and their action is final, unless the matter is scheduled for hearing pursuant to PMC Section 17.20.110 (Appeal Procedures) and California Government Code Section 65856.
   3. When the Planning Commission determines, following a public hearing on a proposed land use, that a change to a land use other than the proposed classification specified in the hearing notice is desirable, the Planning Commission may recommend an alternate

classification. The Planning Commission shall determine that the recommended alternative is more appropriate for the subject property and is consistent with the General Plan.

F. Action by City Council
   1. Upon recommendation of the Planning Commission to approve a proposed General Plan Amendment, the City Council shall hold a public hearing. The hearing shall be scheduled and notice given as prescribed in PMC Section 17.20.020 (Notification Procedures).
   2. Following the closing of a public hearing, the City Council shall determine if the General Plan Amendment is consistent with the findings as specified within PMC Section 17.24.030.G and may approve, modify, or deny the recommendation of the Planning Commission.

G. Required Findings for Approval. Prior to taking action to approve or recommend approval of a General Plan Amendment, the Review Authority shall find as follows:
   1. The proposed change in land use is consistent with State law; and,
   2. The amendment is reasonable and beneficial.

H. Post Decision Procedures
   1. New Application Following Denial. Following the denial of an application for a General Plan Amendment, an application for the same or substantially the same change shall not be accepted within one year of the date of denial.
   2. Updated Map. A change in land use shall be indicated on the General Plan Land Use Map.

17.24.040 Determination on Unlisted Uses

A. Purpose. The procedures contained in this Section allow the Director to determine whether a use not specifically listed as a use that is principally or conditionally allowed in a particular zone of the City, should be allowed based upon a similarity to uses already listed.

B. Applicability
   1. Where the term “similar uses allowed by Director determination” is mentioned within any zone, it shall be deemed to mean other uses which, in the judgment of the Director as evidenced by a written decision, are similar to and not more objectionable to the general welfare than those uses specifically listed in the same zone.
   2. In no instance shall the Review Authority make a determination on a use for which the characteristics of the use is more intensive than the uses allowed within the applicable underlying zone.
   3. The Zoning Ordinance Amendment procedures outlined within PMC Section 17.24.020 (Zoning Ordinance Amendments) shall be utilized to add new uses to the list of principally or conditionally allowed uses on a case-by-case basis.

C. Application Procedure
   1. Application for a Determination on an Unlisted Use shall be made in writing to the Director and shall include a detailed description of the proposed use and other information as may be required to facilitate review of the request, along with the required fee as established by City Council resolution.
   2. Action by Review Authority. The Director shall consider the following prior to taking action on an application:

a. Comparison of the proposed use to the type and intensity of other uses principally or conditionally allowed in the same zone;
b. Evaluation of the purpose and intent of the applicable zone; and,
c. The applicable goals, policies, and objectives of the General Plan.

D. Review Authority
1. The Review Authority for use determination requests ~~will~~ shall be the Director, pursuant to PMC Section 17.20.080 (Decisions by the Review Authority).
2. The Director may refer a determination on an unlisted use to the Planning Commission, pursuant to PMC Section 17.20.080 (Decisions by the Review Authority).

E. Required Findings for Approval. The Director shall base the decision upon the following findings:
1. The use is of a similar type and intensity to other principally or conditionally allowed uses in the same zone;
2. The use meets the purpose and intent of the zone in which it is proposed; and,
3. The use meets and conforms to the applicable goal, policies, and objectives of the General Plan.

F. Post Decision Procedures
1. New Application Following Denial. Following the denial of an application for a Determination on an Unlisted Use, an application for the same or substantially the same change shall not be accepted within one year from the date of denial.
2. Appeal. The Director's determination regarding conformance of a use to a zone may be appealed, pursuant to PMC Section 17.20.110 (Appeal Procedures).

17.25 Agreements

17.25.010 Development Agreements

A. Purpose. This Ordinance provides procedures and requirements for the consideration of Development Agreements for the purposes specified in and as authorized by Section 65864 et. seq. of the California Government Code.

B. Applicability. Under certain circumstances, Development Agreements are appropriate tools to strengthen the public planning process, encourage private participation in comprehensive planning by providing a greater degree of certainty, and through corresponding assurances by the developers, reduce the economic costs of development to the City, allow for the orderly planning of public improvements and services, and assure, to the extent feasible, the City's goals are achieved.

C. Review Authority. The Planning Commission shall review an application for a Development Agreement at a public hearing pursuant to PMC Section 17.20.020 (Notification Procedures) and shall forward a recommendation, which may include amendments, to the City Council.

D. Application Procedure

1. Only a qualified applicant may file an application for a Development Agreement. For the purposes of this Chapter, a qualified applicant is a person who has a legal or equitable interest in the real property which is the subject of the Development Agreement, or an authorized agent of a person who has a legal or equitable interest. The Director may require an applicant to submit a title report or other evidence satisfactory to the Director to verify the applicant's interest in the real property and of the authority of the agent to act for the applicant.
2. An application for a Development Agreement shall be made on a form provided for that purpose by the Department, along with the required fee and deposit established by City Council resolution.
3. An application for a Development Agreement may~~shall~~ be filed concurrently with any other application(s) required for the project on the same property.
4. A draft of the proposed Development Agreement ~~shall~~ may be submitted along with the application. The agreement shall be in a form acceptable to the City Attorney. If deemed appropriate, the City Attorney may draft the initial agreement for review by the parties thereto.
5. The Director may require additional information if deemed necessary to determine whether the Development Agreement is consistent with the goals, policies, and objectives of the General Plan or any applicable Specific Plan.

E. Action by Planning Commission

1. The Planning Commission shall hold a public hearing on an application for a Development Agreement. The hearing shall be scheduled and notice given as prescribed in PMC Section 17.20.020 (Notification Procedures).
2. The Planning Commission shall determine whether the Development Agreement is consistent with the required findings for approval as contained in PMC Section 17.25.010.F and shall recommend to the City Council that the Development Agreement be approved, approved as amended, or denied.

F. Action by City Council

1. Upon receiving a recommendation from the Planning Commission on a proposed Development Agreement, the City Council shall hold a public hearing. The hearing shall be scheduled and notice given as prescribed in PMC Section 17.20.020 (Notification Procedures).
2. Following the closing of a public hearing, the City Council shall determine if the Development Agreement is consistent with the findings as specified within PMC Section 17.25.010.~~F~~G and may approve, modify, or deny the recommendation of the Planning Commission.

G. Required Findings for Approval. Prior to taking an action to approve or recommend approval of a Development Agreement, the Review Authority shall find as follows:

1. The proposed Development Agreement conforms with the maps and policies of the General Plan or any applicable Specific Plan;
2. The proposed Development Agreement complies with the requirements of California Government Code Sections 65865 through 65869.5;
3. The proposed Development Agreement will not be detrimental ~~to~~ or cause adverse effects to adjacent property owners, residents, or the general public; and,
4. The proposed Development Agreement provides benefit to the City.

H. Ongoing Review. The City shall review the development agreement every 12 months from the date the agreement is entered into as follows:

1. The Director shall begin the review proceedings by giving notice to the property owner that the City intends to undertake a periodic review of the development agreement. The Director shall give the notice at least 30 days before the date when the matter shall be considered by the Council.
2. The City Council shall receive the Director's report at a regularly scheduled City Council meeting. A public hearing may be held but is not required. At the meeting, the property owner shall demonstrate good faith compliance with the terms of the agreement. The burden of proof on this issue is upon the property owner. If a public hearing is held, notice of the hearing shall be given pursuant to PMC Section 17.20.020 (Notification Procedures).
3. The City Council shall determine whether or not the property owner has, for the period under review, complied in good faith with the terms and conditions of the agreement.
4. If the City Council finds and determines that the property owner has complied in good faith with the terms and conditions of the agreement during the period under review, the review for that period is concluded. If the City Council finds and determines that the property owner has not complied in good faith with the terms and conditions of the agreement during the period under review, the City Council shall order the property owner to cure the default within 60 days. If the property owner fails to do so, the City Council may modify or terminate the agreement.

I. Amendments to Approved Development Agreements. Any amendment to a previously approved Development Agreement shall be reviewed pursuant to the same procedures outlined in this Section for a new application.

17.25.020 Density Bonus Agreements

A. Purpose. This Section provides procedures and requirements for the consideration of Density Bonus Agreements for the purposes specified in, and as authorized by, Section 65915 et. seq. of the California Government Code.

B. Applicability. A Density Bonus Agreement may only be requested for development projects consisting of five or more dwelling units, prior to any density increase.

C. Review Authority. The Planning Commission shall review an application for a Development Agreement at a public hearing pursuant to PMC Section 17.20.020 (Notification Procedures) and shall forward a recommendation, which may include amendments, to the City Council.

D. Application Procedure

1. Only a qualified applicant may file an application for a Density Bonus Agreement. For the purpose of this Section, a qualified applicant is a person who has a legal or equitable interest in the real property that is the subject of the density bonus agreement, or an authorized agent of a person who has a legal or equitable interest. The Director may require an applicant to submit a title report or other evidence satisfactory to the Director to verify the applicant's interest in the real property and the authority of the agent to act on behalf of the applicant.
2. An application for a Density Bonus Agreement shall be made on a form provided for that purpose by the Department, along with the required fee and/or deposit established by City Council resolution.
3. Where a density bonus request does not involve an existing development, the application for a Density Bonus Agreement shall be filed concurrently with all other development application(s) for the project.
4. The applicant shall provide financial data as determined by the Director showing that any requested concession and/or waiver is necessary to make the affordable units economically feasible.
5. The application shall be accompanied by the appropriate number of draft Density Bonus Agreements as listed on the application. The agreement shall be in a form acceptable to the City Attorney and may include the following provisions as well as any other deemed necessary by the City during review of specific proposals:
    a. The terms and conditions of the agreement shall run with the land, which is to be developed, shall be binding upon any or all successor in interest of the applicant, and shall be recorded in the Office of the Los Angeles County Recorder, prior to issuance of any Building Permits for the project;
    b. The applicant shall give the City the continuing right-of-first-refusal to purchase or lease any or all of the designated units at the fair market value;
    c. The deeds to the designated units shall contain a covenant stating that the applicant or their successor in interest shall not sell, rent, lease, sublet, assign, or otherwise transfer any interests for same without the written approval of the City confirming that the sales price of the units is consistent with the limits established for very low, low- and/or moderate-income households, which shall be related to the Consumer Price Index; and,

d. The City shall have the authority to enter into other agreements with the applicant or purchasers of the dwelling units, as may be necessary to assure that the required dwelling units are continuously occupied by eligible households.

6. A Density Bonus Agreement application shall be reviewed and approved by the City Council. However, if the applicant is requesting more concessions than are allowed by right as established in Section 65915 et. seq. of the California Government Code, the Density Bonus Agreement shall be reviewed by the Planning Commission with a recommendation to the City Council.
7. The Director may require additional information if deemed necessary to determine whether the Density Bonus Agreement is consistent with the goals, policies and objectives of the General Plan and any applicable Specific Plan. This may include, but is not limited to, a market feasibility/absorption study for the proposed project.

E. Action by Planning Commission

1. As described in PMC Section 17.25.020.C.6, the Planning Commission shall hold a public hearing on an application for a density bonus agreement if the applicant is requesting more concessions than are allowed by right as established in the tables provided in this Section. The hearing shall be scheduled and notice given as prescribed in PMC Section 17.20.020 (Notification Procedures).
2. The Planning Commission shall determine whether the Density Bonus Agreement is consistent with the required findings for approval as set forth in PMC Section 17.25.020.~~F~~G, and shall recommend to the City Council that the Density Bonus Agreement be approved, approved as amended, or denied.

F. Action by City Council

1. Upon receiving a recommendation from the Planning Commission on a proposed Density Bonus Agreement, the City Council shall hold a public hearing. The hearing shall be scheduled and notice given as prescribed in PMC Section 17.20.020 (Notification Procedures).
2. Following the closing of a public hearing, the City Council shall determine if the Density Bonus Agreement is consistent with the findings contained within PMC Section 17.25.020.G~~F~~. If determined to be consistent, the City Council shall adopt the Development Agreement by resolution.

G. Required Findings for Approval. Prior to taking an action to approve or recommend approval of a Density Bonus Agreement, the Review Authority shall find as follows

1. The proposed Density Bonus Agreement is consistent with the maps and policies of the General Plan and any applicable Specific Plan; and,
2. The proposed Density Bonus Agreement complies with the requirements of California Government Code Section 65915 et. seq.

H. Ongoing Review. The Director shall review and examine ~~during a public hearing~~ all approved Density Bonus Agreements at least every 12 months to determine whether the applicant or a successor in interest, is demonstrating good faith compliance with the terms of the Agreement.

I. Amendments to Approved Density Bonus Agreements. Any amendment to a previously approved Density Bonus Agreement shall be reviewed pursuant to the same procedures outlined in this Ordinance for a new application.

J. Incentives and Concessions

1. Applicants for density bonuses may, in addition to the density bonus, request the number of incentives or concessions established in Section 65915(d)(2) of the California Government Code.
2. The City shall grant the concession or incentive requested by the applicant pursuant to PMC Section 17.25.020.C.6, unless it makes a written finding, based upon substantial evidence, of either of the following:
    a. The concession or incentive does not result in identifiable cost reductions for affordable housing costs or for rents for the targeted units as defined within PMC Chapter 17.16 (Definitions); or,
    b. The concession or incentive would have a specific adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources for which there is no feasible method to mitigate or avoid without rendering the development unaffordable to low-income and moderate-income households.
3. The granting of a density bonus, concession, or incentive shall not be interpreted, in and of itself, to require a General Plan Amendment, Zone Change, Variance, or other discretionary approval.

17.26 Administrative Approvals

17.26.010 General Provisions

A. Purpose. This Chapter specifies the procedures for the review and approval of a variety of administrative development applications and approvals.

B. Review Authority. The Review Authority for the applications described in this Chapter shall be the Director, except as otherwise authorized by PMC Section 17.20.080 (Decisions by Review Authority). As provided in this Ordinance, the Review Authority is authorized to approve, impose reasonable conditions upon the approval, or deny the applications pursuant to the established procedures as deemed necessary to protect public health, safety, and welfare.

17.26.020 Subdivision Development Plan Review

A. Purpose. The Subdivision Development Plan review process involves the review and approval of residential plot plans, unit mixes, architectural elevations, and other applicable project plans to ensure that the conditions of approval applied to the subdivision are met, and that the unit mix and plotting concept promotes a functional, aesthetically appealing, high-quality living environment for current and future residents.

B. Applicability

1. Subdivision Development Plan review is required prior to issuance of Building Permits for new residential development when a development consists of five lots or more that are anticipated to be constructed concurrently or by the same builder within an approved residential subdivision.
2. Subdivision Development Plan review is also required to allow the replacement of one model floor plan or elevation for another on a previously approved Subdivision Development Plan or to allow the replotting of no more than 25 percent of lots within any tract or phase tract, provided that the number of lots replotted does not exceed 15.

C. Application Procedure

1. A Subdivision Development Plan application shall be submitted and approved prior to the issuance of Building Permits for any single-family residence located within an approved residential subdivision consistent with PMC Section 17.26.020.B ~~(Applicability)~~.
2. The application ~~for review~~ shall be ~~filed by the applicant and~~ submitted on a form provided for that purpose by the Department, along with the required fee established by City Council resolution.
3. The review procedure shall be pursuant to PMC Section 17.20.010.A.2.
4. The Director may require additional information and modification of any plans deemed necessary to ensure compliance with applicable ordinances and conditions of approval, prior to taking any action on a Subdivision Development Plan application.

D. Approval Requirements and Conditions. The Review Authority shall review and evaluate any application for a Subdivision Development Plan and may approve the application subject to the following criteria:

1. The plan is consistent with the goals, policies, and objectives of the General Plan;
2. It can be determined that the plan, through its unit design and plotting, creates a functional, efficient, and aesthetically beneficial living environment for future residents;

3. The plan complies with all applicable terms of this Ordinance and any other applicable City ordinances and codes;
4. There are no violations of this Ordinance existing on the subject property; and,
5. The Subdivision Development Plan is consistent and complies with the requirements and conditions of approval for the associated ~~final~~ subdivision map and any other related entitlements.

E. Effective Period for Subdivision Development Plan Approval. The Subdivision Development Plan shall remain valid until new or modified plans are submitted, or the underlying ~~final~~ subdivision map is modified, amended, or reparcelized.

F. Amendments to Approved Subdivision Development Plans. Any amendment to a previously approved Subdivision Development Plan shall be reviewed pursuant to the same procedures outlined in this Section for a new application.

17.26.030 Zoning Clearance Review

A. Purpose. The Zoning Clearance procedure is intended to ensure that a proposed use of land and/or existing building(s), or the minor alterations of land and building(s) within the City, meet the requirements of this Ordinance and, if applicable, the conditions of approval for a previously approved project.

B. Applicability

1. A Zoning Clearance shall be obtained prior to the initiation of a use of land and/or the construction of structures requiring a Building Permit when no discretionary review process is otherwise applicable to the proposed initiation of use or construction.
2. Projects requiring a Zoning Clearance include, but are not limited to, the following:
   a. Establishment of a new use within an existing building in conjunction with obtaining a Business License;
   b. Individual custom single-family residence or two-unit developments on new or existing lots of record;
   c. Minor changes to residential structures or lots, including patio covers, pools/spas, and detached accessory structures;
   d. Interior remodels which do not result in substantial changes in the character of the occupancy or use, or cause greater impact on traffic or waste disposal, as determined by the Director;
   e. Alterations to exterior building materials or colors, installation of doors and windows, drainage patterns, parking, traffic, or easements, which do not result in greater impacts on infrastructure and public services, as determined by the Director;
   f. Repair and maintenance of structures or parking areas, unless constrained by existing infrastructure and existing drainage patterns and/or easements;
   g. Installation of new EV charging stations and facilities;
   h. Reductions of floor or building area within a previously approved Site Plan Review where it is determined that the modification would not result in a significant change in circumstances requiring additional environmental or planning review;
   i. Installation of public art (e.g., murals, statues, sculptures, etc.).

j. Urban Lot Splits pursuant to PMC Chapter 17.39 (Standards for Urban Lot Splits and Duplexes in Single-Family Zones); and,

k. Re-striping of parking areas which do not reduce the number of required parking spaces.

3. In no case shall a Zoning Clearance be issued for a use other than a use principally or conditionally allowed within that zone.

C. Application Procedure

1. A request for a Zoning Clearance shall be submitted by the applicant on a form provided for that purpose by the Department, along with the required fee as established by City Council resolution.
2. The Director may require additional information including, but not limited to, parking summaries and a written description of use(s) prior to taking any action on a Zoning Clearance. The review procedure shall be pursuant to PMC Section 17.20.010.A.2.

D. Approval Requirements and Conditions. A Zoning Clearance shall be approved by the Review Authority provided that the project application complies with the following criteria:

1. The proposed use of land or structures are permissible under the present zone and does not require additional land use entitlements including, but not limited to a Conditional Use Permit or Site Plan Review;
2. The project is consistent with the policies and maps of the General Plan;
3. The project complies with all applicable terms and conditions of any existing entitlement;
4. The project meets all applicable standards within this Ordinance including, but not limited to, minimum structure design, development standards and setbacks, and any applicable special use standards (e.g., public art which would be subject to approval of the Public Art Commission and Director), or has been deemed to be legally non-conforming with respect to these standards; and,
5. There are no violations of this Ordinance existing on the subject property.

E. Post Decision Procedures

1. Effective Period of Zoning Clearance Approval. A Zoning Clearance verifies that a specified use or structure is consistent with this Ordinance and applicable City ordinances and policies on the date of its issuance. Any change to the use or structure shall invalidate the Zoning Clearance.
2. Modification or Revocation by the Director

a. If the Director determines that the Zoning Clearance is not pursuant to the requirements of this Ordinance, the Director shall notify the owner of the subject property or their authorized agent of the date for a hearing on compliance with this Section. The notice shall be sent by certified mail and shall state that the Director will be reviewing the Zoning Clearance for possible modification or revocation. It shall also state the date, time, and place of the hearing. The hearing shall be conducted and notice given pursuant to PMC Section 17.20.020 (Notification Procedures).

b. The Director shall fully investigate the evidence and prepare a report regarding the reported violation of the Zoning Clearance requirements. A copy of the report shall be sent to the property owner or their authorized agent. Upon conclusion of the hearing,

the Director shall take no action, may modify the Zoning Clearance approval as appropriate, or revoke the Zoning Clearance approval. The Director's decision shall be based on substantial evidence and written findings.

17.26.040 Minor Modifications to Approved Plans

A. Purpose. The Minor Modification process provides a means of reviewing requests for proposed changes to approved project plans which, as determined by the Director based upon the criteria specified in PMC Section 17.26.040.D, are minor in nature and which are in substantial conformance with previously approved entitlements and/or conditions of approval.

B. Applicability

1. The Minor Modification procedure may be utilized for the following types of revisions to previously approved project plans without limitation on the number of applications per year except as specified in PMC Section 17.26.040.D~~B~~.4:
   a. To allow minor reconfiguration of an architectural feature that does not modify the previously approved theme or plan for the project;
   b. To allow minor changes to approved building footprint(s) within the buildable area of a project site, which do not increase the building footprint by more than 10 percent;
   c. To allow modifications relating to site reconfiguration that do not significantly increase the approved square footages, or overall site design including, but not limited to, the repositioning of structures and accessory structures and relocation of parking areas;
   d. To allow the reconfiguration of no more than 25 percent of lots within any subdivision; provided that the number of lots reconfigured does not exceed 15;
   e. To allow the addition of minor accessory structures to an approved project; provided that only one application per year is allowed and the structure(s) will not increase the total building area by more than 10 percent;
   f. To allow the fulfillment of a condition of approval in a manner which may vary from that specified in the original condition; provided that the intent and purpose of the original condition is fully met;
   g. To allow changes in hours of operation for a conditionally approved project;
   h. Minor revisions to Site Plan Review, Specific Plans, and/or Planned Developments pursuant to PMC Section 17.21.070.B~~A~~.1, PMC Section 17.27.040.F, and PMC Section 17.27.050.G.1;
   i. To allow eligible facilities requests, the installation of minor facilities, the installation of emergency standby generators, and Minor Modifications to previously approved existing facilities pursuant to PMC Section 17.95.010 (Communication/Wireless Telecommunication Facilities) and PMC Section 17.95.020 (Emergency Standby Generators);
   j. Other requests similar to the above Minor Modifications, as determined by the Director; and,
   k. When a minor modification is required as part of a use approval as documented in other sections of this Ordinance.
2. Site Plan Review pursuant to PMC Chapter 17.21 (Site Plan Review) shall be required where an application for a minor modification, which when combined with any addition or minor

modification approved within 36 months of the filing of the application, exceeds 25 percent of the total floor area or 1,500 square feet, whichever is greater.

C. Application Procedure

1. An application for a Minor Modification meeting the criteria specified in PMC Section 17.26.040.B shall be filed prior to the commencement of any construction related to the modification.
2. The review procedure shall be pursuant to PMC Section 17.20.010.A.2.
3. A Minor Modification shall be filed by the applicant and submitted on a form provided for that purpose by the Department, along with the required fee established by City Council resolution.
4. The Director may require additional information and/or refer the application to pertinent departments/agencies as deemed necessary prior to taking any action on a Minor Modification. The Director and other pertinent departments/agencies may add conditions of approval as needed to ensure that approval of the Minor Modification will ensure the public health, safety, and welfare.
5. The applicant may be required to clarify, correct, or supply additional information before the application is determined by the City to be complete. Upon making the determination as to whether the application conforms to these standards, the City will notify the applicant in writing when the application has been accepted, or whether the application has been deemed incomplete, within the time limitations outlined in PMC Section 17.20.050 (Time Limitations for Application Acceptance).

D. Approval Requirements and Conditions. The Review Authority may review and approve an application for Minor Modification provided that the application for the proposed modification complies with the following criteria:

1. The request is listed in PMC Section 17.26.040.B and does not require new land use entitlements including, but not limited to a Conditional Use Permit or Site Plan Review;
2. The request is consistent with the goals, policies, and objectives of the General Plan;
3. The request complies with the purpose and intent of all applicable terms and conditions of the existing entitlement;
4. There has not been more than one other minor modification application for the same project within the past 12 months; and,
5. The proposed structure or addition meets all applicable Ordinance standards including, but not limited to, minimum structure design, development standards and setbacks.~~; and,~~

~~1. There are no violations of this Ordinance existing on the subject property.~~

17.26.050 Minor Use Permit

A. Purpose. The purpose of a Minor Use Permit is to allow certain uses that contribute to the orderly growth and development of the City and that generally meet the purposes of the applicable zone, but which require special consideration in their design or operation to ensure compatibility with the surrounding area. The Minor Use Permit process is intended to provide an opportunity for Director review and evaluation of site-specific requirements and characteristics, to provide public notice of applications, to provide adequate mitigation of any potentially adverse impacts, and to ensure that all site development regulations and performance

standards are provided pursuant to this Ordinance. In addition, the Minor Use Permit ensures ongoing compliance with conditions of operation which may be applied to the use in order to protect public health, safety, and welfare, and to ensure compliance with the goals, policies, and objective of the General Plan.

B. Applicability

1. No person shall undertake, conduct, or use, or cause to be undertaken, conducted, or used, any projects which require a Minor Use Permit, without having first complied with the provisions of this Ordinance.
2. Uses listed in the land use permissions tables as "Uses Permitted Subject to Approval of a Minor Use Permit" may be allowed in the applicable zone pursuant to the provisions of this Ordinance.
3. Minor Use Permit approval shall only apply to the property for which the application was made and shall apply to that property as long as the use for which approval was granted is in effect, regardless of changes in ownership.

C. Review Authority

1. The review procedure shall be pursuant to PMC Section 17.20.010.A.2.
2. Projects which require multiple application types shall be approved by the highest level of Review Authority.

D. Application Procedure

1. A request for a Minor Use Permit shall be submitted by an applicant on a form provided for that purpose by the Department, along with the required fee established by City Council resolution.
2. The Director may require additional information and/or refer the application to pertinent departments/agencies as deemed necessary prior to taking any action on a Minor Use Permit. Where the use is proposed, the adjacent land uses, environmental significance or limitations, topography, or traffic circulation is found to so require, the Review Authority may establish more stringent regulations than those otherwise specified for the zone in which the project is located.
3. The applicant may be required to clarify, correct, or supply additional information before the application is determined by the City to be complete. Upon making the determination as to whether the application conforms to these standards, the City will notify the applicant in writing when the application has been accepted, or whether the application has been deemed incomplete, within the time limitations outlined in PMC Section 17.20.050 (Time Limitations for Application Acceptance).
4. Floor Plan. The application shall be accompanied by the required documents, including site plans, floor plans, and all other pertinent information as specified in the checklist provided by the Department.
5. Where deemed necessary by the Department to complete the City's review and evaluation of the proposed use, additional information may be required regarding ongoing use of the site, including but not limited to, hours of operation, provisions for on- or off-site security, and other similar conditions of operation.

E. Considerations and Decision

1. In evaluating an application for a Minor Use Permit, the Director shall determine the merits of the proposed Minor Use Permit, and its compliance with the goals, policies, and objectives of the General Plan, this Ordinance, and other applicable ordinances and codes adopted by the City, in order to protect the public health, safety, and general welfare.

~~5.~~2. Prior to rendering a decision, the Director shall provide written notice to owners of property located within 100 feet of the parcel which is the subject of the Minor Use Permit application. The list of property owners within 100 feet of the subject parcel shall be provided by the applicant. The notices shall contain a description and location of the request and the anticipated decision date, and shall allow 10 days to submit comments to the City. Upon the passage of 10 days, the Director shall render a decision.

~~E.~~F. Required Findings for Approval

~~1. In evaluating an application for a Minor Use Permit, the Director shall determine the merits of the proposed Minor Use Permit, and its compliance with the goals, policies, and objectives of the General Plan, this Ordinance, and other applicable ordinances and codes adopted by the City, in order to protect the public health, safety, and general welfare.~~

~~2.~~1. ~~Prior to rendering a decision, the Director shall provide written notice to owners of property located within 100 feet of the parcel which is the subject of the Minor Use Permit application. The list of property owners within 100 feet of the subject parcel shall be provided by the applicant. The notices shall contain a description and location of the request and the anticipated decision date, and shall allow 10 days to submit comments to the City. Upon the passage of 10 days, the Director shall render a decision.~~

~~3.~~1. Approval shall be based upon the following minimum criteria, which shall also constitute the findings to be made by the Review Authority in approving or denying a Minor Use Permit:

a. The proposed use is consistent with the goals, policies, and objectives of the General Plan;

b. The proposed use is beneficial and desirous to the community and is consistent with the purpose, intent and standards of this Ordinance and other applicable ordinances and codes adopted by the City;

c. The site for the proposed use is adequate in size and shape to accommodate all open spaces, setbacks, walls and fences, parking areas, vehicle and pedestrian access, fire and building code considerations, and other features pertaining to the application; and,

d. The proposed use and the on-going operation of the use will not have a substantial adverse effect on abutting property or the allowed use thereof, and will not generate excessive noise, vibration, traffic, or other disturbances, nuisances, or hazards.

~~F.~~G. Approval Requirements and Conditions

1. The Director and other pertinent departments/agencies may add conditions of approval as needed to ensure that approval of the Minor Use Permit will ensure the public health, safety, and welfare.
2. The following requirements for the regulation of uses and operations on the site may be placed upon the development project by the Review Authority as conditions of approval:

a. Regulation of use;
b. Regulation of time for certain activities;
c. Duration of use;
d. Regulation of noise, vibration, odors, and lights;
e. Maintenance of special setbacks, spaces, and buffer areas;
f. Regulation of points of vehicular ingress and egress;
g. Regulation of signs;
h. Required landscaping and site maintenance; and,
i. Any other conditions that will ensure the use of the site and surrounding area in an orderly and efficient manner, and in conformity with the intent and purposes of this Ordinance.

~~G.~~H. Post Decision Procedures

1. Appeal. Prior to its effective date, a decision made on a Minor Use Permit may be appealed to the Planning Commission, pursuant to the provisions of PMC Section 17.20.110 (Appeal Procedures).
2. Revisions and Modifications by the Applicant. Revisions or modifications of a Minor Use Permit can be requested by the applicant for approval by the Director upon submittal of an application, required materials, and applicable fees for Minor Modification, pursuant to PMC Section 17.26.040 (Minor Modifications to Approved Plans).
3. Review by Director. The Director may periodically review any Minor Use Permit to ensure that it is being operated in a manner that is consistent with the conditions of operation and in a manner which is not detrimental to the public health, safety, or welfare, or materially injurious to properties in the vicinity.
4. Modification or Revocation by the Director
   a. If the Director determines that the Minor Use Permit is not being conducted pursuant to the requirements of this Ordinance, the Director shall document in writing the reported violation of the Minor Use Permit requirements. The Director's determination shall be sent to the operator of the Minor Use Permit by certified mail stating that the Minor Use Permit is out of compliance and that it may be subject to revocation unless the use is modified pursuant to the original conditions of approval within a stipulated time frame as determined by the Director.
   b. In documenting the reported violation of the Minor Use Permit, the Director shall make one of the following determinations and take such accompanying action:
      i. Find that the Minor Use Permit is being conducted in an appropriate manner and that no action to modify or revoke the permit is necessary;
      ii. Find that the Minor Use Permit is not being conducted in an appropriate manner and impose modifications to conditions as are necessary; or,
      iii. Find that the Minor Use Permit is not being conducted in an appropriate manner and that measures are not available to mitigate the impacts of the business. Upon making this determination, the Director may revoke the Minor Use Permit and order the operation to cease and desist in the time specified by the Director.

5. If the Director, determines that the Minor Use Permit should be revoked, the procedures for revocation pursuant to PMC Section 17.22.070.C shall be followed.

17.26.060 Home Occupation Clearance

A. Purpose. The purpose of a Home Occupation Clearance procedure is to allow the establishment and operation of a business within a home, in such a way as to minimize any impacts of the business on adjacent properties or the general neighborhood. Home occupations are limited to those uses which may be conducted within a residential dwelling, without in any way changing the appearance or condition of the residence or the surrounding neighborhood.

B. Applicability. No home occupation may occur and no approval for a home occupation shall be issued unless the procedures and criteria specified in this Ordinance are satisfied.

C. Application Procedure

1. An application for a new home occupation shall be filed by an applicant with the Department, along with a fee as established by City Council resolution.
2. The review procedure shall be pursuant to PMC Section 17.20.010.A.2.
3. The Review Authority shall review the request for a Home Occupation Clearance to ensure compliance with the criteria for operations established in this Ordinance.
4. In rendering a decision, the Review Authority shall clearly state, in writing, any conditions of approval or reasons for denial.

D. Approval Requirements and Conditions. Home occupations may be allowed on property used for residential purposes, subject to approval by the Review Authority, provided that the use is operated pursuant to the following conditions:

1. The home occupation shall be incidental and secondary to the use of the dwelling for residential purposes;
2. There shall be no customers, clients, or visitors coming to the residence for purposes of the home occupation except for the purpose of individual instruction including, but not limited to academic tutoring or music lessons;
3. No signs relating to the home occupation shall be allowed except those required by State law;
4. Advertising shall not include the residential address and shall not be displayed anywhere on the site of the home occupation;
5. No one other than a resident of the dwelling shall be employed on the premises in the conduct of a home occupation;
6. A Home Occupation Clearance is valid only for the person(s) and residence approved by the City;
7. No dwelling shall be built, altered, furnished, or decorated for the purpose of conducting the home occupation in such a manner as to change the residential character and appearance of the dwelling, or in such a manner as to cause the structure to be recognized as a place where a home occupation is conducted;
8. There shall be no entrance or exit specifically provided or marked on the dwelling or on the premises for the conduct of the home occupation;

9. A home occupation shall be conducted entirely within the dwelling unit and the activities of such home occupation shall not be visible, or otherwise noticeable, outside the dwelling unit structure;
10. There shall be no home occupation activities that are objectionable due to glare, dust, fumes, odor, vibration, noise, or that disturb the peace;
11. No equipment or process shall be used which creates visual or audible electrical or mechanical interference in any radio or television receiver or other device outside the dwelling unit structure, or causes fluctuations in the line voltage outside the dwelling unit structure;
12. The home occupation shall not require any upgraded utility service capacity beyond that which is customary for residential service. Separate utility meters which serve only the home occupation shall not be allowed;
13. An enclosed garage may be used for home occupation purposes; provided, however, that such use shall not interfere with the maintenance of the number of enclosed parking spaces required for the residence as required by PMC Section 17.87.060 (Required Vehicle Spaces);
14. No mechanical or construction equipment which is not typically found in residential neighborhoods shall be stored on the premises. Goods, wares, or merchandise associated with the home occupation may be stored inside a building;
15. No vehicles or trailers except those normally incidental to a residential use shall be parked in a manner that is visible from the public right-of-way;
16. No more than one motor vehicle, or vehicle-trailer combination, not exceeding a gross vehicle rating of 14,000 pounds shall be stored or parked at a residence and/or used in connection with the home occupation;
17. The home occupation shall not generate vehicular traffic and/or vehicular parking which degrades or is otherwise detrimental to the residential nature of the neighborhood;
18. If the home occupation is to be conducted in a rental unit, a written statement from the property owner or an authorized agent of the property owner, giving permission for operation of the home occupation shall be provided to the City;
19. The home occupation shall not affect or reduce the parking spaces required by this Ordinance;
20. Home occupations shall not involve the use and/or on-site storage of chemicals, flammable materials, or other hazardous materials except as may be allowed by the Uniform Fire Code;
21. The operator of a home occupation shall obtain and maintain a current business license from the City; and,
22. No home occupation shall include the sale or storage of firearms, ordnance, ammunition, or other weapons which are regulated by the Bureau of Alcohol, Tobacco, and Firearms, at the site of the home occupation.

E. Additional Conditions for Mobile Businesses. A Home Occupation Clearance for mobile businesses may be approved, provided that the business is operated pursuant to the operational

standards described in PMC Section 17.26.060.D, in addition to the following conditions which specifically apply to mobile businesses:

1. The service provided by the mobile business shall be pursuant to the zone in which the work is performed;
2. The mobile business shall comply with all applicable requirements of any agency with regulatory or permitting authority over the conduct of that business;
3. Any automotive-related services shall be limited to cleaning, detailing, and minor replacement, or repair to glass and/or accessory parts; no mobile business operating with a Home Occupation Clearance shall be allowed to conduct auto repair, auto body, or engine work;
4. No work shall be conducted in a publicly accessible parking lot without approval from the property owner; and,
5. No work shall be conducted on City-owned property, including parks, park, and ride lots, parking lots, or public rights-of-way without prior authorization from the City.

F. Post Decision Procedures

1. Review by Director. The Director may review and examine~~, during a public hearing,~~ any Home Occupation Permit to ensure that it is being operated in a manner consistent with the conditions of operation and in a manner which is not detrimental to the public health, safety, or welfare, or materially injurious to properties in the vicinity.
2. Modification or Revocation by the Director. If the Director determines that the home occupation is not being conducted pursuant to the requirements of this Ordinance, the Director shall document in writing the reported violation. The Director's determination shall be sent to the operator of the home occupation by certified mail stating that the home occupation is out of compliance and that it may be subject to revocation unless the home occupation is modified pursuant to the original conditions of approval within a stipulated time frame as determined by the Director. In documenting the reported violation of the home occupation, the Director shall make one of the following determinations and take such accompanying action:
    a. Find that the home occupation is being conducted in an appropriate manner and that no action to modify or revoke the permit is necessary;
    b. Find that the home occupation is not being conducted in an appropriate manner and impose modifications to conditions as are necessary; or,
    c. Find that the home occupation is not being conducted in an appropriate manner and that measures are not available to mitigate the impacts of the business. Upon making this determination, the Director may revoke the Home Occupation Clearance and order the operation to cease and desist in the time specified by the Director.
3. Lapse of Approval
    a. A Home Occupation Clearance, approved pursuant to the provisions of this Ordinance, shall become null and void upon expiration of a business license issued in conjunction with the Home Occupation Clearance. Reestablishment of the Home Occupation Clearance shall require the filing of a new application to the Department, including applicable fees as established by City Council ~~R~~resolution.

b. Where a Home Occupation Clearance has been nullified pursuant to PMC Section 17.26.060.F.3.a a new application for the same or substantially the same occupation may be filed immediately.

4. New Application Following Denial. Following the denial or revocation of a Home Occupation Clearance, no application for a Home Occupation Clearance for the same or substantially the same occupation on the same parcel shall be filed within one year from the date of denial or revocation.

17.26.070 Additional Animals Clearance

A. Purpose. The purpose of these provisions is to allow the keeping of additional animals over those allowed by the underlying zone standards, and to ensure that the keeping of such animals will not be detrimental to the public health, safety, and welfare; that adjacent property owners and residents are notified of the proposed keeping of additional animals; and that such animals are provided with adequate facilities to ensure their health and well-being.

B. Applicability. An Additional Animals Clearance shall be required to keep animals that are allowed as an accessory use in the underlying zone, where the number of such animals exceeds the number allowed in the zone.

C. Application Procedure

1. An application to keep additional animals shall be filed by an applicant with the Department, along with a fee as established by City Council ~~R~~resolution.
2. The review procedure shall be pursuant to PMC Section 17.20.010.A.2.

D. Approval Requirements and Conditions. The approval to keep additional animals shall be based upon the applicant's adherence to the following conditions:

1. The keeping of the animals shall comply with all standards of this Ordinance for the keeping of animals and animal enclosures, including setbacks from property lines and other dwellings;
2. The keeping of the animals shall comply with all applicable Federal and State requirements;
3. The keeping of animals in excess of the number allowed within this Ordinance shall be prohibited;
4. Each animal shall have sufficient area to be maintained and exercised in a normal healthy manner, as determined by a State-licensed veterinarian;
5. Any odor or activity associated with the animals shall be contained within the associated parcel;
6. The keeping of animals shall conform with the goals, policies, and objectives of the General Plan and this Ordinance; and,
7. Any other conditions as deemed reasonably appropriate by the Director.

E. Required Findings and Decision

1. In evaluating an application for an Additional Animals Clearance, the Director shall determine that the request satisfies the requirements contained in PMC Section 17.26.070.D and, if granted, is consistent with the goals, policies, and objectives of the General Plan and all applicable codes and ordinances.
2. Prior to rendering a decision, the Director shall provide written notice to contiguous property owners of the request to keep additional animals. Such notice shall contain a

description and location of the requested type and number of animals and the anticipated decision date, and shall allow 10 days to submit comments to the City. Upon the passage of 10 days, the Director may render a decision.

F. Post Decision Procedures

1. Modification or Revocation by the Director. If the Director determines that the additional animals for which an Additional Animals Clearance has been approved are not being kept pursuant to the requirements of this Ordinance, the Director shall document in writing the reported violation of the requirements for the additional animals. The Director's determination shall be sent to the owner of the additional animals by certified mail stating that they are being kept in violation of their original approval and that the Additional Animals Clearance may be subject to revocation unless the additional animals are kept pursuant to the original conditions of approval within a stipulated time frame as determined by the Director. In documenting the reported violation, the Director shall make one of the following determinations and take such accompanying action:
    a. Find that the additional animals are being kept in an appropriate manner and that no action to modify or revoke the permit is necessary;
    b. Find that the additional animals are not being conducted in an appropriate manner and impose modifications to conditions as are necessary; or,
    c. Find that the additional animals are not being conducted in an appropriate manner and that measures are not available to mitigate the impacts of the business. Upon making this determination, the Director may revoke the Additional Animals Clearance and order the keeping of these animals to cease and desist in the time specified by the Director.

17.26.080 Requests for Reasonable Accommodation

A. Purpose. The purpose of these provisions is to establish a formal procedure for persons with disabilities seeking equal access to housing to request reasonable accommodation in the application of this Ordinance and to establish relevant criteria to be used when considering these requests.

B. General Provisions

1. A request for reasonable accommodation may be made by any person with a disability, their representative, or any entity, when the application of this Ordinance or other land use standard, policy, or practice acts as a barrier to fair housing opportunities. A person with a disability is a person who has a physical or mental impairment that limits or substantially limits one or more major life activities, anyone who is regarded as having such impairment or anyone who has a record of such impairment. This Ordinance is intended to apply to those persons who are defined as disabled pursuant to the Federal Fair Housing Act and the California Fair Employment and Housing Act (the Acts).
2. A request for reasonable accommodation may include a modification or exception to the rules, standards, and practices for the siting, development, and use of housing or housing-related facilities that would eliminate regulatory barriers and provide a person with a disability equal opportunity to housing of their choice. Requests for reasonable accommodation shall be made in the manner prescribed by PMC Section 17.26.080.C.

C. Application Procedure

1. An application for a request for reasonable accommodation shall be ~~filed by an applicant and~~ submitted on a form provided for that purpose by the Department, along with the required fee as established by City Council resolution.
2. The review procedure shall be pursuant to PMC Section 17.20.010.A.2.
3. The Review Authority shall review the request for reasonable accommodation to ensure compliance with the criteria for operations established in this Ordinance.
4. In rendering a decision, the Review Authority shall clearly state, in writing, any conditions of approval or reasons for denial.
5. Review with Other Land Use Applications. Projects which require multiple application types shall be approved by the highest level of Review Authority.

   ~~Projects which require multiple application types shall be approved by the highest level of Review Authority.~~

D. Grounds for Accommodation. In making a determination regarding the reasonableness of a requested accommodation, the following criteria shall be considered:
   1. Special need created by the disability;
   2. Potential benefit that can be accomplished by the requested modification;
   3. Potential impact on surrounding uses;
   4. Physical attributes of the property and structures;
   5. Alternative accommodations which may provide an equivalent level of benefit;
   6. In the case of a determination involving a single-family dwelling, whether the structure would be considered a single housing unit if it were not using special services that are required because of the disability of the residents;
   7. Whether the requested accommodation would impose an undue administrative burden on the City; and,
   8. Whether the requested accommodation would require a fundamental alteration in the nature of a City program or law, including but not limited to, land use and zoning.

E. Required Findings and Decision
   1. In evaluating an application regarding the reasonableness of a requested accommodation, the Director shall determine that the request satisfies the standards contained in PMC Section 17.26.080.D and, if granted, is consistent with the goals, policies and objectives of the General Plan and all applicable codes and ordinances.
   2. Prior to rendering a decision, the Director shall provide written notice to contiguous property owners of the request for reasonable accommodation. Such notice shall contain a description and location of the request and the anticipated decision date, and shall allow 10 days to submit comments to the City. Upon the passage of 10 days, the Director may render a decision.

17.26.090 Minor Site Plan Review

A. Purpose. The Minor Site Plan Review process provides a means of reviewing requests for certain types of uses and structures through an administrative review approval process, to ensure that impacts to adjacent properties are minimized, and that adjacent property owners and residents are notified of the proposed project.

B. Applicability

1. Applications for new construction of multi-family residential projects consisting of three to nine units.
2. New applications for the expansion of existing multi-family residential, commercial, or industrial buildings or structures of less than ~~25~~10 percent in total floor area or up to 1,500 square feet, whichever is greater, where the proposed expansion will not result in a change in the land use or intensity, or cause increased impacts on existing infrastructure and public services, as determined by the Director. Site Plan Review pursuant to PMC Chapter 17.21 (Site Plan Review) shall be required where an application for an addition, which when combined with any addition or minor modification approved within 36 months of the filing of the application, exceeds 25 percent of the total floor area or 1,500 square feet, whichever is greater.
3. Replacement and/or repair of a structure partially destroyed by fire, flood, or another natural occurrence, when the repair of such structure is determined by the Director to be consistent with the design, use and intensity of the original structure, and consistent with the zoning and General Plan designations.
4. Applications for accessory structures as established in ~~PMC~~ Division 9 (Special Regulations) of this Ordinance, PMC Section 17.26.030 (Zoning Clearance Review), PMC Section 17.26.040 (Minor Modifications to Approved Plans), or as required elsewhere in this Ordinance.

C. Application Procedure

1. An application for Minor Site Plan Review shall be filed by an applicant with the Department, along with the required fee established by City Council resolution.
2. The review procedure shall be pursuant to PMC Section 17.20.010.A.2.
3. An application for Minor Site Plan Review shall be accompanied by all required materials and a site plan showing the subject property as well as the surrounding area. Plans of the subject property shall show all existing and proposed buildings and uses, fencing, walls, light fixtures, and any other data required by the Department to adequately review the application.
4. The Director may require additional information and/or refer the application to pertinent departments/agencies as deemed necessary prior to taking any action on a Minor Site Plan Review application. The Director and other pertinent departments/agencies may add conditions of approval as needed to ensure that approval of the Minor Site Plan review will ensure the public health, safety, and welfare.

D. Approval Requirements and Conditions. In granting the Minor Site Plan Review, the Director may impose conditions reasonably necessary to accomplish the purpose of this Ordinance, including, but not limited to, the following:

1. Dedications and/or easements for streets, alleys, drainage, public utilities, recreational trails, flood control, and such other rights-of-way as may be determined essential to the orderly development of the site and abutting properties.
2. On- and off-site improvements, including, but not limited to, the following:
   a. Grading, drainage, and drainage structures necessary to protect the public safety;

b. Curbs and gutters, street pavement, sidewalks, street lights, and traffic control devices, bus turnouts, and shelters. All road improvements shall be constructed pursuant to plans and specifications of the City's Engineering Design Standards;
c. Adequate water service and fire protection equipment, pursuant to plans and specifications of the serving water purveyor and Los Angeles County Fire Department;
d. Sanitary sewer facilities and connections;
e. Services from public utilities, where provided;
f. Street trees and landscaping, pursuant to the plans and specifications of the City's Landscaping Design Standards;
g. On-site landscaping, walls and/or fences, trash enclosures, and lighting fixtures;
h. Pedestrian walkways and site amenities, including seating and other fixtures, where appropriate; and,
i. In addition to the above requirements, the Review Authority shall require such additional improvements and facilities as determined reasonably necessary for the proper development of the site and the area.

E. Required Findings and Decision
1. In evaluating a request for a Minor Site Plan Review, the Director shall determine that the request satisfies the required findings contained in PMC Section 17.26.090.E.3 and, if granted, is consistent with the goals, policies and objectives of the General Plan and all applicable codes and ordinances.
2. Prior to rendering a decision, the Director shall provide written notice to all property owners within a 300-foot radius of the requested Minor Site Plan Review. The notice shall contain a description of the type and location of the requested Minor Site Plan Review, the anticipated decision date, and shall allow 10 days to submit comments to the City. Upon the passage of 10 days, the Director shall render a decision.
3. Findings for Approval. No application for Minor Site Plan Review shall be reviewed by the Director unless the application, in its final submitted form, or as conditioned, meets the following findings:
a. That the proposed use is consistent with the goals, policies, and objectives of the General Plan and the purposes of the zone in which the project is located;
b. The proposed project meets all applicable standards of this Ordinances including, but not limited to, setbacks, height, separations, wall, fence, lighting, and landscaping standards; and,
c. That the proposed project, together with the conditions applicable thereto, will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

F. Post Decision Procedures
1. The effective date of a land use decision shall be pursuant to PMC Section 17.20.090 (Effective Date of Land Use Decisions).
2. Prior to its effective date, any decision made on a Minor Site Plan Review request by the Director may be appealed, pursuant to the provisions of PMC Section 17.20.110 (Appeal Procedures).

3. A project approved by Minor Site Plan Review shall be inaugurated pursuant to PMC Section 17.20.120 (Time Limits and Extensions for Conditional Land Use Decisions) within 36 months from the effective date of the decision. Unless all conditions have been complied with and the use of land authorized by the land use decision has been inaugurated within 36 months, the land use decision shall become null and void. For the purposes of this Ordinance, the term "inaugurated" shall mean that applicable Grading and Building Permits have been issued and construction initiated and ongoing.

G. Time Limits and Extensions for Site Plan Review Decisions. One or more extensions of time, not to exceed a total of 24 months from the original expiration date, may be granted pursuant to PMC 17.20.120 (Time Limits and Extensions for Conditional Land Use Decisions).

17.26.100 Temporary Use and Special Event Permits

A. Purpose. The purpose of this Chapter is to regulate land use activities of a temporary nature in order to protect the public health, safety, and welfare. These permitting procedures for Temporary Use Permits and Special Event Permits ensure that temporary uses will be compatible with surrounding land uses, to protect the rights of adjacent residents and landowners, and to minimize any adverse effects on surrounding properties and the environment.

B. Applicability

1. Temporary uses shall be established only in those zones where temporary uses are expressly allowed or conditionally allowed pursuant to the land use permissions tables in Divisions 3 through 7 of this Ordinance.
2. A temporary use or structure as defined in PMC Chapter 17.16 (Definitions) which does not have a valid and current Temporary Use Permit or Special Event Permit as specified in this Chapter shall be declared to be a public nuisance, subject to the enforcement provisions of this Ordinance and other applicable laws.
3. Temporary Use Permits and Special Event Permits shall not be required for City events or for events in which City space is rented through the Department of Parks and Recreation for a third-party event.

C. Application Procedure. Applications for permits to establish a special event or temporary use, as described in this Ordinance, shall be filed with the Department in a manner prescribed by the Director, along with the required fee as established by City Council resolution.

D. Review Authority

1. The review procedure shall be pursuant to PMC Section 17.20.010.A.2.
2. Projects which require multiple application types shall be approved by the highest level of Review Authority.
3. Applications for temporary uses shall be subject to the requirements and criteria specified in this Ordinance and to any other additional conditions that the City determines to be reasonably necessary to ensure that the use will not be injurious to public health, safety, or welfare.

E. Temporary Use Permit. A Temporary Use Permit shall be required for the following temporary uses pursuant to PMC Section 17.98.020 (Temporary Uses).

1. Christmas tree lots, pumpkin lots, haunted houses, and firework stands, subject to the standards within PMC Section 17.98.020.E.1;
2. Trailer Coaches, Motorhomes, or Manufactured Homes, for use as temporary living quarters for security personnel, temporary residence of the subject applicant, or on active construction sites, where allowed by the zone;
3. Circuses, carnivals, rodeos, concerts, shows, or similar enterprises, subject to the standards within PMC Section 17.98.020.E.2;
4. Farmers Markets, subject to the standards within PMC Section 17.98.020.E.12;
5. Temporary Office Modules. The use of temporary structures including, but not limited to trailers or pre-fabricated structures for use as interim offices on active construction sites, subject to the standards within PMC Section 17.98.020.E.4;

6. Temporary Outdoor Swap Meet, subject to the standards within PMC Section 17.98.020.E.10;
7. Temporary Outdoor Storage, subject to the standards within PMC Section 17.98.020.E.11;
8. On-Site Temporary Real Estate Sales Office, subject to the standards within PMC Section 17.98.020.E.5. Temporary Real Estate Sales Offices shall also require approval of Minor Site Plan R~~r~~eview pursuant to PMC Section 17.26.090 (Minor Site Plan Review);
9. Off-site Model Home Sale Complexes, subject to the standards within PMC Section 17.98.020.E.8;
10. Stockpiling, subject to the standards within PMC Section 17.98.020.E.6;
11. Temporary Sales of Alcoholic Beverages, subject to the standards within PMC Section 17.98.020.E.7, and the following:
    a. The applicant shall be the entity determined by the City to be liable for protecting public health and safety of event participants (those who attend the event), of event operators (those who create and execute the event), and of all others affected by the actions of event participants and event operators; and,
    b. Conditions of approval for the Temporary Sales of Alcoholic Beverages are included in PMC Section 17.98.020.E.7; and,
12. Temporary Vehicle Sales, subject to the standards within PMC Section 17.98.020.E.9. Conditions of approval for the Temporary Vehicle Sales are included in PMC Section 17.98.020.E.9.

F. Termination of Temporary Uses
    1. No operator of a temporary use shall continue operation of that use beyond the time periods allowed by this Ordinance. If no maximum time period is specified in this Ordinance for the operation of the use, the operator shall not continue operation beyond the period specified in the Temporary Use Permit.
    2. If the Department determines that a temporary use which is being operated pursuant to a Special Event Permit or a Temporary Use Permit is being conducted in violation of this Ordinance or the terms and conditions of such permit, the Director shall decide whether to revoke or not revoke the Permit. If the Director determines, after reviewing the information and considering the information that sufficient evidence exists of a violation, the Director may revoke the Temporary Use Permit or impose additional conditions to ensure compliance. The permittee may appeal the decision by filing an appeal as allowed and specified in PMC Section 17.20.110 (Appeal Procedures). Any suspected violation of a Conditional Use Permit with respect to a temporary use shall be regulated by PMC Chapter 17.22 (Conditional Use Permits).

G. Approval Requirements and Conditions
    1. Standards for Approval
        a. Temporary uses shall comply with the following criteria:
            i. Unless otherwise specified in PMC Section 17.98.020 (Temporary Uses), all parcels utilized for temporary uses shall be cleaned of trash, debris, and any temporary structures within five days after termination of such event;
            ~~i.~~ii. The City may require a cash deposit or other security as approved by the City

Attorney to defray the costs of cleanup of a parcel by the City, in the event the applicant fails to leave the property in a presentable and satisfactory condition, or to guarantee removal and/or reconversion of any temporary use to a permanent use allowed in the subject zone;

~~ii.~~iii. The temporary use shall be compatible with, and not adversely affect, adjacent uses; and,

~~iii.~~iv. The temporary use shall be allowed in the underlying zone and conform with all applicable policies of this Ordinance. The Director may establish conditions and limitations, including, but not limited to, hours of operation, provision of parking areas, signage, lighting, traffic circulation and access, temporary or permanent parcel improvements, and other measures necessary to minimize potential effects on properties adjacent to and in the vicinity of the proposed temporary use.

2. Required Findings and Decision

a. In evaluating a permit application for an allowed temporary use, the Director shall determine that the request satisfies the standards contained in this Ordinance and, if granted, is consistent with the goals, policies and objectives of the General Plan and all applicable codes and ordinances.

b. A change in ownership or operator of a use or structure subject to a Temporary Use Permit, as specified within PMC Section 17.98.020 (Temporary Uses), or an approved change or modification to the structure or use allowed on a parcel subject to such a permit, shall not affect the time periods established by this Ordinance which allow such temporary uses or structures.

H. Special Event Permit

~~1.~~ A Special Event Permit shall be limited to one day events. Events that qualify as a temporary use, but are anticipated to occur for two or more days, shall be subject to PMC Section 17.98.020 (Temporary Uses). Temporary uses that qualify as a Special Event are provided in PMC Section 17.98.020.D (Uses Requiring a Special Event Permit).~~The following temporary uses shall qualify as a Special Event:~~

~~a. Parking lot and sidewalk sales, providing merchandise customarily sold on the premises, for businesses located within a commercially designated property, subject to the development standards and sign standards contained within this Ordinance and other applicable standards. Parking lot and sidewalk sales authorized by this Ordinance shall not include the off-site sale of any vehicle or vessel, including but not limited to, automobiles, recreational vehicles, trailers, campers, trucks, construction equipment, boats or other watercraft, or motorcycles or all-terrain vehicles;~~

~~b. Outdoor art and craft shows and exhibits;~~

~~c. Bazaars, pony rides, festivals, and similar events; and,~~

~~d. Mobile health services, including medical, dental, or veterinary services, blood-mobiles or health fairs. Health fairs may include corporate massage pursuant to PMC Section 5.04.560 (Massage Establishments and Massage Technicians) and PMC Section 17.92.090 (Massage Establishment (Accessory)).~~

~~2. Grand openings and anniversary events for businesses located within a commercially designated property, subject to the development standards and sign standards contained~~

~~within this Ordinance and other applicable standards. Such events shall be limited to one day and be held no more than once annually.~~

1. ~~Parades, and other events conducted within the public right-of-way shall be subject to the provisions of PMC Title 12 (Streets, Sidewalks and Public Places).~~

~~3.~~2. Special Event Permits shall be limited to a maximum of 10 events within a 180-day period.

17.27 Comprehensive Development Plans

17.27.010 Purpose

The purpose of this Chapter is to establish review procedures and approval standards for projects which, due to their size, complexity, or the nature of their anticipated impacts, require comprehensive planning in order to meet the goals, policies, and objectives of the General Plan. A Comprehensive Development Plan may be either a Specific Plan or a Planned Development, depending on the size and complexity of the project as described in this Chapter.

Preparation of a Comprehensive Development Plan is appropriate for large-scale, mixed-use projects which are expected to be built in phases over a long period of time; projects which, because of topographic, environmental, or infrastructural constraints, require flexible development standards in order to achieve superior design and minimize adverse impacts; projects in which coordination is required amongst various applicants, owners and agencies to achieve a long-range development or land use plan; and projects requiring the coordination of land use planning with planning for infrastructure, public safety, circulation, open space, resource conservation, housing, or other development issues as identified in the goals, policies and objectives of the General Plan.

The review process for Comprehensive Development Plans provides a method to identify development constraints and opportunities applicable to a specific site, and to tailor the development standards to the site in order to achieve a more efficient use of the land and high quality of design. This process would result in adoption of a Specific Plan or Planned Development, as described in this Chapter.

17.27.020 Applicability

A. Review of a Comprehensive Development Plan shall be required for the following development proposals:
   1. Any project proposed to be adopted as a Specific Plan, pursuant to Government Code Section 65450; and,
   2. Projects which, because of the scale, intensity of use, site constraints, or anticipated impacts on infrastructure, are determined by the Director to require comprehensive planning through the Comprehensive Development Plan process.

B. A Comprehensive Development Plan may be proposed for residential, commercial, or industrial development projects, or for mixed-use projects proposing multiple uses, densities, or intensities of land use.

C. The City may approve a Comprehensive Development Plan through adoption of a Specific Plan pursuant to PMC Section 17.27.040 (Specific Plan); or, a Planned Development, pursuant to PMC Section 17.27.050 (Planned Development).

17.27.030 Application Procedures

A. A Comprehensive Development Plan may be initiated by action of the City Council, or by the owner or the authorized agent of the owner of property within the proposed project area.

B. Submittal of a Pre-Application may be required for any Comprehensive Development Plan, pursuant to PMC Section 17.20.030 (Pre-Application).

C. Any application for a Comprehensive Development Plan shall be made on a form provided for that purpose by the Department, along with the required fee as established by City Council resolution.

D. Action By Planning Commission

1. The Planning Commission shall hold a public hearing on each application for a Comprehensive Development Plan. The hearing shall be scheduled and notice given as prescribed in PMC Section 17.20.020 (Notification Procedures).
2. The Planning Commission shall determine whether the proposed Comprehensive Development Plan is consistent with the required findings for approval pursuant to PMC Section 17.27.0440~~30.E~~ (Specific Plan) or PMC Section 17.27.0550~~40.F~~ (Planned Development), and, if so, shall recommend to the City Council that the Comprehensive Development Plan be granted, granted in a modified form, or denied.

E. Action by City Council

1. Upon recommendation of the Planning Commission to approve a proposed Comprehensive Development Plan, the City Council shall hold a public hearing. The hearing shall be scheduled and notice given as prescribed in PMC Section 17.20.020 (Notification Procedures).
2. Following the closing of a public hearing, the City Council shall determine if the Comprehensive Development Plan is consistent with the findings as specified within PMC Section 17.27.0440~~30.E~~ (Specific Plan) or PMC Section 17.27.0550~~40.F~~ (Planned Development) and may approve, modify, or deny the recommendation of the Planning Commission.

17.27.040 Specific Plan

A. Purpose and Applicability. The Specific Plan process is intended to provide a method of comprehensive planning for large scale, mixed-use development projects which are anticipated to be built in successive phases over a longer period of time than is typically granted for other development entitlements. Projects for which a Specific Plan would be appropriate would generally meet the following criteria:

1. The project site is not presently served by infrastructure and community services needed to support the proposed development, nor do comprehensive plans to provide these facilities exist;
2. The proposed mix and intensity of land uses, and their relationship to the project site, warrant consideration of special development standards and criteria beyond those otherwise provided in this Ordinance;
3. Specific development plans for each portion of the subject property are not known at the time of project review, but are anticipated to be submitted subsequently as the project develops in conformance with the approved Comprehensive Development Plan; and,
4. Due to the long-term nature of the project and the cost of providing substantial infrastructure improvements, an implementation plan addressing financing, phasing, and maintenance of public improvements is necessary to ensure the project is developed pursuant to the goals, policies, and objectives of the General Plan.

B. General Provisions

1. A Specific Plan may be proposed within any zone(s), provided that the proposed type and intensity of use is consistent with the General Plan.
2. A Specific Plan should generally be utilized for development projects of over 100 acres in area. Comprehensive planning for areas less than 100 acres in area may generally be more

appropriately accomplished through the Planned Development process as described in PMC Section 17.27.050 (Planned Development).

3. Adoption of a Specific Plan shall constitute a change of land use and zone. Upon adoption, the Official General Plan Land Use and Official Zoning Maps shall be revised to indicate the approved Specific Plan.
4. Applications for a Specific Plan may be accompanied by other applications for entitlements, which may be reviewed concurrently, provided that the effective date of any additional approvals shall be on or after the effective date of the Specific Plan.
5. Any application for a Specific Plan shall be processed pursuant to Government Code Sections 65450 through 65362 and the provisions of this Section of this Ordinance.

C. Required Contents of a Specific Plan

1. Narrative Report. The purpose of a Specific Plan narrative report is to describe the proposed development, place it within the regional setting, and provide detailed information necessary for plan review. The report may be organized in any manner necessary to present the required information. The report, however, shall be clear, concise, and organized in a logical manner to facilitate review and processing. Maps, tables, and graphic illustrations shall be required when appropriate. The required report contents shall be included as set forth in the Specific Plan Application provided by the Department, and shall include, but not be limited to, the following information:
   a. Information regarding the property, developer, owner, representatives, and consultants preparing the report;
   b. Table of Contents, including lists of maps and figures;
   c. A discussion of the nature and intent of the proposed development;
   d. A descriptive analysis of the project site;
   e. Quantified information on the impacts of project build-out;
   f. A development plan for all proposed land uses in the project (including open space);
   g. A description of existing infrastructure, projected improvements needed to serve the project, and a plan for providing needed infrastructure, including community facilities;
   h. A circulation plan for the project;
   i. Development standards applicable to development within the Specific Plan;
   j. Special design standards applicable to the project, including but not limited to, signage, landscaping, fences and walls, lighting, and entry monumentation;
   k. Proposed phasing of the project;
   l. An implementation plan for the Specific Plan including processes for minor and major modifications for development within the Specific Plan area;
   m. A discussion of how the project conforms to the goals, policies and objectives of the General Plan policies and maps;
   n. Creation of goals, policies and objectives for creation and implementation of development within~~of~~ the Specific Plan;
   o. A discussion of how the project supports the findings required for a new Specific Plan in PMC Section 17.27.040.E; and,

p. Identification of any concurrent requested amendments.

2. Maps. The purpose of the Specific Plan maps is to graphically depict characteristics of the project site, its regional setting, the proposed nature and intensity of development, project phasing, and other pertinent information needed for project review. All required maps shall be submitted at a reduced scale suitable for inclusion in the narrative report, as well as at a larger scale suitable for display. Required contents of maps shall be as set forth in the Specific Plan Application provided by the Department, and shall include the mapping information specified in Government Code Sections 65450 through 65362.

D. Review Procedure

1. The Planning Commission shall hold a public hearing on each proposal for a Specific Plan. The hearing shall be scheduled and notice given as prescribed in PMC Section 17.20.020 (Notification Procedures). The Planning Commission shall determine whether the Specific Plan is consistent with this Ordinance and with the General Plan, and may recommend to the City Council that the Specific Plan be approved, or approved in modified form by the City Council, based on the appropriate findings as contained in this Chapter. If the Planning Commission determines that a proposed Specific Plan is not in conformance with the General Plan or that the findings for approval cannot be made, the Planning Commission may deny the application based upon the findings contained in this Ordinance, and their action is final unless appealed, pursuant to PMC Section 17.20.110 (Appeal Procedures).
2. Upon recommendation of the Planning Commission on a proposed Specific Plan, the City Council shall hold a public hearing. The hearing shall be scheduled and notice given as prescribed in PMC Section 17.20.020 (Notification Procedures). Following the closing of the public hearing, the City Council shall make specific findings as to whether the Specific Plan is consistent with this Ordinance and the goals, policies, and objectives of the General Plan. The Council may adopt in modified form, or deny the Specific Plan Ordinance~~Resolution~~, based upon the appropriate findings as contained in this Chapter.

E. Required Findings for Approval. Prior to approving a Specific Plan, the following findings supported by adequate evidence shall be made by the Review Authority:

1. The distribution, location, and extent of land uses, including open space, as depicted in the Specific Plan is consistent with the General Plan;
2. The Specific Plan provides for adequate public infrastructure and services needed to support the land uses described in the plan;
3. The standards and development criteria will ensure that development proceeds in an orderly fashion and maintains a high level of quality;
4. The Specific Plan contains implementation measures to ensure that development is supported by adequate infrastructure as development occurs;
5. The site is suitable for the type and intensity of development proposed; and,
6. The flexibility in development standards afforded by the Specific Plan process has resulted in a project providing a superior design and greater amenities than would occur pursuant to more traditional zoning practices, and the project provides clear and substantial benefit to the City.

F. Amendments and Modifications to Approved Specific Plans

The process for the amendment or modification to an approved Specific Plan with appropriate findings shall be included within the Specific Plan.

17.27.050 Planned Development

A. Purpose and Applicability

The Planned Development document is intended to provide a method of comprehensive planning for smaller, less complex development projects than are typically processed with a Specific Plan, which meet the following criteria:

1. The project site contains topographic constraints, environmental resources, or other features which require special planning consideration;
2. A more efficient and desirable design can be achieved through flexible design standards and/or mixed land use patterns than can be attained through the strict adherence to zoning standards;
3. Adequate public facilities and infrastructure exist or can be provided to the project site to serve the proposed type and intensity of development; and,
4. Buildout of the Planned Development project area is anticipated within a shorter timeframe than a Specific Plan.

B. General Provisions

1. A Planned Development may be proposed within any zone provided that the type and intensity of uses is consistent with the General Plan, zoning, or any applicable Specific Plan.
2. A Planned Development should be utilized for projects that generally are less than 100 acres in area. The project site shall be of sufficient size to allow provision of design benefits and site amenities through flexibility of development regulations.
3. When adopted by the City Council, a Planned Development shall be depicted on the Official Zoning Map with an identification number that includes the base zone, for purposes of disclosure. The standards in the Planned Development shall become the governing standards for the area covered by the document. Upon termination or expiration of a previously-approved Planned Development, the Director shall remove the Planned Development identification number from the Official Zoning Map.
4. All applications for Planned Development approval may be accompanied by the appropriate applications for land use entitlements necessary for project implementation, including but not limited to, subdivision maps, Site Plan Review, Conditional Use Permit, or other applicable applications.

C. Initiation. An application for a Planned Development may be initiated by an applicant or the City Council pursuant to the application requirements specified within PMC Section 17.27.030 (Application Procedures).

D. Application Requirements. In addition to the submittal requirements for a zone change pursuant to PMC Section 17.24.010 (Zoning Map Changes), the Planned Development application shall consist of text and set of maps, in the required number of copies as specified in the application form provided by the Department, which depict the nature of the intended development. At minimum, the submittal package shall contain the following elements:

1. Map Exhibits

a. A Development Feasibility Map showing development opportunities and constraints which could affect the project design. This map shall be prepared on a topographic base map with a contour interval of no greater than five feet or as otherwise approved by the Director. Information to be included on this exhibit may include but is not limited to slope gradients, drainage courses, seismic hazard zones, floodplain designations, easements, and utility corridors, viewsheds, significant ridgelines, existing structures, natural or cultural resources and other similar features which shall be considered in reviewing the project. This map shall also include such features offsite or adjacent to the project site, if they will impact the project design.

b. A Development Plan showing the project site. The Development Plan shall indicate the type and intensity of proposed land uses (including open space) within the project site.

c. A Circulation Map showing proposed locations, widths, and grades of all proposed public and/or private streets, and their relationship to existing or planned streets outside of the project boundary. The area outside of the project site to be included on the exhibit shall be appropriate to clearly demonstrate how the proposed circulation pattern integrates with the existing and proposed circulation system in the vicinity of the site.

d. An Infrastructure Plan showing how the project will be provided with sewer and water and similar utilities, its relationship to master drainage facilities, and how the project will be served by school, park, and fire services (if applicable). This plan may be prepared at a smaller scale to show the relationship of the project site to regional infrastructure and community facilities.

2. Text. The text submitted with the Planned Development application shall clearly explain the proposed project, including type, intensity, and phasing of development. At minimum, the text shall contain the following information:

a. Site information, including names, addresses and telephone numbers of owner, developer and/or builder, and consultants; legal description; description of existing site condition; total site area; slope density analysis (if applicable); and description of opportunities and constraints as depicted on the Development Feasibility Map.

b. Project description, including proposed uses and percent of site area by use, including open space; proposed building footprints, including location and lot coverage; proposed floor area ratio (for commercial and industrial uses); proposed gross density (for residential uses); proposed Circulation Plan; proposed Infrastructure Plan; description of any special considerations in the project design (including, but not limited to, affordable or senior housing, hillside development restrictions, etc.); proposed phasing, including tabulation of uses or units by phase; and, proposed development schedule.

c. Special development standards, including a description of any development standards used within the Planned Development that vary from those in this Ordinance or any applicable Specific Plan, including, but not limited to, setbacks, landscaping, parking, building height, lot coverage, signs, or other standards. This Section need only address those standards which are different from those that would pertain to the site without

approval of the Planned Development and shall refer to the appropriate standard within this Ordinance, where applicable.

d. Implementation, including a description of procedures for implementation and administration of the project, including on-going maintenance of common areas and facilities.

e. Appendices, including any special studies or supporting documentation prepared for the project.

E. Review Procedure. An application for a Planned Development shall be processed as an amendment to the Zoning Map, pursuant to the procedures for a Zone Change specified within PMC Section 17.24.010 (Zoning Map Changes).

F. Required Findings for Approval. Prior to approving a Planned Development, the following findings supported by adequate evidence shall be made by the Planning Commission and City Council:

1. The distribution, location and extent of land uses is consistent with the goals, policies, and objectives of the General Plan;
2. The site is suitable for the type and intensity of development;
3. Adequate access is provided pursuant to the Circulation Plan prepared for the project and the General Plan Mobility Element;
4. The project site is or will be provided with adequate public services and facilities to support the proposed development; and,
5. The flexibility in site development regulations contained in the Planned Development has resulted in a project demonstrating clear and substantial benefit to the City.

G. Amendments and Modifications to Approved Planned Developments. Revisions or modifications of Planned Developments may be requested by the applicant and shall be processed as follows.

1. Minor Revisions. A revision or modification to an approved Planned Development including, but not limited to, minor changes in the site design, parking or building placement, which will not increase or change the use or intensity of the site, may be acted on by the Director upon submittal of an application, required materials, and applicable fees for Minor Modification, pursuant to PMC Section 17.26.040 (Minor Modifications to Approved Plans).
2. Major Revisions. A major revision or modification to an approved Planned Development, including but not limited to, expansions, intensification, or significant revisions to the standards provided within the Planned Development shall be processed through application of a Major Modification or new Planned Development, as determined by the Director based on the extent and scope of the proposed modifications.

17.28 Non-Conforming Uses, Structures and Parcels

17.28.010 Purpose

A. This Chapter provides regulations for non-conforming land uses, structures, and parcels that were lawful before the adoption, or amendment of this Ordinance, but which would be prohibited, regulated, or restricted differently under the current terms of this Ordinance or an amendment that changed the applicable requirements.

B. It is the intent of this Ordinance to discourage the long-term continuance of non-conformities, providing for their eventual elimination, while allowing them to exist under the limited conditions outlined in this Chapter.

C. This Chapter does not regulate non-conforming signs, which are instead subject to the requirements of PMC Chapter 17.88 (Signs).

17.28.020 Definitions

A. **Non-conforming Parcel.** A parcel that was legally created prior to the adoption of this Ordinance, but does not comply with the current area, width, depth, or other applicable requirements of this Ordinance.

B. **Non-conforming Sign.** A sign that lawfully existed prior to the effective date of this Ordinance, but does not comply with the current sign regulations of this Ordinance.

C. **Non-conforming Structure.** A structure that was legally constructed prior to the adoption of this Ordinance, but does not comply with the current setback, height limit, off-street parking, and/or other applicable requirements of this Ordinance.

D. **Non-conforming Use.** A use of land and/or a structure (either conforming or non-conforming) that was legally established and maintained prior to the adoption of this Ordinance, but does not conform to the current requirements within this Ordinance for allowable land uses within the applicable zone.

17.28.030 Restrictions on Non-Cconforming Structures and Uses

A. A non-conforming land use and the use of a non-conforming structure may be continued, including transfers of ownership, provided that their continuation shall comply with the requirements of this Section. Refer to PMC Section 17.28.050 (Residential Exemptions) for exceptions regarding certain residential uses and structures.

B. Non-Cconforming Use of Land

1. A non-conforming use of land may be continued, provided that the use shall not be:
    a. Enlarged or extended to occupy a greater area of land or building floor area than it lawfully occupied before becoming non-conforming; or,
    b. Intensified so that its hours of operation are extended, the number of on-site employees is increased, or the volume of traffic or noise levels generated by the use are increased.
2. A non-conforming use of land may be replaced with a non-conforming use that is determined by the Director to be less intensive.

C. Non-Cconforming Structure. A non-conforming structure may continue to be used as follows:

1. Changes to, or Expansion of a Structure. A non-conforming structure may be enlarged or extended to occupy a greater area of land or building floor area than it occupied before the

effective date of the regulation that made it non-conforming, provided that any expansion or addition complies with all applicable requirements of this Ordinance.

2. Non-Cconforming Parking. Refer to PMC Section 17.28.040 (Off-street Parking Deficiency).
3. Maintenance and Repair
   a. A non-conforming single-family dwelling or duplex may be maintained and repaired at the discretion of the owner. A multi-family or nonresidential structure may be maintained and repaired, provided that:
      i. No structural alterations occur other than those allowed by PMC Section 17.28.030.B.4;this Chapter; and,
      ii. The cost of the work done during any 12-month period does not exceed 25 percent of the value of the structure as determined by the Building Official pursuant to the Building Code.
   b. Additional or more extensive changes to a non-conforming multi-family or nonresidential structure may be authorized through Minor Site Plan Review approval pursuant to PMC Section 17.26.090 (Minor Site Plan Review), provided that the Review Authority first finds that the additional work will not prolong the duration of the non-conforming structure.
4. Seismic Retrofitting, Building and Fire Code Compliance. Repairs, alterations, or reconstruction to reinforce unreinforced masonry structures or to comply with Building Code and Fire Code requirements shall be allowed, provided that the work is exclusively to comply with applicable earthquake safety standards, and the Building Code and Fire Code.

D. Non-Cconforming Keeping of Animals. The keeping of animals that was lawfully initiated, but because of later amendments to this Ordinance does not comply with the maximum number or type of animals now allowed, may continue, provided that:
   1. No increase occurs in the number or type of animals existing as of the date they became non-conforming (unweaned offspring may remain on the site only until weaned); and,
   2. Once the non-conforming animal keeping has ceased on the site for 90 days or longer for any reason, any animal keeping thereafter shall comply with all applicable requirements of this Ordinance.

17.28.040 Off-street Parking Deficiency

If the vehicle parking spaces maintained on a lot in connection with a building or other structure at the time this Ordinance was adopted was insufficient to meet the requirements of this Ordinance, or where no parking spaces have been provided, the building or structure shall not be altered or enlarged to create additional use, seating capacity, floor area or guestrooms, as the case may be, unless additional vehicle parking spaces are supplied and maintained to meet the requirements of this Ordinance for such additional use, dwelling units, seating capacity, floor area or guestrooms.

17.28.050 Residential Exemptions

A. Dwellings, Generally. An involuntarily damaged or destroyed single- or multi-family dwelling may be reconstructed or replaced with a new structure with the same footprint, height, and number of dwelling units, pursuant to current Building and Fire Code requirements.

B. Single-family Dwellings in Commercial Zones. A single-family dwelling that is a non-conforming use in a commercial zone may be expanded to the extent to which the expanded area complies

with all applicable standards of the applicable zone.

C. Residential Fences. A non-conforming fence within a residential zone may be maintained and replaced in the same form as it existed on the effective date of the regulation that made it non-conforming.

17.28.060 Loss of Non-Cconforming Status

The non-conforming status of a land use and/or structure shall terminate pursuant to this Section.

A. Termination by Discontinuance

1. If a non-conforming use of land or a non-conforming use of a conforming structure is discontinued for a continuous period of 12 months or more, all rights to legal non-conforming status shall terminate.
2. The Director shall base a determination of discontinuance on evidence including the removal of equipment, furniture, machinery, structures, or other components of the non-conforming use, disconnected or discontinued utilities, or no business records to document continued operation.
3. Any further use of the site or structure shall comply with all of the regulations of the applicable zone and all other applicable provisions of this Ordinance.

B. Termination by Destruction. Non-conforming status shall terminate if a non-conforming structure, or a conforming structure occupied by a non-conforming use, is involuntarily damaged or destroyed; except as provided by PMC Section 17.28.050 (Residential Exemptions) for dwellings, and except as follows:

1. If the cost of repairing or replacing the damaged portion of the structure is 50 percent or less of the assessed value of the structure immediately before damage, the structure may be restored to no more than the same size and use, and the use continued, if the restoration is started within one year of the date of damage and is diligently pursued to completion.
2. Minor Site Plan Review approval shall be required if the cost of repairing or replacing the damaged portion of the structure is more than 50 percent of the assessed value of the structure immediately before damage. Minor Site Plan Review approval shall require a finding, in addition to those contained in PMC Section 17.26.090.E, that the benefit to the public health, safety, or welfare exceeds the detriment inherent in the restoration and continuance of a non-conformity.

17.28.070 Non-cConforming Parcel

A. Legal Building Site. A non-conforming parcel that does not comply with the applicable area, width, or depth requirements of this Ordinance shall be considered a legal building site if it meets at least one of the following criteria, as documented to the satisfaction of the Director by evidence furnished by the applicant:

1. Approved Subdivision. The parcel was created by a recorded subdivision;
2. Individual Parcel Legally Created by Deed. The parcel is under one ownership of record, and was legally created by a recorded deed before the effective date of the zoning amendment that made the parcel non-conforming;
3. Variance or Lot Line Adjustment. The parcel was approved through the Variance procedure or resulted from a lot line adjustment; or,

4. Partial Government Acquisition. The parcel was created pursuant to the provisions of this Ordinance, but was made non-conforming when a portion was acquired by a governmental entity so that the parcel size was decreased not more than 20 percent and the setback facing a public right-of-way was decreased not more than 50 percent.

B. Subdivision of a Non-conforming Parcel. No subdivision shall be approved that would increase the non-conformity of an existing parcel or any non-conforming use on the parcel.

17.28.080 Non-Ceonformity Due to Lack of Conditional Use Permit

A. Conformity of Uses Requiring Land Conditional Use Permits. A use lawfully existing without the approval of a Conditional Use Permit (refer to PMC Chapter 17.22 (Conditional Use Permits)) or a Minor Use Permit (refer to PMC Section 17.26.050 (Minor Use Permit)) that would be required by this Ordinance, shall be deemed conforming only to the extent that it previously existed (e.g., as it maintains the same site area boundaries, hours of operation, etc.).

B. Previous Land Use Approvals in Effect. A use that was authorized by a planning approval but is not allowed by this Ordinance in its current location may continue, but only pursuant to the original planning approval.

Title 17. Zoning

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17.30 General Purpose and Intent

The purpose of the residential zones is to:

A. Reserve adequate land within the city for residential uses having a range of housing types and dwelling unit densities to serve all economic and demographic segments of the population, in conformance with the General Plan and appropriate standards of public health, safety, welfare, and aesthetics;

~~A.~~B. Preserve, protect, and enhance the character of the City's different residential neighborhoods;

~~B.~~C. Enhance the quality of life for residents;

~~C.~~D. Ensure adequate light, air, privacy, and open space for each dwelling unit;

~~D.~~E. Protect residential neighborhoods from excessive noise, light and glare, unsightliness, odor, smoke, and other objectionable influences;

~~E.~~F. Ensure that the scale and design of new development and alterations to existing development are compatible with surrounding residences and appropriate to the physical and aesthetic characteristics of the surrounding area; and,

~~F.~~G. Provide for public and semi-public land uses such as parks, schools, day care, and other community uses that will serve City residents and will complement surrounding residential development.

Additional purposes of each residential zone are provided in the subsequent Chapters.

17.31 Rural Single-Family Residential Zones

17.31.010 Purpose and Intent

A. Equestrian Residential (ER). This zone is intended for rural single-family residential uses, and secondary agricultural/animal-keeping uses. The areas within this designation are rural in nature, expressed through large lots (parcel sizes are commonly 2.5 acres or larger), unimproved dirt roads, and the integration of dwellings into the natural or agricultural landscape. These areas are generally outside of the City Limits, but within the City's Sphere of Influence. This zone implements the Equestrian Residential General Plan land use designation.

B. Low Density Residential (LDR). This zone is intended for mixed rural/suburban single-family residential uses, at a maximum of one dwelling unit per acre. The LDR zone is appropriate for hillside areas, as a transition between rural and suburban areas and in keeping with the County of Los Angeles land use designations within the Sphere of Influence. Parcel sizes are commonly one acre (or larger), and unimproved dirt roads may be occasionally present. These areas are

mostly outside of the City Limits (but within the Sphere of Influence) and are intended to serve as the edge of the urbanized city. This zone implements the Low Density Residential General Plan land use designation.

17.32 Single-Family Residential Zones

17.32.010 Purpose and Intent

A. Single-Family Residential 1 (SFR1). This zone is intended for detached single-family dwellings in a suburban/semi-rural environment, at a maximum of two dwelling units per acre. The SFR1 zone is appropriate to outlying valley areas where large lot subdivisions are desired. Parcel sizes are around 20,000 square feet. These areas are mostly along the edges of developed suburban residential areas, in lower hillside areas where inclines are present, but topography lacks significant slope constraints. This zone implements the Single-Family Residential 1 General Plan land use designation.

B. Single-Family Residential 2 (SFR2). This zone is intended for detached single-family dwellings in a suburban environment, at a maximum of 4.4 dwelling units per acre. The SFR2 zone is intended for the areas between the valley floor and steeper hillside areas (having less than 10 percent slope). Parcel sizes range from 10,000 to 15,000 square feet. This zone is located mostly along the edges of developed suburban residential areas. This zone implements the Single-Family Residential 2 General Plan land use designation.

C. Single-Family Residential 3 (SFR3). This zone is intended for detached single-family subdivisions containing the City's standard 7,000 square foot minimum lot size (at a maximum of six dwelling units per acre). The SFR3 zone is appropriate in areas with minimal topography, and these places serve as a lower intensity, family-living environment but are still well connected to surrounding neighborhoods and retail areas. These areas constitute most of the City's developed residential neighborhoods. This zone implements the Single-Family Residential 3 General Plan land use designation.

17.33 Residential Neighborhood Zones

17.33.010 Purpose and Intent

A. Residential Neighborhood 1 (RN1). This zone is intended for a low-density mix of attached and detached residential dwelling units allowing a maximum of 10 dwelling units per acre. The RN1 zone is appropriate in residential areas within a short distance of employment and retail areas. The RN1 zone is reserved for areas which are or will be served by adequate infrastructure and services needed to support this level of development. This zone implements the Residential Neighborhood 1 General Plan land use designation.

B. Residential Neighborhood 2 (RN2). This zone is intended for grouped housing such as small-lot single-family residential, townhouses, condominiums, and apartments with on-site recreation and open space allowing a density range of 10 to 20 dwelling units per acre. The RN2 zone is appropriate in existing residential neighborhood areas or planned developments within a short distance of Village Centers. The RN2 zone is reserved for areas which are or will be served by adequate infrastructure and services needed to support this level of development. This zone implements the Residential Neighborhood 2 General Plan land use designation.

C. Residential Neighborhood 3 (RN3). This zone is intended for "missing middle" or middle-density housing such as walkups, garden apartments, and rowhouses allowing a density range of 20 to 30 dwelling units per acre. Although single-family attached and detached housing types are allowed in this zone, this housing type will likely be at the lower end of the density range. The RN3 zone is appropriate in existing residential neighborhoods or planned developments within a short distance of Village Centers. The RN3 zone is reserved for areas which are or will be served by adequate infrastructure and services needed to support this level of development. These neighborhoods provide a transition in scale and intensity between lower-intensity residential neighborhoods and more dense neighborhoods or mixed-use areas. This zone implements the Residential Neighborhood 3 General Plan land use designation.

D. Residential Neighborhood 4 (RN4). This zone is intended as a high-intensity, walkable neighborhood with multi-family residential uses allowing a density range of 30 to 50 dwelling units per acre. RN4 areas are situated near commercial, civic and recreational uses in Downtown Palmdale, near Avenue Q, and the future multimodal transit station. These areas are compact and therefore allow a larger number of residents to live near one another, within easy walking distance of parks, schools, shops, transit, and employment. These neighborhoods also act as a buffer between lower-intensity residential neighborhoods and intense mixed-use areas. This zone implements the Residential Neighborhood 4 General Plan land use designation.

17.34 Mobile Home (MH)

17.34.010 Purpose and Intent

The Mobile Home (MH) zone applies to areas of the city appropriate for the exclusive and orderly planned development of mobile home parks and subdivisions. The purpose of the zone is to establish appropriate regulations and standards in accordance with Section 18000 et seq. of the Health and Safety Code of the State of California. This zone falls within the RN1 and RN2 General Plan land use designations.

17.35 Land Use Regulations

17.35.010 Permissions Tables and Establishment of an Allowed Use

Prior to the establishment of any land use(s) identified in the land use permissions tables, the applicant shall obtain all necessary approvals and permits pursuant to all applicable requirements of this Ordinance. Division 2 (Review Procedures) of this Ordinance identifies the requirements of project proposals and procedures and processing requirements for administrative and discretionary applications.

A. Use Classifications. Each land use classification is described in PMC Chapter 17.16 (Definitions). For example, personal service use includes a wide range of individual personal service uses (e.g., beauty parlor, dry cleaning, tanning salons, tailors). Use classifications describe one or more uses having similar characteristics but do not list every use or activity that may be appropriate within the classification. For that reason, the City has established a similar use determination process as described in PMC Section 17.24.040 (Determination on Unlisted Uses).

B. Projects of Two or More Land Uses. Where a single parcel is proposed for development with two or more of the land uses listed in the permissions tables at the same time, the overall project will be subject to the highest level of review required by the tables for any individual use;

however, all applicable fees shall be paid, and individual applications submitted for each applicable application type.

C. Allowed Uses and Approval Types. Generally, a use is either allowed by right, allowed through an approval process, or not allowed. In addition to the requirements for planning entitlements of this Ordinance, other permits may be required prior to establishment of the use (e.g., building permit, engineering permit, or permits required by other agencies). The requirements for planning entitlements include:

1. Permitted (P). A land use shown with a "P" indicates that the land use is allowed by right in the designated zone, subject to compliance with all applicable provisions of this Ordinance (e.g., development standards) as well as State and Federal law.
2. Accessory Use (A). A land use shown with an "A" indicates that the land use is allowed only as a secondary use in conjunction with a primary use, subject to compliance with all applicable provisions of this Ordinance (e.g., development standards) as well as State and Federal law.
3. Minor Use Permit (MUP) Required. A land use shown with "MUP" indicates that the land use is allowed in the designated zone upon issuance of a Minor Use Permit from the designated Review Authority, subject to compliance with all applicable provisions of this Ordinance (e.g., development standards), as well as State and Federal law.
4. Conditional Use Permit (CUP) Required. A land use shown with "CUP" indicates that the land use is allowed in the designated zone upon issuance of a Conditional Use Permit from the designated Review Authority, subject to compliance with all applicable provisions of this Ordinance (e.g., development standards) as well as State and Federal law.
5. Not Permitted (-).A land use shown with a "-" is not allowed in the applicable zone.
6. Temporary Use (T). On occasion, property will be used for an event, activity, or use on a short-term basis. Such use is considered a temporary use. A land use shown with "T" indicates that the land use is allowed by right as a temporary use, subject to compliance with all applicable provisions of this Ordinance (e.g., development standards) as well as State and Federal law.
7. Temporary Use Permit Required (TUP). On occasion, property will be used for an event, activity, or use on a short-term basis. Such use is considered a temporary use. A land use shown with "TUP" indicates that the land use is allowed as a temporary use in conjunction with the issuance of a Temporary Use Permit pursuant to PMC Section 17.26.100 (Temporary Use and Special Event Permits). PMC Section 17.98.020 (Temporary Uses) provides the regulations for these uses, including development standards and time limits.

17.35.020 Allowed Uses – Residential Zones

The land use permissions, as established in Table 17.35.020-1. Allowed Uses – Residential Zones, shall be applicable to all new uses, structures, and activities within the identified zone. Allowed land uses include both primary and accessory uses that are predominately permanent in nature. For regulations on all temporary uses and events, see PMC Section 17.26.100 (Temporary Use and Special Event Permits). Numeric notes can be found at the end of the table.

In addition to the regulations of the applicable zone, all land uses are subject to the special use standards identified in the “Specific Use Regulations” column of the allowed use tables. Refer to the referenced Sections for additional operational standards and regulations applicable to the use.

Table 17.35.020-1. Allowed Uses – Residential Zones

Residential Zones										
Use	**ER**	**LDR**	**SFR1**	**SFR2**	**SFR3**	**RN1**	**RN2**	**RN3/RN4**	**MH**	**Specific Use Regulations**
Aerospace Uses										
Aerospace Manufacturing	-	-	-	-	-	-	-	-	-	
Aerospace Services	-	-	-	-	-	-	-	-	-	
Agriculture & Animal Keeping Uses										
	ER	**LDR**	**SFR1**	**SFR2**	**SFR3**	**RN1**	**RN2**	**RN3/RN4**	**MH**	**Specific Use Regulations**
Agricultural Support, Sales, Service, and Storage	-	-	-	-	-	-	-	-	-	
Animal Husbandry and Production	-	-	-	-	-	-	-	-	-	
Animal Raising and Keeping, Domestic	A	A	A	A	A	A	A	A	A	See PMC Chapter 17.89 (Animal Keeping)
Animal Raising and Keeping, Exotic	-	-	-	-	-	-	-	-	-	
Animal Raising and Keeping, Horses	A	A	A	A	A	-	-	-	-	Permitted only on lots 20,000 square feet or greater. See PMC Chapter 17.89 (Animal Keeping).
Animal Raising and Keeping, Livestock	A	A	A	A	A	-	-	-	-	Permitted only on lots 20,000 square feet or greater. See PMC Chapter 17.89 (Animal Keeping).
Animal Raising and Keeping, Poultry and Beekeeping	A	A	A	A	A	-	-	-		Permitted only on lots 20,000 square feet or greater, provided that said birds are kept or maintained for the private use of members of the family residing on the premises. Excludes roosters and peafowl. See PMC Chapter 17.89 (Animal Keeping).
Aquaculture	-	-	-	-	-	-	-	-	-	
Crop Production	MUP	-	-	-	-	-	-	-	-	
Farmstands	A	-	-	-	-	-	-	-	-	
Garden/Greenhouse, Private	A	A	A	A	A	A	A	A	A	
Horticultural Production	MUP	-	-	-	-	-	-	-	-	
Kennels, Private/Hobby	MUP	MUP	MUP	-	-	-	-	-	-	See PMC Chapter 17.89 (Animal Keeping)
Stable/Equestrian Facility, Commercial/Public	CUP	CUP	-	-	-	-	-	-	-	
Stable/Equestrian Facility, Hobby/Private	A	A	A	-	-	-	-	-	-	See PMC Chapter 17.89 (Animal Keeping)

Residential Zones										
Use	**ER**	**LDR**	**SFR1**	**SFR2**	**SFR3**	**RN1**	**RN2**	**RN3/RN4**	**MH**	**Specific Use Regulations**
Automobile and Vehicle Uses										
	ER	**LDR**	**SFR1**	**SFR2**	**SFR3**	**RN1**	**RN2**	**RN3/RN4**	**MH**	**Specific Use Regulations**
Fueling Station	-	-	-	-	-	-	-	-	-	See PMC Section 17.92.070 (Fueling Station/Vehicle and Equipment Services and Repair).
Travel Center	-	-	-	-	-	-	-	-	-	See PMC Section 17.92.070 (Fueling Station/Vehicle and Equipment Services and Repair).
Vehicle and Equipment Services and Repair, Major	-	-	-	-	-	-	-	-	-	See PMC Section 17.92.070 (Fueling Station/Vehicle and Equipment Services and Repair).
Vehicle and Equipment Services and Repair, Minor	-	-	-	-	-	-	-	-	-	See PMC Section 17.92.070 (Fueling Station/Vehicle and Equipment Services and Repair).
Vehicle Rental	-	-	-	-	-	-	-	-	-	
Vehicle Sales, New	-	-	-	-	-	-	-	-	-	See PMC Section 17.92.070 (Fueling Station/Vehicle and Equipment Services and Repair).
Vehicle Sales, Used	-	-	-	-	-	-	-	-	-	
Vehicle Sales and Rental, Large Vehicles and Equipment	-	-	-	-	-	-	-	-	-	See PMC Section 17.92.070 (Fueling Station/Vehicle and Equipment Services and Repair).
Vehicle Towing/Impounding	-	-	-	-	-	-	-	-	-	See PMC Section 17.93.040 (Vehicle Towing/Impounding)
Vehicle Washing & Detailing	-	-	-	-	-	-	-	-	-	See PMC Section 17.92.180 (Vehicle Washing and Detailing)
Vehicle Wrecking/Dismantling	-	-	-	-	-	-	-	-	-	See PMC Section 17.93.030 (Salvage Yards)
Eating and Drinking Establishments & Entertainment Uses										
	ER	**LDR**	**SFR1**	**SFR2**	**SFR3**	**RN1**	**RN2**	**RN3/RN4**	**MH**	**Specific Use Regulations**
Bar/Nightclub/Lounge	-	-	-	-	-	-	-	-	-	See PMC Section 17.92.020 (Alcoholic Beverage Establishments)
Brewpub/Taproom/Wine Bar/Microdistillery	-	-	-	-	-	-	-	-	-	See PMC Section 17.92.020 (Alcoholic Beverage Establishments)
Café/Bakery	-	-	-	-	-	-	-	-	-	
Cinema/Theater/Performing Arts Center	-	-	-	-	-	-	-	-	-	

Residential Zones										
Use	**ER**	**LDR**	**SFR1**	**SFR2**	**SFR3**	**RN1**	**RN2**	**RN3/RN4**	**MH**	**Specific Use Regulations**
Live Entertainment as Accessory Use, Indoor (Accessory)	-	-	-	-	-	-	-	-	-	
Live Entertainment as Accessory Use, Outdoor (Accessory)	-	-	-	-	-	-	-	-	-	Regular outdoor events as an accessory use require an MUP. Sporadic events require a TUP (See PMC Section 17.98.020 (Temporary Uses)).
Outdoor Dining (Accessory)	-	-	-	-	-	-	-	-	-	See PMC Section 17.92.100 (Outdoor Dining)
Outdoor Entertainment	-	-	-	-	-	-	-	-	-	
Restaurant, Bona Fide	-	-	-	-	-	-	-	-	-	See PMC Section 17.92.020 (Alcoholic Beverage Establishments)
Restaurant, Dine-In and Take-Out	-	-	-	-	-	-	-	-	-	
Restaurant, Drive-Through	-	-	-	-	-	-	-	-	-	See PMC Section 17.92.050 (Drive-Through Restaurants and Services)
Film, Research and Development										
	ER	**LDR**	**SFR1**	**SFR2**	**SFR3**	**RN1**	**RN2**	**RN3/RN4**	**MH**	**Specific Use Regulations**
Film Production & Post Production	-	-	-	-	-	-	-	-	-	
Research & Development	-	-	-	-	-	-	-	-	-	
Industrial and Manufacturing Uses										
	ER	**LDR**	**SFR1**	**SFR2**	**SFR3**	**RN1**	**RN2**	**RN3/RN4**	**MH**	**Specific Use Regulations**
Artisan Manufacturing/Makers Space	-	-	-	-	-	-	-	-	-	
Brewery/Distillery/Winery - without tasting room or > 10,000 sf	-	-	-	-	-	-	-	-	-	
Brewery/Distillery/Winery - with tasting room and <10,000 sf	-	-	-	-	-	-	-	-	-	See PMC Section 17.92.020 (Alcoholic Beverage Establishments)
Commercial Vehicle Parking (Primary)	-	-	-	-	-	-	-	-	-	See PMC Section 17.93.010 (Commercial Vehicle Parking)
Construction and Materials Yards	-	-	-	-	-	-	-	-	-	
Food or Beverage Manufacturing	-	-	-	-	-	-	-	-	-	
Hazardous Materials Facility	-	-	-	-	-	-	-	-	-	See PMC Chapter 17.96 (Hazardous Materials Facilities)
Indoor Warehousing, Storage, Wholesaling, and Distribution	-	-	-	-	-	-	-	-	-	
Manufacturing, Outdoors	-	-	-	-	-	-	-	-	-	
Manufacturing/Processing, Light	-	-	-	-	-	-	-	-	-	
Manufacturing/Processing, Heavy	-	-	-	-	-	-	-	-	-	

Residential Zones										
Use	**ER**	**LDR**	**SFR1**	**SFR2**	**SFR3**	**RN1**	**RN2**	**RN3/RN4**	**MH**	**Specific Use Regulations**
Mining/Resource Extraction	-	-	-	-	-	-	-	-	-	See PMC Section 17.67.070 (Mining and Quarry Special Standards) and PMC Chapter 17.102 (Surface Mining and Reclamation)
Mini-Storage Warehousing or Facility	-	-	-	-	-	-	-	-	-	See PMC Section 17.93.020 (Mini-Storage Warehousing or Facility)
Outdoor Storage (Accessory)	-	-	-	-	-	-	-	-	-	See PMC Section 17.92.120 (Outdoor Storage (Primary and Accessory)
Outdoor Storage (Primary)	-	-	-	-	-	-	-	-	-	See PMC Section 17.92.120 (Outdoor Storage (Primary and Accessory)
Outdoor Storage (Temporary)	T; TUP	T; TUP	-	-	-	-	-	-	-	If less than 72 hours, allowed by right (T). If over 72 hours, a TUP is required per PMC Section 17.26.100 (Temporary Use and Special Event Permits). See also PMC Section 17.98.020 (Temporary Uses).
Salvage Yards	-	-	-	-	-	-	-	-	-	See PMC Section 17.93.020 (Salvage Yards)
Temporary Buildings or Storage Facilities (Temporary and Accessory)	-	-	-	-	-	-	-	-	-	See PMC Section 17.98.020 (Temporary Uses)
Lodging										
	ER	**LDR**	**SFR1**	**SFR2**	**SFR3**	**RN1**	**RN2**	**RN3/RN4**	**MH**	**Specific Use Regulations**
Bed and Breakfast	MUP	MUP	MUP	MUP	MUP	MUP	-	-	-	
Lodging - Extended Stay	-	-	-	-	-	-	-	-	-	
Lodging - Hotels	-	-	-	-	-	-	-	-	-	
Lodging - Motels	-	-	-	-	-	-	-	-	-	
Lodging - Timeshares	-	-	-	-	-	-	-	-	-	
Public, Quasi-Public and Institutional Uses										
	ER	**LDR**	**SFR1**	**SFR2**	**SFR3**	**RN1**	**RN2**	**RN3/RN4**	**MH**	**Specific Use Regulations**
Civic/Government	MUP	MUP	MUP	MUP	MUP	MUP	MUP	MUP	-	
Cultural Institutions	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	-	
Hospital	-	-	-	-	-	-	-	-	-	
Public Service Facility	MUP	MUP	MUP	MUP	MUP	MUP	MUP	MUP	-	
Social Service Facilities	-	-	-	-	-	-	MUP	MUP	-	See PMC Section 17.94.040 (Social Service Facilities with Congregate Meal Facilities)

Residential Zones										
Use	**ER**	**LDR**	**SFR1**	**SFR2**	**SFR3**	**RN1**	**RN2**	**RN3/RN4**	**MH**	**Specific Use Regulations**
Recreation, Education, and Public Assembly Uses										
	ER	**LDR**	**SFR1**	**SFR2**	**SFR3**	**RN1**	**RN2**	**RN3/RN4**	**MH**	**Specific Use Regulations**
Athletic Fields, Unlighted	P	P	P	P	P	P	P	P	-	
Athletic Fields, Lighted	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	-	
Campground	CUP	CUP	-	-	-	-	-	-	-	
Cemeteries, Crematories, or Mausoleums	CUP	CUP	CUP	-	-	-	-	-	-	
College/University	-	-	-	-	-	-	-	-	-	
Commercial Recreation and Sports, Indoor	-	-	-	-	-	-	-	-	-	
Commercial Recreation and Sports, Outdoor	CUP	CUP	CUP	CUP	CUP	-	-	-	-	See PMC Section 17.94.030 (Golf Courses)
Community Assembly, ≤ 5,000 sf (gross sf)	P	P	P	P	P	P	P	P	-	See PMC Section 17.94.010 (Community Assembly Uses)
Community Assembly, 5,001 sf - 12,000 sf (gross sf)	MUP	MUP	MUP	MUP	MUP	MUP	MUP	MUP	-	See PMC Section 17.94.010 (Community Assembly Uses)
Community Assembly, > 12,000 sf (gross sf)	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	-	See PMC Section 17.94.010 (Community Assembly Uses)
Family Day Care Center	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	-	See PMC Section 17.92.060 (Family Day Care Center)
Instructional Services, ≤ 5,000 sf	-	-	-	-	-	-	-	-	-	
Instructional Services, > 5,001 sf	-	-	-	-	-	-	-	-	-	
Open Space, Natural	P	P	P	P	P	P	P	P	-	
Parks and Recreation Facilities	P	P	P	P	P	P	P	P	-	See PMC Section 17.94.030 (Golf Courses)
Retreat Center	CUP	CUP	-	-	-	-	-	-	-	
Recreational Vehicle (RV) Park	CUP	CUP	-	-	-	-	-	-	-	
Schools, Public or Private (TK-12)	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	-	
Tutoring Facilities	-	-	-	-	-	-	-	-	-	
Vocational/Trade School, ≤ 10,000 sf	-	-	-	-	-	-	-	-	-	
Vocational/Trade School, > 10,001 sf	-	-	-	-	-	-	-	-	-	

Residential Zones										
Use	**ER**	**LDR**	**SFR1**	**SFR2**	**SFR3**	**RN1**	**RN2**	**RN3/RN4**	**MH**	**Specific Use Regulations**
Residential Uses										
	ER	**LDR**	**SFR1**	**SFR2**	**SFR3**	**RN1**	**RN2**	**RN3/RN4**	**MH**	**Specific Use Regulations**
Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU) (Accessory)	A	A	A	A	A	A	A	A	-	See PMC Section 17.91.010 (Accessory Dwelling Units and Junior Accessory Dwelling Unit Standards)
Agricultural Worker Housing	P	P	-	-	-	-	-	-	-	
Caretaker's Unit (Accessory)	-	-	-	-	-	-	-	-	-	See PMC Section 17.91.030 (Caretaker's Units (Accessory))
Child Day Care in a Home	P	P	P	P	P	P	P	P	P	
Cottage Food Operation (Accessory)	A, MUP	A, MUP	A, MUP	A, MUP	A, MUP	A, MUP	A, MUP	A, MUP	-	See PMC Section 17.91.040 (Cottage Food Operation
Cottage Industry (Accessory)	A, MUP	A, MUP	A, MUP	A, MUP	A, MUP	A, MUP	A, MUP	A, MUP	-	
Emergency Shelters	-	-	-	-	-	-	-	-	-	See PMC Section 17.94.020 (Emergency Shelters)
Group Residential Home	-	-	-	-	-	CUP	CUP	CUP	-	
Home Occupation (Accessory)	A	A	A	A	A	A	A	A	A	
Live/Work	-	-	-	-	-	-	-	-	-	
Model Home (on-site)	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	See PMC Section 17.98.020 (Temporary Uses)
Manufactured/Mobile Home Park	-	-	-	-	-	-	-	-	CUP	See PMC Section 17.91.050 (Manufactured/Mobile Home Parks) and 17.91.060 (Manufactured/Mobile Home Park Closures)
Residential Care Facilities, Small	P	P	P	P	P	P	P	P	-	
Residential Care Facilities, Large	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	-	See PMC Section 17.91.070 (Residential Care Facilities, Large)
Residential Housing Types										
Single-Family Dwelling, Attached	-	-	-	-	P	P	P	P	-	
Single-Family Dwelling, Detached	P	P	P	P	P	P	P	P	-	
Two-Family Dwelling/Duplex	-	-	-	-	P	P	P	P	-	
Multi-Family Dwelling, Triplex/Quadplex	-	-	-	-	P	P	P	P	-	
Multi-Family Residential, ≥ 5 Units	-	-	-	-	-	P	P	P	-	
Manufactured/Mobile Home	-	-	-	-	-	-	-	-	CUP	
Single-Room Occupancy	-	-	-	-	-	-	CUP	CUP	-	

Residential Zones										
Use	**ER**	**LDR**	**SFR1**	**SFR2**	**SFR3**	**RN1**	**RN2**	**RN3/RN4**	**MH**	**Specific Use Regulations**
Sober Living Home	-	-	CUP	CUP	CUP	-	-	-	-	See PMC Section 17.91.080 (Sober Living Home)
Supportive Housing	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	-	
Transitional Housing	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	-	
Yard Sales (Temporary Use)	T	T	T	T	T	T	T	T	T	See PMC Section 17.98.020 (Temporary Uses)
Retail, Service, and Office Uses										
	ER	**LDR**	**SFR1**	**SFR2**	**SFR3**	**RN1**	**RN2**	**RN3/RN4**	**MH**	**Specific Use Regulations**
Adult-Oriented Business	-	-	-	-	-	-	-	-	-	See PMC Section 17.92.010 (Adult-Oriented Businesses)
Alcohol & Drug Treatment Facility, Large	-	-	-	-	-	-	-	-	-	See PMC Section 17.91.020 (Alcohol and Drug Treatment Facility)
Alcohol & Drug Treatment Facility, Small	MUP	MUP	MUP	MUP	MUP	MUP	MUP	MUP	-	
Alcohol Sales, Off-Sale	-	-	-	-	-	-	-	-	-	See PMC Section 17.92.020 (Alcoholic Beverage Establishments)
Animal Sales and Services	-	-	-	-	-	-	-	-	-	
Auction Sales, Indoor	-	-	-	-	-	-	-	-	-	
Auction Sales, Outdoor	-	-	-	-	-	-	-	-	-	
ATM (Accessory)	-	-	-	-	-	-	-	-	-	
Bail Bonds	-	-	-	-	-	-	-	-	-	
Banks, Financial, Savings and Loan Institutions	-	-	-	-	-	-	-	-	-	
Building Materials Sales and Services	-	-	-	-	-	-	-	-	-	
Business to Business Support Services	-	-	-	-	-	-	-	-	-	
Check-Cashing Businesses	-	-	-	-	-	-	-	-	-	
Convenience Market	-	-	-	-	-	-	-	-	-	See PMC Sections 17.92.030 (Convenience Markets) and PMC Section 17.92.020 (Alcoholic Beverage Establishments)
Drive-Through Services (Accessory)	-	-	-	-	-	-	-	-	-	See PMC Section 17.92.050 (Drive Through Restaurants and Services)
Farmer's Market (Temporary)	-	-	-	-	-	-	-	-	-	See PMC Section 17.98.020 (Temporary Uses)
Food Preparation, Commercial	-	-	-	-	-	-	-	-	-	
Fortunetelling, Palm and Card Reading	-	-	-	-	-	-	-	-	-	
Funeral Homes and Mortuaries	-	-	-	-	-	-	-	-	-	

Residential Zones										
Use	**ER**	**LDR**	**SFR1**	**SFR2**	**SFR3**	**RN1**	**RN2**	**RN3/RN4**	**MH**	**Specific Use Regulations**
General Retail ≤ 5,000 sf	-	-	-	-	-	-	-	-	-	
General Retail 5,001 sf - 25,000	-	-	-	-	-	-	-	-	-	
General Retail/Superstore > 25,000	-	-	-	-	-	-	-	-	-	
Grocery Store	-	-	-	-	-	-	-	-	-	
Kennels/Boarding, Commercial	CUP	CUP	-	-	-	-	-	-	-	Permitted only on lots of 20,000 square feet or greater. See PMC Section 17.92.080 (Kennels/Boarding, Commercial).
Kiosk/Outdoor Vending	-	-	-	-	-	-	-	-	-	
Laundromat	-	-	-	-	-	-	-	-	-	
Massage Establishment, Accessory (Accessory)	-	-	-	-	-	-	-	-	-	See PMC Section 17.92.090 (Massage Establishment (Accessory))
Massage Establishment, Stand-Alone	-	-	-	-	-	-	-	-	-	
Medical Services, Extended Care	-	-	-	-	-	-	-	-	-	
Medical Services, Medical/Dental/Holistic/Clinic	-	-	-	-	-	-	-	-	-	
Medical Services, Urgent Care	-	-	-	-	-	-	-	-	-	
Microblading/Permanent Makeup	-	-	-	-	-	-	-	-	-	
Neighborhood Market	-	-	-	-	-	-	-	-	-	
Nursery/Garden Center	CUP	CUP	-	-	-	-	-	-	-	
Office, Processing	-	-	-	-	-	-	-	-	-	
Office, Professional/Administrative	-	-	-	-	-	-	-	-	-	
Office, Service	-	-	-	-	-	-	-	-	-	
Outdoor Display	-	-	-	-	-	-	-	-	-	See PMC Section 17.92.110 (Outdoor Display)
Pawnshop	-	-	-	-	-	-	-	-	-	See PMC Section 17.92.130 (Pawnshops)
Personal Services	-	-	-	-	-	-	-	-	-	
Pet Daycare	-	-	-	-	-	-	-	-	-	See PMC Section 17.92.140 (Pet Daycare)
Resale/Consignment/Thrift Shop	-	-	-	-	-	-	-	-	-	
Smoking Lounge	-	-	-	-	-	-	-	-	-	
Smoke Shop	-	-	-	-	-	-	-	-	-	See PMC Section 17.92.150 (Smoke Shop)
Swap Meet, Indoor	-	-	-	-	-	-	-	-	-	
Swap Meet, Outdoor	-	-	-	-	-	-	-	-	-	See PMC Section 17.92.160 (Swap Meet, Outdoor)
Tattoo/Body Art/Piercing	-	-	-	-	-	-	-	-	-	See PMC Section 17.92.170 (Tattoo/Body Art/Piercing Establishments)
Temporary Real Estate Sales Office (Temporary)	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	-	See PMC Section 17.98.020 (Temporary Uses)
Veterinary Hospitals	CUP	CUP	-	-	-	-	-	-	-	See PMC 17.92.190 (Veterinary Hospitals)

Residential Zones										
Use	**ER**	**LDR**	**SFR1**	**SFR2**	**SFR3**	**RN1**	**RN2**	**RN3/RN4**	**MH**	**Specific Use Regulations**
Utility, Transportation, and Communication Uses										
	ER	**LDR**	**SFR1**	**SFR2**	**SFR3**	**RN1**	**RN2**	**RN3/RN4**	**MH**	**Specific Use Regulations**
Airports and Heliports	-	-	-	-	-	-	-	-	-	
Co-located Small Wind Energy Systems (CSWES) (Accessory)	-	-	-	-	-	-	-	-	-	See PMC Section 17.99.010 (Co-located Small Wind Energy Systems (CSWES))
Communication/Wireless Telecommunications Facilities, Major	-	-	-	-	-	-	-	-	-	See PMC Section 17.95.010 (Communication/Wireless Telecommunications Facilities)
Communication/Wireless Telecommunications Facilities, Minor	MUP	MUP	MUP	MUP	MUP	MUP	MUP	MUP	-	See PMC Section 17.95.010 (Communication/Wireless Telecommunications Facilities)
Communications, Facilities within Buildings	-	-	-	-	-	-	-	-	-	
Freight/Trucking Facility	-	-	-	-	-	-	-	-	-	
Light Fleet-Based Services	-	-	-	-	-	-	-	-	-	
Parking Lots & Structures	-	-	-	-	-	-	-	-	-	
Passenger Transportation Facilities	-	-	-	-	-	-	-	-	-	
Recycling Collection Facility, Large	-	-	-	-	-	-	-	-	-	See PMC Chapter 17.97 (Recycling Facilities)
Recycling Collection Facility, Small	-	-	-	-	-	-	-	-	-	See PMC Chapter 17.97 (Recycling Facilities)
Recycling Processing Facility, Heavy	-	-	-	-	-	-	-	-	-	See PMC Chapter 17.97 (Recycling Facilities)
Recycling Processing Facility, Light	-	-	-	-	-	-	-	-	-	See PMC Chapter 17.97 (Recycling Facilities)
Reverse Vending Machine	-	-	-	-	-	-	-	-	-	See PMC Chapter 17.97 (Recycling Facilities)
Sanitary Landfills	-	-	-	-	-	-	-	-	-	See PMC Section 17.98.010 (Sanitary Landfills)
Small Residential Wind Generator Systems (SRWGS) (Accessory)	A, MUP	A, MUP	A, MUP	A, MUP	A, MUP	-	-	-	-	See PMC Section 17.99.020 (Small Residential Wind Generator Systems (SRWGS))
Solar Energy System (Primary)	-	-	-	-	-	-	-	-	-	See PMC Section 17.99.030 (Solar Energy System (Primary))
Utilities, Major	CUP	CUP	-	-	-	-	-	-	-	
Utilities, Minor	MUP	MUP	MUP	MUP	MUP	MUP	MUP	MUP	-	
Utility Yard	-	-	-	-	-	-	-	-	-	

17.36 Development Regulations

17.36.010 Development Standards – Residential Zones

Table 17.36.010-1 (Development Standards – Single-Family Residential) and Table 17.36.010-2 (Development Standards – Multi-Family Residential) describe the development standards for the residential zones. Additional regulations are also denoted in the righthand column. Section numbers in this column refer to other sections of this Ordinance.

Table 17.36.010-1. Development Standards – Single-Family Residential

Residential Zones - Single-Family Residential Development Standards									
Standards	**ER**	**LDR**	**SFR1**	**SFR2**	**SFR3**	**RN1**	**RN2**	**RN3**	**Additional Regulations**
Lot and Density Standards[1]									
Net Density (units/acre)									
Minimum	0	0	0	0	0	6	10	20	Applies to new development only
Maximum	0.4	1	2	4.4	6	10	20	30	
Minimum Net Lot Size per Dwelling Unit (sf) (for new SFR lots)	80,000	40,000	20,000	10,000	7,000	3,800	1,900	1,250	
Minimum Lot Width per Dwelling Unit (ft) (for new SFR lots)[1]	150	100	100	80	60	40; 50 for corner and reverse corner lots	30; 40 for corner and reverse corner lots	20; 30 for corner and reverse corner lots	• Lots siding onto a railroad right-of-way shall increase the minimum required lot width by an additional 40 feet. • **Attached Single-Family Homes/Townhomes:** A minimum lot width of 30 to 40 feet may be necessary for townhomes with double loaded attached garages in front, and to comply with parking location and design requirements. Minimum lot width may be reduced to 20 feet if garages are single-car wide, detached and/or accessed from an alley. • **Small-Lot Detached Single-Family Homes:** A lot width of 35 feet may be necessary for small-lot single-family homes with attached double loaded garages in front and to comply with parking location and design requirements. Lot width may be reduced to 30 feet if garages are single-car wide, detached and/or accessed from an alley.
Minimum Lot Depth per Dwelling Unit (ft) (for SFR new lots)[1]	200	200	100	100	100	75	55	45	Where a lot directing backs onto a railroad right-of-way, the minimum lot depth shall be 130 feet.

Residential Zones - Single-Family Residential Development Standards									
Standards	**ER**	**LDR**	**SFR1**	**SFR2**	**SFR3**	**RN1**	**RN2**	**RN3**	**Additional Regulations**
Maximum Unit Size per Dwelling Unit (sf) (for SFR)	-	-	-	-	-	3,500 sf~~2,400~~	~~2,000~~3,000	~~1,800~~2,500	Inclusive of attached garage space.
Maximum Lot Coverage (% of lot)	20	30	30	40	50	60	75	NA	See PMC Section 17.17.050 (Floor Area and Lot Coverage).
Building Form and Location									
Maximum Height (ft)/Stories - Primary Structure	35/2 stories	35/2 stories	35/2 stories	35/2 stories	35/2 stories	35/2.5 stories	40/3 stories	50/4 stories	• Projects must comply with both stories and overall height maximums. See PMC Section 17.17.030 (Measuring Heights). • Architectural features may project above the maximum height by five feet. Architectural features include rooftop stair access and elevator shafts, mechanical equipment, or other rooftop amenities, as approved by the Director.
Maximum Height (ft)/Stories - Accessory Building	40/2 stories	40/2 stories	17/1 story	17/1 story	17/1 story	17/1 story	17/1 story	17/1 story	
Minimum Distance between Structures (both between main structures and accessory structures)	See PMC Section 17.82.050 (Distance Between Buildings in Residential and Mixed-Use Zones)								
Lot Setbacks - Minimums (ft)							Applies to individual lots within a development site.		
Front (primary frontage)[3]	35	25	20	15	15	10	5	5	• For new single-family attached and detached dwelling units, front-loaded garages shall be set back at minimum 20 feet from the property line. • For RN3, front-loaded parking is not allowed.
Street Side (corner lots)[2]	35	25	20	15	15	10	5	5	
Interior Side	25	20	15	5 ft minimum on one side of the dwelling unit, and 10 ft minimum required on the garage side	5 ft minimum on one side of the dwelling unit, and 10 ft minimum required on the garage side	5	5	5	• Only applies to detached single-family dwellings and the ends of attached single-family dwellings. • Where a railroad right-of-way is located along the side setback of a lot, the minimum side setback for the habitable residential structure(s) on the lot shall be 50 feet.

Residential Zones - Single-Family Residential Development Standards									
Standards	**ER**	**LDR**	**SFR1**	**SFR2**	**SFR3**	**RN1**	**RN2**	**RN3**	**Additional Regulations**
Interior Side - Zero Lot Line/Common Wall Developments	-	-	-	-	-	10 ft minimum on one side of the dwelling unit, and no setback required on the opposite side	10 ft minimum on one side of the dwelling unit, and no setback required on the opposite side	10 ft minimum on one side of the dwelling unit, and no setback required on the opposite side	See PMC Section 17.37.020 (Zero Lot Line Option).
Rear	45	40	30	20	20	15	15	15	Where a railroad right-of-way is located along the rear setback of a lot, the minimum side setback for the habitable residential structure(s) on the lot shall be 50 feet.
Alley (when present)	5	5	5	5	5	5	5	5	
Garage Frontage									
Maximum Parking Frontage on a Public Street (for new residential development)	-	The garage portion(s) of any new primary single-family residential structure shall be designed to comply with ***at least one*** of the following criteria: 1. The garage doors shall not extend across more than 40% of the street facing facade of the primary residential structure. 2. The garage is attached to the primary residential structure through a breezeway or other portion of the primary structure, and is located in the rear of the lot. 3. The garage is detached from the primary residential structure and located within the rear of the lot. 4. The garage is designed with a side-on entry, with decorative windows facing the street. 5. The garage doors shall not extend across more than 50% of the street facing facade of the primary residential structure, and shall comply with at least one of the following criteria: a. The entire area above the garage is developed as a habitable space. Any garage bays that are in excess of 40% of the street facing facade shall be recessed at least two feet from the rest of the garage; or b. Any garage bay that is in excess of 40% of the street-facing facade shall be recessed at least 10 feet from the rest of the garage door facade. A decorative trellis a minimum of eight feet in depth shall be provided above the entire width of the recessed garage bay; or c. The habitable portion of the house or a covered porch shall project a minimum of six feet in front of all garage doors. 6. Other alternative designs as reviewed and approved by the Planning Commission.			60%	60%	-	**For RN1 and RN2 SFR:** Applies to new development. Garage doors that face the street shall not occupy more than the stated percentage of the width of any street-facing building facade. This limitation does not apply to frontages along alleys.

Residential Zones - Single-Family Residential Development Standards									
Standards	**ER**	**LDR**	**SFR1**	**SFR2**	**SFR3**	**RN1**	**RN2**	**RN3**	**Additional Regulations**
Open Space Standards									
Minimum Usable Open Space (sf per unit)	-	-	-	-	-	300 sf total per unit, of which 150 ft must be private	200 sf total per unit, minimum 100 sf of private open space required for ground-level units and 60 sf of private open space for upper-level units	200 sf total per unit; minimum 100 sf of private open space for ground-level units and 60 sf of private open space for upper-level units	• Setback areas are not considered usable open space unless they are at least 20 feet wide. Minimum private open space is 6 feet in either direction. • See PMC Section 17.38.050 (Open Space).
Maximum front yard paving	A maximum of 40 percent of the required front yard setback, excluding the driveway, shall be covered with impervious surfaces.								
Minimum Required Landscaping	See PMC Section 17.39.030 (Detached Single-Family Residential Standards)								See PMC Section 17.86.010 (Landscaping Requirements)
Other Standards	**See additional standards in PMC Chapter 17.37 (Supplemental Standards for Single-Family Residential Development), Division 8 (General Standards of Development), Division 9 (Special Regulations), Division 10 (Environmental Management), and the City of Palmdale Multi-Family and Mixed-Use Design Standards (Adopted by Ordinance 1594)**								

Notes:

1. *The lot depth to width ratio shall not exceed 3:1.*
2. *For lots of record, created and recorded prior to the effective date of this Zoning Ordinance for which the alternate section was specifically allowed, the front yard setback may include the landscaped parkway located between the edge of the sidewalk and the property line.*

Table 17.36.010-2. Development Standards – Multi-Family Residential

Residential Zones – Multi-Family Residential Development Standards				
Standards	**RN2**	**RN3**	**RN4**	**Additional Regulations**
Lot and Density Standards				
Net Density (units/acre)				
Minimum	10	20	30	Applies to new development only
Maximum	20	30	50	
Minimum Development Project Site Area (sf) (for new lots)	10,000	10,000	20,000	
Minimum Development Project Site Width (ft) (for new lots)	60	60	100	
Minimum Development Project Site Depth (ft) (for new lots)	100	100	100	

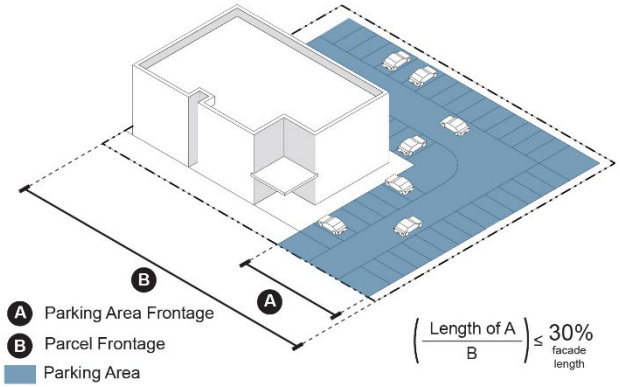
Residential Zones – Multi-Family Residential Development Standards				
Standards	**RN2**	**RN3**	**RN4**	**Additional Regulations**
Building Form and Location				
Maximum Height (ft) - Primary Building	40/3 stories	50/4 stories	60/5 stories	• Projects must comply with both stories and overall height maximums. See PMC Section 17.17.030 (Measuring Heights). • Architectural features may project above the maximum height by five feet. Architectural features include rooftop stair access and elevator shafts, mechanical equipment, or other rooftop amenities, as approved by City staff.
Maximum Height (ft) - Accessory Building	17/1 story	17/1 story	17/1 story	
Maximum Height Adjacent to Single-Family Zoned Property	Starting from the third floor up, step back each subsequent floor by 15 ft for every two floors. See PMC Figure 17.38.060-1 (Transitions to Lower Density Building Types).			See PMC Section 17.38.060 (Neighborhood Transitions).
Minimum Distance between Structures (both between main structures and accessory structures (excluding Accessory Dwelling Units))	See PMC Section 17.82.050 (Distance Between Buildings in Residential and Mixed-Use Zones)			
Development Site Setbacks (ft)				
Front - Minimum	15	15	15	
Front - Maximum[1]	25	25	25	
Street Side - Minimum	15	10	10	
Street Side - Maximum[1]	25	20	20	
Interior Side - Minimum	5 ft; 10 ft abutting single-family residential zoned property	5 ft; 10 ft abutting single-family residential zoned property	10 ft; 15 ft abutting single-family residential zoned property	
Rear - Minimum	15 ft; 20 ft abutting single-family residential zoned property	15 ft; 20 ft abutting single-family residential zoned property	15 ft, 20 ft abutting single-family residential zoned property	
Parking Frontage				
Maximum Parking Frontage on a Public Street (% of frontage) (for new residential development)	30	30	30	• Applies to both surface parking and parking garage frontages. Applies to new development and/or major additions or renovations (as defined in PMC Chapter 17.16 (Definitions)). • See Figure 17.36.010-1 (Maximum Parking Frontage Along a Primary Street)

Residential Zones – Multi-Family Residential Development Standards				
Standards	**RN2**	**RN3**	**RN4**	**Additional Regulations**
Open Space and Storage Standards				
Minimum Usable Open Space (sf per unit)	200 sf total per unit, minimum 100 sf of private open space required for ground-level units and 60 sf of private open space for upper-level units	200 sf total per unit; minimum 100 sf of private open space for ground-level units and 60 sf of private open space for upper-level units	150 sf total per unit; a minimum of 50% of the units must have 60 sf of private open space	• Setback areas are not considered usable open space unless they are at least 20 feet wide. Minimum private open space is six feet in either direction. • See PMC Section 17.38.050 (Open Space).
Minimum Front Yard Landscaping	30% of the Minimum Required Front Yard Area shall be landscaped, of which half must be planted with live plant material			See PMC Section 17.86.010 (Landscaping Requirements)
Minimum Required Landscaping	10% of the lot, of which half must be planted with live plant material			Includes required setbacks. Excludes areas devoted to parking, driveways, and walkways. See PMC Section 17.86.010 (Landscaping Requirements).
Minimum Required Storage Space	125 cubic ft of private enclosed storage space within the garage, carport, or immediately adjacent to the dwelling unit			
Other Standards	**See additional standards in PMC Chapter 17.38 (Supplemental Standards for Multi-Family Residential Development), Division 8 (General Standards of Development), Division 9 (Special Regulations), Division 10 (Environmental Management), and the City of Palmdale Multi-Family and Mixed-Use Design Standards (Adopted by Ordinance No. 1594)**			

Notes:

1. *If a development provides publicly-accessible plazas or forecourt, and there is clear visibility between the sidewalk and building entrance, the maximum setback may be waived for up to 40 percent of the building frontage. Entry courtyards, plazas, entries, or outdoor eating areas must be located adjacent to the property line and buildings shall be built to the edge of the courtyard, plaza, or dining area.*

Figure 17.36.010-1. Maximum Parking Frontage Along a Primary Street



17.37 Supplemental Standards for Single-Family Residential Development

New single-family structures, and alterations to existing single-family structures, shall comply with the supplemental standards in this Section.

17.37.010 Detached Single-Family Residential Standards



A. Purpose. The following detached single-family residential design standards are intended to ensure that single-family detached homes are well-designed while allowing for flexibility and creativity. A broad range of configurations are allowed including cluster homes, cottages, auto courts, and other configurations that meet the allowed density requirements and development standards of the applicable zone.

B. Applicability. This section shall apply to allowed construction or installation of all detached single-family residential structures, additions thereto, and all accessory structures including but not limited to garages, guest houses, and second dwelling units, except as otherwise authorized by State law or PMC Section 17.91.010 (Accessory Dwelling Unit and Junior Accessory Dwelling Unit Standards).

C. Site Planning Standards

1. Access and Connectivity



a. Private Street Placement. Where a private street serves more than one lot and would abut existing single-family zoned properties, it shall be placed where it would abut the least number of existing single-family zoned properties. Private street access on corner development sites shall be located as far as possible from intersections. Where a private street serves lots on both sides of the private street, the private street shall be double-loaded with lots on either side.

b. Turnaround Areas. Dead-end private streets longer than 150 feet shall provide a vehicle turnaround area of adequate size and dimension to accommodate maneuvering of emergency vehicles as required by the Los Angeles County Fire Department.

c. Sound Barrier Walls. If a development has sound barrier walls, it shall provide frequent pedestrian and bicycle connections between the community and surrounding areas at distances no more than 600 feet apart.



d. External Connectivity. Streets within any proposed subdivision or building site shall be aligned with existing and planned streets in the surrounding area to create a continuous street pattern. All streets in any subdivision or development site shall connect to other streets and to existing and planned streets outside the proposed subdivision or development to the extent feasible. Any cul-de-sac or other dead-end street longer than 300 feet shall be connected to other streets by a pedestrian path. If a development is gated, it shall provide frequent pedestrian and bicycle connections between the gated community and surrounding areas at distances no more than 600 feet apart.

e. Pedestrian Pathways/Sidewalks. New development shall be required to provide pedestrian pathways/sidewalks connecting to the public sidewalk and other planned or existing pedestrian routes or trails. A pedestrian pathway/sidewalk shall connect the primary common building entry or entries to the public sidewalk on each street frontage. Pedestrian pathways/sidewalks, a minimum of five feet wide, shall be provided from the public right-of-way to all primary common entryways and common areas, guest parking, and centralized trash enclosures (if provided). This is not applicable to a typical single-family detached residential subdivision.

2. Street and Pathway Landscaping

   a. Private Street and Pathway Landscaping. All publicly-accessible private streets and pathways shall provide a combination of trees, shrubs, and ground cover in a minimum five-foot-wide planting strip. Trees shall be planted at a minimum of one tree for every 35 feet of linear street/path. Shrubs and groundcover shall cover at least 30 percent of the planting strip.

3. Parking

   a. Parking Location

      i. Required parking shall be provided on each lot, or within a common parking area (e.g., common guest parking lots or common parking within auto court developments), or in a combination of the two.

      ii. Curb cuts and driveways providing access to parking shall be provided from an alley or secondary/private street, rather than from the public right-of-way, whenever such alley or secondary/private access is feasible.

      iii. Parking is not allowed in the front setback area for individual lots and building sites, except within approved driveways.

   b. Garage Design

      i. A fully enclosed two-car garage with a clear and free minimum interior dimension of 20 feet in width and 22 feet in length shall be provided, except on lots having a width of 50 feet or less, a fully enclosed tandem garage with a clear and free minimum interior dimension of 12 feet in width by 44 feet in depth may be provided. All garages shall be constructed in compliance with the City Building & Safety Division requirements.

ii. Detached garage structures shall be designed using at least two of the same exterior finish materials and/or colors used on the principal structure and shall be provided with decorative sectional roll-up doors constructed of durable material, such as wood or metal. Doors constructed of plywood sheeting shall not be allowed. The roof material shall be the same as the principal structure.

iii. When the width of the driveway exceeds 20 feet (as measured five feet in front of the garage), a decorative driveway, which may consist of paver treatments, colored and stamped concrete, decorative concrete finishes, or other treatments as approved by the Director, shall be required.

Figure 17.37.010-1. Example Residential Auto Court Site Plan



4. Services and Utilities

a. Utilities. All new utility boxes and equipment and utility connections shall be undergrounded pursuant to PMC Chapter 12.04 (Underground Utilities) unless otherwise prohibited by the utility provider (e.g., water backflow prevention device that must be placed above ground) or the City Engineer grants an exemption following his/her determination that such undergrounding is not practicable.

b. Utility Hookups. Utility hookups and an area to accommodate installation of a clothes washer and dryer shall be provided within the primary structure or within an enclosed accessory structure.

c. Location of Above-ground Utilities and Service Areas. All above-ground utilities and equipment (e.g., electric and gas meters, fire sprinkler valves, irrigation backflow prevention devices, etc.), shall be integrated into building and landscape design and located to minimize

impact on the pedestrian experience and neighboring properties by adhering to the below standards:

i. Utilities and equipment shall be located on non-primary street frontages, alleys, parking areas, and/or at the rear or side of buildings.

ii. Utilities and equipment shall not be located within the front or street side setback area of the lot or development site.

iii. Utilities and equipment shall be fully screened from view (see PMC Section 17.37.010.C.4.d (Service, Utility, and Equipment Screening) below).

iv. Air-Conditioning Equipment. No new roof-mounted air conditioning equipment or evaporative coolers visible from the public right-of-way shall be allowed. Push through air conditioning units or evaporative coolers may be allowed on any side or rear elevation, as long as they are not visible from any public right-of-way. Air conditioning equipment shall be ground-mounted, set back a minimum of five feet from any side or rear property line and shall not be located within the required front yard setback.

v. Refuse and Recycling

a.) Single-family residential development projects shall not necessitate communal or shared trash and recycling areas/containers. In such cases, no enclosure structure shall be required; however individual trash and recycling containers shall be stored in such a manner that containers are not visible from public view from the front of the property. Containers may be placed in public view for purposes of collection only on the scheduled collection day and shall be removed from public view following said collection.

b.) For cluster homes, cottages, and auto courts, common refuse and recycling containers and collection areas shall be adequate in capacity, number, and distribution to accommodate all waste generation of the site. The number of containers and collection areas shall be reviewed by the local disposal service and approved by the Director. Common refuse and recycling collection areas shall be located inside of enclosures located along alleys, in parking areas, or at the rear or side of buildings and shall be fully screened from view per the screening standard in PMC Section 17.37.010.C.4.d (Service, Utility, and Equipment Screening) below. Communal refuse collection areas shall be prohibited on primary frontages (the front lot line as defined by PMC Chapter 17.16 (Definitions)).

d. Service, Utility, and Equipment Screening. Screening of common refuse collection areas, utilities, and equipment shall meet the following standards:

i. Screening shall be equal to or higher than the height of the equipment to be screened.

ii. Screening materials shall consist of a primary exterior finish material used on other portions of the residential units.

e. Mailboxes. If mailboxes are clustered, they shall meet the following standards:



i. The clustered mailbox unit(s) and any associated shelters shall be designed using exterior finish materials and colors used on the surrounding residential units.

ii. Group mailboxes shall be illuminated with lights and fixtures similar to those used externally throughout the development and shall be in compliance with PMC Section 17.86.030 (Outdoor Lighting).

iii. Design and location of group mailboxes shall conform to Unites States Postal Service requirements.

D. Building and Facade Design Standards

1. Foundation. All dwelling units shall be placed on permanent foundations in accordance with City Building and Safety Division requirements.

2. Accessory Structures. Accessory structures over 120 square feet such as detached garages, porches, pergolas, and other similar structures shall be architecturally compatible with the primary residential structure by incorporating at least two of the same colors, materials, design elements, or roof materials. Attached solid patio covers with a 3:12 pitch or greater shall substantially match the existing roof material and color. If a pitch less than 3:12 is proposed, the roof shall only be required to match the color of the primary structure roof. If open lattice is proposed, it shall match the existing trim color of the primary structure.

3. Architectural Variability. For all developments involving four or more contiguous lots, there shall be multiple “distinctly different” front facade designs. No more than two houses shall be of the same front facade design as any other house directly adjacent along the same block face and side of the street. Mirror images of the same configuration do not meet the intent of “distinctly different.” “Distinctly different” shall mean that a single-family dwelling’s elevation must differ from other house elevations in the following (see PMC Section 17.37.010.D.4 (Facade Modulation and Articulation) below):

   a. Number of stories (optional);
   b. Modulation strategies - at least one;
   c. Articulation strategies - at least one; and,
   d. Variation in materials - different material palette, with a different primary material.

   The number of required different front facade designs shall be in accordance with Table 17.37.0101 (Architectural Variability).

Table 17.37.010-1. Architectural Variability

Total number of Dwelling Units	Minimum Number of Facade Designs
4 - 8	2
9 - 20	3
21 - 30	4
31 - 40	5
41 - 60	6
61 - 100	7
>100	8



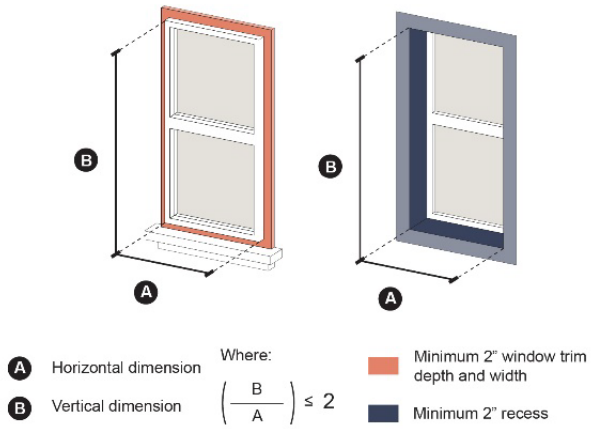
4. Facade Modulation and Articulation
   a. Modulation. Residential units shall employ at least two of the following building modulation strategies:
      i. Varied roof forms, including but not limited to changes in roof height, offsets, change in direction of roof slope, dormers, parapets, etc.;
      ii. Use of balconies, front porches, overhangs, or covered patios; and/or,
      iii. Projections, offsets, and/or recesses of the building wall at least one foot in depth, including but not limited to bay windows, chimneys, brackets, and cornices.
   b. Articulation. All building elevations that face a street or a cluster driveway shall employ varied facade articulation of wall surfaces. Facades shall incorporate at least three of the following features, consistent with the design style, which provide articulation and design interest:
      i. Variation in texture or material, provided all exterior wall textures and materials are consistent with the overall architectural style of the dwelling;
      ii. Building base (typically bottom three feet) that is faced with a stone or brick material, or is delineated with a channel or projection;
      iii. Railings with a design pattern and materials such as wood, metal, or stone which reinforces the architectural style of the building;
      iv. Decorative trim elements that add detail and articulation, such as door surrounds with at least a two-inch depth, decorative eave detailing, belt courses, etc.;
      v. Decorative window elements such as, lintels, shutters, window boxes, etc.; and/or,
      vi. Increased roof overhangs at least 18 inches deep.

5. Side and Rear Elevations
   a. In no case shall any side or rear elevation be a solid blank wall with no articulation.
   b. Side facades facing a private street or cluster driveway shall include details which are compatible with those on the front facade, with similar types and treatments of roofs, windows, shutters, planter boxes, and other architectural elements.
6. Building Entries
   a. Orientation
      i. Dwelling units that abut a public right-of-way shall orient the primary entryway toward the public street. Exceptions to this requirement may be approved by the Director for projects where the project site is located on a Regional or Crosstown street, provided the facade facing the public street is designed with similar details and treatments to those of the front facade.
      ii. Dwelling units located in the interior of a development shall orient the primary entryway toward and be visible from a private street, pedestrian pathway, or open space that is connected to a public right-of-way or private street.
      iii. Projection or Recess. Building entrances shall have a roofed projection (such as a porch) or recess with a minimum depth of at least six feet and a minimum area of 36 square feet. Exceptions to this requirement may be approved by the Director for alternative designs that create a welcoming entry feature facing the street, such as a trellis or landscaped courtyard entry.



      iv. Grade. Ground floor/entry height shall be a maximum of three feet above grade.
7. Building Roofs
   a. Roof Form. Primary roof forms shall be gable, hipped, flat, or shed.
   b. Roof Pitch. Steep roofs with a rise to run ratio over 6:12 (26.6 degrees) shall be prohibited.
   c. Gable Overhangs. All residential structures shall have eave and gable overhangs of not less than 12 inches measured from the vertical side of the residential structure, unless overhangs are architecturally incompatible with the design of the structure as approved by the Director.
   d. Roof Materials. Roof materials shall be non-combustible; shake and composite shingles shall be prohibited on any new single-family residential structure.
   e. Roof Vents. All roof vents shall be flat or similar style.
8. Window Trim or Recess. Trim at least two inches in depth shall be provided around all windows, or windows shall be recessed at least two inches from the plane of the surrounding exterior wall (see Figure 17.37.010-2 (Window Trim or Recess)). Foam trim material shall be prohibited.

Figure 17.37.010-2 Window Trim or Recess





E. Colors and Materials



1. Variation in Materials. Each home shall incorporate at least three materials for facades.
2. Siding Materials. Siding material shall consist of stucco, wood, brick, stone, or decorative concrete block. Synthetic products of a similar appearance, equivalent durability, and providing equivalent fire resistance may be allowed. Metal siding, if utilized, shall be non-reflective and horizontally overlapping. The exterior covering material shall extend to a point at or near grade except that if an approved solid wood, metal, concrete, or masonry perimeter foundation is used, the exterior covering material need not extend below the top of the foundation.
3. Building Component Colors. All vents, gutters, downspouts, flashing, electrical conduits, etc., shall be painted to match the color of the adjacent surface.

F. Transitions and Privacy

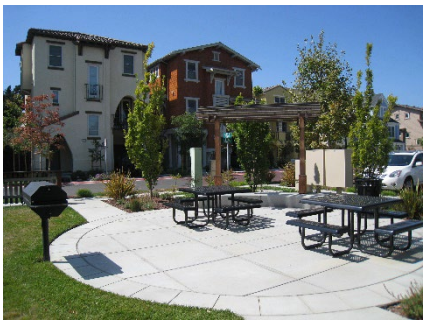
1. Window Placement. Windows on adjacent units shall be offset by at least three feet to avoid direct sightlines into and from neighboring properties.
2. Upper-Story Decks and Balconies. Upper-story decks and/or balconies over 20 square feet in area shall be setback a minimum of 15 feet from the property line when adjacent to a single-family zoned property.
3. Landscape Buffer. For development projects of six units or more, a landscaped planter strip of at least three feet in width shall be provided along the abutting property line between a small lot subdivision/development and any adjoining low-density residential zoning district boundaries. Trees shall be planted within this area every 20 to 40 feet on center (depending on the tree species and canopy at maturity) to provide screening between the small lot subdivision/development and the adjacent low-density residential uses.

G. Landscaping

1. Trees. Every single-family residential lot shall be required to have one street tree installed per street frontage; corner lots shall have one tree planted in the front setback and two trees planted in the street side setback for a total of three trees. Within the public right-of-way, the species of trees and the standards for installation shall conform with the City's Landscaping Design Standards. Trees planted beyond the public right-of-way are recommended but not required to conform with the City's Landscaping Design Standards.
2. Landscaping provided between the back of sidewalk, or where no sidewalk exists, from the back of curb and any perimeter subdivision wall abutting a Regional, Crosstown, or Connector street shall be installed in accordance with the City's Landscaping Design Standards and approved by the City Engineer.
3. Landscape Standards. Front setback landscaping associated with new construction shall comply with the requirements of PMC Chapter 14.05 (Water Efficient Landscape). The following standards shall apply to all substantially modified front setback landscaping and any portion of a street side setback located between the back of curb and any perimeter fence, wall, or structure, and visible from the right-of-way for existing single-family residential development.
   a. A minimum of 60 percent of the front setback area, excluding the driveway, shall be landscaped. Landscaping shall mean any combination of trees, shrubs, vines, ground cover, gravel, stones, decomposed granite, mulch, or other pervious non-plant materials, pursuant to PMC Section 17.37.010.G.3.d below. Bare dirt shall not be allowed.
   b. A minimum of one shrub of any container size per 50 square feet of landscape area, excluding the driveway, shall be provided.
   c. No living turf is permitted. Artificial turf may be utilized within a maximum of 10 percent of the front yard as an "accent point only" and shall be maintained and replaced when weathered or worn.
   d. The use of bark mulch is not allowed in the public right-of-way and shall only be used as an accent adjacent to the residence. The use of stabilized decomposed granite, rock and cobble are highly encouraged. A porous fabric weed barrier shall be installed beneath all rock or mulched areas with the exception of the stabilized decomposed granite.

H. Common Open Space. Within the RN1, RN2, and RN3 zones, common open space shall be subject to the following standards.

1. Common open space shall be landscaped with trees, shrubs, and groundcover with the exception of areas used for amenities which enhance usability such as play/exercise equipment, benches, picnic tables, swimming pools, and the like. It shall provide at least one tree. Additional trees shall be provided at a rate of one tree per 1,000 square feet.
2. Common open space areas shall have a minimum useable width of 20 feet and a slope of no more than 5 percent.
3. Common open space shall be accessible by all units.



4. Amenities. Common open space~~,~~ shall provide recreational amenities which may include but are not limited to a swimming pool; spa; clubhouse; tot lot with play equipment; picnic shelter – barbecue area; court game facilities; improved softball or baseball fields; exercise equipment; dog park; or day care facilities. The number of amenities shall be provided pursuant to Table 17.37.010-2 (Required Open Space Amenities).

Table 17.37.010-2. Required Open Space Amenities

Number of Units	Number of Open Space Amenities
0 - 6	0
7 - 25	1
26 - 50	2
51 - 100	3
101 - 200 *	4

**Add 1 amenity for each 100 additional units or fraction thereof.*

17.37.020 Zero Lot Line Option

A. Applicability. This Section applies to new single-family residential subdivisions in the RN1, RN2, and RN3 zones.

B. All or part of the setback requirements of interior yards along property lines adjoining other private lots may be waived with the written approval of the City and the property owner of the lot adjoining the yard which is being encroached upon. This written agreement shall take the form of a zero lot line agreement which shall be recorded on the chain of title of both properties involved. The zero lot line agreement shall describe, in detail, the extent of said waiver. Zero lot line agreements shall be executed between private property owners only. Swimming pools are not eligible for zero lot line agreements.

C. Approval of a zero lot line agreement shall be subject to the following requirements:

1. All building and fire code requirements related to construction shall be met;
2. Approval regarding the provision of adequate access shall be obtained by the Los Angeles County Fire Department; and,
3. Where the setback is reduced to less than three feet, a maintenance access easement of five feet in width shall be provided on the adjoining property.

17.37.030 Residential Sports Courts

A. Purpose and intent

It is the purpose of this Section to establish specific standards for tennis courts and play courts within residential zones. The intent is to preserve the integrity of the existing residential areas by preventing negative health, safety, and aesthetic impacts while allowing residents the opportunity to establish tennis courts or play courts on properties of sufficient size and configuration to accommodate this use.

B. Development Standards. In all residential zones, a residential sports court shall be allowed as an accessory structure on a lot or site containing a primary residential use subject to the following standards:

1. Limited Use. When located on a single-family residential lot, a residential sports court shall be used only by the occupants of the principal dwelling, or their non-paying guests. The court shall not be rented, used for paid instructional or commercial purposes, and may not be utilized as a sports team practice facility. When located within multi-family residential complexes, a residential sports court shall be used only by occupants of the on-site dwelling units, or their non-paying guests.
2. Property Standards. One residential sports court (including applicable walls and/or fences) may be allowed on a lot of record.
3. Location. Residential sports courts shall be located in the rear or side yard area only and shall not be located closer than 10 feet to the property line. No residential sports court may be located between the front lot line and the front facade of the primary residential structure.
4. Setbacks and Building Separation
   a. Within ER, LDR, SFR1, SFR2, and SFR3 zones, minimum setbacks for residential sports courts, measured from the property line to the court fence, paved or hard-court edge shall be as follows:
      i. Five feet for unlighted sports courts.
      ii. Fifteen feet for any lighted sports court.
      iii. Structural separation between the residential sports court fence and any other fence, building, or structure shall be a minimum of 10 feet.
   b. Within the RN1, RN2, and RN3 zones, structural separation between the court fence, paved, or hard-court edge and any other fence, building or structure shall be 10 feet.
5. Fence Standards. Residential sports court fencing shall not exceed 15 feet in height. The fence may be plastic-coated chain link, colored dark green, dark brown or black, or dark-colored mesh netting or wind screen material. Galvanized chain link or solid fencing shall be prohibited.
6. Lighting. Lighting for residential sports courts shall conform to the following minimum standards:
   a. Light standards shall not exceed 15 feet in height above the grade of the sports court;
   b. Light fixtures shall be located a minimum of 15 feet from any property line and shall not be located within any front or side setback;
   c. Lighting fixtures shall be focused directly downward and be designed with sharp cut-off shields to prevent glare onto adjacent properties; and,
   d. Lighting for residential sports courts shall not be used between the hours of 9:00 p.m. and 8:00 a.m.
7. Lot Coverage. Residential sports courts shall not be included in calculations for lot coverage and may be included in calculations for open space requirements. The graded area for a tennis or game residential sports court shall not exceed 7,700 square feet.
8. Grading. Grading associated with the development of residential play courts shall comply with the following:

a. Retaining walls constructed for a court exceeding four feet in height at any point along the wall shall be reviewed and approved by the Director and the City Engineer.
b. A residential sports court shall not be located on slopes where the natural terrain prior to grading exceeds a 2:1 grade or within natural drainages.

9. Screening. A residential sports court shall be adequately screened on all sides facing a rear or side lot line. Such screening shall be composed primarily of landscaping which shall be maintained in a healthy condition. All landscaping and irrigation plans will be reviewed and approved by the City Engineer.

17.38 Supplemental Standards for Multi-Family Residential Development

All multi-family housing shall be designed and constructed pursuant to the following standards.

17.38.010 Multi-Family Residential Objective Design Standards.

All new multi-family residential development shall be designed pursuant to the City of Palmdale Multi-Family and Mixed-Use Design Standards (adopted by Ordinance No. 1594).

17.38.020 Site Design and Access

In addition to the standards in PMC Chapter 17.87 (Off-Street Parking and Loading), all multi-family residential developments shall comply with the following site design and access standards.

A. Turnaround Areas. Dead-end private streets longer than 150 feet shall provide a vehicle turnaround area. Dead-end streets shall be no more than 400 feet in length.
B. Emergency Access
   1. All parts of all structures shall be within 150 feet of emergency access.
   2. Roof access from all buildings shall be internal; outside ladders attached to buildings shall be prohibited.

17.38.030 Services and Utilities

All utilities, storage, and service areas shall be located and designed pursuant to PMC Chapter 17.85 (Utilities and Services). In addition, the following standards shall apply to multi-family residential projects:

A. Refuse collection areas shall be located as far as possible from the residential portion of mixed-use buildings and open space areas. Additional regulations for refuse collection areas can be found in PMC Section 17.85.020 (Refuse and Recycling).
B. Mailboxes. Where common mailboxes are provided, they shall be located within 100 feet of the project entry or near recreational facilities, and the location must be approved by the U.S. Postal Service. If outdoor cluster mailboxes are provided, they shall meet the following standards:
   1. The clustered mailbox unit(s) and any associated shelters shall be designed using exterior finish materials and colors used on the surrounding residential units.
   2. Cluster mailboxes shall be illuminated with lights and fixtures similar to those used externally throughout the development and shall be in compliance with PMC Section 17.86.030 (Outdoor Lighting).

3. Design and location of group mailboxes shall conform to Unites States Postal Service requirements.

17.38.040 Security and Lighting

A. Adequate internal and external decorative lighting shall be provided along walkways and within all publicly-accessible or common areas of the development for security purposes pursuant to PMC Section 17.86.030 (Outdoor Lighting).

B. All light fixtures visible to the general public are encouraged to be consistent with the overall architectural style of the project with respect to design, materials, color, and color of light.

C. Residential units shall be designed to ensure the security of residents through the provision of separate and secured entrances and exits that are directly accessible to parking areas. Shared or common residential entrances shall automatically lock upon closing.

D. Management and security plans shall be submitted for review and approval for multi-family and residential mixed-use developments with 10 or more dwelling units. On-site management shall be required for all developments with 16 or more units or as allowed by State law.

17.38.050 Open Space

A. Private Open Space. Private open space areas are intended for private use for each dwelling unit and may include balconies (covered or uncovered), private gardens, private yards, terraces, decks, and porches, among others. Entry porches and required setback areas with a dimension less than 20 feet shall not be counted toward private open space requirements. Private open spaces shall meet the following standards:

1. Be directly accessible from a residential unit;
2. Provide a minimum dimension of six feet in any direction;
3. Provide a minimum clear height dimension of eight feet six inches; and,
4. May be covered but cannot be enclosed. Private open space is considered enclosed when the space between a floor, decking, or ground level and a roof structure has more than two sides taller than 50 inches in height.

B. Common Open Space. This section applies to common open spaces in~~,~~ multi-family residential projects and residential mixed-use projects. Private common open spaces may be indoor rooms or outdoor open spaces that are shared and accessible only to building residents and their visitors. They can be located at the ground level, on parking podiums, or on rooftops, provided they are adequately landscaped. Common open spaces may include courtyards, gardens, play areas, outdoor dining areas, recreational amenities, rooftop amenities, and community rooms, among others.

1. Design and Dimensions. Common outdoor open spaces shall meet the following standards. Entry porches and required setback areas with a dimension less than 20 feet shall not be counted toward common open space requirements.
   a. Provide a minimum dimension of 20 feet in any direction;
   b. A maximum of 40 percent of the common open space may be covered but cannot be enclosed. Common open space is considered enclosed when the space between a floor, decking, or ground level and a roof structure has sides taller than 50 inches in height on more than two sides;

c. Courtyards enclosed on four sides shall have a minimum dimension of 40 feet and have a minimum courtyard width to building height ratio of 1.25:1;
d. The open space shall include places to sit and shade structures;
e. A minimum of 20 percent of the open space area shall be planted with trees, ground cover, and/or shrubs; and,
f. Slopes shall not exceed 5 percent.

2. Amenities. All multi-family developments with five or more dwelling units shall provide recreational amenities within the site which may include but are not limited to a swimming pool; spa; clubhouse; tot lot with play equipment; picnic shelter – barbecue area; court game facilities; improved softball or baseball fields; exercise equipment; or day care facilities. The number of amenities shall be provided pursuant to Table 17.38.050-1. Required Open Space Amenities.

Table 17.38.050-1. Required Open Space Amenities

Number of Units	Number of Open Space Amenities
0 - 4	0
5 - 50	1
51 - 100	2
101 - 200	3
201 - 300 *	4

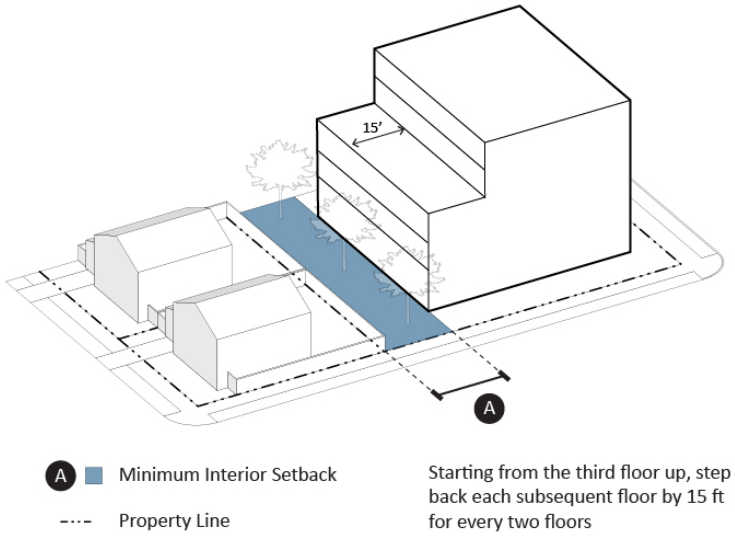
**Add 1 amenity for each 100 additional units or fraction thereof.*

17.38.060 Neighborhood Transitions

A. Transition to Lower Density Building Types. When a building has a rear property line abutting a single-family residential zoned parcel, starting from the third floor up, each subsequent floor shall be stepped back by 15 feet for every two floors.



Figure 17.38.060-1. Transitions to Lower Density Building Types



B. Window Placement. When a residence is located within 10 feet of a side property line, windows on the residence shall be offset a minimum of three feet from windows of the nearest building on the adjacent property.

C. Balcony Placement. Upper-story balconies shall be offset a minimum of 10 feet opposite windows of adjacent single-family residences.

D. Screening. Screening shall be provided between uses in accordance with PMC Chapter 17.83 (Transitions Between Land Uses and Zones).

17.38.070 Dwelling Unit Requirements

A. Laundry Facilities. Each dwelling unit shall be equipped with connections for installation of a standard-sized washer and dryer, or common laundry facilities shall be provided containing a minimum of one washing machine and one dryer for every five dwelling units or a fraction thereof. If common laundry facilities are provided, they shall be dispersed throughout the project either in every building and/or every other floor. If individual facilities are provided, the proposed floor plans shall demonstrate compliance with this requirement.

B. Cable-Ready. Units shall be pre-wired to accommodate cable reception.

17.39 Standards for Two-Unit Developments and Urban Lot Splits in Single-Family Zones

17.39.010 Purpose

The purpose of this Chapter is to provide objective zoning standards for Two-Unit Developments and Urban Lot Splits within single-family residential zones, to implement the provisions of State law as reflected in Government Code Section 66411.7 et seq., to facilitate the development of new residential housing units consistent with the General Plan, and to ensure ~~sound standards of~~ public health and safety.

17.39.020 Approval Process

An Urban Lot Split housing development shall be administratively approved through a Zoning Clearance Review pursuant to PMC Section 17.26.030 (Zoning Clearance Review) if it meets the requirements in this Chapter.

17.39.030 Applicability and Criteria

A. This Section applies to all parcels within single-family residential zones (ER, LDR, SFR1, SFR2, and SFR3) except as prohibited below.

B. Not on Prohibited Land. The property shall not be located in any of the following areas and shall not fall within any of the following categories:

1. Historic. An historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city landmark or historic property or district pursuant to a City ordinance.
2. Farmland. Prime farmland or farmland of statewide importance as further defined in Government Code section 65913.4(a)(6)(B).
3. Wetlands. Wetlands as defined in the Unites States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).
4. Fire Zone. A very high fire hazard severity zone as further defined in Government Code Section 65913.4(a)(6)(D). This shall not apply to sites excluded from the specified hazard zones by a local agency, pursuant to subdivision (b) of Government Code Section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.
5. Hazardous Waste Site. A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless the State Department of Public Health, State Water Resources Control Board, or Department of Toxic Substances Control has cleared the site for residential use or residential mixed-use.
6. Flood Zone. A special flood hazard area subject to inundation by the one percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency (FEMA) in any official maps published by FEMA. If an applicant is able to satisfy all applicable Federal qualifying criteria in order to provide that the site satisfies this Section and is otherwise eligible for streamlined approval under this section, the City shall not deny the application on the basis

that the applicant did not comply with any additional permit requirement, standard, or action adopted by the City that is applicable to that site. A development may be located on a site described in this Section if either of the following are met:

a. The site has been subject to a Letter of Map Revision prepared by FEMA and issued to the City; or

b. The site meets FEMA requirements necessary to meet minimum flood plain management criteria of the Nation Flood Insurance Program as further spelled out in Government Code Section 65913.4(a)(6)(G)(ii).

7. Floodway. A regulatory floodway as determined by FEMA in any of its official maps, published by FEMA unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If an applicant is able to satisfy all applicable Federal qualifying criteria in order to provide that the site satisfies this Section and is otherwise eligible for streamlined approval under this Section, the City shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the City that is applicable to that site.

8. Planned for Habitat Conservation. Lands identified for conservation in an adopted natural community conservation plan, habitat conservation plan, or other adopted natural resource protection plan as further spelled out in Government Code Section 65913.4(a)(6)(I).

9. Habitat for Protected Species. Habitat for protected species identified as candidate, sensitive, or species of special status by State or Federal agencies, fully protected species, or species protected by the Federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).

10. Conservation Easement. Lands under a conservation easement.

C. Rental Housing. Notwithstanding any provision of this Chapter or any local law, the proposed Two-Unit Development would not require the demolition or alteration of any of the following types of housing:

1. Affordable Housing. Housing that is subject to recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate-, low-, or very low-income.

2. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.

3. Housing that has been occupied by a tenant in the last three years.

~~B.~~D. Ellis Act Housing. The parcel is not a parcel on which an owner of residential real property has exercised the owner's right under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 of the Government Code to withdraw accommodations from rent or lease within the last 15 years before the date that the development proponent submits an application.

~~C.~~E. Demolition. The proposed Two-Unit Development does not include the demolition of more than 25 percent of the existing exterior structural walls unless the site has not been occupied by a tenant in the last three years.

17.39.040 Standards and Requirements

A. Standards. The proposed Two-Unit Development shall comply with all objective development standards and design review standards in Division 3 (Residential Zones) of this Ordinance applicable to the parcel as provided in the zone in which the parcel is located, and objective subdivision standards in PMC Title 16 (Subdivisions) provided, however, that:

1. Number of Units Allowed on Each Parcel. Only two primary dwelling units may be located on any lot created through an Urban Lot Split that utilized the Two-Unit Development provision. Accessory dwelling units and junior accessory dwelling units are not permitted on these lots.
2. Unit Size. The City shall not impose any objective zoning, subdivision, or development standards that would have the effect of physically precluding the construction of two units on either of the resulting parcels or that would result in a unit size of less than 800 square feet. Any modifications of development standards shall be the minimum modification necessary to avoid physically precluding two units of 800 square feet each on each parcel.
3. Setbacks. Except for those circumstances described in PMC Section 17.39.040.A.2 (Unit Size), the setback for side and rear lot lines shall be four feet, except that no setback shall be required for an existing legally created structure, or a structure constructed in the same location and to the same dimensions as an existing legally created structure. The front setback shall be as set forth in the single-family residential zone in which the property is located.
4. Non-Conforming Conditions. The City shall not require the correction of nonconforming zoning provisions as a condition of approval for the Urban Lot Split.
5. Connected Structures. The City shall not reject an application solely because it proposes an adjacent or connected structure provided that the structure meets Building Code safety standards and is sufficient to allow a separate conveyance.
6. Utility Hook Ups. The proposed Two-Unit Development shall provide a separate gas, electric, and water utility connection directly between each dwelling unit and the utility.
7. Septic Tanks. For a Two-Unit Development connected to an onsite wastewater treatment system, the applicant must provide a percolation test completed within the last 5 years, or if the percolation test has been recertified, within the last 10 years.
8. Access. All lots shall have existing access, provide new access, or adjoin the public right-of-way. All access drives shall have a minimum width of 10 feet.
9. Parking. A minimum of one off-street parking space per unit shall be provided, except that no parking requirements shall be imposed in either of the following circumstances:
10. The property is located within one-half mile walking distance of either a high-quality transit corridor as defined by Public Resources Code Section 21155(b), or a major transit stop as defined in Public Resources Code Section 21064.3; or,
11. There is a carshare vehicle located within one block of the property.
12. Fire Sprinklers. Units created through the Two-Unit Development process shall be fire-sprinklered if they fall with a Very High Fire Hazard Severity Zone or High Fire Hazard Severity Zone, as identified in the General Plan.
13. Minimum Construction Standards. All new units constructed pursuant to this Chapter shall be subject to the minimum construction standards for single-family homes as provided in PMC Chapter 17.37 (Supplemental Standards for Single-Family Residential Development). In the

instance that there are discrepancies between the provisions of this Chapter and those requirements specified within PMC Section 17.37.010 (Detached Single-Family Residential Standards) the provisions of this Chapter shall apply.

~~D.~~B. Rental Period. Dwelling units created through the Two-Unit Development process may be used for residential uses only and may not be used for rentals of less than 30 days.

~~E.~~C. Demolished Units. If any existing dwelling unit is proposed to be demolished, the applicant shall comply with the replacement housing provisions of Government Code Section 66300(d).

~~F.~~D. Owner-Occupancy Requirement. Where there is no Urban Lot Split, one unit in a Two-Unit Development must be owner-occupied, including a requirement to record a covenant notifying future owners of the owner-occupancy requirements.

17.39.050 Specific Adverse Impacts

In addition to the criteria listed in this Chapter, the City may deny the housing development if the building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in Government Code Section 65589.5(d)(2), upon the public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. A "specific adverse impact" is a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete. Inconsistency with this Ordinance or the General Plan land use designation and eligibility to claim a welfare exemption are not specific health or safety impacts.

17.39.060 Required Affidavit

A. An applicant for an Urban Lot Split as specified herein shall sign an affidavit in a form approved by the City Attorney to be recorded against the property stating the following:

1. That the applicant intends to occupy one of the housing units as his/her/their principal residence for a minimum of three years from the date of approval. This requirement shall not apply when the applicant is a "community land trust" or a "qualified nonprofit corporation" as the same are defined in the Revenue and Taxation Code.
2. That the uses shall be limited to residential uses.
3. That the rental of any unit created by the Urban Lot Split shall be for a minimum of 31 days.
4. That the maximum number of units to be allowed on the parcel is two, including but not limited to units otherwise allowed pursuant to density bonus provisions, accessory dwelling units, and junior accessory dwelling units.
5. That the proposed housing development would not require demolition or alteration of any of the following types of housing:
6. Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate-, low-, or very low-income; or,
7. Housing that has been occupied by a tenant in the last three years.
8. If any existing housing is proposed to be altered or demolished, provide a comprehensive history of the occupancy of the units to be altered or demolished for the past three years (five years if an existing unit is to be demolished).

B. Where there is no Urban Lot Split, one unit in a Two-Unit Development must be owner-occupied, including a requirement to record a covenant notifying future owners of the owner-occupancy requirements.

17.39.070 Enforcement

The City Attorney shall be authorized to abate violations of this Chapter and to enforce the provisions of this Chapter and all implementing agreements and affidavits by civil action, injunctive relief, and any other proceeding or method permitted by law. Remedies provided for in this Chapter shall not preclude the City from any other remedy or relief to which it otherwise would be entitled under law or equity.

Title 17. Zoning

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Division 4. COMMERCIAL/OFFICE ZONES

17.40 General Purpose and Intent

The purpose of the commercial/office zones are to:

A. Designate adequate land for commercial and office uses and growth consistent with the General Plan;
B. Maintain and strengthen the City's economic resources;
C. Provide a range of employment opportunities to meet the needs of current and future residents;
D. Designate adequate land for a full range of local- and regional-serving commercial and retail services consistent with the General Plan for residents, employees, and visitors;
E. Provide adequate land for professional and medical office uses and service centers; and,

F. Ensure that appropriate site design and operational standards are in place to promote commerce while protecting health and safety and minimizing impacts on adjacent properties.

Additional purposes of each commercial/office zone are provided in the subsequent sections.

17.41 Neighborhood Commercial (NC)

This zone is intended to foster convenience-type retail, neighborhood offices, and service activities that serve the daily needs of the immediate neighborhood. NC areas are located in Village Centers, near residential neighborhoods to serve the short-term needs of residents. Neighborhood Commercial development is occasionally found on small corner parcels (a few acres) but more often in slightly larger configurations (five to 10 acres in size). This designation includes supermarkets, restaurants, apparel stores, small hardware stores, banks, offices, and similar uses. This zone also provides gathering places for the residents of surrounding neighborhoods and are ideal locations for local transit stops (including but not limited to bus stations and carsharing pods). This zone implements the Neighborhood Commercial General Plan land use designation.

17.42 Regional Commercial (RC)

This zone is intended to accommodate commercial/retail and service uses attracting consumers from a regional market area. RC areas provide access to long-term goods and services (in contrast to convenience goods) such as big box retail, the regional mall, and film uses within the Los Angeles County secondary zone. Limited multi-family residential uses are allowed with a comprehensive development plan on the Antelope Valley Mall site and the property south of Palmdale Boulevard between SR-14 and Division Street. The uses allowed in this designation will provide a unique amenity to all residents of Palmdale and an important revenue source for the City. Areas with the RC designation are situated near State Route 14 and Rancho Vista Boulevard, at Pearblossom Highway and Fort Tejon, at Avenue R and 47th Street East, and others. RC developments typically occupy many acres, although individual businesses may be on smaller parcels. This zone implements the Regional Commercial General Plan land use designation.

17.43 Visitor Commercial (VC)

This zone is intended to accommodate a diverse mix of businesses that primarily serve visitors to Palmdale or that provide niche/specialty goods and services. Typical VC uses include lodging (e.g., ~~short~~ hotels and ~~long-term~~extended stay hotels), convenience retail, professional and medical offices, service uses, restaurants, and similar uses that are aimed largely at regional visitors, workers, and other highway traffic. Uses may be more intense than in the NC and RC zones. This zone implements the Visitor Commercial General Plan land use designation.

17.44 Medical Flex (MEDFX)

This zone is intended to accommodate a medical-oriented campus with a focus on medical/hospital uses, supported by appropriate commercial and lodging uses, workforce housing, and open space areas for congregating and socializing. The envisioned mix of uses is a large hospital or medical office as the anchor, enlivened by part-time and full-time residents and access to a limited set of supporting uses related to daily goods and services. The MEDFX zone is applied to the Palmdale Regional Medical Center environs, around the Kaiser Permanente facility on East Avenue S, and a future medical district on

Palmdale Boulevard and 40th Street East. This zone implements the Health and Wellness General Plan land use designation.

17.45 Educational Flex (EDFX)

This zone is intended to primarily attract a mix of educational type uses like trade schools, public and private higher education facilities, and satellite campuses, while permitting supporting uses such as services and housing. The EDFX zone is targeted in two key locations along Palmdale Boulevard, with a vision of major academic institutions anchoring vibrant, walkable, mixed-use destinations, creating an attractive campus setting. This zone implements the Educational Flex General Plan land use designation.

17.46 Office Flex (OFX)

This zone is intended to allow mixed-use development of office/flex uses and supportive service, retail, and commercial uses. It allows a mix of businesses that provide a wide variety of employment-generating activities, including office, medical, R&D, and flex/makerspaces. Office uses may be stand-alone, or part of a large business/office park development. These areas are typically situated close to Regional roadways or freeways. This zone implements the Industrial and Employment Flex General Plan land use designations.

17.47 Land Use Regulations

17.47.010 Permissions Tables and Establishment of an Allowed Use

Prior to the establishment of any land use(s) identified in the land use permissions tables, the applicant shall obtain all necessary approvals and permits pursuant to all applicable requirements of this Ordinance. Division 2 (Review Procedures) of this Ordinance identifies the requirements of project proposals and procedures and processing requirements for administrative and discretionary applications.

A. Use Classifications. Each land use classification is described in PMC Chapter 17.16 (Definitions). For example, personal service use includes a wide range of individual personal service uses (e.g., beauty parlor, dry cleaning, tanning salons, tailors). Use classifications describe one or more uses having similar characteristics but do not list every use or activity that may be appropriate within the classification. For that reason, the City has established a similar use determination process as described in PMC Section 17.24.040 (Determination on Unlisted Uses).

B. Projects of Two or More Land Uses. Where a single parcel is proposed for development with two or more of the land uses listed in the permissions tables at the same time, the overall project will be subject to the highest level of review required by the tables for any individual use; however, all applicable fees shall be paid, and individual applications submitted for each applicable application type.

C. Allowed Uses and Approval Types. Generally, a use is either allowed by right, allowed through an approval process, or not allowed. In addition to the requirements for planning entitlements of this Ordinance, other permits may be required prior to establishment of the use (e.g., building permit, engineering permit, or permits required by other agencies). The requirements for planning entitlements include:

    1. Permitted (P). A land use shown with a “P” indicates that the land use is allowed by right in the designated zone, subject to compliance with all applicable provisions of this Ordinance (e.g., development standards) as well as State and Federal law.

2. Accessory Use (A). A land use shown with an “A” indicates that the land use is allowed only as a secondary use in conjunction with a primary use, subject to compliance with all applicable provisions of this Ordinance (e.g., development standards) as well as State and Federal law.
3. Minor Use Permit (MUP) Required. A land use shown with “MUP” indicates that the land use is allowed in the designated zone upon issuance of a Minor Use Permit from the designated Review Authority, subject to compliance with all applicable provisions of this Ordinance (e.g., development standards), as well as State and Federal law.
4. Conditional Use Permit (CUP) Required. A land use shown with “CUP” indicates that the land use is allowed in the designated zone upon issuance of a Conditional Use Permit from the designated Review Authority, subject to compliance with all applicable provisions of this Ordinance (e.g., development standards) as well as State and Federal law.
5. Not Permitted (-). A land use shown with a “-” is not allowed in the applicable zone.
6. Temporary Use (T). On occasion, property will be used for an event, activity, or use on a short-term basis. Such use is considered a temporary use. A land use shown with “T” indicates that the land use is allowed by right as a temporary use, subject to compliance with all applicable provisions of this Ordinance (e.g., development standards) as well as State and Federal law.
7. Temporary Use Permit Required (TUP). On occasion, property will be used for an event, activity, or use on a short-term basis. Such use is considered a temporary use. A land use shown with “TUP” indicates that the land use is allowed as a temporary use in conjunction with the issuance of a Temporary Use Permit pursuant to PMC Section 17.26.100 (Temporary Use and Special Event Permits). PMC Section 17.98.020 (Temporary Uses) provides the regulations for these uses, including development standards and time limits.

17.47.020 Allowed Uses – Commercial/Office Zones

The land uses allowed in the commercial/office zones are listed in Table 17.47.020-1 (Allowed Uses – Commercial/Office Zones), together with the planning approval type required for each use. Allowed land uses include both primary and accessory uses that are permanent in nature. For regulations on all temporary uses and events, see PMC Section 17.26.100 (Temporary Use and Special Event Permits) and PMC Section 17.98.020 (Temporary Uses). Numeric notes can be found at the end of the table.

In addition to the regulations of the applicable zone, all land uses are subject to the special use standards identified in the “Additional Use Regulations” column of the allowed use tables. Refer to the referenced Sections for additional operational standards and regulations applicable to the use.

Table 17.47.020-1 Allowed Uses – Commercial/Office Zones

Commercial/Office Zones							
Use	**NC**	**RC**	**VC**	**MEDFX**	**EDFX**	**OFX**	**Specific Use Regulations**
Aerospace Uses							
Aerospace Manufacturing	-	-	-	-	-	-	
Aerospace Services	-	-	-	-	-	-	
Agriculture & Animal Keeping Uses							
	NC	**RC**	**VC**	**MEDFX**	**EDFX**	**OFX**	**Specific Use Regulations**
Agricultural Support, Sales, Service, and Storage	-	-	-	-	-	-	
Animal Husbandry and Production	-	-	-	-	-	-	
Animal Raising and Keeping, Domestic	-	A	-	-	A	-	See PMC Chapter 17.89 (Animal Keeping)
Animal Raising and Keeping, Exotic	-	-	-	-	-	-	See PMC Chapter 17.89 (Animal Keeping)
Animal Raising and Keeping, Horses	-	-	-	-	-	-	See PMC Chapter 17.89 (Animal Keeping)
Animal Raising and Keeping, Livestock	-	-	-	-	-	-	See PMC Chapter 17.89 (Animal Keeping)
Animal Raising and Keeping, Poultry and Beekeeping	-	-	-	-	-	-	See PMC Chapter 17.89 (Animal Keeping)
Aquaculture	-	-	-	-	-	-	
Crop Production	-	-	-	-	-	-	
Farmstands	-	-	-	-	-	-	
Garden/Greenhouse, Private	A	A	A	A	A	A	
Horticultural Production	-	-	-	-	-	-	
Kennels, Private/Hobby	-	-	-	-	-	-	
Stable/Equestrian Facility, Commercial/Public	-	-	-	-	-	-	
Stable/Equestrian Facility, Hobby/Private	-	-	-	-	-	-	See PMC Chapter 17.89 (Animal Keeping)
Automobile and Vehicle Uses							
	NC	**RC**	**VC**	**MEDFX**	**EDFX**	**OFX**	**Specific Use Regulations**
Fueling Station	CUP	MUP	P	-	-	-	All vehicle repair work shall be conducted within an enclosed structure only. See PMC Section 17.92.070 (Fueling Station/Vehicle and Equipment Services and Repair).
Travel Center	-	CUP	P	-	-	-	All vehicle repair work shall be conducted within an enclosed structure only. See PMC Section 17.92.070 (Fueling Station/Vehicle and Equipment Services and Repair).
Vehicle and Equipment Services and Repair, Major	-	CUP	CUP	-	-	-	All vehicle repair work shall be conducted within an enclosed structure only. See PMC Section 17.92.070 (Fueling Station/Vehicle and Equipment Services and Repair).
Vehicle and Equipment Services and Repair, Minor	MUP	MUP	P	CUP	-	-	All vehicle repair work shall be conducted within an enclosed structure only. See PMC Section 17.92.070 (Fueling Station/Vehicle and Equipment Services and Repair).

Commercial/Office Zones							
Use	**NC**	**RC**	**VC**	**MEDFX**	**EDFX**	**OFX**	**Specific Use Regulations**
Vehicle Rental	CUP	MUP	P	-	-	-	
Vehicle Sales, New	-	-	-	-	-	-	
Vehicle Sales, Used	-	-	-	-	-	-	
Vehicle Sales and Rental, Large Vehicles and Equipment	-	CUP	CUP	-	-	-	All vehicle repair work shall be conducted within an enclosed structure only. See PMC Section 17.92.070 (Fueling Station/Vehicle and Equipment Services and Repair).
Vehicle Towing/Impounding	-	-	-	-	-	-	See PMC Section 17.93.040 (Vehicle Towing/Impounding)
Vehicle Washing & Detailing	CUP	P	P	-	-	-	See PMC Section 17.92.180 (Vehicle Washing and Detailing)
Vehicle Wrecking/Dismantling	-	-	-	-	-	-	See PMC Section 17.93.030 (Salvage Yards)
Eating and Drinking Establishments & Entertainment Uses							
	NC	**RC**	**VC**	**MEDFX**	**EDFX**	**OFX**	**Specific Use Regulations**
Bar/Nightclub/Lounge	CUP	CUP	CUP	-	-	-	See PMC Section 17.92.020 (Alcoholic Beverage Establishments)
Brewpub/Taproom/Wine Bar/Microdistillery	MUP	MUP	MUP	-	-	-	See PMC Section 17.92.020 (Alcoholic Beverage Establishments)
Café/Bakery	P	P	P	P	P	P	
Cinema/Theater/Performing Arts Center	CUP	P	P	-	P	-	
Live Entertainment as Accessory Use, Indoor (Accessory)	A	A	A	A	A	A	
Live Entertainment as Accessory Use, Outdoor (Accessory)	A, MUP	A, MUP	A, MUP	A, MUP	A, MUP	A, MUP	Regular outdoor events as an accessory use require an MUP. Sporadic events require a TUP (See PMC Section 17.98.020 (Temporary Uses)).
Outdoor Dining (Accessory)	A	A	A	A	A	A	See PMC Section 17.92.100 (Outdoor Dining)
Outdoor Entertainment	-	P	P	-	CUP	-	
Restaurant, Bona Fide	MUP	P	P	P	P	P	See PMC Section 17.92.020 (Alcoholic Beverage Establishments)
Restaurant, Dine-In and Take-Out	P	P	P	P	P	P	
Restaurant, Drive-Through	CUP	P	P	-	CUP~~P~~	CUP	See PMC Section 17.92.050 (Drive-Through Restaurants and Services)
Film, Research and Development							
	NC	**RC**	**VC**	**MEDFX**	**EDFX**	**OFX**	**Specific Use Regulations**
Film Production & Post Production	-	MUP	-	-	-	MUP	Only allowed on parcels that fall within the Los Angeles Secondary Studio zone.
Research & Development	-	-	-	P	P	P	
Industrial and Manufacturing Uses							
	NC	**RC**	**VC**	**MEDFX**	**EDFX**	**OFX**	**Specific Use Regulations**
Artisan Manufacturing/Makers Space	CUP	MUP	-	-	MUP	P	
Brewery/Distillery/Winery - without tasting room or > 10,000 sf	-	-	-	-	-	-	
Brewery/Distillery/Winery - with tasting room and <10,000 sf	CUP	MUP	MUP	-	-	CUP	See PMC Section 17.92.020 (Alcoholic Beverage Establishments)
Commercial Vehicle Parking (Primary)	-	-	-	-	-	-	See PMC Section 17.93.010 (Commercial Vehicle Parking as a Primary Use)

Commercial/Office Zones							
Use	**NC**	**RC**	**VC**	**MEDFX**	**EDFX**	**OFX**	**Specific Use Regulations**
Construction and Materials Yards	-	-	-	-	-	-	
Food or Beverage Manufacturing	-	-	-	-	-	-	
Hazardous Materials Facility	-	-	-	-	-	-	See PMC Chapter 17.96 (Hazardous Materials Facilities)
Indoor Warehousing, Storage, Wholesaling, and Distribution	-	CUP	-	-	-	A, MUP	
Manufacturing, Outdoors	-	-	-	-	-	-	
Manufacturing/Processing, Light	-	-	-	-	-	MUP	
Manufacturing/Processing, Heavy	-	-	-	-	-	-	
Mining/Resource Extraction	-	-	-	-	-	-	See PMC Section 17.67.070 (Mining and Quarry Special Standards) and PMC Chapter 17.102 (Surface Mining and Reclamation)
Mini-Storage Warehousing or Facility	-	CUP	-	-	-	CUP	See PMC Section 17.93.020 (Mini-Storage Warehousing or Facility)
Outdoor Storage (Accessory)	-	A, MUP	A, MUP	A, CUP	A, CUP	A, CUP	See PMC Section 17.92.120 (Outdoor Storage (Primary and Accessory))
Outdoor Storage (Primary Use)	-	-	-	-	-	-	See PMC Section 17.92.120 (Outdoor Storage (Primary and Accessory))
Outdoor Storage (Temporary)	T; TUP	T; TUP	T; TUP	T; TUP	T; TUP	T; TUP	If less than 72 hours, allowed by right (T). If over 72 hours, a TUP is required per PMC Section 17.26.100 (Temporary Use and Special Event Permits). See also PMC Section 17.98.020 (Temporary Uses).
Salvage Yards	-	-	-	-	-	-	See PMC Section 17.93.030 (Salvage Yards)
Temporary Structures or Storage Facilities (Temporary and Accessory)	A, TUP	A, TUP	A, TUP	A, TUP	A, TUP	A, TUP	See PMC Section 17.98.020 (Temporary Uses)
Lodging							
	NC	**RC**	**VC**	**MEDFX**	**EDFX**	**OFX**	**Specific Use Regulations**
Bed and Breakfast	-	-	-	-	-	-	
Lodging - Extended Stay	CUP	P	P	MUP	MUP	MUP	
Lodging - Hotels	CUP	P	P	MUP	MUP	MUP	
Lodging - Motels	CUP	P	P	MUP	MUP	MUP	
Lodging - Timeshares	-	P	P	-	-	-	
Public, Quasi-Public and Institutional Uses							
	NC	**RC**	**VC**	**MEDFX**	**EDFX**	**OFX**	**Specific Use Regulations**
Civic/Government	P	P	P	P	P	P	
Cultural Institutions	CUP	P	P	P	P	CUP	
Hospital	-	CUP	CUP	MUP	-	-	
Public Service Facility	P	P	P	P	P	P	
Social Service Facilities	MUP	MUP	MUP	P	MUP	MUP	See PMC Section 17.94.040 (Social Service Facilities with Congregate Meal Facilities)

Commercial/Office Zones							
Use	**NC**	**RC**	**VC**	**MEDFX**	**EDFX**	**OFX**	**Specific Use Regulations**
Recreation, Education, and Public Assembly Uses							
	NC	**RC**	**VC**	**MEDFX**	**EDFX**	**OFX**	**Specific Use Regulations**
Athletic Fields, Unlighted	-	P	P	-	P	-	
Athletic Fields, Lighted	-	MUP	MUP	-	CUP	-	
Campground	-	-	-	-	-	-	
Cemeteries, Crematories, or Mausoleums	-	-	-	-	-	-	
College/University	CUP	CUP	CUP	CUP	P	CUP	
Commercial Recreation and Sports, Indoor	CUP	P	P	-	P	CUP	
Commercial Recreation and Sports, Outdoor	-	P	P	-	MUP	-	See PMC Section 17.94.030 (Golf Courses)
Community Assembly, ≤ 5,000 sf (gross sf)	P	P	P	P	P	P	See PMC Section 17.94.010 (Community Assembly Uses)
Community Assembly, 5,001 sf - 12,000 sf (gross sf)	MUP	P	P	MUP	P	MUP	See PMC Section 17.94.010 (Community Assembly Uses)
Community Assembly, >12,000 sf (gross sf)	CUP	CUP	CUP	CUP	CUP	CUP	See PMC Section 17.94.010 (Community Assembly Uses)
Family Day Care Center	P	P	P	P	P	P	See PMC Section 17.92.060 (Family Day Care Center)
Instructional Services, ≤ 5,000 sf	P	P	P	MUP	P	P	
Instructional Services, > 5,000 sf	MUP	P	P	MUP	P	MUP	
Open Space, Natural	P	P	P	P	P	P	
Parks and Recreation Facilities	P	P	P	P	P	P	See PMC Section 17.94.030 (Golf Courses)
Retreat Center	CUP	P	P	CUP	MUP	CUP	
Recreational Vehicle (RV) Park	-	-	-	-	-	-	
Schools, Public or Private (TK-12)	-	-	-	-	P	-	
Tutoring Facilities	P	P	P	MUP	P	MUP	
Vocational/Trade School, ≤ 10,000 sf	MUP	MUP	MUP	MUP	P	MUP	
Vocational/Trade School, >10,001 sf	CUP	CUP	CUP	CUP	P	CUP	
Residential Uses							
	NC	**RC**	**VC**	**MEDFX**	**EDFX**	**OFX**	**Specific Use Regulations**
Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU)	-	A	-	A	A	-	See PMC Section 17.91.010 (Accessory Dwelling Unit and Junior Accessory Dwelling Unit Standards)
Agricultural Worker Housing	-	-	-	-	-	-	
Caretaker's Unit (Accessory)	-	-	-	-	P	-	See PMC Section 17.91.030 (Caretaker's Units (Accessory))
Child Day Care in a Home	-	P	-	P	P	-	
Cottage Food Operation	-	-	-	-	-	-	See PMC Section 17.91.040 (Cottage Food Operation)
Cottage Industry	-	-	-	-	-	-	

Commercial/Office Zones							
Use	**NC**	**RC**	**VC**	**MEDFX**	**EDFX**	**OFX**	**Specific Use Regulations**
Emergency Shelters	-	-	-	CUP	-	-	See PMC Section 17.94.020 (Emergency Shelters)
Group Residential Home	-	-	-	MUP	MUP	-	
Home Occupation (Accessory)	-	A	-	A	A	-	
Live/Work	-	MUP		P	P	-	
Model Home (on-site)	-	-	-	-	-	-	See PMC Section 17.98.020 (Temporary Uses)
Manufactured/Mobile Home Park	-	-	-	-	-	-	See PMC Section 17.91.050 (Manufactured/Mobile Home Parks) and 17.91.060 (Manufactured/Mobile Home Park Closures)
Residential Care Facilities, Small	CUP	-	-	P	-	-	
Residential Care Facilities, Large	CUP	CUP	CUP	P	-	-	See PMC Section 17.91.070 (Residential Care Facilities, Large)
Residential Housing Types							
Single-Family Dwelling, Attached	-	-	-	-	-	-	
Single-Family Dwelling, Detached	-	-	-	-	-	-	
Two-Family Dwelling/Duplex	-	-	-	-	-	-	
Multi-Family Dwelling, Triplex/Quadplex	-	-	-	-	-	-	
Multi-Family Residential, ≥ 5 Units	-	P[1]	-	CUP	CUP	-	
Manufactured/Mobile Home	-	-	-	-	-	-	
Single-Room Occupancy	-	-	-	-	-	-	
Sober Living Home	-	-	-	-	-	-	See PMC Section 17.91.080 (Sober Living Home)
Supportive Housing	-	-	-	-	-	-	
Transitional Housing	-	-	-	-	-	-	
Yard Sales (Temporary Use)	-	T	-	T	T	-	See PMC Section 17.98.020 (Temporary Uses)
Retail, Service, and Office Uses							
	NC	**RC**	**VC**	**MEDFX**	**EDFX**	**OFX**	**Specific Use Regulations**
Adult-Oriented Business	-	CUP	CUP	-	-	-	See PMC Section 17.92.010 (Adult-Oriented Businesses)
Alcohol & Drug Treatment Facility, Large	-	-	-	CUP	-	-	See PMC Section 17.91.020 (Alcohol & Drug Treatment Facility)
Alcohol & Drug Treatment Facility, Small	-	-	-	MUP	-	-	
Alcohol Sales, Off-Sale	-	CUP	CUP	-	-	-	See PMC Section 17.92.020 (Alcoholic Beverage Establishments)
Animal Sales and Services	CUP	P	P	-	-	-	
Auction Sales, Indoor	-	MUP	MUP	-	-	-	
Auction Sales, Outdoor	-	CUP	CUP	-	-	-	
ATM (Accessory Use)	A	A	A	A	A	A	
Bail Bonds	-	CUP	CUP	-	-	-	
Banks, Financial, Savings and Loan Institutions	P	P	P	P	P	P	
Building Materials Sales and Services	-	-	-	-	-	-	
Business to Business Support Services	-	MUP	MUP	-	-	P	
Check-Cashing Businesses	-	CUP	CUP	-	-	-	
Convenience Market	-	CUP	CUP	-	-	-	See PMC Section 17.92.030 (Convenience Markets) and PMC Section 17.92.020 (Alcoholic Beverage Establishments)

Commercial/Office Zones							
Use	**NC**	**RC**	**VC**	**MEDFX**	**EDFX**	**OFX**	**Specific Use Regulations**
Drive-Through Services (Accessory)	A, MUP	A	A	A	A	A	See PMC Section 17.92.050 (Drive Through Restaurants and Services)
Farmer's Market (Temporary)	TUP	TUP	TUP	TUP	TUP	TUP	See PMC Section 17.98.020 (Temporary Uses)
Food Preparation, Commercial	CUP	P	P	P	P	MUP	
Fortunetelling, Palm and Card Reading	P	P	P	-	-	-	
Funeral Homes and Mortuaries	MUP	P	P	P	-	-	
General Retail ≤ 5,000 sf	P	P	P	P	P	P	
General Retail 5,001 sf - 25,000	MUP	P	P	MUP	MUP	MUP	
General Retail/Superstore > 25,000	-	P	P	CUP	CUP	CUP	
Grocery Store	P	P	P	CUP	MUP	-	
Kennels/Boarding, Commercial	MUP	P	P	-	-	-	See PMC Section 17.92.080 (Kennels/Boarding, Commercial)
Kiosk/Outdoor Vending [2]	A	A	A	A	A	A	
Laundromat	P	P	P	P	P	P	
Massage Establishment, Accessory (Accessory)	A	A	A	A	A	A	See PMC Section 17.92.090 (Massage Establishment (Accessory))
Massage Establishment, Stand-Alone	-	-	-	-	-	-	
Medical Services, Extended Care	-	MUP	MUP	P	-	-	
Medical Services, Medical/Dental/Holistic/Clinic	P	P	P	P	P	P	
Medical Services, Urgent Care	CUP	P	P	P	P	CUP	
Microblading/Permanent Makeup	P	P	P	P	P	P	
Neighborhood Market	P	P	P	P	P	P	
Nursery/Garden Center	MUP	P	P	-	-	-	
Office, Processing	-	P	P	P	MUP	P	
Office, Professional/Administrative	P	P	P	P	P	P	
Office, Service	P	P	P	P	P	P	
Outdoor Display (Accessory)	A	A	A	A	A	A	See PMC Section 17.92.110 (Outdoor Display)
Pawnshop	-	CUP	CUP	-	-	-	See PMC Section 17.92.130 (Pawnshops)
Personal Services	P	P	P	P	P	P	
Pet Daycare	P	P	P	P	P	P	PMC Section 17.92.140 (Pet Daycare)
Resale/Consignment/Thrift Shop	CUP	MUP	MUP	-	-	-	
Smoking Lounge	CUP	P	P	-	-	-	
Smoke Shop	-		CUP	-	-	-	See PMC Section 17.92.150 (Smoke Shop)
Swap Meet, Indoor	-	P	P	-	-	-	
Swap Meet, Outdoor	-	MUP; TUP	MUP; TUP	-	-	-	See PMC Section 17.92.160 (Swap Meet, Outdoor). Temporary outdoor swap meets require a TUP pursuant to PMC Section 17.98.020 (Temporary Uses).

Commercial/Office Zones							
Use	**NC**	**RC**	**VC**	**MEDFX**	**EDFX**	**OFX**	**Specific Use Regulations**
Tattoo/Body Art/Piercing	CUP	CUP	CUP	CUP	-	-	See PMC Section 17.92.170 (Tattoo/Body Art/Piercing Establishments)
Temporary Real Estate Sales Office (Temporary)	-	-	-	-	-	-	See PMC Section 17.98.020 (Temporary Uses)
Veterinary Hospitals	MUP	P	P	P	MUP	-	See PMC 17.92.190 (Veterinary Hospitals)
Utility, Transportation, and Communication Uses							
	NC	**RC**	**VC**	**MEDFX**	**EDFX**	**OFX**	**Specific Use Regulations**
Airports and Heliports	-	CUP	CUP	CUP	-	-	
Co-located Small Wind Energy Systems (CSWES) (Accessory)	A, MUP	A, MUP	A, MUP	-	-	A, MUP	See PMC Section 17.99.010 (Co-located Small Wind Energy Systems (CSWES))
Communication/Wireless Telecommunications Facilities, Major	-	CUP	CUP	CUP	CUP	CUP	See PMC Section 17.95.010 (Communication/Wireless Telecommunications Facilities)
Communication/Wireless Telecommunications Facilities, Minor	MUP	MUP	MUP	MUP	MUP	MUP	See PMC Section 17.95.010 (Communication/Wireless Telecommunications Facilities)
Communication, Facilities within Buildings	-	MUP	MUP	MUP	MUP	P	
Freight/Trucking Facility	-	-	-	-	-	-	
Light Fleet-Based Services	-	P	P	P	P	P	
Parking Lots & Structures	-	A, MUP	A, MUP	A, MUP	A, MUP	A, MUP	
Passenger Transportation Facilities	-	CUP	CUP	CUP	CUP	CUP	
Recycling Collection Facility, Large	-	-	-	-	-	-	See PMC Chapter 17.97 (Recycling Facilities)
Recycling Collection Facility, Small	CUP	-	-	CUP	CUP	CUP	See PMC Chapter 17.97 (Recycling Facilities)
Recycling Processing Facility, Heavy	-	-	-	-	-	-	See PMC Chapter 17.97 (Recycling Facilities)
Recycling Processing Facility, Light	-	-	-	-	-	CUP	See PMC Chapter 17.97 (Recycling Facilities)
Reverse Vending Machine (Accessory)	A			A	A	A	See PMC Chapter 17.97 (Recycling Facilities)
Sanitary Landfills	-	-	-	-	-	-	See PMC Section 17.98.010 (Sanitary Landfills)
Small Residential Wind Generator Systems (SRWGS) (Accessory)	-	-	-	-	-	-	See PMC Section 17.99.020 (Small Residential Wind Generator Systems (SRWGS))
Solar Energy System (Primary Use)	-	-	-	-	-	-	See PMC Section 17.99.030 (Solar Energy System (Primary))
Utilities, Major	-	MUP	MUP	MUP	MUP	MUP	
Utilities, Minor	P	P	P	P	P	P	
Utility Yard	-	-	-	-	-	-	

Notes:

1. *Only permitted with a comprehensive development plan on Antelope Valley Mall site and property south of Palmdale Boulevard between SR-14 and Division Street.*
2. *Kiosks/outdoor vending machines shall be placed next to the main structure in a designated area not to exceed 32 square feet.*

17.48 Development Regulations

17.48.010 Development Standards – Commercial/Office Zones

Table 17.48.010-1 (Development Standards – Commercial/Office Zones) prescribes the development standards for the commercial and office zones. Additional regulations are also denoted in the right-hand column. Section numbers in this column refer to other sections of this Ordinance.

Table 17.48.010-1. Development Standards – Commercial/Office Zones

Commercial/Office Zones							
Standards	**NC**	**RC**	**VC**	**MEDFX**	**EDFX**	**OFX**	**Additional Regulations**
Lot and Density Standards							
Minimum Lot Size (sf)	10,000	40,000	40,000	40,000	20,000	20,000	
Minimum Lot Width (ft)	60	100	100	100	100	100	
Minimum Lot Depth (ft)	100	200	200	200	100	100	
Building Form and Location							
Minimum Residential Density (units/acre)	-	-	-	30	10	-	
Maximum Residential Density (units/acre)	-	Up to 30[1]	-	50	30	-	
Maximum Floor Area Ratio	0.5	1.0	1.5; 2.0 for hotels/lodging	2.0	2.0	1.0	
Maximum Height (ft)/Stories – Primary Structure	35/2 stories	55/4 stories; 85/7 stories for lodging uses	65/5 stories; 85/7 stories for lodging uses	85/7 stories	65/5 stories	50/4 stories	• Projects must comply with both stories and overall height maximums. See PMC Section 17.17.030 (Measuring Heights). • Architectural features may project above the maximum height by five feet. Architectural features include rooftop stair access and elevator shafts, mechanical equipment, or other rooftop amenities, as approved by the Director.
Maximum Height (ft) - Accessory Structures	25	25	25	25	25	25	
Maximum Height Adjacent to Residential Zones	Starting from the third floor up, step back each subsequent floor by 15 ft for every two floors.						See Figure 17.38.060-1 (Transitions to Lower Density Building Types)

Commercial/Office Zones							
Standards	**NC**	**RC**	**VC**	**MEDFX**	**EDFX**	**OFX**	**Additional Regulations**
Distance between Structures (sf)	Minimum required by Building and Fire code.						
Setbacks – Minimums (ft)							
Front	5	10	10	10	10	10	• Minimum front setback shall be landscaped excluding driveways. • No parking allowed in minimum setback area.
Street Side	5	10	10	10	10	10	• No parking allowed in minimum setback area.
Interior Side	0, 10 abutting a residential zone	10; 25 abutting a residential zone	10; 25 abutting a residential zone	10; 25 abutting a residential zone	10; 25 abutting a single-family residential zone	10; 20 abutting a residential zone	
Rear	10 ; 20 abutting a residential zone	10 ; ft abutting a residential zone	10 ; ft abutting a residential zone	10 ; 25 abutting a residential zone	10 ; 25 abutting a single-family residential zone	10 ; 20 abutting a residential zone	
Alley (when present)	5	5	5	5	5	5	
Open Space Standards							
Minimum Open Space	3% of gross floor area	5% of lot (must be publicly-accessible)	5% of lot (must be publicly-accessible)	**Residential Component:** 200 sf total per unit; minimum 100 sf of private open space for ground-level units and 60 sf of private open space for upper-level units **Non-Residential:** 3% of gross floor area	**Residential Component:** 200 sf total per unit; minimum 100 sf of private open space for ground-level units and 60 sf of private open space for upper-level units **Non-Residential:** 5% of lot area (must be publicly-accessible); if the open space is over 1,000 square feet, up to 50 percent may counted towards the required residential common open space.	3% of gross floor area	Common open space includes roof decks and other shared common open areas. Minimum open space dimension is 20 feet in either direction. Setback areas are not considered usable open space unless they are at least 20 feet wide. See PMC Section 17.49.060.L (Common Open Space Design).
Minimum Landscaping (% of lot)	10%	10%	10%	10%	10%	10%	Includes required setbacks. 25% must be live plant material. See PMC Section 17.86.010 (Landscaping Requirements).

Commercial/Office Zones							
Standards	**NC**	**RC**	**VC**	**MEDFX**	**EDFX**	**OFX**	**Additional Regulations**
Other Standards	**See additional standards in PMC Chapter 17.49 (Supplemental Standards), Division 8 (General Standards of Development), Division 9 (Special Regulations), Division 10 (Environmental Management), and the Palmdale Multi-Family and Mixed-Use Design Standards (Adopted by Ordinance No. 1594).**						

Notes:

1. Only permitted on Antelope Valley Mall site and property south of Palmdale Boulevard between SR-14 and Division Street with a comprehensive development plan.

2. Number of employees shall be based on the largest shift that occurs in a typical week.

17.49 Supplemental Standards

17.49.010 Standards for Multi-Family Residential/Mixed-Use Development in the RC and EDFX Zones

Multi-family residential and residential mixed-use development in the RC, EDFX, MEDFX zones shall be designed and constructed pursuant to the development standards for the applicable density mixed-use zone as found in PMC Section 17.55.010-1 (Development Standards – Mixed-Use Zones) in Division 5.

Additionally, multi-family residential and residential mixed-use development in the RC, EDFX, and MEDFX zones shall be designed and constructed pursuant to PMC Chapter 17.38 (Supplemental Standards for Multi-Family Residential Development) and the City of Palmdale Multi-Family and Mixed-Use Design Standards (adopted by Ordinance No. 1594).

17.49.020 Hours of Operation for Delivery and Truck Loading/Unloading

Within the commercial/office zones, delivery and truck loading/unloading for any use that is located within 300 feet of a residential or mixed-use zone or existing residential development is allowed only between the hours of 7:00 a.m. to 10:00 p.m. daily, unless otherwise approved by the Review Authority. See also PMC Section 17.87.200 (Loading Standards).

17.49.030 Security Roll Up/Down Shutters

Security roll-up/down shutters mounted on the exterior of a new structure shall be allowed subject to review and approval by the Review Authority for the applicable approval process (e.g., Minor Site Plan Review, Site Plan Review, etc.). Modifications to approved plans or existing structures may be made through a Minor Modification pursuant to PMC Section 17.26.040 (Minor Modifications to Approved Plans). Internally mounted security shutters shall be allowed if they are designed to ensure that no more than 25 percent of the window area is obstructed and visibility into the building is maintained.

17.49.040 Private Streets

Private streets serving commercial developments shall have a minimum vehicle access width of 40 feet.

17.49.050 Plant 42 Adjacency Standards

~~A.~~ No balconies, stairways, windows, or other areas where people could look out onto adjacent Plant 42 properties shall be allowed above the first floor on the side of a structure which faces the Plant 42 property.

17.49.060 Design Standards for Commercial/Office Development

A. Purpose and Applicability. The purpose of this Section is to improve the overall design and appearance of commercial and office development in the city. The following design standards shall apply to new commercial and office development and Major Modifications to existing commercial and office development. Projects shall be evaluated for the extent to which they meet the design standards as part of the Site Plan ~~or Design~~ Review process. The following standards are minimum requirements. The Review Authority may approve modifications or deviations from the standards of this Section upon finding that the purposes of this Section are achieved and the modification or deviation results in a project of equal or better design quality.

B. Building Siting and Orientation.

1. Buildings shall be located and designed to facilitate pedestrian activity through orientation toward the street and sidewalks. Buildings shall create street walls that define the public realm of the street; however, a portion of the building elevation may be set back to allow for outdoor use, such as outdoor patio dining, public art, entry forecourts, or other amenities appropriate to an urban development, provided the street continuity is not unduly interrupted along the majority of the block.
2. Building Entries. Primary building entries shall be oriented to the street and sidewalks. Building entries should read as such, and be integrated with the overall building form. Doors should be designed at human scale. Public entries shall be defined and emphasized through variation in building height, wall plane, roof treatment, window placement, architectural detailing, etc. Variation in material, texture, and/or color is also recommended as a means of identifying building entries.

C. Building Modulation and Articulation. Building design shall be used to emphasize individual units within a building, larger units and/or anchor stores within retail projects, and foyers, lobbies, and reception areas within non-retail commercial projects. Building form and articulation shall be used to emphasize public entrances and de-emphasize service areas; and to define and shelter (i.e., give a sense of invitation and enclosure) pedestrian walks and exterior gathering spaces. Ways to articulate buildings and give individual identity to each unit include:
   1. Varying building heights within a project;
   2. Incorporating vertical and horizontal recesses such as a pattern of recessed grouping of windows, recessed panels, or similar strategies;
   3. Incorporating vertical and horizontal projections such as shading and weather protection devices, decorative architectural details, or similar strategies;
   4. Varying architectural elements between vertical units/modules (e.g., window color, roof shape, window shape, railing type);
   5. Providing screening devices such as lattices, louvers, shading devices, perforated metal screens, or similar strategies; and,
   6. Varying color or materials of each individual module within a harmonious palette of colors and materials.

D. Building Facade Elements. The elements of a building should relate logically to each other, as well as to surrounding buildings to enhance the characteristics of a particular building or area. Buildings shall contain the traditional three parts of a building: a base, midsection, and a top. On single-story buildings, the different parts may be expressed through detailing at the building base or eave or cornice line. On taller structures, different treatment of the base, middle, and top stories shall be used to define the three parts. The base shall visually relate to the proportion and scale of the building. Techniques for establishing a base may include richly textured materials (e.g., tile or masonry treatments), darker colored materials, mullion, panels, reveals and/or enriched landscaping. Tops take advantage of the visual prominence of a building's silhouette. Techniques for clearly expressing a top may include cornice treatments, roof overhangs with brackets, richly textured materials (e.g., tile, masonry, or fluted concrete), and/or differently colored materials. Colored "stripes" are not acceptable as the only treatment.

E. Corner Buildings. Buildings with angled corners, plazas, or other architectural features are encouraged at corner locations to help anchor the intersection. Building corners may be emphasized by use of elements such as towers, domes, or entries. Vertical architectural elements such as towers should be used as focal points.

F. Blank Walls. Blank walls (facades without doors, windows, landscaping treatments, artistic treatments, or facade articulation) shall be less than 30 feet in length along sidewalks, pedestrian/multi-use pathways, or open spaces.

G. Roof Forms. Mansard roofs are prohibited on new commercial/office buildings.

H. Ground Floor Office Uses

1. Rhythm and Pattern. Ground floor office uses shall express a vertical rhythm between 40 to 75 feet in width.
2. Transparency. Ground floor retail and commercial uses shall contain clear openings and windows for a minimum of 40 percent of the total area of the first floor facades facing sidewalks, pedestrian walks, or publicly-accessible outdoor space areas. Transparent glazing shall have a minimum Visible Transmittance value of 60.
3. Weather Protection. Primary ground floor entrances shall include weather protection that is a minimum of six feet in width and four feet in depth by recessing the entry, providing an awning/canopy, or using a combination of those methods.

I. Ground Floor Retail Shopfronts

1. Rhythm and Pattern. Ground floor storefront uses shall express a vertical rhythm between 20 to 50 feet in width.
2. Ground Floor Height. Ground floor height shall be a minimum 15 feet interior floor-to-floor height.
3. Transparency. Ground floor retail and commercial uses shall contain clear openings and windows for a minimum of 60 percent of the total area of the first floor facades facing sidewalks, pedestrian walks, or publicly-accessible outdoor space areas. Transparent glazing shall have a minimum Visible Transmittance value of 60 and be without tint or coloration. Dark tinted, reflective, or opaque glazing is not permitted for any required wall opening along street level retail facades.
4. Windows and Openings. Windows and openings shall provide clear and transparent view into the ground floor retail uses or shall display merchandise to reinforce a pedestrian scale. Displays or signs that cover more than 25~~30~~ percent of the window area shall be avoided to allow visibility into the interior of the stores from the street.
5. Bulkheads and solid base walls. If provided, bulkheads shall be between 12 to 30 inches in height.
6. Weather Protection. Primary ground floor entrances shall include weather protection that is a minimum six feet wide and four feet deep by recessing the entry, providing an awning/canopy, or using a combination of those methods.

J. Awnings. Awnings, canopies, and weather protection shall be designed and placed as follows:

1. Awnings/canopies shall provide a minimum of eight feet of vertical clearance over the walkway.

2. The size, scale, and color of the awnings should be designed to be compatible with the rest of the building; awnings shall not be the predominant element of the facade, but shall accent the top edge of ground floor windows and door frames.
3. When transom windows are above display windows, awnings, canopies, and similar weather protection elements shall be installed between transom and display windows. These elements shall allow for light to enter the storefront through the transom windows and allow the weather protection feature to shade the display window.
4. Attachment. Awnings may be fixed or retractable.
5. Awnings, canopies, and other weather protection elements shall not extend across more than 80 percent of the facade. Instead, individual segments shall be divided into sections to reflect the major vertical divisions of the facade, and shall be installed over each storefront entry or set of storefront windows. Awnings shall not extend across wall sections, across multiple sets of windows, or over columns or structural piers/pilasters.
6. Materials. Awnings shall be constructed of durable, high-quality materials such as canvas, canvas-like material, nylon, metal, wood, and glass. Fabric awnings shall be prohibited.
7. Illumination. Internal illumination of awnings shall be prohibited.

K. Architectural Style. The architectural style and use of materials shall be consistent throughout the entire development. Differences in use of architectural details may occur where the intent is to differentiate between the residential and commercial scale and character of the structure(s). Each project shall possess an identifiable architectural theme and be of high-quality design and materials, such as masonry, tile, stone, stucco, architectural grade wood, brick, glass, and finished metal. For remodels or additions, the theme shall be true to the original intent and style of the building.

L. Materials, Finishes, and Color
1. Compatibility. High-quality materials and finishes appropriate to the architectural style, scale, character, and design theme of the building shall be used, such as masonry, tile, stone, stucco, architectural grade wood, brick, glass, and finished metal. Materials, finishes and colors shall unify a structure's appearance and be selected to work harmoniously with each other.
2. Durable Materials. Exterior design and building materials shall reflect permanence and quality. Graffiti-resistant materials and paints shall be utilized.
3. Secondary Elevations. Buildings shall be treated as a whole and finished appropriately on all sides to appear integral to the building and avoid appearing "tacked on". Backs of buildings shall use similar materials; however, less expensive and utilitarian substituted materials are acceptable, provided they are compatible with the overall design.
4. Material Changes at Corners. Material changes shall not occur at corners. The same material shall continue around corners to the next change in the wall plane, which shall be no less than four feet.
5. Variation in Materials and Colors. The materials and colors used on the exterior of a building shall enhance visual interest and create harmony; unusual patterns and color schemes and non-harmonious and out-of-character colors shall be avoided. These colors shall be used as follows:

a. Base colors shall be used on the majority of the building surface and should be the lightest;
b. Secondary colors shall be used to accentuate facade elements or upper floors; and,
c. Accent colors shall be used sparingly to highlight moldings, trims and/or signage.
d. Up to two additional colors may be used on the base to distinguish between upper and lower floors or as an additional secondary color.

M. Common Open Space Design

1. A minimum dimension of 20 feet shall be provided in any direction;
2. A maximum of 40 percent of the common open space may be covered but cannot be enclosed. Common open space is considered enclosed when the space between a floor, decking, or ground level and a roof structure has sides taller than 50 inches in height on more than two sides;
3. Courtyards enclosed on four sides shall have a minimum dimension of 40 feet and have a minimum courtyard width to building height ratio of 1.25:1;
4. The open space shall include places to sit and shade structures;
5. A minimum of 20 percent of the open space area shall be planted with trees, ground cover, and/or shrubs; and,
6. Slopes shall not exceed 5 percent.

Chapter 17. Zoning

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Division 5. MIXED USE ZONES

17.50 General Purpose and Intent

The purpose of the mixed-use zones is to:

A. Provide opportunities for a mix of complementary uses that may combine residential and non-residential uses or combine a variety of nonresidential uses on the same site;
B. Provide for the orderly, well-planned, and balanced development of mixed-use zones;
C. Provide for a range of multi-family housing types consistent with the General Plan;
D. Encourage missing middle housing types;
E. Provide appropriately located commercial areas and neighborhood centers that provide a variety of

Missing Middle Housing

The Missing Middle Housing types provide diverse housing options, such as duplexes, fourplexes, cottage courts, and multiplexes. These house-scale buildings fit seamlessly into existing residential neighborhoods and support walkability, locally-serving retail, and public transportation options. They provide solutions along a spectrum of affordability to address the mismatch between the available U.S. housing stock and shifting demographics combined with the growing demand for walkability.

goods and services for residents, employees, and visitors;

F. Promote accessibility, business development, and a unified character; and,

G. Promote pedestrian-oriented, mixed-use development at appropriate locations, including major corridors, thoroughfares, and districts in the city.

Additional purposes of each mixed-use zone are provided in the subsequent chapters.

17.51 Mixed-Use 1 (MU1)

This zone is intended to create a low-intensity concentration of commercial businesses and civic amenities mixed with single- and multi-family housing. This zone is located along Palmdale Boulevard between 10th Street East and 35th Street East and is intended to foster a pedestrian-friendly environment in a walkable, Main Street format. Ground floors are primarily retail and service-oriented uses to provide a comfortable, walkable environment for shoppers and diners. This zone allows both horizontal and vertical mixed-use developments at a maximum density of 20 dwelling units per acre. Stand-alone residential and non-residential development is allowed on any parcel, except parcels fronting Palmdale Boulevard must have non-residential. This zone implements the Mixed-Use 1 General Plan land use designation.

17.52 Mixed-Use 2 (MU2)

This zone is focused on key nodes of moderate mixed-use activity along the City's major corridors, primarily Palmdale Boulevard, Avenue R, Avenue S, and Rancho Vista Boulevard. This zone allows both horizontal and vertical mixed-use developments with a density range of 20 to 30 dwelling units per acre and a maximum FAR of 2.0. The MU2 zone encompasses many existing commercial centers that are envisioned to evolve into concentrations of commercial businesses and civic amenities mixed with multi-family housing located within convenient walking or biking distance of nearby neighborhoods. The ground floor is primarily retail, medical office, and service-oriented to provide a comfortable, walkable environment. Stand-alone residential and non-residential development is allowed on any parcel, except parcel frontages along Palmdale Boulevard must contain non-residential development. This zone implements the Mixed-Use 2 General Plan land use designation.

17.53 Mixed-Use 3 (MU3)

This zone is intended to create a high-intensity concentration of commercial businesses and civic amenities mixed with multi-family housing along major corridors and/or near major transit. This zone is located at key nodes including near the future Education District on Palmdale Boulevard and 47th Street East, along East Avenue Q, and Rancho Vista Boulevard. MU3 areas provide employment, shopping, and living in a horizontal or vertical mixed-use format. Ground floors are primarily office and retail with housing above or behind. Stand-alone residential and non-residential development is allowed on any parcel, except parcels fronting Palmdale Boulevard must have non-residential. This zone allows both horizontal and vertical mixed-use developments at a density range of 30 to 50 dwelling units per acre and a maximum FAR of 3.0. This zone implements the Mixed-Use 3 General Plan land use designation.

17.54 Land Use Regulations

17.54.010 Permissions Tables and Establishment of an Allowed Use

Prior to the establishment of any land use(s) identified in the land use permissions tables, the applicant shall obtain all necessary approvals and permits pursuant to all applicable requirements of this Ordinance. Division 2 (Review Procedures) of this Ordinance identifies the requirements of project proposals, and procedures and processing requirements for administrative and discretionary applications.

A. Use Classifications. Each land use classification is described in PMC Chapter 17.16 (Definitions). For example, personal service use includes a wide range of individual personal service uses (e.g., beauty parlor, dry cleaning, tanning salons, tailors). Use classifications describe one or more uses having similar characteristics but do not list every use or activity that may be appropriate within the classification. For that reason, the City has established a similar use determination process as described in PMC Section 17.24.040 (Determination on Unlisted Uses).

B. Projects of Two or More Land Uses. Where a single parcel is proposed for development with two or more of the land uses listed in the permissions tables at the same time, the overall project will be subject to the highest level of review required by the tables for any individual use; however, all applicable fees shall be paid, and individual applications submitted for each applicable application type.

C. Allowed Uses and Approval Types. Generally, a use is either allowed by right, allowed through an approval process, or not allowed. In addition to the requirements for planning entitlements of this Ordinance, other permits may be required prior to establishment of the use (e.g., building permit, engineering permit, or permits required by other agencies). The requirements for planning entitlements include:

   1. Permitted (P). A land use shown with a “P” indicates that the land use is allowed by right in the designated zone, subject to compliance with all applicable provisions of this Ordinance (e.g., development standards) as well as State and Federal law.
   2. Accessory Use (A). A land use shown with an “A” indicates that the land use is allowed only as a secondary use in conjunction with a primary use, subject to compliance with all applicable provisions of this Ordinance (e.g., development standards) as well as State and Federal law.
   3. Minor Use Permit (MUP) Required. A land use shown with “MUP” indicates that the land use is allowed in the designated zone upon issuance of a Minor Use Permit from the designated Review Authority, subject to compliance with all applicable provisions of this Ordinance (e.g., development standards), as well as State and Federal law.
   4. Conditional Use Permit (CUP) Required. A land use shown with “CUP” indicates that the land use is allowed in the designated zone upon issuance of a Conditional Use Permit from the designated Review Authority, subject to compliance with all applicable provisions of this Ordinance (e.g., development standards) as well as State and Federal law.
   5. Not Permitted (-). A land use shown with a “-” is not allowed in the applicable zone.

6. Temporary Use (T). On occasion, property will be used for an event, activity, or use on a short-term basis. Such use is considered a temporary use. A land use shown with "T" indicates that the land use is allowed by right as a temporary use, subject to compliance with all applicable provisions of this Ordinance (e.g., development standards) as well as State and Federal law.
7. Temporary Use Permit Required (TUP). On occasion, property will be used for an event, activity, or use on a short-term basis. Such use is considered a temporary use. A land use shown with "TUP" indicates that the land use is allowed as a temporary use in conjunction with the issuance of a Temporary Use Permit pursuant to PMC Chapter 17.26.100 (Temporary Use and Special Event Permits). PMC Section 17.98.020 (Temporary Uses) provides the regulations for these uses, including development standards and time limits.

17.54.020 Allowed Uses – Mixed-Use Zones

The land uses allowed in the mixed-use zones are listed in Table 17.54.020-1. Allowed Uses – Mixed-Use Zones, together with the planning approval type required for each use. Allowed land uses include both primary and accessory uses that are predominately permanent in nature. For regulations on all temporary uses and events, see PMC Chapter 17.26.100 (Temporary Use and Special Event Permits). Numeric notes can be found at the end of the table.

In addition to the regulations of the applicable zone, all land uses are subject to the special use standards identified in the "Specific Use Regulations" column of the allowed use tables. Refer to the referenced Sections for additional operational standards and regulations applicable to the use.

Table 17.54.020-1. Allowed Uses – Mixed-Use Zones

Mixed-Use Zones				
Use	**MU1[1]**	**MU2[1]**	**MU3[1]**	**Specific Use Regulations**
Aerospace Uses				
Aerospace Manufacturing	-	-	-	
Aerospace Services	-	-	-	
Agriculture & Animal Keeping Uses				
	MU1[1]	**MU2[1]**	**MU3[1]**	**Specific Use Regulations**
Agricultural Support, Sales, Service, and Storage	-	-	-	
Animal Husbandry and Production	-	-	-	
Animal Raising and Keeping, Domestic	A	A	A	See PMC Chapter 17.89 (Animal Keeping)
Animal Raising and Keeping, Exotic	-	-	-	See PMC Chapter 17.89 (Animal Keeping)
Animal Raising and Keeping, Horses	-	-	-	See PMC Chapter 17.89 (Animal Keeping)
Animal Raising and Keeping, Livestock	-	-	-	See PMC Chapter 17.89 (Animal Keeping)
Animal Raising and Keeping, Poultry and Beekeeping	-	-	-	See PMC Chapter 17.89 (Animal Keeping)
Aquaculture	-	-	-	
Crop Production	-	-	-	
Farmstands	-	-	-	
Garden/Greenhouse, Private	A	A	A	
Horticultural Production	-	-	-	
Kennels, Private/Hobby	-	-	-	
Stable/Equestrian Facility, Commercial/Public	-	-	-	
Stable/Equestrian Facility, Hobby/Private	-	-	-	See PMC Chapter 17.89 (Animal Keeping)

Mixed-Use Zones				
Use	**MU1[1]**	**MU2[1]**	**MU3[1]**	**Specific Use Regulations**
Automobile and Vehicle Uses				
	MU1[1]	**MU2[1]**	**MU3[1]**	**Specific Use Regulations**
Fueling Station	-	-	-	See PMC Section 17.92.070 (Fueling Station/Vehicle and Equipment Services and Repair)
Travel Center	-	-	-	See PMC Section 17.92.070 (Fueling Station/Vehicle and Equipment Services and Repair)
Vehicle and Equipment Services and Repair, Major	-	-	-	See PMC Section 17.92.070 (Fueling Station/Vehicle and Equipment Services and Repair
Vehicle and Equipment Services and Repair, Minor	-	-	-	See PMC Section 17.92.070 (Fueling Station/Vehicle and Equipment Services and Repair
Vehicle Rental	-	-	-	
Vehicle Sales, New	-	-	-	See PMC Section 17.92.070 (Fueling Station/Vehicle and Equipment Services and Repair).
Vehicle Sales, Used	-	-	-	
Vehicle Sales and Rental, Large Vehicles and Equipment	-	-	-	See PMC Section 17.92.070 (Fueling Station/Vehicle and Equipment Services and Repair)
Vehicle Towing/Impounding	-	-	-	See PMC Section 17.93.040 (Vehicle Towing/Impounding)
Vehicle Washing & Detailing	-	-	-	See PMC Section 17.92.180 (Vehicle Washing and Detailing)
Vehicle Wrecking/Dismantling	-	-	-	See PMC Section 17.93.030 (Salvage Yards)
Eating and Drinking Establishments & Entertainment Uses				
	MU1[1]	**MU2[1]**	**MU3[1]**	**Specific Use Regulations**
Bar/Nightclub/Lounge	CUP	CUP	CUP	See PMC Section 17.92.020 (Alcoholic Beverage Establishments)
Brewpub/Taproom/Wine Bar/Microdistillery	MUP	MUP	MUP	See PMC Section 17.92.020 (Alcoholic Beverage Establishments)
Café/Bakery	P	P	P	
Cinema/Theater/Performing Arts Center	MUP	P	P	
Live Entertainment as Accessory Use, Indoor (Accessory)	A	A	A	
Live Entertainment as Accessory Use, Outdoor (Accessory)	A, MUP	A, MUP	A, MUP	Regular outdoor events as an accessory use require an MUP. Sporadic events require a TUP (See PMC Section 17.98.020 (Temporary Uses)).
Outdoor Dining (Accessory)	A	A	A	See PMC Section 17.92.100 (Outdoor Dining)
Outdoor Entertainment	-	-	-	
Restaurant, Bona Fide	P	P	P	See PMC Section 17.92.020 (Alcoholic Beverage Establishments)
Restaurant, Dine-In and Take-Out	P	P	P	
Restaurant, Drive-Through	-	-	-	See PMC Section 17.92.050 (Drive-Through Restaurants and Services)
Film, Research and Development				
	MU1[1]	**MU2[1]**	**MU3[1]**	**Specific Use Regulations**
Film Production & Post Production	-	-	-	
Research & Development	-	-	-	
Industrial and Manufacturing Uses				
	MU1[1]	**MU2[1]**	**MU3[1]**	**Specific Use Regulations**
Artisan Manufacturing/Makers Space	MUP	MUP	MUP	
Brewery/Distillery/Winery - without tasting room or > 10,000 sf	-	-	-	
Brewery/Distillery/Winery - with tasting room and <10,000 sf	MUP	MUP	MUP	See PMC Section 17.92.020 (Alcohol Beverage Establishments)

Mixed-Use Zones				
Use	**MU1[1]**	**MU2[1]**	**MU3[1]**	**Specific Use Regulations**
Commercial Vehicle Parking (Primary)	-	-	-	See PMC Section 17.93.010 (Commercial Vehicle Parking as a Primary Use)
Construction and Materials Yards	-	-	-	
Food or Beverage Manufacturing	-	-	-	
Hazardous Materials Facility	-	-	-	See PMC Chapter 17.96 (Hazardous Materials Facilities)
Indoor Warehousing, Storage, Wholesaling, and Distribution	-	-	-	
Manufacturing, Outdoors	-	-	-	
Manufacturing/Processing, Light	-	-	-	
Manufacturing/Processing, Heavy	-	-	-	
Mining/Resource Extraction	-	-	-	See PMC Section 17.67.070 (Mining and Quarry Special Standards) and PMC Chapter 17.102 (Surface Mining and Reclamation)
Mini-Storage Warehousing or Facility	-	-	-	See PMC Section 17.93.020 (Mini-Storage Warehousing or Facility)
Outdoor Storage (Accessory)	-	-	-	See PMC Section 17.92.120 (Outdoor Storage (Primary and Accessory))
Outdoor Storage (Primary)	-	-	-	See PMC Section 17.92.120 (Outdoor Storage (Primary and Accessory))
Outdoor Storage (Temporary)	T; TUP	T; TUP	T; TUP	If less than 72 hours, allowed by right (T). If over 72 hours, a TUP is required per PMC Section 17.26.100 (Temporary Use and Special Event Permits). See also PMC Section 17.98.020 (Temporary Uses).
Salvage Yards	-	-	-	See PMC Section 17.93.020 (Salvage Yards)
Temporary Structures or Storage Facilities (Temporary and Accessory)	A, TUP	A, TUP	A, TUP	See PMC Section 17.98.020 (Temporary Uses)
Lodging				
	MU1[1]	**MU2[1]**	**MU3[1]**	**Specific Use Regulations**
Bed and Breakfast	CUP	CUP	CUP	
Lodging - Extended Stay	-	-	CUP	
Lodging - Hotels	-	MUP	MUP	
Lodging - Motels	-	MUP	MUP	
Lodging - Timeshares	-	-	-	
Public, Quasi-Public and Institutional Uses				
	MU1[1]	**MU2[1]**	**MU3[1]**	**Specific Use Regulations**
Civic/Government	MUP	P	P	
Cultural Institutions	MUP	MUP	MUP	
Hospital	-	-	-	
Public Service Facility	MUP	P	P	
Social Service Facilities	CUP	CUP	CUP	See PMC Section 17.94.040 (Social Service Facilities with Congregate Meal Facilities)
Recreation, Education, and Public Assembly Uses				
	MU1[1]	**MU2[1]**	**MU3[1]**	**Specific Use Regulations**
Athletic Fields, Unlighted	MUP	MUP	MUP	
Athletic Fields, Lighted	-	-	-	
Campground	-	-	-	
Cemeteries, Crematories, or Mausoleums	-	-	-	
College/University	CUP	CUP	CUP	
Commercial Recreation and Sports, Indoor	MUP	P	P	

Mixed-Use Zones				
Use	**MU1[1]**	**MU2[1]**	**MU3[1]**	**Specific Use Regulations**
Commercial Recreation and Sports, Outdoor	-	-	-	See PMC Section 17.94.030 (Golf Courses)
Community Assembly, ≤ 5,000 sf (gross sf)	P	P	P	See PMC Section 17.94.010 (Community Assembly Uses)
Community Assembly, 5001 sf - 12,000 sf (gross sf)	MUP	P	P	See PMC Section 17.94.010 (Community Assembly Uses)
Community Assembly, >12,000 sf (gross sf)	CUP	CUP	CUP	See PMC Section 17.94.010 (Community Assembly Uses)
Family Day Care Center	P	P	P	See PMC Section 17.92.060 (Family Day Care Center)
Instructional Services, ≤ 5000 sf	P	P	P	
Instructional Services, > 5001 sf	MUP	P	P	
Open Space, Natural	P	P	P	
Parks and Recreation Facilities	P	P	P	See PMC Section 17.94.030 (Golf Courses)
Retreat Center	-	-	-	
Recreational Vehicle (RV) Park	-	-	-	
Schools, Public or Private (TK-12)	CUP	CUP	CUP	
Tutoring Facilities	P	P	P	
Vocational/Trade School, ≤ 10,000 sf	MUP	MUP	MUP	
Vocational/Trade School, > 10,001 sf	CUP	CUP	CUP	
Residential Uses				
	MU1[1]	**MU2[1]**	**MU3[1]**	**Specific Use Regulations**
Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU)	P	P	P	Only ADUs (not JADUs) are allowed within multi-family housing developments. See PMC Section 17.91.010 (Accessory Dwelling Unit and Junior Accessory Dwelling Unit Standards).
Agricultural Worker Housing	-	-	-	
Caretaker's Unit (Accessory)	-	-	-	See PMC Section 17.91.030 (Caretaker's Units (Accessory))
Child Day Care in a Home	P	P	P	
Cottage Food Operation (Accessory)	A, MUP	A, MUP	A, MUP	See PMC Section 17.91.040 (Cottage Food Operation)
Cottage Industry (Accessory)	A, MUP	A, MUP	A, MUP	
Emergency Shelters	-	-	-	See PMC Section 17.94.020 (Emergency Shelters)
Group Residential Home	CUP	CUP	CUP	
Home Occupation (Accessory)	A	A	A	
Live/Work	P	P	P	
Model Home (on-site)	TUP	TUP	TUP	See PMC Section 17.98.020 (Temporary Uses)
Manufactured/Mobile Home Park	-	-	-	See PMC Section 17.91.050 (Manufactured/Mobile Home Parks) and 17.91.060 (Manufactured/Mobile Home Park Closures)
Residential Care Facilities, Small	P	P	P	
Residential Care Facilities, Large	CUP	CUP	CUP	See PMC Section 17.91.070 (Residential Care Facilities, Large)
Residential Housing Types				
Single-Family Dwelling, Attached	P	P	P	
Single-Family Dwelling, Detached	-	-	-	
Two-Family Dwelling/Duplex	P	P	P	
Multi-Family Dwelling, Triplex/Quadplex	P	P	P	
Multi-Family Residential, ≥ 5 Units	P	P	P	
Manufactured/Mobile Home	-	-	-	
Single-Room Occupancy	CUP	CUP	MUP	
Sober Living Home	-	-	-	See PMC Section 17.91.080 (Sober Living Home)
Supportive Housing	CUP	CUP	CUP	
Transitional Housing	CUP	CUP	CUP	
Yard Sales (Temporary Use)	P	P	P	See PMC Section 17.98.020 (Temporary Uses)

Mixed-Use Zones				
Use	**MU1[1]**	**MU2[1]**	**MU3[1]**	**Specific Use Regulations**
Retail, Service, and Office Uses				
	MU1[1]	**MU2[1]**	**MU3[1]**	**Specific Use Regulations**
Adult-Oriented Business	-	-	-	See PMC Section 17.92.010 (Adult-Oriented Businesses)
Alcohol & Drug Treatment Facility, Large	CUP	CUP	CUP	See PMC Section 17.91.020 (Alcohol & Drug Treatment Facility)
Alcohol & Drug Treatment Facility, Small	MUP	MUP	MUP	
Alcohol Sales, Off-Sale	CUP	CUP	CUP	See PMC Section 17.92.020 (Alcoholic Beverage Establishments)
Animal Sales and Services	MUP	P	P	
Auction Sales, Indoor	CUP	CUP	CUP	
Auction Sales, Outdoor	-	-	-	
ATM (Accessory Use)	A	A	A	
Bail Bonds	-	-	-	
Banks, Financial, Savings and Loan Institutions	P	P	P	
Building Materials Sales and Services	-	-	-	
Business to Business Support Services	-	-	-	
Check-Cashing Businesses	-	-	-	
Convenience Market	-	-	-	See PMC Sections 17.92.030 (Convenience Markets) and PMC Section 17.92.020 (Alcoholic Beverage Establishments)
Drive-Through Services (Accessory)	A, CUP	A, CUP	A, CUP	See PMC Section 17.92.050 (Drive Through Restaurants and Services)
Farmer's Market (Temporary)	TUP	TUP	TUP	See PMC Section 17.98.020 (Temporary Uses)
Food Preparation, Commercial	-	-	-	
Fortunetelling, Palm and Card Reading	MUP	P	P	
Funeral Homes and Mortuaries	-	-	-	
General Retail ≤ 5,000 sf	P	P	P	
General Retail 5,001 sf - 25,000	MUP	P	P	
General Retail/Superstore > 25,000	-	-	-	
Grocery Store	MUP	P	P	
Kennels/Boarding, Commercial	-	-	-	See PMC Section 17.92.080 (Kennels/Boarding, Commercial)
Kiosk/Outdoor Vending [2]	A	A	A	
Laundromat	P	P	P	
Massage Establishment, Accessory (Accessory)	A	A	A	See PMC Section 17.92.090 (Massage Establishment (Accessory))
Massage Establishment, Stand-Alone	-	-	-	
Medical Services, Extended Care	-	CUP	CUP	
Medical Services, Medical/Dental/Holistic/Clinic	P	P	P	
Medical Services, Urgent Care	P	P	P	
Microblading/Permanent Makeup	P	P	P	
Neighborhood Market	P	P	P	
Nursery/Garden Center	-	-	-	
Office, Processing	-	-	-	
Office, Professional/Administrative	P	P	P	
Office, Service	P	P	P	
Outdoor Display	A	A	A	See PMC Section 17.92.110 (Outdoor Display)
Pawnshop	-	-	-	See PMC Section 17.92.130 (Pawnshops)
Personal Services	P	P	P	

Mixed-Use Zones				
Use	**MU1[1]**	**MU2[1]**	**MU3[1]**	**Specific Use Regulations**
Pet Daycare	MUP	MUP	MUP	PMC Section 17.92.140 (Pet Daycare)
Resale/Consignment/Thrift Shop	CUP	CUP	CUP	
Smoking Lounge	MUP	MUP	MUP	
Smoke Shop	-	-	-	See PMC Section 17.92.150 (Smoke Shop)
Swap Meet, Indoor	-	-	-	
Swap Meet, Outdoor	-	-	-	See PMC Section 17.92.160 (Swap Meet, Outdoor)
Tattoo/Body Art/Piercing	-	-	-	See PMC Section 17.92.170 (Tattoo/Body Art/Piercing Establishments)
Temporary Real Estate Sales Office (Temporary)	TUP	TUP	TUP	See PMC Section 17.98.020 (Temporary Uses)
Veterinary Hospitals	MUP	MUP	MUP	See PMC 17.92.190 (Veterinary Hospitals)
Utility, Transportation, and Communication Uses				
	MU1[1]	**MU2[1]**	**MU3[1]**	**Specific Use Regulations**
Airports and Heliports	-	-	-	
Co-located Small Wind Energy Systems (CSWES) (Accessory)	-	-	-	See PMC Section 17.99.010 (Co-located Small Wind Energy Systems (CSWES))
Communication/Wireless Telecommunications Facilities, Major	-	-	-	See PMC Section 17.95.010 (Communication/Wireless Telecommunications Facilities)
Communication/Wireless Telecommunications Facilities, Minor	MUP	MUP	MUP	See PMC Section 17.95.010 (Communication/Wireless Telecommunications Facilities)
Communication, Facilities within Buildings	MUP	MUP	MUP	
Freight/Trucking Facility	-	-	-	
Light Fleet-Based Services	-	-	-	
Parking Lots & Structures	A, MUP	A, MUP	A, MUP	
Passenger Transportation Facilities	-	CUP	CUP	
Recycling Collection Facility, Large	-	-	-	See PMC Chapter 17.97 (Recycling Facilities)
Recycling Collection Facility, Small	-	-	-	See PMC Chapter 17.97 (Recycling Facilities)
Recycling Processing Facility, Heavy	-	-	-	See PMC Chapter 17.97 (Recycling Facilities)
Recycling Processing Facility, Light	-	-	-	See PMC Chapter 17.97 (Recycling Facilities)
Reverse Vending Machine	A	A	A	See PMC Chapter 17.97 (Recycling Facilities)
Sanitary Landfills	-	-	-	See PMC Section 17.98.010 (Sanitary Landfills)
Small Residential Wind Generator Systems (SRWGS) (Accessory)	-	-	-	See PMC Section 17.99.020 (Small Residential Wind Generator Systems (SRWGS))
Solar Energy System (Primary)	-	-	-	See PMC Section 17.99.030 (Solar Energy System (Primary))
Utilities, Major	-	-	-	
Utilities, Minor	MUP	MUP	MUP	
Utility Yard	-	-	-	

Notes:

1. *Stand-alone residential is allowed on any parcel, except parcel frontages along Palmdale Boulevard must contain non-residential development. On parcels fronting Palmdale Boulevard, stand-alone non-residential is allowed. For all other parcels under one acre in size fronting Regional and Crosstown streets, stand-alone non-residential is allowed.*
2. *Kiosks/outdoor vending machines shall be placed next to the main structure in a designated area not to exceed 32 square feet.*

17.55 Development Regulations

17.55.010 Development Standards – Mixed-Use Zones

Table 17.55.010-1. Development Standards – Mixed-Use Zones establishes the development standards for the residential zones. Additional regulations are also denoted in the righthand column. Section numbers in this column refer to other sections of this Ordinance.

Table 17.55.010-1. Development Standards – Mixed-Use Zones

Mixed-Use Zones				
Standards	**MU1**	**MU2**	**MU3**	**Additional Regulations**
Lot and Density Standards				
Non-Residential Maximum Floor Area Ratio	0.35	2.0	3.0	
Residential Density (units/acre)				
Minimum	0	20	30	Applies to new development only.
Maximum	20	30	50	
Minimum Development Project Site (sf) (for new lots)	10,000	20,000	20,000	
Minimum Development Project Site Width (ft) (for new lots)	60	100	100	
Minimum Development Project Site Depth (ft) (for new lots)	100	100	100	
Minimum Net Lot Size per Dwelling Unit (sf) (for new SFR lots)	1,900	1,250	-	
			-	
Minimum Lot Width per Dwelling Unit (ft) (for new SFR lots)	30; 40 for corner and reverse corner lots	20; 30 for corner and reverse corner lots	-	**Attached Single-Family Homes/Townhomes in the MU2 zone:** If double-loaded attached garages along the primary frontage are provided, then the minimum lot width shall be 30 feet The minimum lot width may be reduced to 20 feet if garages are single-car wide. **Small-Lot Detached Single-Family Homes in the MU1 and MU2 zones:** If double-loaded attached garages along the primary frontage are provided, then the minimum lot width shall be 40 feet. The lot width may be reduced to 30 feet if garages are single-car wide or detached behind the primary structure, and/or accessed from an alley.
Minimum Lot Depth per Dwelling Unit (ft) (for new SFR lots)	55	45	-	
Maximum unit size per Dwelling Unit (sf) (for new SFR lots)	~~2,000~~3,000	~~1,800~~2,500	-	Inclusive of attached garage.

Mixed-Use Zones				
Standards	**MU1**	**MU2**	**MU3**	**Additional Regulations**
Building Form and Location				
Maximum Height (ft)/Stories - Primary Structure	45/3 Stories	55/4 Stories	65/5 stories	• Projects must comply with both stories and overall height maximums. See PMC Section 17.17.030 (Measuring Heights). • Architectural features may project above the maximum height by five feet. Architectural features include rooftop stair access and elevator shafts, mechanical equipment, or other rooftop amenities, as approved by the Director.
Maximum Height (ft)/Stories - Accessory Structures	17/1 story	17/1 story	17/1 story	
Maximum Height Adjacent to Single-Family Zoned Property	Starting from the third floor up, step back each subsequent floor by 15 ft for every two floors. See PMC Figure 17.38.060-1 (Transitions to Lower Density Building Types).			See PMC Section 17.38.060 (Neighborhood Transitions).
Minimum Ground Floor Height – Non-Residential (Floor to Floor)	15	15	15	
Distance between Structures (sf)	See PMC Section 17.82.050 (Distance Between Buildings in Residential and Mixed-Use Zones)			
Development Site Setbacks (ft) [1]				
Front - Minimum (Residential Ground Floor)	15	15	15	
Front - Maximum (Residential Ground Floor) [2]	25	25	25	
Front - Minimum (Non-Residential Ground Floor)	5	5	5	
Front - Maximum (Non-Residential Ground Floor) [2]	15	15	15	
Street Side - Minimum (Residential Ground Floor)	15	10	10	
Street Side - Maximum (Residential Ground Floor) [2]	25	20	20	
Street Side - Minimum (Non-Residential Ground Floor)	5	5	5	
Street Side - Maximum (Non-Residential Ground Floor) [2]	15	15	15	
Interior Side - Minimum	0; 10 abutting single-family residential zones	0; 10 abutting single-family residential zones	0; 10 abutting single-family residential zones	
Rear - Minimum	15; 20 abutting single-family residential zones	15; 20 abutting single-family residential zones	15; 20 abutting single-family residential zones	
Alley - Minimum (when present)	5	5	5	

Mixed-Use Zones				
Standards	**MU1**	**MU2**	**MU3**	**Additional Regulations**
Lot Setbacks – Minimums (ft) (for SFR)	See Figure 17.37.010-1. (Example Residential Auto Court Site Plan) in Division 3 illustrating lot setbacks.			
Front – Minimum	5	5	-	• For new single-family attached and detached dwelling units in MU1 and MU2, front-loaded garages shall be set back at minimum 20 feet from the property line. • For MU3, front-loaded parking is not allowed.
Street Side – Minimum	5	5	-	
Interior Side – Minimum	5	5	-	Only applies to detached single-family dwellings and the ends of attached single-family dwellings.
Interior Side – Zero Lot Line/Common Wall Developments	10 ft minimum on one side of the dwelling unit, and no setback required on the opposite side	10 ft minimum on one side of the dwelling unit, and no setback required on the opposite side	-	See PMC Section 17.37.020 (Zero Lot Line Option) in Division 3.
Rear – Minimum	15 ft; 20 ft abutting single-family residential zones	15 ft; 20 ft abutting single-family residential zones	-	Not additive with development site (inclusive).
Parking Frontage				
Maximum Parking along Primary Frontage	70% for SFR/30% for MFR	70% for SFR/30% for MFR	30%	• **For SFR:** Applies to new development. It is strongly encouraged that garage doors not face the primary frontage for detached single-family homes. For garage doors that face the street, they shall not occupy more than 70% of the width of any street-facing structure facade. This limitation does not apply to frontages along alleys. • **For MFR:** Applies to new development and/or major additions or renovations (as defined in PMC Chapter 17.16 (Definitions)). No more than 30% of the primary street frontage shall be devoted to parking garages and openings, carports, and open/surface parking. This limitation does not apply to frontages along alleys (See PMC Figure 17.36.010-1 (Maximum Parking Frontage Along a Primary Street)).

Mixed-Use Zones				
Standards	**MU1**	**MU2**	**MU3**	**Additional Regulations**
Open and Storage Space Standards				
Minimum Usable Open Space (sf per unit) – Applies to Residential Component	200 sf total per unit; minimum 100 sf of private open space for ground-level units and 60 sf of private open space for upper-level units	200 sf total per unit; minimum 100 sf of private open space for ground-level units and 60 sf of private open space for upper-level units	150 sf total per unit; a minimum of 50% of the units must have 60 sf of private open space	• Common open space includes roof decks and other shared common open areas. • Up to 40 square feet per unit may be provided in an indoor communal space so long as it opens directly onto a common outdoor space. • See Section 17.38.050 (Open Space) in Division 3 for additional standards for the dimension and design of common and private open space.
Minimum Usable Open Space – Applies to Non-Residential Component Over 25K sf	3% of gross floor area	3% of gross floor area	3% of gross floor area	Common open space may be utilized for employees or publicly-accessible open space. If the open space is over 1,000 square feet and provided as publicly-accessible, up to 50 percent may count toward the required residential common open space.
Minimum Required Front Yard Landscaping for SFR on Individual Lots	1. Every single-family residential lot shall be required to have one street tree installed per street frontage; corner lots shall have one tree planted in the front setback and two trees planted in the street side setback for a total of three trees. Within the public right-of-way, the species of trees and the standards for installation shall conform with the City's Landscaping Design Standards. Trees planted beyond the public right-of-way are recommended but not required to conform with the City's Landscaping Design Standards. 2. A minimum of 60 percent of the front setback area, excluding the driveway, shall be landscaped. Landscaping shall mean any combination of trees, shrubs, vines, ground cover, gravel, stones, decomposed granite, mulch, or other pervious non-plant materials, pursuant to Subparagraph d of this Section. Bare dirt shall not be allowed. 3. A minimum of one shrub of any container size per 50 square feet of landscape area, excluding the driveway, shall be provided. 4. No living turf is permitted. Artificial turf may be utilized within a maximum of 10 percent of the front yard as an "accent point only" and shall be maintained and replaced when weathered or worn. 5. The use of bark mulch is not allowed in the public right-of-way and is to be used as an accent up near the house only. The use of stabilized decomposed granite, rock and cobble are highly encouraged. A porous fabric weed barrier shall be installed beneath all rock or mulched areas with the exception of the stabilized decomposed granite.		-	See PMC Section 17.86.010 (Landscaping Requirements)

Mixed-Use Zones				
Standards	**MU1**	**MU2**	**MU3**	**Additional Regulations**
Minimum Required Front Yard Landscaping for MFR	30% of the Minimum Required Front Yard Area shall be landscaped, of which half must be planted with live plant material			See PMC Section 17.86.010 (Landscaping Requirements)
Minimum Required Landscaping for all Other Development	10% of the lot, of which half must be planted with live plant material			• Includes required setbacks. Excludes areas devoted to parking, driveways, and walkways. • See PMC Section 17.86.010 (Landscaping Requirements).
Minimum Required Storage Space	125 cubic ft of private enclosed storage space within the garage, carport, or immediately adjacent to the dwelling unit			
Other Standards	**See additional standards in PMC Chapter 17.56 (Supplemental Standards), Division 8 (General Standards of Development), Division 9 (Special Regulations), Division 10 (Environmental Management), and the Palmdale Multi-Family and Mixed-Use Design Standards (Adopted by Ordinance No. 1594).**			

Notes:

1. *Building site setbacks are inclusive of individual lot setbacks, however, the minimum setbacks along the exterior development site boundaries shall be the greater of the setback required for the development site or the individual lot.*
2. *If a development provides publicly-accessible plazas or forecourts, and there is clear visibility between the sidewalk and building entrance, the maximum setback may be waived for up to 40 percent of the building frontage. Entry courtyards, plazas, entries, or outdoor eating areas must be located adjacent to the property line and buildings shall be built to the edge of the courtyard, plaza, or dining area.*

17.56 Supplemental Standards

17.56.010 Multi-Family/Mixed-Use Residential Standards

All multi-family housing in mixed-use zones shall be designed and constructed pursuant to the standards in PMC Chapter 17.38 (Supplemental Standards for Multi-Family Residential Development) and the City of Palmdale Multi-Family and Mixed-Use Design Standards (adopted through Ordinance No. 1594).

17.56.020 Single-Family Residential Standards

All single-family housing in mixed-use zones shall be designed and constructed pursuant to the standards in PMC Chapter 17.37 (Supplemental Standards for Single-Family Residential Development).

17.56.030 Performance Standards for Mixed-Use Zones

A. Purpose. The purpose of this Section is to ensure that residential uses in mixed-use zones are not adversely impacted by adjacent commercial uses, including but not limited to traffic, noise, light, and safety impacts.

B. Applicability. In addition to the general Performance Standards applicable to all zones contained in PMC Chapter 17.84 (Performance Standards), the following performance standards shall apply to non-residential uses in mixed-use zones, and mixed-use developments in any zone within the city.

C. Standards

1. Hours of Operation. The hours of operation for non-residential uses in mixed-use zones, and the non-residential component of mixed-use developments in any zone in the ~~c~~City shall be no earlier than 7:00 a.m. and no later than 10:00 p.m. daily, unless otherwise approved by the Director.
2. Loading. Loading, unloading, and all service and maintenance activities shall be oriented away from sensitive uses and shall be conducted within the hours of operation noted in PMC Section 17.56.030.C.1 (Hours of Operation) above to minimize noise and other negative impacts on residential uses. See also PMC Section 17.87.200 (Loading Standards).
3. Lighting. Lighting for non-residential uses shall comply with PMC Section 17.86.030 (Outdoor Lighting). In addition, it shall be architecturally compatible with the development theme for the project and shall be located and shielded to ensure that it does not negatively impact the residential units in the development or any adjacent residential uses.
4. Noise. All residential units shall be designed to minimize adverse noise impacts from non-residential uses and shall comply with the maximum levels allowed in the Noise Element of the General Plan. Proper design may include, but shall not be limited to, building orientation, double windows, wall and ceiling insulation, and orientation of vents. Common walls between residential and non-residential uses shall be constructed in a manner that minimizes the transmission of noise and vibration.

D. Air Quality and Odors. All residential units shall be designed to minimize adverse impacts from mechanical equipment and operations of non-residential uses on air pollutant emissions and odors. Odors released from any operation or activity shall not exceed detectable concentration beyond lot lines, measured at any location on the lot lines. Non-residential uses with attached

residential units shall provide ventilation systems to prevent odors from penetrating residential units.

E. Limitations on Use. Any activity or use as determined by the Director to be incompatible with residential uses and/or to have the possibility of affecting the health or safety of residents due to the potential for the creation of dust, glare, heat, noise, noxious gases, odor, smoke, traffic, vibration, or other impacts, or create a hazard because of materials, processes, products, or wastes shall not be allowed within any mixed-use development or mixed-use zone. This includes, but is not limited to, storage or shipping of flammable liquids or hazardous materials beyond that normally associated with a residential use, welding, machining, or open flame work.

F. Security. Residential units shall be designed to ensure the security of residents through the provision of separate and secured entrances and exits that are directly accessible to parking areas. Where residential units are in the same structure as a non-residential use, access to residential units shall be from a secured area or entrance located on the ground floor. Non-residential and residential uses located on the same floor shall not have common entrance hallways or common balconies. Shared or common residential entrances shall automatically lock upon closing.

Title 17. Zoning

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Division 6. INDUSTRIAL ZONES

17.60 General Purpose and Intent

The purpose of the industrial zones is to:

A. Designate adequate land for commercial and industrial uses and growth consistent with the General Plan;

B. Maintain and strengthen the City's economic resources;

C. Provide a range of employment opportunities to meet the needs of current and future residents;
D. Designate adequate land for a full range of local- and regional-serving commercial and retail services consistent with the General Plan for residents, employees, and visitors;
E. Provide sufficient areas for a wide range of aerospace industrial, manufacturing, film production, light industrial/R+D, and service industrial uses and protect areas where such uses now exist; and,
F. Ensure that appropriate site design and operational standards are in place to promote commerce while protecting health and safety and minimizing impacts on adjacent properties.

Additional purposes of each industrial zone are provided in the subsequent Chapters.

17.61 Light Industrial (LI)

This zone is intended to permit a variety of light industrial uses such as warehousing and distribution, sound stage/film production, storage, research and development, and the like. The uses allowed in this zone will support job generation, focusing on fabrication, research, distribution, and similar operations conducted primarily indoors. In general, this zone is oriented toward lower intensity industrial operations with a mix of uses and building scales that are generally compatible with neighboring uses. This zone implements the Industrial and Employment Flex General Plan land use designations.

17.62 Heavy Industrial (HI)

This zone is intended to allow a range of medium to high intensity industrial uses such as manufacturing, assembly, warehousing, distribution, and the like, which provide employment and services for residents and businesses. Some of these uses, such as heavy manufacturing, may not be suitable adjacent to sensitive uses or housing, and should be physically separated from residential areas by natural or manmade barriers. This zone implements the Industrial General Plan land use designation.

17.63 Aerospace Industrial (AI)

This zone is intended to support the current and future operations of United States Air Force Plant 42 and the potential future Palmdale Regional Airport. It allows public and private airfields and support facilities, aerospace-related industries, transportation-related industries, and commercial facilities necessary to serve military/commercial air traffic. The AI zone allows many uses (such as intensive manufacturing, production, repair, and distribution) that are not suitable adjacent to other sensitive uses. The aerospace-oriented uses allowed in this designation comprise a unique and valuable source of employment for the city and therefore certain standards (such as Airport Protection Zones) apply to adjacent development to ensure that the viability of the aerospace industry is maintained. This zone implements the Aerospace Industrial General Plan land use designation.

17.64 Mineral Resource Extraction (MRE)

This zone is intended to allow extraction and processing of mineral resources, including sand, gravel, and decomposed granite. This zone is limited to areas designated by the State Division of Mines and Geology as Mineral Resource Zone 2 areas, or where significant mineral resources occur and the extraction of which is determined to be beneficial. This zone implements the Mineral Resource Extraction General Plan land use designation.

17.65 Land Use Regulations

17.65.010 Permissions Tables and Establishment of an Allowed Use

Prior to the establishment of any land use(s) identified in the land use permissions tables, the applicant shall obtain all necessary approvals and permits pursuant to all applicable requirements of this Ordinance. Division 2 (Review Procedures) of this Ordinance identifies the requirements of project proposals and procedures and processing requirements for administrative and discretionary applications.

A. Use Classifications. Each land use classification is described in PMC Chapter 17.16 (Definitions). For example, personal service use includes a wide range of individual personal service uses (e.g., beauty parlor, dry cleaning, tanning salons, tailors). Use classifications describe one or more uses having similar characteristics but do not list every use or activity that may be appropriate within the classification. For that reason, the City has established a similar use determination process as described in PMC Section 17.24.040 (Determination on Unlisted Uses).

B. Projects of Two or More Land Uses. Where a single parcel is proposed for development with two or more of the land uses listed in the permissions tables at the same time, the overall project will be subject to the highest level of review required by the tables for any individual use; however, all applicable fees shall be paid, and individual applications submitted for each applicable application type.

C. Allowed Uses and Approval Types. Generally, a use is either allowed by right, allowed through an approval process, or not allowed. In addition to the requirements for planning entitlements of this Ordinance, other permits may be required prior to establishment of the use (e.g., building permit, engineering permit, or permits required by other agencies). The requirements for planning entitlements include:

   1. Permitted (P). A land use shown with a “P” indicates that the land use is allowed by right in the designated zone, subject to compliance with all applicable provisions of this Ordinance (e.g., development standards) as well as State and Federal law.
   2. Accessory Use (A). A land use shown with an “A” indicates that the land use is allowed only as a secondary use in conjunction with a primary use, subject to compliance with all applicable provisions of this Ordinance (e.g., development standards) as well as State and Federal law.
   3. Minor Use Permit (MUP) Required. A land use shown with “MUP” indicates that the land use is allowed in the designated zone upon issuance of a Minor Use Permit from the designated Review Authority, subject to compliance with all applicable provisions of this Ordinance (e.g., development standards), as well as State and Federal law.
   4. Conditional Use Permit (CUP) Required. A land use shown with “CUP” indicates that the land use is allowed in the designated zone upon issuance of a Conditional Use Permit from the designated Review Authority, subject to compliance with all applicable provisions of this Ordinance (e.g., development standards) as well as State and Federal law.
   5. Not Permitted (-). A land use shown with a “-” is not allowed in the applicable zone.
   6. Temporary Use (T). On occasion, property will be used for an event, activity, or use on a short-term basis. Such use is considered a temporary use. A land use shown with “T” indicates that the land use is allowed by right as a temporary use, subject to compliance

with all applicable provisions of this Ordinance (e.g., development standards) as well as State and Federal law.

7. Temporary Use Permit Required (TUP). On occasion, property will be used for an event, activity, or use on a short-term basis. Such use is considered a temporary use. A land use shown with "TUP" indicates that the land use is allowed as a temporary use in conjunction with the issuance of a Temporary Use Permit pursuant to PMC Chapter 17.26.100 (Temporary Use and Special Event Permits). PMC Section 17.98.020 (Temporary Uses) provides the regulations for these uses, including development standards and time limits.

17.65.020 Allowed Uses – Industrial Zones

The land use permissions, as established in Table 17.65.020-1 (Allowed Uses – Industrial Zones), shall be applicable to all new uses, structures, and activities within the identified zone. Allowed land uses include both primary and accessory uses that are predominately permanent in nature. For regulations on all temporary uses and events, see PMC Chapter 17.26.100 (Temporary Use and Special Event Permits). Numeric notes can be found at the end of the table.

In addition to the regulations of the applicable zone, all land uses are subject to the special use standards identified in the "Specific Use Regulations" column of the allowed use tables. Refer to the referenced Sections for additional operational standards and regulations applicable to the use.

Table 17.65.020-1. Allowed Uses – Industrial Zones

Industrial Zones					
Use	**LI**	**HI**	**AI**	**MRE**	**Specific Use Regulations**
Aerospace Uses					
Aerospace Manufacturing		-	P	-	
Aerospace Services	-	CUP	P	-	
Agriculture & Animal Keeping Uses					
	LI	**HI**	**AI**	**MRE**	**Specific Use Regulations**
Agricultural Support, Sales, Service, and Storage	P	P	-	-	
Animal Husbandry and Production	-	-	-	-	
Animal Raising and Keeping, Domestic	-	-	-	-	See PMC Chapter 17.89 (Animal Keeping)
Animal Raising and Keeping, Exotic	-	-	-	-	See PMC Chapter 17.89 (Animal Keeping)
Animal Raising and Keeping, Horses	-	-	-	-	See PMC Chapter 17.89 (Animal Keeping)
Animal Raising and Keeping, Livestock	-	-	-	-	See PMC Chapter 17.89 (Animal Keeping)
Animal Raising and Keeping, Poultry and Beekeeping	-	-	-	-	See PMC Chapter 17.89 (Animal Keeping)
Aquaculture	CUP	CUP	-	-	
Crop Production	-	-	-	-	
Farmstands	-	-	-	-	
Garden/Greenhouse, Private	-	-	-	-	
Horticultural Production	MUP	MUP	-	-	
Kennels, Private/Hobby	-	-	-	-	See PMC Chapter 17.89 (Animal Keeping)
Stable/Equestrian Facility, Commercial/Public	-	-	-	-	
Stable/Equestrian Facility, Hobby/Private	-	-	-	-	See PMC Chapter 17.89 (Animal Keeping)

Industrial Zones					
Use	**LI**	**HI**	**AI**	**MRE**	**Specific Use Regulations**
Automobile and Vehicle Uses					
	LI	**HI**	**AI**	**MRE**	**Specific Use Regulations**
Fueling Station	CUP	CUP	CUP	-	All vehicle repair work shall be conducted within an enclosed structure only. See PMC Section 17.92.070 (Fueling Station/Vehicle and Equipment Services and Repair).
Travel Center	CUP	CUP	-	-	All vehicle repair work shall be conducted within an enclosed structure only. See PMC Section 17.92.070 (Fueling Station/Vehicle and Equipment Services and Repair).
Vehicle and Equipment Services and Repair, Major	MUP	P	P	-	All vehicle repair work shall be conducted within an enclosed structure only. See PMC Section 17.92.070 (Fueling Station/Vehicle and Equipment Services and Repair).
Vehicle and Equipment Services and Repair, Minor	P	P	P	-	All vehicle repair work shall be conducted within an enclosed structure only. See PMC Section 17.92.070 (Fueling Station/Vehicle and Equipment Services and Repair).
Vehicle Rental	-	-	-	-	
Vehicle Sales, New	-	-	-	-	See PMC Section 17.92.070 (Fueling Station/Vehicle and Equipment Services and Repair).
Vehicle Sales, Used	-	-	-	-	
Vehicle Sales and Rental, Large Vehicles and Equipment	MUP	P	P	-	All vehicle repair work shall be conducted within an enclosed structure only. See PMC Section 17.92.070 (Fueling Station/Vehicle and Equipment Services and Repair).
Vehicle Towing/Impounding	MUP	P	P	-	See PMC Section 17.93.040 (Vehicle Towing/Impounding)
Vehicle Washing & Detailing	P	P	P	-	See PMC Section 17.92.180 (Vehicle Washing and Detailing)
Vehicle Wrecking/Dismantling	-	P	P	-	See PMC Section 17.93.030 (Salvage Yards)
Eating and Drinking Establishments & Entertainment Uses					
	LI	**HI**	**AI**	**MRE**	**Specific Use Regulations**
Bar/Nightclub/Lounge	CUP	-	-	-	See PMC Section 17.92.020 (Alcoholic Beverage Establishments)
Brewpub/Taproom/Wine Bar/Microdistillery	MUP	MUP	MUP	-	See PMC Section 17.92.020 (Alcoholic Beverage Establishments)
Café/Bakery	P	P	P	-	
Cinema/Theater/Performing Arts Center	-	-	-	-	
Live Entertainment as Accessory Use, Indoor (Accessory)	A	-	-	-	
Live Entertainment as Accessory Use, Outdoor (Accessory)	A, MUP	-	-	-	Regular outdoor events as an accessory use require an MUP. Sporadic events require a TUP (See PMC Section 17.98.020 (Temporary Uses)).
Outdoor Dining (Accessory)	A	A	A	-	See PMC Section 17.92.100 (Outdoor Dining)
Outdoor Entertainment	MUP	-	-	CUP	
Restaurant, Bona Fide	P	P	P	-	See PMC Section 17.92.020 (Alcoholic Beverage Establishments)

Industrial Zones					
Use	**LI**	**HI**	**AI**	**MRE**	**Specific Use Regulations**
Restaurant, Dine-In and Take-Out	P	P	P	-	
Restaurant, Drive-Through	P	P	P	-	See PMC Section 17.92.050 (Drive-Through Restaurants and Services)
Film, Research and Development					
	LI	**HI**	**AI**	**MRE**	**Specific Use Regulations**
Film Production & Post Production	P	P	-	P	
Research & Development	P	P	P	P	
Industrial and Manufacturing Uses					
	LI	**HI**	**AI**	**MRE**	**Specific Use Regulations**
Artisan Manufacturing/Makers Space	P	P	-	-	
Brewery/Distillery/Winery – without tasting room or > 10,000 sf	P	P	-	-	
Brewery/Distillery/Winery – with tasting room and <10,000 sf	MUP	MUP	-	-	See PMC Section 17.92.020 (Alcoholic Beverage Establishments)
Commercial Vehicle Parking (Primary)	-	MUP	MUP-	-	See PMC Section 17.93.010 (Commercial Vehicle Parking)
Construction and Materials Yards	MUP	P	P	P	
Food or Beverage Manufacturing	MUP	P	P	-	
Hazardous Materials Facility	-	CUP	CUP	CUP	See PMC Chapter 17.96 (Hazardous Materials Facilities)
Indoor Warehousing, Storage, Wholesaling, and Distribution	P	P	P	MUP	
Manufacturing, Outdoors	-	P	P	MUP	
Manufacturing/Processing, Light	P	P	P	MUP	
Manufacturing/Processing, Heavy	-	P	P	MUP	
Mining/Resource Extraction	-	-	-	CUP	See PMC Section 17.67.070 (Mining and Quarry Special Standards) and PMC Chapter 17.102 (Surface Mining and Reclamation)
Mini-Storage Warehousing or Facility	P	P	-	-	See PMC Section 17.93.020 (Mini-Storage Warehousing or Facility)
Outdoor Storage (Accessory)	A, MUP	A	A	A	See PMC Section 17.92.120 (Outdoor Storage (Primary and Accessory))
Outdoor Storage (Primary Use)	CUP	P	P	-	See PMC Section 17.92.120 (Outdoor Storage (Primary and Accessory))
Outdoor Storage (Temporary)	T; TUP	T; TUP	T; TUP	T; TUP	If less than 72 hours, allowed by right (T). If over 72 hours, a TUP is required per PMC Section 17.26.100 (Temporary Use and Special Event Permits). See also PMC Section 17.98.020 (Temporary Uses).
Salvage Yards	-	P		-	See PMC Section 17.93.020 (Salvage Yards)
Temporary Structures or Storage Facilities (Temporary and Accessory)	A, TUP	A, TUP	A, TUP	A, TUP	See PMC Section 17.98.020 (Temporary Uses)
Lodging					
	LI	**HI**	**AI**	**MRE**	**Specific Use Regulations**
Bed and Breakfast	-	-	-	-	
Lodging – Extended Stay	-	-	-	-	

Industrial Zones					
Use	**LI**	**HI**	**AI**	**MRE**	**Specific Use Regulations**
Lodging – Hotels	-	-	-	-	
Lodging – Motels	-	-	-	-	
Lodging – Timeshares	-	-	-	-	
Public, Quasi-Public and Institutional Uses					
	LI	**HI**	**AI**	**MRE**	**Specific Use Regulations**
Civic/Government	P	P	P	-	
Cultural Institutions	P	-	P	-	
Hospital	-	-	-	-	
Public Service Facility	P	P	P	-	
Social Service Facilities	MUP	MUP	-	-	See PMC Section 17.94.040 (Social Service Facilities with Congregate Meal Facilities)
Recreation, Education, and Public Assembly Uses					
	LI	**HI**	**AI**	**MRE**	**Specific Use Regulations**
Athletic Fields, Unlighted	P	P	-	-	
Athletic Fields, Lighted	P	P	-	-	
Campground	-	-	-	-	
Cemeteries, Crematories, or Mausoleums	CUP	CUP	-	-	
College/University	CUP	-	-	-	
Commercial Recreation and Sports, Indoor	P	P	-	-	
Commercial Recreation and Sports, Outdoor	P	P	-	-	See PMC Section 17.94.030 (Golf Courses)
Community Assembly, ≤ 5,000 sf (gross sf)	P	MUP	MUP	-	See PMC Section 17.94.010 (Community Assembly Uses)
Community Assembly, 5001 sf – 12,000 sf (gross sf)	MUP	MUP	MUP	-	See PMC Section 17.94.010 (Community Assembly Uses)
Community Assembly, > 12,000 sf (gross sf)	CUP	CUP	CUP	-	See PMC Section 17.94.010 (Community Assembly Uses)
Family Day Care Center	CUP	-	-	-	See PMC Section 17.92.060 (Family Day Care Center)
Instructional Services, ≤ 5000 sf	P	-	-	-	
Instructional Services, > 5001 sf	P	-	-	-	
Open Space, Natural	P	P	P	P	
Parks and Recreation Facilities	P	P	P	P	See PMC Section 17.94.030 (Golf Courses)
Retreat Center	-	-	-	-	
Recreational Vehicle (RV) Park	-	-	-	-	
Schools, Public or Private (TK-12)	-	-	-	-	
Tutoring Facilities	-	-	-	-	
Vocational/Trade School, ≤ 10,000 sf	MUP	-	-	-	
Vocational/Trade School, > 10,001 sf	CUP	-	-	-	
Residential Uses					
	LI	**HI**	**AI**	**MRE**	**Specific Use Regulations**
Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU)	-	-	-	-	See PMC Section 17.91.010 (Accessory Dwelling Units and Junior Accessory Dwelling Unit Standards)

Industrial Zones					
Use	**LI**	**HI**	**AI**	**MRE**	**Specific Use Regulations**
Agricultural Worker Housing	-	-	-	-	
Caretaker's Unit (Accessory)	A	A	A	A	See PMC Section 17.91.030 (Caretaker's Units (Accessory))
Child Day Care in a Home	-	-	-	-	
Cottage Food Operation	-	-	-	-	See PMC Section 17.91.040 (Cottage Food Operation
Cottage Industry	-	-	-	-	
Emergency Shelters	P	-	-	-	See PMC Section 17.94.020 (Emergency Shelters)
Group Residential Home	-	-	-	-	
Home Occupation	-	-	-	-	
Live/Work	CUP	-	-	-	
Model Home (on-site)	-	-	-	-	See PMC Section 17.98.020 (Temporary Uses)
Manufactured/Mobile Home Park	-	-	-	-	See PMC Section 17.91.050 (Manufactured/Mobile Home Parks) and 17.91.060 (Manufactured/Mobile Home Park Closures)
Residential Care Facilities, Small	-	-	-	-	
Residential Care Facilities, Large	-	-	-	-	See PMC Section 17.91.070 (Residential Care Facilities, Large)
Residential Housing Types					
Single-Family Dwelling, Attached	-	-	-	-	
Single-Family Dwelling, Detached	-	-	-	-	
Two-Family Dwelling/Duplex	-	-	-	-	
Multi-Family Dwelling, Triplex/Quadplex	-	-	-	-	
Multi-Family Residential, ≥ 5 Units	-	-	-	-	
Manufactured/Mobile Home	-	-	-	-	
Single-Room Occupancy	-	-	-	-	
Sober Living Home	CUP	-	-	-	See PMC Section 17.91.080 (Sober Living Home)
Supportive Housing	CUP	-	-	-	
Transitional Housing	CUP	-	-	-	
Yard Sales (Temporary Use)	-	-	-	-	See PMC Section 17.98.020 (Temporary Uses)
Retail, Service, and Office Uses					
	LI	**HI**	**AI**	**MRE**	**Specific Use Regulations**
Adult-Oriented Business	-	-	-	-	See PMC Section 17.92.010 (Adult-Oriented Businesses)
Alcohol & Drug Treatment Facility, Large	CUP	-	-	-	See PMC Section 17.91.020 (Alcohol and Drug Treatment Facility)
Alcohol & Drug Treatment Facility, Small	-	-	-	-	
Alcohol Sales, Off-Sale	CUP	-	-	-	See PMC Section 17.92.020 (Alcoholic Beverage Establishments)
Animal Sales and Services	P	MUP	-	-	
Auction Sales, Indoor	P	P	-	-	
Auction Sales, Outdoor	MUP	MUP	-	-	
ATM (Accessory Use)	A	A	A	-	
Bail Bonds	CUP	CUP	-	-	

Industrial Zones					
Use	**LI**	**HI**	**AI**	**MRE**	**Specific Use Regulations**
Banks, Financial, Savings and Loan Institutions	P	CUP	-	-	
Building Materials Sales and Services	P	P	P	P	
Business to Business Support Services	P	P	P	-	
Check-Cashing Businesses	CUP	CUP	-	-	
Convenience Market	CUP	CUP	CUP	-	See PMC Sections 17.92.030 (Convenience Markets) and PMC Section 17.92.020 (Alcoholic Beverage Establishments)
Drive-Through Services (Accessory)	A	A	A	-	See PMC Section 17.92.050 (Drive Through Restaurants and Services)
Farmer's Market (Temporary)	TUP	-	-	-	See PMC Section 17.98.020 (Temporary Uses)
Food Preparation, Commercial	P	P	P	-	
Fortunetelling, Palm and Card Reading	P	-	-	-	
Funeral Homes and Mortuaries	P	-	-	-	
General Retail ≤ 5,000 sf	P	MUP	CUP[1]	-	
General Retail 5,001 sf - 25,000	P	MUP	-	-	
General Retail/Superstore > 25,000	MUP	CUP	-	-	
Grocery Store	CUP	-	-	-	
Kennels/Boarding, Commercial	P	P	-	-	See PMC Section 17.92.080 (Kennels/Boarding, Commercial)
Kiosk/Outdoor Vending [2]	P	P	P	-	
Laundromat	P	-	-	-	
Massage Establishment, Accessory (Accessory)	A	-	-	-	See PMC Section 17.92.090 (Massage Establishment (Accessory))
Massage Establishment, Stand-Alone	-	-	-	-	
Medical Services, Extended Care	CUP	-	-	-	
Medical Services, Medical/Dental/Holistic/Clinic	P	-	-	-	
Medical Services, Urgent Care	P	-	-	-	
Microblading/Permanent Makeup	P	-	-	-	
Neighborhood Market	P	-	-	-	
Nursery/Garden Center	P	P	-	-	
Office, Processing	P	P	P	-	
Office, Professional/Administrative	P	MUP	MUP	-	
Office, Service	P	MUP	MUP	-	
Outdoor Display (Accessory)	A	-	-	-	See PMC Section 17.92.110 (Outdoor Display)
Pawnshop	CUP	-	-	-	See PMC Section 17.92.130 (Pawnshops)
Personal Services	P	-	-	-	
Pet Daycare	P	-	-	-	See PMC Section 17.92.140 (Pet Daycare)
Resale/Consignment/Thrift Shop	P	-	-	-	
Smoking Lounge	P	-	-	-	
Smoke Shop	CUP	-	-	-	See PMC Section 17.92.150 (Smoke Shop)
Swap Meet, Indoor	P	P	-	-	
Swap Meet, Outdoor	TUP		-	-	See PMC Section 17.92.160 (Swap Meet, Outdoor)
Tattoo/Body Art/Piercing	P	-	-	-	See PMC Section 17.92.170 (Tattoo/Body Art/Piercing Establishments)

Industrial Zones					
Use	**LI**	**HI**	**AI**	**MRE**	**Specific Use Regulations**
Temporary Real Estate Sales Office (Temporary)	-	-	-	-	See PMC Section 17.98.020 (Temporary Uses)
Veterinary Hospitals	P	MUP	-	-	See PMC 17.92.190 (Veterinary Hospitals)
Utility, Transportation, and Communication Uses					
	LI	**HI**	**AI**	**MRE**	**Specific Use Regulations**
Airports and Heliports	CUP	CUP	CUP	-	
Co-located Small Wind Energy Systems (CSWES) (Accessory)	A, MUP	A, MUP	A, MUP	-	See PMC Section 17.99.010 (Co-located Small Wind Energy Systems (CSWES))
Communication/Wireless Telecommunications Facilities, Major	CUP	CUP	CUP	CUP	See PMC Section 17.95.010 (Communication/Wireless Telecommunications Facilities)
Communication/Wireless Telecommunications Facilities, Minor	MUP	MUP	MUP	MUP	See PMC Section 17.95.010 (Communication/Wireless Telecommunications Facilities)
Communication, Facilities within Buildings	P	P	P	P	
Freight/Trucking Facility	MUP	P	P	-	
Light Fleet-Based Services	P	P	P	-	
Parking Lots & Structures	P	P	P	-	
Passenger Transportation Facilities	CUP	CUP	-	-	
Recycling Collection Facility, Large	MUP	P	P	-	See PMC Chapter 17.97 (Recycling Facilities)
Recycling Collection Facility, Small	P	P	P	-	See PMC Chapter 17.97 (Recycling Facilities)
Recycling Processing Facility, Heavy	CUP	P	P	-	See PMC Chapter 17.97 (Recycling Facilities)
Recycling Processing Facility, Light	MUP	P	P	MUP	See PMC Chapter 17.97 (Recycling Facilities)
Reverse Vending Machine	A, MUP	A, MUP	A, MUP	-	See PMC Chapter 17.97 (Recycling Facilities)
Sanitary Landfill	-	-	-	-	See PMC Section 17.98.010 (Sanitary Landfills)
Small Residential Wind Generator Systems (SRWGS) (Accessory)	-	-	-	-	See PMC Section 17.99.020 (Small Residential Wind Generator Systems (SRWGS))
Solar Energy System (Primary)	P	P	P	P	See PMC Section 17.99.030 (Solar Energy System (Primary))
Utilities, Major	CUP	P	P	-	
Utilities, Minor	P	P	P	-	
Utility Yard	MUP	P	P	-	

Notes:

1. *In the AI zone, retail sales and service that are incidental to a primary allowed use is allowed provided that the following standards are met.*
    a. *The operations are contained within the main structure which houses the primary use;*
    b. *Retail sales occupy no more than 15% of the total structure square footage up to 5,000 square feet maximum; and,*
    c. *No retail sales or display of merchandise occur(s) outside the structure(s).*
2. *Kiosks/outdoor vending machines shall be placed next to the main structure in a designated area not to exceed 32 square feet.*

17.66 Development Regulations

17.66.010 Development Standards – Industrial Zones

Table 17.66.010-1. Development Standards – Industrial Zones establishes the development standards for the industrial zones. Additional regulations are also denoted in the righthand column. Section numbers in this column refer to other sections of this Ordinance.

Table 17.66.010-1. Development Standards – Industrial Zones

Industrial Zones					
Standards	**LI**	**HI**	**AI**	**MRE**	**Additional Regulations**
Lot and Density Standards					
Minimum Lot Size (sf)	10,000	20,000	20,000	5 acres	
Minimum Lot Width (ft)	80	100	100	-	
Minimum Lot Depth (ft)	100	100	100	-	
Building Form and Location					
Maximum Floor Area Ratio	0.5	0.5	0.5	0.25	
Maximum Height (ft)/Stories – Primary Structure	50/4 stories	50/4 stories	75/6 stories[1]	100	• Projects must comply with both stories and overall height maximums. See PMC Section 17.17.030 (Measuring Heights). • Architectural features may project above the maximum height by five feet. Architectural features include rooftop stair access and elevator shafts, mechanical equipment, or other rooftop amenities, as approved by City staff.
Maximum Height (ft) Accessory Structures	35	35	35	35	
Distance between Structures (sf)	Minimum required by Building and Fire code.				
Setbacks – Minimums (ft)					
Front	10	10	10	25	• Minimum 10 ft shall be landscaped excluding driveways. • No parking allowed in minimum setback area.
Street Side	10; 20 abutting a freeway	10; 20 abutting a freeway	10; 20 abutting a freeway	25	• Minimum 10 ft shall be landscaped excluding driveways. • No parking allowed in minimum setback area.
Interior Side	0 abutting another industrial zoned property and 10 abutting any other non-residential zone~~10~~; 20 abutting a freeway; 25 abutting a residential zone	0 abutting another industrial zoned property and 10 abutting any other non-residential zone~~10~~; 20 abutting a freeway; 40 abutting a residential zone	0 abutting another industrial zoned property and 10 abutting any other non-residential zone~~10~~; 20 abutting a freeway; 50 abutting a residential zone	25	• Minimum 10 ft shall be landscaped excluding driveways. • No parking allowed within the first 10 ft of the setback.

Industrial Zones					
Standards	**LI**	**HI**	**AI**	**MRE**	**Additional Regulations**
Rear	0 abutting another industrial zoned property and 10 abutting any other non-residential zone~~10~~; 20 abutting a freeway; 25 abutting a residential zone	0 abutting another industrial zoned property and 10 abutting any other non-residential zone~~10~~; 20 abutting a freeway; 40 abutting a residential zone	0 abutting another industrial zoned property and 10 abutting any other non-residential zone~~10~~; 20 abutting a freeway; 50 abutting a residential zone	25	• Minimum 10 ft shall be landscaped excluding driveways. • No parking allowed within the first 10 ft of the setback.
Alley (when present)	5	5	5	-	
Open Space Standards					
Minimum Open Space	400 sf total for the first 20 employees[2], and additional 10 sf per employee over 20	400 sf total for the first 20 employees[2], and additional 10 sf per employee over 20	400 sf total for the first 20 employees[2], and additional 10 sf per employee over 20	-	Common open space includes roof decks and other shared common open areas. Up to 50% may be indoors. Minimum open space dimension is 15 feet in either direction. Setback areas are not considered usable open space unless they are at least 20 feet wide.
Minimum Landscaping (% of lot)	10%	10%	10%	-	Includes required setbacks. 25% must be live plant material. See PMC Section 17.86.010 (Landscaping Requirements).
Other Standards	**See additional standards in PMC Chapter 17.67 (Supplemental Standards), Division 8 (General Standards of Development), Division 9 (Special Regulations), and Division 10 (Environmental Management).**				

Notes:

1. *Additional height may be allowed through approval of a CUP. In approving a CUP for additional building height, the Review Authority shall find that adequate setbacks are provided on the project site to mitigate adverse impacts on adjacent properties; that adequate fire protection is provided for the subject buildings; that all FAA clearance requirements are met; that maximum floor area ratio requirements are not exceeded; and that the height, bulk, massing, design, and placement of the building on the subject site will not adversely impact adjacent properties or the general public.*
2. *The number of employees shall be based on the largest shift that occurs in a typical week*

17.67 Supplemental Standards

17.67.010 Operations

All industrial and manufacturing operations shall be conducted within an enclosed structure unless specifically allowed by the Review Authority or the permissions table. Any allowable outdoor operations shall be adequately screened from public view pursuant to Divisions 8 and 9 of this Ordinance and applicable policies of the General Plan.

17.67.020 Performance Standards.

Industrial uses shall operate pursuant to PMC Chapter 17.84 (Performance Standards). When industrial uses are located next to residential uses, industrial operations shall not produce noise levels in excess of those allowed for uses in residential areas as stipulated in the Noise Element of the General Plan between the hours of 7:00 a.m. to 10:00 p.m., daily.

17.67.30 Parking

In addition to the provisions of PMC Chapter 17.87 (Off-Street Parking and Loading), all industrial development shall comply with the following parking standards:

A. Surface parking shall be located to the side or to the rear of primary buildings to the greatest extent feasible; and,

B. Surface parking spaces for employees and guests may incorporate shade structures that are capable of supporting solar/photovoltaic array systems with a minimum clearance height of 12 feet.

17.67.040 Landscaping and Trees

In addition to the provisions of PMC Section 17.86.010 (Landscaping Requirements), all industrial development shall select and plant trees to provide shade for walkways, outdoor seating areas, parking areas etc., and for their ability for filtering particulate matter and other pollutants from the air.

17.67.050 Rail Service Standards

Lot division and building layouts for properties which adjoin existing or proposed lead and spur lines, shall be designed in order to ensure full potential of future rail access to other properties adjacent to such rail lines. Subdivision proposals which could reduce the capacity of a property to accommodate potential rail-served development may be proposed, but shall be approved at the discretion of the Review Authority.

17.67.060 Private Streets

Private streets serving industrial developments shall have a minimum vehicle access width of 40 feet.

17.67.070 Sidewalks

Sidewalks shall be provided within the public right-of-way along all Regional and Crosstown streets, as depicted in the General Plan. Sidewalks may be required along Connector and Neighborhood streets, or this requirement may be waived by the Review Authority as part of the development review process.

17.67.080 Paving

Any portion of a lot or parcel used for outdoor storage, loading, parking, or other allowed outside use shall be paved according to the standards provided in PMC Chapter 17.87 (Off-Street Parking and Loading), except that the Review Authority may approve a reduction in the area required to be paved where it is determined that such area will be adequately screened and dust-proofed, and that construction of additional improvements is unnecessary. The site shall be dust proofed with a surface approved by the Director and the City Engineer wherever the site is not paved or landscaped.

17.67.090 Plant 42 Adjacency Standards

No balconies, stairways, windows, or other areas where people could look out onto adjacent Plant 42 properties shall be allowed above the first floor on the side of a structure which faces the Plant 42 property.

17.67.100 Privacy Standards for Adjacent Residential Properties

No balconies, stairways, or other areas where people could look out onto adjacent residential properties shall be allowed above the first floor on the side of a structure which faces property designated for single-family use.

17.67.110 Design Standards for Industrial Development

A. Purpose and Applicability. The purpose of this Section is to improve the overall design and appearance of industrial development in the Cc~~c~~ity. The following design standards shall apply to new industrial development and Major Modifications to existing industrial development. Projects shall be evaluated for the extent to which they meet the design standards as part of the Site Plan ~~or Design~~ Review process. The following standards are minimum requirements. The Review Authority may approve modifications or deviations from the standards of this Section upon finding that the purposes of this Section are achieved and the modification or deviation results in a project of equal or better design quality.

B. Site Layout. Industrial buildings shall have a positive street presence and contribute to an attractive street scene by orienting buildings toward the primary street frontage. Public entrances and administrative/office areas shall front the street. Primary entries should be clearly distinguished from secondary and service entries. Projects shall attempt to place entries and the most active areas near the street to avoid long, “unguarded” walkways. Buildings shall be sited in a manner that screens loading and storage areas from public view.

C. Massing, Form and Scale. Buildings within a project shall be related in terms of bulk and mass, but shall not be identical. Repetitive building units that produce monotonous elevations shall be avoided through use of varying building forms, placement, color, materials, and landscaping. In addition, the scale and mass of a new industrial development shall be consistent with neighboring developments and not overwhelm them with disproportionate size or incompatible design. Special care shall be taken to achieve compatibility next to small-scale buildings; techniques should include at minimum building articulation and limiting size.

D. Building Articulation and Detailing. Building design shall employ clean, simple geometric forms and coordinated massing to produce an overall sense of unity, scale, and interest. Building design shall avoid large monotonous facades, long straight-line building fronts, plain box shapes, and barren exterior treatments. All building elevations visible from a public right-of-way or visitor parking area shall be well-articulated and incorporate the chosen design theme in a consistent manner. Building walls over 100 feet in length shall contain a system of articulating architectural elements creating visually distinct sub-volumes through the incorporation of two or more of the following:

   1. Changes in the surface plane (projections/recesses);
   2. Variation in roof form and/or height;
   3. Placement of windows and entries;
   4. Variation in fenestration;
   5. Variation in color, materials, and/or textures; and/or,
   6. Screening devices such as lattices, louvers, shading devices, perforated metal screens, or similar strategies.

E. Building Orientation and Entrances. Building entries shall read as such, and be integrated with the overall building form. Public entries shall be defined and emphasized through variation in building height, wall plane, roof treatment, window placement, architectural detailing, etc. Variation in material, texture, and/or color is also recommended as a means of identifying building entries.

F. Materials, Finishes, and Color

1. Compatibility. High-quality materials and finishes appropriate to the architectural style, scale, character, and design theme of the building shall be used, such as masonry, tile, stone, stucco, architectural grade wood, brick, glass, and finished metal. Materials, finishes and colors shall unify a structure's appearance and be selected, in a manner that works harmoniously with each other.
2. Durable Materials. Exterior design and building materials shall reflect permanence and quality. Graffiti-resistant materials and paints shall be utilized. Recommended materials include masonry, concrete, sandblasted concrete, textured block, brick, granite, marble, glass, tile, painted metal elements, and similar materials.
3. Secondary Elevations. Buildings shall be treated as a whole and finished appropriately on all sides to appear integral to the building and avoid appearing "tacked on." Backs of buildings shall use similar materials; however, less expensive and utilitarian substituted materials are acceptable, provided they are compatible with the overall design.
4. Material Changes at Corners. Material changes shall not occur at corners. The same material shall continue around corners for a minimum distance of four feet. If feasible, the same material should continue to the next change in the wall plane.
5. Variation in Materials and Colors. The number of materials and colors used on the exterior of a building should be limited so that there is visual simplicity and harmony; unusual patterns and color schemes and non-harmonious and out-of-character colors shall be avoided. These colors should be used as follows:
   a. Base colors shall be used on the majority of the building surface and should be the lightest;
   b. Secondary colors shall be used to accentuate facade elements or upper floors; and,
   c. Accent colors shall be used sparingly to highlight moldings, trims and/or signage.
   d. Up to two additional colors may be used on the base to distinguish between upper and lower floors or as an additional secondary color.
6. Roof Materials. Where visible from the street, acceptable roofing materials include metal standing seam and concrete tile. Corrugated metal (standing rib metal) roofings~~)~~ is permitted. Highly reflective surfaces and illuminated roofing are prohibited.

G. Common Open Space Design
   1. Minimum dimensions of 15 feet in any direction shall be provided;
   2. A maximum of 40 percent of the common open space may be covered but cannot be enclosed. Common open space is considered enclosed when the space between a floor, decking, or ground level and a roof structure has sides taller than 50 inches in height on more than two sides;
   3. Courtyards enclosed on four sides shall have a minimum dimension of 40 feet and have a minimum courtyard width to building height ratio of 1.25:1;
   4. Open space shall include places to sit and shade structures;
      a. A minimum of 20 percent of the open space area shall be planted with trees, ground cover, and/or shrubs; and,
      b. Slopes shall not exceed 5 percent.

17.67.120 Mining and Quarry Special Standards

A. Special Requirements. In order to comply with the provisions of the California Surface Mining and Reclamation Act of 1975 (SMARA; P.R.C. Sec. 2710 et seq.), P.R.C. Section 2207, and Title 14, Division 8, Section 3500 et seq. of the California Code of Regulations, all mining-related activities covered under SMARA shall require the preparation of reclamation plans and annual reports, provision of financial assurances, and the conducting of annual inspections, as specified in PMC Chapter 17.102 (Surface Mining and Reclamation).

B. Additional Accessory Uses and Structures Permitted. In addition to the allowed uses listed in Table 17.65.020-1 (Allowed Uses – Industrial Zones), the following accessory uses and structures are also allowed in the MRE zone, provided that such uses are established on the same lot or parcel of land, are incidental to, and do not substantially alter the character of the allowed principal use.

1. Incidental sales of gravel, sand, decorative stone, or other mineral materials.
2. Office and repair shop structures.
3. Scales or weighing equipment.
4. Truck storage.
5. Other uses deemed by the Review Authority that function as incidental to an allowed primary use and which are similar to and not more objectionable than those accessory uses specifically listed above.

C. Special Development and Performance Standards

1. General. Unless specified otherwise in this Section, any signage, fencing, landscaping, parking, loading, trash enclosures, or similar requirements shall conform to the applicable provisions of Division 8 (General Development Standards) of this Ordinance.
2. Required Signage. The outer boundaries of all properties used for quarrying operations, involving the extraction and processing of rock, sand, gravel, decomposed granite, clay, or similar materials shall be posted with signs carrying the message “QUARRY ZONE” in letters not less than four inches in height; and in letters not less than one inch in height, the message “This property may be used for the extraction and processing of rock, sand, gravel, decomposed granite, clay, and similar materials, by Ordinance, City of Palmdale.” These signs shall be posted not more than 500 feet apart, with signs placed at each change in direction of the boundary lines of the property and displayed in such a manner as to give reasonable notice to passersby of the message contained thereon.
3. Performance Standards. All mining and quarrying operations, rock crushing plants, and aggregate dryers shall be established and operated in accordance with the following standards:
    a. Noise and Vibration. All equipment and premises employed in conjunction with any of the uses allowed in the MRE Zone shall, to the extent that is practicable and feasible, be constructed, operated, and maintained to suppress noise and vibration which are or may be injurious or annoying to persons living in the vicinity.
    b. Dust. All private unpaved roads shall be kept wet while being used or shall be oiled or hard-surfaced and maintained to prevent the emanation of dust.

c. Paving. All private access roads leading off any public street or highway onto property used for any purpose allowed in this zone shall be paved, with asphalt or concrete surfacing not less than three- and one-half inches in thickness, for the first 50 feet of said access road.

d. Slope. No excavation or production from an open pit quarry shall be allowed which creates a slope steeper than one foot horizontally to one foot vertically.

e. Distance. No excavation or production shall be allowed nearer than 25 feet of the boundary of the MRE Zone.

f. Setback. No production shall be allowed nearer than 25 feet of any lot line of adjoining property in any zone unless the written consent of the owner in fee of such property is first secured and recorded in the Los Angeles County Recorder's Office.

g. Fencing. Prior to the start of any quarry operations the outer boundaries of the entire property shall be continuously enclosed by a six-foot-high fence. Where adjacent to a public street or residentially zoned area, required fencing shall be a view obstructing fence, wall, or landscaped berm. Elsewhere, the fence may be constructed of chain link, provided however, that the Review Authority~~Director~~ may, without notice or hearing, grant a modification to these fencing requirements where:

   i. Such property is located in the bed or flood channel of a wash or water course and such fencing would be impractical; or,

   ii. Topographic features, locational factors or other conditions create an unnecessary hardship or unreasonable situation making it impractical to require compliance with these fencing requirements.

   All such requests for a modification shall be subject to the provisions of PMC Chapter 17.102 (Surface Mining and Reclamation).

h. Hours of Operation. All uses allowed in the MRE zone which are not conducted within an enclosed structure shall occur between the hours of 7:00 a.m. and 10:00 p.m., Monday through Saturday, except in cases of public emergency or emergency building repairs.

Title 17. Zoning

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Division 7. SPECIAL PURPOSE ZONES

17.70 General Purpose and Intent

The purpose of the special purpose zones is to:

A. Provide land for development of public, quasi-public, and open space uses that provide services to the community and support existing and new residential, commercial, and industrial land uses;
B. Provide areas for educational facilities, cultural and institutional uses, health services, parks and recreation, general government operations, public service needs, and other similar and related supportive uses;
C. Provide opportunities for outdoor recreation and meet the recreational needs of City residents;
D. Reserve areas for passive recreation, open space, and habitat protection and enhancement;
E. Provide for utility infrastructure and rights-of-way; and,

F. Identify areas of the City covered by Specific Plans where special or location-specific provisions apply.

Additional purposes of each special purpose zone are provided in the subsequent Chapters.

17.71 Public Facilities Zones

17.71.010 Purpose and Intent

A. Public Facilities – Civic (PF-C). This zone includes the City's institutional uses, such as government facilities, fire stations, police stations, libraries, and similar public/institutional uses. This zone implements the Public Facilities - Civic General Plan land use designation.

B. Public Facilities – Parks (PF-P). This zone includes the City's public and private parks, recreation facilities, amphitheaters, community centers, and similar recreational uses. This zone implements the Public Facilities - Park General Plan land use designation.

C. Public Facilities – School (PF-S). This zone includes the City's public and private schools and institutions of higher learning. This zone implements the Public Facilities - School General Plan land use designation.

17.72 Open Space (OS)

17.72.010 Purpose and Intent

This zone includes the City's public and private open space, golf courses and support structures. This zone implements the Open Space General Plan designation.

17.73 Utilities and Rights-of-Way (U-ROW)

17.73.010 Purpose and Intent

This zone is intended to accommodate above-ground utilities and utility rights-of-way. Utilities may include electrical substations, transmission lines, water storage tanks, and supportive buildings and structures. This zone implements the Utilities General Plan land use designation.

17.74 Specific Plan (SP)

17.74.010 Purpose and Intent

This zone applies to areas that have existing adopted Specific Plans and implements the Specific Plan General Plan designation. Each Specific Plan regulates the intended physical character, key features, and look and feel within those areas.

17.74.020 Land Use Regulations and Development Standards for Specific Plans

Once adopted, a Specific Plan shall govern all use and development of properties within the bounds of that Specific Plan. Where a Specific Plan is silent regarding development standards, the provisions of this Ordinance shall govern.

A. When a use is not specifically listed as allowed in the Specific Plan, the Director shall assign the land use or activity to a classification that is substantially similar in character pursuant to the similar use determination process as described in PMC Section 17.24.040 (Determination on Unlisted Uses). Land uses not listed in the Specific Plan as allowed or not found to be substantially like an allowed use are prohibited.

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

C. The contents, requirements and adoption procedures for a new Specific Plan shall be in compliance with PMC Section 17.27.040 (Specific Plan).

D. If a Specific Plan is silent on the amendment procedures, the specific plan may be amended pursuant to the process for General Plan Aamendments specified within PMC Section 17.24.130030 (General Plan Amendments).

17.75 Land Use Regulations

17.75.010 Permissions Tables and Establishment of an Allowed Use

Prior to the establishment of any land use(s) identified in the land use permissions tables, the applicant shall obtain all necessary approvals and permits pursuant to all applicable requirements of this Ordinance. Division 2 (Review Procedures) of this Ordinance identifies the requirements of project proposals and procedures and processing requirements for administrative and discretionary applications.

A. Use Classifications. Each land use classification is described in PMC Chapter 17.16 (Definitions). For example, personal service use includes a wide range of individual personal service uses (e.g., beauty parlor, dry cleaning, tanning salons, and tailors). Use classifications describe one or more uses having similar characteristics but do not list every use or activity that may be appropriate within the classification. For that reason, the City has established a similar use determination process as described in PMC Section 17.24.040 (Determination on Unlisted Uses).

B. Projects of Two or More Land Uses. Where a single parcel is proposed for development with two or more of the land uses listed in the permissions tables at the same time, the overall project will be subject to the highest level of review required by the tables for any individual use; however, all applicable fees shall be paid, and individual applications submitted for each applicable application type.

C. Allowed Uses and Approval Types. Generally, a use is either allowed by right, allowed through an approval process, or not allowed. In addition to the requirements for planning entitlements of this Ordinance, other permits may be required prior to establishment of the use (e.g., building permit, engineering permit, or permits required by other agencies). The requirements for planning entitlements include:

1. Permitted (P). A land use shown with a “P” indicates that the land use is allowed by right in the designated zone, subject to compliance with all applicable provisions of this Ordinance (e.g., development standards) as well as State and Federal law.
2. Accessory Use (A). A land use shown with an “A” indicates that the land use is allowed only as a secondary use in conjunction with a primary use, subject to compliance with all applicable provisions of this Ordinance (e.g., development standards) as well as State and Federal law.

3. Minor Use Permit (MUP) Required. A land use shown with "MUP" indicates that the land use is allowed in the designated zone upon issuance of a Minor Use Permit from the designated Review Authority, subject to compliance with all applicable provisions of this Ordinance (e.g., development standards), as well as State and Federal law.
4. Conditional Use Permit (CUP) Required. A land use shown with "CUP" indicates that the land use is allowed in the designated zone upon issuance of a Conditional Use Permit from the designated Review Authority, subject to compliance with all applicable provisions of this Ordinance (e.g., development standards) as well as State and Federal law.
5. Not Permitted (-). A land use shown with a "-" is not allowed in the applicable zone.
6. Temporary Use (T). On occasion, property will be used for an event, activity, or use on a short-term basis. Such use is considered a temporary use. A land use shown with "T" indicates that the land use is allowed by right as a temporary use, subject to compliance with all applicable provisions of this Ordinance (e.g., development standards) as well as State and Federal law.
7. Temporary Use Permit Required (TUP). On occasion, property will be used for an event, activity, or use on a short-term basis. Such use is considered a temporary use. A land use shown with "TUP" indicates that the land use is allowed as a temporary use in conjunction with the issuance of a Temporary Use Permit pursuant to PMC Chapter 17.26.100 (Temporary Use and Special Event Permits). PMC Section 17.98.020 (Temporary Uses) provides the regulations for these uses, including development standards and time limits.

17.75.020 Allowed Uses – Public Facilities and Open Space Zones

The land use permissions, as established in Table 17.75.020-1 (Allowed Uses – Public Facilities and Open Space Zones), shall be applicable to all new uses, structures, and activities within the identified zone. Allowed land uses include both primary and accessory uses that are predominantly permanent in nature. For regulations on all temporary uses and events, see PMC Chapter 17.26.100 (Temporary Use and Special Event Permits). Numeric notes can be found at the end of the table.

In addition to the regulations of the applicable zone, all land uses are subject to the special use standards identified in the "Specific Use Regulations" column of the allowed use tables. Refer to the referenced Sections for additional operational standards and regulations applicable to the use.

Table 17.75.020-1 Allowed Uses – Public Facilities and Open Space Zones

Public Facilities and Open Space Zones					
Use	**PF-C**	**PF-P**	**PF-S**	**OS**	**Specific Use Regulations**
Aerospace Uses					
Aerospace Manufacturing	-	-	-	-	
Aerospace Services	-	-	-	-	
Agriculture & Animal Keeping Uses					
	PF-C	**PF-P**	**PF-S**	**OS**	**Specific Use Regulations**
Agricultural Support, Sales, Service, and Storage	-	-	-	-	
Animal Husbandry and Production	-	-	-	-	See PMC Chapter 17.89 (Animal Keeping)
Animal Raising and Keeping, Domestic	-	-	-	-	See PMC Chapter 17.89 (Animal Keeping)
Animal Raising and Keeping, Exotic	-	-	-	-	See PMC Chapter 17.89 (Animal Keeping)
Animal Raising and Keeping, Horses	-	-	-	-	See PMC Chapter 17.89 (Animal Keeping)

Public Facilities and Open Space Zones					
Use	**PF-C**	**PF-P**	**PF-S**	**OS**	**Specific Use Regulations**
Animal Raising and Keeping, Livestock	-	-	-	-	See PMC Chapter 17.89 (Animal Keeping)
Animal Raising and Keeping, Poultry and Beekeeping	-	-	-	-	See PMC Chapter 17.89 (Animal Keeping)
Aquaculture	-	-	-	-	
Crop Production	-	-	-	-	
Farmstands	-	-	-	-	
Garden/Greenhouse, Private	-	-	-	-	
Horticultural Production	-	-	-	-	
Kennels, Private/Hobby	-	-	-	-	See PMC Chapter 17.89 (Animal Keeping)
Stable/Equestrian Facility, Commercial/Public	-	CUP	-	CUP	
Stable/Equestrian Facility, Hobby/Private	-	-	-	-	See PMC Chapter 17.89 (Animal Keeping)
Automobile and Vehicle Uses					
	PF-C	**PF-P**	**PF-S**	**OS**	**Specific Use Regulations**
Fueling Station	-	-	-	-	See PMC Section 17.92.070 (Fueling Station/Vehicle and Equipment Services and Repair).
Travel Center	-	-	-	-	See PMC Section 17.92.070 (Fueling Station/Vehicle and Equipment Services and Repair).
Vehicle and Equipment Services and Repair, Major	-	-	-	-	See PMC Section 17.92.070 (Fueling Station/Vehicle and Equipment Services and Repair).
Vehicle and Equipment Services and Repair, Minor	-	-	-	-	See PMC Section 17.92.070 (Fueling Station/Vehicle and Equipment Services and Repair).
Vehicle Rental	-	-	-	-	
Vehicle Sales, New	-	-	-	-	See PMC Section 17.92.070 (Fueling Station/Vehicle and Equipment Services and Repair).
Vehicle Sales, Used	-	-	-	-	
Vehicle Sales and Rental, Large Vehicles and Equipment	-	-	-	-	See PMC Section 17.92.070 (Fueling Station/Vehicle and Equipment Services and Repair).
Vehicle Towing/Impounding	-	-	-	-	See PMC Section 17.93.040 (Vehicle Towing/Impounding)
Vehicle Washing & Detailing	-	-	-	-	See PMC Section 17.92.180 (Vehicle Washing and Detailing)
Vehicle Wrecking/Dismantling	-	-	-	-	See PMC Section 17.93.030 (Salvage Yards)
Eating and Drinking Establishments & Entertainment Uses					
	PF-C	**PF-P**	**PF-S**	**OS**	**Specific Use Regulations**
Bar/Nightclub/Lounge	-	-	-	-	See PMC Section 17.92.020 (Alcoholic Beverage Establishments)
Brewpub/Taproom/Wine Bar/Microdistillery	MUP	-	-	-	See PMC Section 17.92.020 (Alcoholic Beverage Establishments)
Café/Bakery	P	P	P	-	
Cinema/Theater/Performing Arts Center	P	P	P	-	
Live Entertainment as Accessory Use, Indoor (Accessory)	A	A	A	-	

Public Facilities and Open Space Zones					
Use	**PF-C**	**PF-P**	**PF-S**	**OS**	**Specific Use Regulations**
Live Entertainment as Accessory Use, Outdoor (Accessory)	A, MUP	A, MUP	A, MUP	A, MUP	Regular outdoor events as an accessory use require an MUP. Sporadic events require a TUP (See PMC Section 17.98.020 (Temporary Uses)).
Outdoor Dining (Accessory)	A	A	A	A	See PMC Section 17.92.100 (Outdoor Dining)
Outdoor Entertainment	A, MUP	A, MUP	A, MUP	A, MUP	
Restaurant, Bona Fide	P	P	P	P-	See PMC Section 17.92.020 (Alcoholic Beverage Establishments)
Restaurant, Dine-In and Take-Out	P	P	P	P-	
Restaurant, Drive-Through	-	-	-	-	See PMC Section 17.92.050 (Drive-Through Restaurants and Services)
Film, Research and Development					
	PF-C	**PF-P**	**PF-S**	**OS**	**Specific Use Regulations**
Film Production & Post Production	-	-	-	-	
Research & Development	-	-	-	-	
Industrial and Manufacturing Uses					
	PF-C	**PF-P**	**PF-S**	**OS**	**Specific Use Regulations**
Artisan Manufacturing/Makers Space	-	-	-	-	
Brewery/Distillery/Winery - without tasting room or > 10,000 sf	-	-	-	-	
Brewery/Distillery/Winery - with tasting room and <10,000 sf	-	-	-	-	See PMC Section 17.92.020 (Alcoholic Beverage Establishments)
Commercial Vehicle Parking (Primary)	-	-	-	-	See PMC Section 17.93.010 (Commercial Vehicle Parking as Primary Use)
Construction and Materials Yards	-	-	-	-	
Food or Beverage Manufacturing	-	-	-	-	
Hazardous Materials Facility	-	-	-	-	See PMC Chapter 17.96 (Hazardous Materials Facilities)
Indoor Warehousing, Storage, Wholesaling, and Distribution	-	-	-	-	
Manufacturing, Outdoors	-	-	-	-	
Manufacturing/Processing, Light	-	-	-	-	
Manufacturing/Processing, Heavy	-		-	-	
Mining/Resource Extraction	-	-	-	-	See PMC Section 17.67.070 (Mining and Quarry Special Standards) and PMC Chapter 17.102 (Surface Mining and Reclamation)
Mini-Storage Warehousing or Facility	-	-	-	-	See PMC Section 17.93.020 (Mini-Storage Warehousing or Facility)
Outdoor Storage (Accessory)	A	A	A	A	See PMC Section 17.92.120 (Outdoor Storage (Primary and Accessory))
Outdoor Storage (Primary)	-	-	-	-	See PMC Section 17.92.120 (Outdoor Storage (Primary and Accessory))
Outdoor Storage (Temporary)	T; TUP	T; TUP	T; TUP	T; TUP	If less than 72 hours, allowed by right (T). If over 72 hours, a TUP is required per PMC Section 17.26.100 (Temporary Use and Special Event Permits). See also PMC Section 17.98.020 (Temporary Uses).
Salvage Yards	-	-	-	-	See PMC Section 17.93.020 (Salvage Yards)
Temporary Structures or Storage Facilities (Temporary and Accessory)	A, TUP	A, TUP	A, TUP	A, TUP	See PMC Section 17.98.020 (Temporary Uses)

Public Facilities and Open Space Zones					
Use	**PF-C**	**PF-P**	**PF-S**	**OS**	**Specific Use Regulations**
Lodging					
	PF-C	**PF-P**	**PF-S**	**OS**	**Specific Use Regulations**
Bed and Breakfast	-	-	-	-	
Lodging - Extended Stay	-	-	-	-	
Lodging - Hotels	-	-	-	-	
Lodging - Motels	-	-	-	-	
Lodging - Timeshares	-	-	-	-	
Public, Quasi-Public and Institutional Uses					
	PF-C	**PF-P**	**PF-S**	**OS**	**Specific Use Regulations**
Civic/Government	P	-	-	-	
Cultural Institutions	P	-	-	-	
Hospital	CUP	-	-	-	
Public Service Facility	P	-	-	-	
Social Service Facilities	P	-	-	-	See PMC Section 17.94.040 (Social Service Facilities with Congregate Meal Facilities)
Recreation, Education, and Public Assembly Uses					
	PF-C	**PF-P**	**PF-S**	**OS**	**Specific Use Regulations**
Athletic Fields, Unlighted	-	P	P	P	
Athletic Fields, Lighted	-	MUP	MUP	CUP	See PMC Section 17.86.030 (Outdoor Lighting)
Campground	-	MUP	-	MUP	
Cemeteries, Crematories, or Mausoleums	CUP	CUP	-	-	
College/University	MUP	-	CUP	-	
Commercial Recreation and Sports, Indoor	-	-	-	-	
Commercial Recreation and Sports, Outdoor	-	-	-	-	See PMC Section 17.94.030 (Golf Courses)
Community Assembly, ≤ 5,000 sf (gross sf)	MUP	MUP	MUP	-	See PMC Section 17.94.010 (Community Assembly Uses)
Community Assembly, 5001 sf - 12,000 sf (gross sf)	MUP	MUP	MUP	-	See PMC Section 17.94.010 (Community Assembly Uses)
Community Assembly, > 12,000 sf (gross sf)	MUP	MUP	MUP	-	See PMC Section 17.94.010 (Community Assembly Uses)
Family Day Care Center	P	P	P	-	See PMC Section 17.92.060 (Family Day Care Center)
Instructional Services, ≤ 5000 sf	MUP	MUP	MUP	-	
Instructional Services, > 5001 sf	MUP	MUP	MUP	-	
Open Space, Natural	P	P	P	P	
Parks and Recreation Facilities	P	P	P	P	See PMC Section 17.94.030 (Golf Courses)
Retreat Center	-	CUP	CUP	CUP	
Recreational Vehicle (RV) Park	-	CUP		CUP	
Schools, Public or Private (TK-12)	CUP	-	CUP	-	
Tutoring Facilities	MUP	-	MUP	-	
Vocational/Trade School, ≤ 10,000 sf	MUP	-	MUP	-	
Vocational/Trade School, > 10,001 sf	CUP	-	CUP	-	

Public Facilities and Open Space Zones					
Use	**PF-C**	**PF-P**	**PF-S**	**OS**	**Specific Use Regulations**
Residential Uses					
	PF-C	**PF-P**	**PF-S**	**OS**	**Specific Use Regulations**
Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU)	-	-	-	-	See PMC Section 17.91.010 (Accessory Dwelling Unit and Junior Accessory Dwelling Unit Standards)
Agricultural Worker Housing	-	-	-	-	
Caretaker's Unit (Accessory)	A	-	A	-	See PMC Section 17.91.030 (Caretaker's Units (Accessory))
Child Day Care in a Home	-	-	-	-	
Cottage Food Operation	-	-	-	-	
Cottage Industry	-	-	-	-	See PMC Section 17.91.040 (Cottage Food Operation)
Emergency Shelters	MUP	-	-	-	
Group Residential Home	CUP	-	-	-	
Home Occupation	-	-	-	-	
Live/Work	-	-	-	-	
Model Home (on-site)	-	-	-	-	See PMC Section 17.98.020 (Temporary Uses)
Manufactured/Mobile Home Park	-	-	-	-	See PMC Section 17.91.050 (Manufactured/Mobile Home Parks) and 17.91.060 (Manufactured/Mobile Home Park Closures)
Residential Care Facilities, Small	-	-	-	-	
Residential Care Facilities, Large	-	-	-	-	See PMC Section 17.91.070 (Residential Care Facilities, Large)
Residential Housing Types					
Single-Family Dwelling, Attached	-	-	-	-	
Single-Family Dwelling, Detached	-	-	-	-	
Two-Family Dwelling/Duplex	-	-	-	-	
Multi-Family Dwelling, Triplex/Quadplex	-	-	-	-	
Multi-Family Residential, ≥ 5 Units	-	-	-	-	
Manufactured/Mobile Home	-	-	-	-	
Single-Room Occupancy	CUP	-	-	-	
Sober Living Home	CUP	-	-	-	See PMC Section 17.91.080 (Sober Living Home)
Supportive Housing	CUP	-	-	-	
Transitional Housing	CUP	-	-	-	
Yard Sales (Temporary Use)	-	-	-	-	See PMC Section 17.98.020 (Temporary Uses)
Retail, Service, and Office Uses					
	PF-C	**PF-P**	**PF-S**	**OS**	**Specific Use Regulations**
Adult-Oriented Business	-			-	See PMC Section 17.92.010 (Adult-Oriented Businesses)
Alcohol & Drug Treatment Facility, Large		-	-	-	See PMC Section 17.91.020 (Alcohol & Drug Treatment Facility)
Alcohol & Drug Treatment Facility, Small	-	-	-	-	
Alcohol Sales, Off-Sale	-	-	-	-	See PMC Section 17.92.020 (Alcoholic Beverage Establishments)
Animal Sales and Services	-	-	-	-	
Auction Sales, Outdoor	-	-	-	-	
Auction Sales, Indoor	-	-	-	-	

Public Facilities and Open Space Zones					
Use	**PF-C**	**PF-P**	**PF-S**	**OS**	**Specific Use Regulations**
ATM (Accessory Use)	-	-	-	-	
Bail Bonds	-	-	-	-	
Banks, Financial, Savings and Loan Institutions	-	-	-	-	
Building Materials Sales and Services	-	-	-	-	
Business to Business Support Services	-	-	-	-	
Check-Cashing Businesses	-	-	-	-	
Convenience Market	-	-	-	-	See PMC Sections 17.92.030 (Convenience Markets) and PMC Section 17.92.020 (Alcoholic Beverage Establishments)
Drive-Through Services (Accessory)	-	-	-	-	See PMC Section 17.92.050 (Drive Through Restaurants and Services)
Farmer's Market (Temporary)	TUP	TUP	TUP	-	See PMC Section 17.98.020 (Temporary Uses)
Food Preparation, Commercial	-	-	-	-	
Fortunetelling, Palm and Card Reading	-	-	-	-	
Funeral Homes and Mortuaries	CUP	-	-	-	
General Retail ≤ 5,000 sf	CUP	-	-	-	
General Retail 5,000 sf - 25,000	CUP	-	-	-	
General Retail/Superstore > 25,000	-	-	-	-	
Grocery Store	-	-	-	-	
Kennels/Boarding, Commercial	-	-	-	-	See PMC Section 17.92.080 (Kennels/Boarding, Commercial)
Kiosk/Outdoor Vending [1]	A	A	A	A	
Laundromat	-	-	-	-	
Massage Establishment, Accessory (Accessory)	-	-	-	-	See PMC Section 17.92.090 (Massage Establishment (Accessory))
Massage Establishment, Stand-Alone	-	-	-	-	
Medical Services, Extended Care	-	-	-	-	
Medical Services, Medical/Dental/Holistic/Clinic	-	-	-	-	
Medical Services, Urgent Care	-	-	-	-	
Microblading/Permanent Makeup	-	-	-	-	
Neighborhood Market	-	-	-	-	
Nursery/Garden Center	-	-	-	-	
Office, Processing	-	-	-	-	
Office, Professional/Administrative	-	-	-	-	
Office, Service	-	-	-	-	
Outdoor Display	-	-	-	-	See PMC Section 17.92.110 (Outdoor Display)
Pawnshop	-	-	-	-	See PMC Section 17.92.130 (Pawnshops)
Personal Services	-	-	-	-	
Pet Daycare	-	-	-	-	See PMC Section 17.92.140 (Pet Daycare)
Resale/Consignment/Thrift Shop	-	-	-	-	
Smoking Lounge	-	-	-	-	
Smoke Shop	-	-	-	-	See PMC Section 17.92.150 (Smoke Shop)
Swap Meet, Indoor	-	-	-	-	
Swap Meet, Outdoor	-	-	TUP	-	Outdoor swap meets require a TUP per PMC Section 17.98.020 (Temporary Uses)
Tattoo/Body Art/Piercing	-	-	-	-	See PMC Section 17.92.170 (Tattoo/Body Art/Piercing Establishments)

Public Facilities and Open Space Zones					
Use	**PF-C**	**PF-P**	**PF-S**	**OS**	**Specific Use Regulations**
Temporary Real Estate Sales Office (Temporary)	-	-	-	-	See PMC Section 17.98.020 (Temporary Uses))
Veterinary Hospitals	-	-	-	-	See PMC 17.92.190 (Veterinary Hospitals)
Utility, Transportation, and Communication Uses					
	PF-C	**PF-P**	**PF-S**	**OS**	**Specific Use Regulations**
Airports and Heliports	CUP	-	-	-	
Co-located Small Wind Energy Systems (CSWES) (Accessory)	-	-	-	-	See PMC Section 17.99.010 (Co-located Small Wind Energy Systems (CSWES))
Communication/Wireless Telecommunications Facilities, Major	CUP	CUP	-	-	See PMC Section 17.95.010 (Communication/Wireless Telecommunications Facilities)
Communication/Wireless Telecommunications Facilities, Minor	MUP	MUP	MUP	-	See PMC Section 17.95.010 (Communication/Wireless Telecommunications Facilities)
Communication, Facilities within Buildings	MUP		MUP		
Freight/Trucking Facility	-	-	-	-	
Light Fleet-Based Services	-	-	-	-	
Parking Lots & Structures	P	A	A	A	
Passenger Transportation Facilities	CUP	CUP	CUP	-	
Recycling Collection Facility, Large	-	-	-	-	See PMC Chapter 17.97 (Recycling Facilities)
Recycling Collection Facility, Small	MUP	-	-	-	See PMC Chapter 17.97 (Recycling Facilities)
Recycling Processing Facility, Heavy	-	-	-	-	See PMC Chapter 17.97 (Recycling Facilities)
Recycling Processing Facility, Light	-	-	-	-	See PMC Chapter 17.97 (Recycling Facilities)
Reverse Vending Machine	-	-	-	-	See PMC Chapter 17.97 (Recycling Facilities)
Sanitary Landfills	CUP	-	-	-	See PMC Section 17.98.010 (Sanitary Landfills)
Small Residential Wind Generator Systems (SRWGS) (Accessory)	-	-	-	-	See PMC Section 17.99.020 (Small Residential Wind Generator Systems (SRWGS))
Solar Energy System (Primary)	-	-	-	-	See PMC Section 17.99.030 (Solar Energy System (Primary))
Utilities, Major	CUP	-	-	-	
Utilities, Minor	P	P	P	P	
Utility Yard	P	-	-	-	

Notes:

1. ~~1.~~ *Kiosks/outdoor vending machines shall be placed next to the main structure in a designated area not to exceed 32 square feet.*

17.76 Development Regulations

17.76.010 Development Standards – Public Facilities and Open Space Zones

Table 17.76.010-1 Development Standards – Public Facilities and Open Space Zones prescribes the development standards for the PF and OS zones. Additional regulations are also denoted in the righthand column. Section numbers in this column refer to other sections of this Ordinance.

Table 17.76.010-1 Development Standards – Public Facilities and Open Space Zones

PF and OS Zones			
Standards	**PF-C/ PF-P/ PF-S**	**OS**	**Specific Use Regulations**
Lot and Density Standards			
Maximum Floor Area Ratio	Case-by-case Basis	Case-by-case Basis	Subject to approval by the Review Authority
Density (units/acre)			
Maximum	NA	NA	
Minimum Lot Size (acres)	Minimum lot area sufficient to accommodate all required parking, setbacks, landscaping, loading, trash enclosures and access requirements.	Minimum lot area sufficient to accommodate all required parking, setbacks, landscaping, loading, trash enclosures and access requirements.	Subject to approval by the Review Authority
Minimum Lot Width (ft)	NA	NA	
Minimum Lot Depth (ft)	NA	NA	
Maximum Lot Coverage	90%	25%	
Building Form and Location			
Maximum Height (ft)/Stories - Primary Structure	45/3 stories	45/3 stories[1]	• Projects must comply with both stories and overall height maximums. See PMC Section 17.17.030 (Measuring Heights). • Architectural features may project above the maximum height by five feet. Architectural features include rooftop stair access and elevator shafts, mechanical equipment, or other rooftop amenities, as approved by the Director. • The height limits specified in this paragraph shall not apply to lighting for outdoor recreational facilities which shall be subject to the height limits specified in PMC Section 17.86.030 (Outdoor Lighting).
Maximum Height (ft) - Accessory Structures	25	25	
Setbacks - Minimums (ft)			
Front	10	25	
Street Side	10	20	
Interior Side	10; 25 abutting single-family residential zones	10	
Rear	10; 25 abutting single-family residential zones	10	

PF and OS Zones			
Standards	**PF-C/ PF-P/ PF-S**	**OS**	**Specific Use Regulations**
Distance between Structures (sf)	Minimum required by Building and Fire code.		
Open Space Standards			
Minimum Landscaping (% of lot)	10%	NA	• Includes required setbacks. 25% must be live plant material. • See PMC Section 17.86.010 (Landscaping Requirements)
Other Standards	**See additional standards in PMC Chapter 17.77 (Supplemental Standards) below, Division 8 (General Standards of Development), Division 9 (Special Regulations), and Division 10 (Environmental Management).**		

Notes:

1. *The maximum height of a primary or secondary structure, as measured in accordance with PMC Section 17.17.030 (Measuring Heights~~Rules of Measurement~~), shall not exceed 45 feet/3 stories, except with the issuance of a Conditional Use Permit In approving a CUP for additional building height, the Review Authority shall find that adequate setbacks are provided on the project site to mitigate adverse impacts on adjacent properties; that adequate fire protection is provided for the subject buildings; that maximum floor area ratio requirements are not exceeded; and that the height, bulk, massing, design, and placement of the building on the subject site will not adversely impact adjacent properties or the general public.*

17.77 Supplemental Standards

17.77.010 Operations

A. Any portion of a lot or parcel used for outdoor storage, loading, parking, or other allowed outside use shall be paved according to the standards provided in PMC Chapter 17.87 (Off-Street Parking and Loading), except that the Review Authority may approve a reduction in the area required to be paved where it is determined that such area will be adequately screened and dust-proofed, and that construction of additional improvements is unnecessary. The site shall be dust proofed with a surface approved by the Director and the City Engineer wherever the site is not paved or landscaped.

B. All vehicle repair work shall be conducted in an enclosed building.

Chapter 17. Zoning

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Division 8. GENERAL DEVELOPMENT STANDARDS

17.80 Purpose and Applicability

17.80.010 Intent and Purpose

The development standards included in this Division are intended to clarify and complement the provisions and standards governing development in each zone.

17.80.020 Applicability

The development standards contained in this Division shall apply to all uses, buildings, and structures in every zone, and shall be in addition to the property development standards specific to each zone. In the event of a conflict between the provisions of this Division and other provisions of this Ordinance, the more restrictive provisions shall apply.

17.80.030 Nuisances

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

17.81 Parcel Requirements

17.81.010 Lot Area

A. Easements on Required Lot Area. A street or highway easement may be included in the net area calculation for the purpose of determining the minimum required lot area only in the following circumstances:
   1. Said lot or parcel of land is a legal lot of record; and the total area subject to all such easements includes not more than 10 percent of the required lot area; or,
   2. The required area for said lot or parcel of land is one acre or more; the total area subject to all such easements includes not more than 10 percent of the required lot area; and the net area of the lot not subject to such easement(s) is minimum 40,000 square feet.

B. Required Lot Area Reduced by Public Use. If a lot or parcel of land is the minimum lot size, and thereafter a part of the lot or parcel is acquired for public use exclusively (e.g., dedication,

condemnation or purchase, etc.), the remainder of such lot or parcel shall be considered conforming as long as it is not less than 90 percent of the required minimum lot area.

17.81.020 Lot Width

A. Width Reduced by Public Use. If a lot or parcel of land is the minimum lot width and thereafter a portion of its width is acquired for public use exclusively (e.g., dedication, condemnation or purchase, etc.), the remainder of such lot or parcel of land shall be considered conforming as long as it has not less than 70 percent of the required minimum width.

17.81.030 Lot Frontage and Access

A. Required Frontage. Each lot or parcel of land shall have a street or highway frontage of not less than 45 feet, with the following exceptions.
   1. Small-lot and attached residential lots pursuant to the development standards in Division 3 (Residential Zones) of this Ordinance.
   2. Flag lots. Flag lots may be allowed by the Review Authority if the following criteria are met:
      a. The flag lot is necessary to preserve slopes, ridgelines, significant habitat areas, and other significant resources;
      b. The body of the lot meets the lot area, width and depth requirements of the zone;
      c. The handle portion of the lot is at least 26 feet in width and not more than 120 feet in length;
      d. The lot has at least 26 feet of frontage on a public or private street with said frontage serving as access to the subject lot only; and,
      e. The address for the lot is clearly visible from the street.

B. Access onto Highways, Regional, and Crosstown Streets. No new direct driveway access from a single-family residential lot onto a street type designated in the General Plan as Major Highway, Regional, or Crosstown street, shall be allowed after the effective date of this Ordinance, except when specifically allowed by the City Engineer for an existing legal lot of record when no alternative access is available.

17.82 Setbacks and Location of Buildings

17.82.010 Required Setbacks

A. Each lot or parcel of land shall have minimum front, side, and rear setbacks as required for the zone in which the property is located (Divisions 3, 4, 5, 6, and 7 of this Ordinance), for the specific use when applicable (Division 9 of this Ordinance), or by this Chapter, whichever requirement is the greatest, except as modified by an adopted Specific Plan or Planned Development.

B. Except as allowed in PMC Section 17.82.030 (Projections into Required Setbacks), or as otherwise specified in this Ordinance for specific types of structures (e.g., accessory structures, signs) or through the issuance of a Variance or Minor Exception, structures shall not extend beyond required setback lines as established for each zone.

C. Except as otherwise allowed, front and street side setbacks shall be used only for landscaping, pedestrian walkways, utility easements, and driveways.

17.82.020 Accessory Structures



A. Applicability

1. No accessory building or structure shall be located within a required front, side, or rear setback except as otherwise provided in this Ordinance. The requirements contained in this Section shall apply to detached accessory structures on private property and shall be in addition to any other development standards contained elsewhere in this Ordinance. These include, but are not limited to, garages, carports, sheds, workshops, gazebos, pergolas, and covered patios that are detached from and accessory to the main building on the site. In the event of a conflict between the provisions of this Section and any other provisions of this Ordinance, the stricter regulation shall control.

2. For the purposes of this Ordinance, Accessory Dwelling Units are not considered accessory structures, accessory dwelling units are governed by the requirements of PMC Section 17.91.010 (Accessory Dwelling Unit and Junior Accessory Dwelling Unit Standards) and are exempt from the requirements of this Section.

~~2.~~ If a structure is attached to the principal structure by a common wall, or by a continuation of the roof of the main structure (and not simply by a breezeway or porch), such accessory structure shall be considered a part of the main structure and shall comply in all respects with the requirements of this Ordinance applicable to the main building.

~~3.~~

3. Allowed building projections into required setbacks and required building separations are provided in PMC Section 17.82.030 (Projections into Required Setbacks).

B. Development Standards for Accessory Structures

1. Relation to Existing Structures. A detached accessory building or structure may only be constructed on a lot on which there is a legally established primary building to which the accessory building or structure is related.
2. Amenities. Accessory structures shall not contain indoor cooking facilities (combination of a sink, cooking apparatus, and refrigeration appliance) and shall not be designed for full-time living, guest accommodation (i.e., guesthouses), or rental purposes (see PMC Section 17.91.010 (Accessory Dwelling Unit and Junior Accessory Dwelling Unit Standards)). Accessory structures may have plumbing for a washer, dryer, toilet, shower, refrigerator, and/or utility sink.
3. Separation Between Structures. Minimum distance between structures shall be as required by Building and Fire codes, and pursuant to PMC Section 17.82.050 (Distance Between Buildings in Residential and Mixed-Use Zones).
4. Lot Coverage. The total lot coverage of the main dwelling, and/or any accessory structures shall not exceed the maximum lot coverage as established by the applicable zone.

5. Setbacks and Heights. Accessory structures shall meet the setback and height standards provided in Table 17.82.020-1 (Accessory Structure Setbacks and Height Limits).

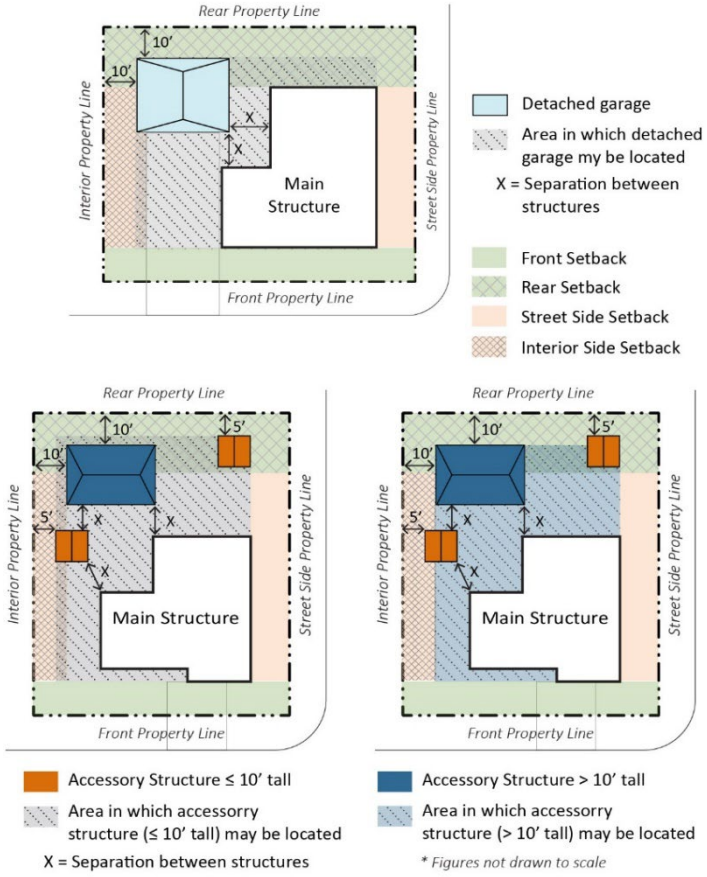
Table 17.82.020-1. Accessory Structure Setbacks and Height Limits

Accessory Structure	Minimum Setback from Property Line			Maximum Height	Additional Standards
	Front	***Street Side***	***Rear/ Interior Side***		
Detached garages and carports	Same as for primary structure[1]	Same as for primary structure	10 ft	See the development standards in Divisions 3 through 7 of this Ordinance.	No detached garage or carport facing an existing or proposed alley shall be located less than 15 feet from the center line of said alley.
Structure/Building ≤ 10 ft tall	Same as for primary structure		5 ft	≤ 10 ft	
Structure/Building > 10 ft tall	Same as for primary structure		10 ft	See the development standards in Divisions 3 through 7 of this Ordinance.	
Play Equipment	Same as for primary structure		5 ft	15 ft	

Notes:

1. *See also zone regulations (Divisions 3 and 5 of this Ordinance), and PMC Chapter 17.87 (Off-Street Parking and Loading).*

Figure 17.82.02-1 Accessory Structure Setbacks



17.82.030 Projections into Required Setbacks

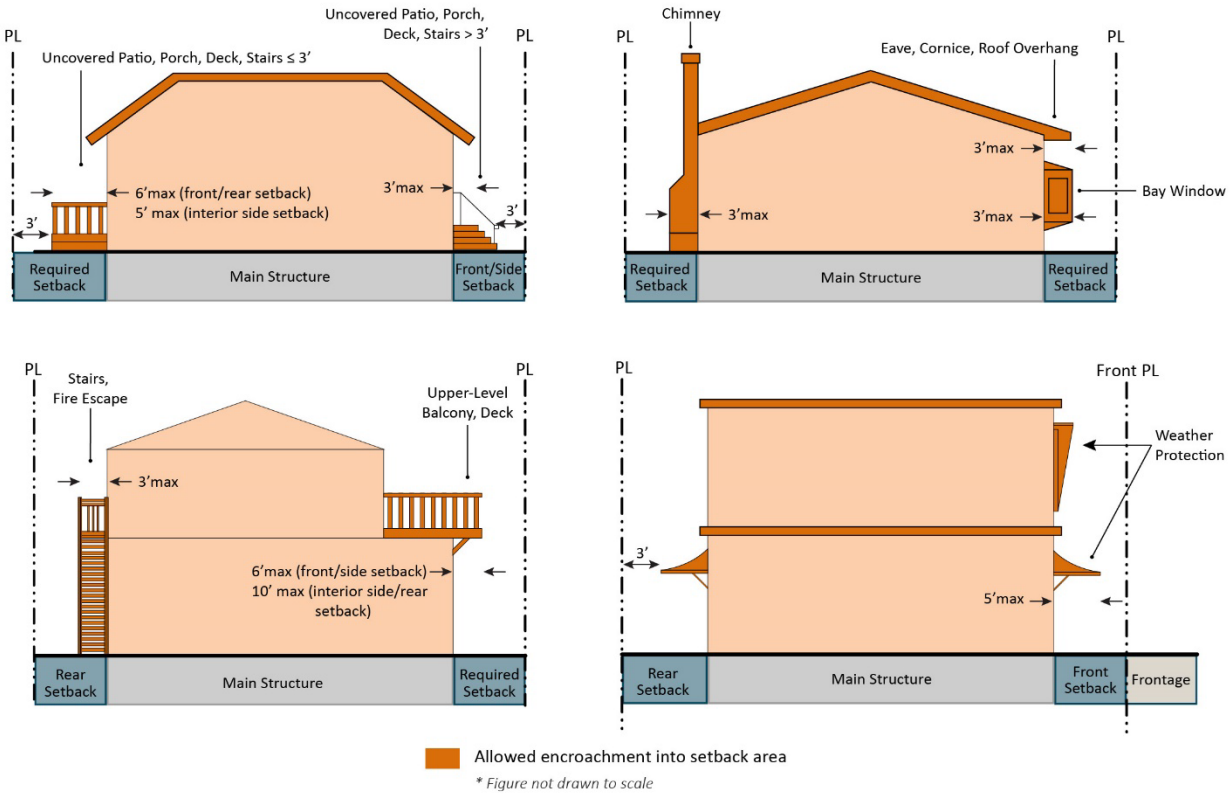
A. Projections Allowed with Restrictions. Projections such as eaves, cornices, awnings, louvers, porches, stairs, flues, and chimneys may encroach into required setbacks according to the standards in Table 17.82.030-1 (Allowed Projections into Setbacks), subject to all applicable requirements of the Building and Fire Code. Where any provision of this Ordinance conflicts with applicable building codes, the more restrictive provision shall apply. The "Limitations/Additional Regulations" column states any dimensional, area, or other limitations that apply to such projections. Table 17.82.030-1 (Allowed Projections into Setbacks) applies to all zones unless otherwise specified.

Table 17.82.030-1. Allowed Projections into Setbacks

Projection	Front/Street Side Setback	Interior Side Setback	Rear Setback	Limitations/Additional Regulations
All projections	• Unless otherwise specified, no projection may extend closer than three feet to an interior lot line or into a public utility easement. • The total area of all building projections shall not exceed 35 percent of the primary building facade area. Primary building facade is the facade built at the property or setback line.			
Architectural Features (Eaves, Cornices, Bay Windows, Chimneys)	3 ft	30 inches	3 ft	• In no circumstances shall they project closer than 3 feet to the property line. Aggregate width of oriel or bay windows shall not exceed 50% of the length of the wall in which they are located and the width of any individual oriel or bay window shall not exceed 10 feet. • Upper-floor architectural projections shall have a minimum vertical clearance of 8 feet above grade.
Weather Protection (awnings, canopies)	5 ft	To within 3 feet of rear and side property lines.		Weather protection shall have a minimum vertical clearance of 8 feet above grade.
Open, unenclosed fire escapes, and stairways	Prohibited		3 ft	May be covered but not enclosed.
Uncovered and unenclosed stairs, porches, landings, decks, patios, stoops, and similar features ≤ 3 feet in height	6 ft	5 ft	6 ft	In no circumstances shall these encroach closer than 3 feet to the property line.
Uncovered and unenclosed stairs, porches, landings, decks, patios, stoops, and similar features > 3 feet in height	3 ft	3 ft	6 ft	In no circumstances shall these features encroach closer than 3 feet to the property line.
Upper-level balconies and decks	6 ft	10 ft		Balconies shall not be closer than 10 feet to any side or rear property line.
Covered patios and porches attached to main structure	3 ft	0 ft	10 ft	In no circumstances shall these features encroach closer than 5 feet to the property line. May be covered but not fully enclosed.
Fireplaces (not wider than 8 feet measured in the general direction of the wall of which it is a part)	3 ft	3 ft		
Planting boxes or masonry planters not exceeding 42 inches in height	6 ft	0 ft	6 ft	
Ponds, waterfalls, and other water features	No closer than 3 feet from a property line			Within 3 feet of any property line, the height of water features shall not exceed 6 feet

Projection	Front/Street Side Setback	Interior Side Setback	Rear Setback	Limitations/Additional Regulations
				when adjacent to a residentially zoned property.
Evaporative coolers, air conditioners, and compressors	Prohibited	To within 3 feet of rear and side property lines.		Cannot be located in front of any building or on any street side yard when not concealed behind a solid fence
Inground and above ground pools and spas, and pool equipment	Prohibited	To within 5 feet of rear and side property lines.		
Satellite Dishes and Antennas	Prohibited	10 ft	10 ft	
Accessory Structures	See PMC Section 17.82.020 (Accessory Structures)			

Figure 17.82.030-1 . Allowed Projections into Setbacks



B. Other Projections

1. Landscape elements including trees, shrubs, and other plants may be located as specified within PMC Section 17.86.010 (Landscaping Requirements).
2. Fences, hedges, and walls may be located as provided within PMC Section 17.86.040 (Walls and Fences).
3. Signs may be located as provided in PMC Chapter 17.88 (Signs).
4. The following features are allowed anywhere in any required setback area without restriction:

a. Uncovered landscape features such as paths, benches, flagpoles, sculptures, and similar decorative features.
b. Retaining walls, berms, earthen mounds, embankments, and other fill, subject to building and/or grading permits.
c. Trellises and arbors to support vines and planting.
d. Entry features such as gates, arbors, and similar entry features not exceeding eight feet in height, 10 feet in width, and three feet in depth.
e. Irrigation, drainage, and lighting systems.
f. Utility poles, wires, and pipes.
g. Stormwater treatment features.
h. Public art
i. Bicycle parking
j. Disabled access features, including, but not limited to, ramps and mechanical lifts, as required by the California Building Code and/or Americans with Disabilities Act.

17.82.040 Reserved

17.82.050 Distance Between Buildings in Residential and Mixed-Use Zones

A. Distance between Multi-Family Residential and Residential Mixed-Use Buildings and Structures
   1. A minimum distance of 20 feet front to front, front to back, or back-to-back, and a minimum of six feet side to side or per the Building/Fire Code (whichever is greater) is required between all principal residential/mixed-use buildings established on the same lot or parcel of land.
   2. A minimum distance of six feet is required between all principal residential buildings and any other detached accessory structure established on the same lot or parcel of land, excluding in-ground pools and spas.
   3. For minimum distance between the principal residential/mixed-use buildings and any detached Accessory Dwelling Unit, see PMC Section 17.91.010 (Accessory Dwelling Unit and Junior Accessory Dwelling Unit Standards).

B. Distance Between Single-Family Residential Buildings and Structures
   1. For minimum distance between the principal residential building and any detached accessory dwelling unit, see PMC Section 17.91.010 (Accessory Dwelling Unit and Junior Accessory Dwelling Unit Standards).
   2. A minimum distance of six feet is required between any other detached accessory structure and a primary residential structure established on the same lot or parcel of land, excluding in-ground pools, provided Building and Fire Code setbacks are met.

17.82.060 Use of Setbacks

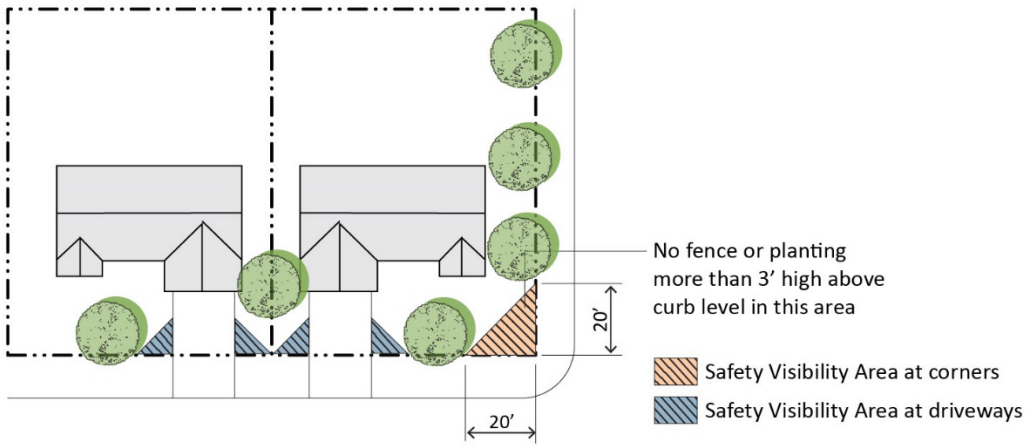
Every front, side, or rear setback required by this Ordinance shall be open and unobstructed from the ground to the sky, except as otherwise provided by this Ordinance.

A. Vehicle Parking and Storage Within Setbacks. These provisions shall apply to motor vehicles, recreational vehicles, boats, campers, trailers, travel trailers, or any vehicle licensed by the State Department of Motor Vehicles.
    1. In residential and mixed-use zones, the required front setback and/or street side setback shall not be used for vehicle parking except such portion as is devoted to the driveway use or as stated in PMC Section 8.36.060(A)(10)(c). The driveway width shall be limited to the width of the garage fronting onto the street and/or to the width of a single lane driveway leading to the rear portion of the lot, but shall in no event exceed 30 feet total. Under no circumstances shall an intersection curb ramp be utilized as a driveway.
    2. Vehicles shall not be stored or parked in any required front or street side setback in residential zones except on the driveway, or as required by PMC Section 8.36.060(A)(10)(d).
    3. Vehicles may be stored or parked in any interior side or rear setback provided that:
        a. No more than five percent of the total lot area or 1,000 square feet, whichever is less, shall be used to park or store vehicles in areas that are not enclosed.
        b. Such vehicles shall be parked or stored on a rock or paved surface as required by PMC Section 8.36.060(A)(10)(d).
        c. No inoperative, wrecked, or dismantled vehicles shall be stored in such a way as to be visible from a public street or from an adjoining property as required by PMC Section 8.36.060(A)(4)(b).
B. Other Storage in Setbacks
    1. No open storage shall be allowed in any required front or street side setback adjacent to a street or highway except where otherwise allowed by this Ordinance.
    2. Animal enclosures, cargo and shipping containers, trailers, mobile homes, motor homes, and other similar structures shall not be used for storage purposes.

17.82.070 Safety Visibility Area Restrictions

A. Height Limit at Street Corners. Development proposed adjacent to any public or private street, or an alley intersection, shall be designed to provide a traffic safety visibility area (i.e., sight triangle) for pedestrian and traffic safety. It shall be the responsibility of the owner of the real property to remove from such property or any adjacent right-of-way any such obstruction to the traffic safety visibility area.
    1. Measurement of Safety Visibility Area. The traffic safety visibility area is the triangle formed at the intersection of two streets and/or alley rights-of-way by measuring 20 feet along both the front and side property lines and connecting the lines diagonally across the property.
    2. Height Limit. No structure, sign, or landscaping shall exceed three feet in height within the traffic safety visibility area (i.e., sight triangle), unless approved by the City Engineer.

Figure 17.82.070-1. Visibility Area



B. Height Limit at Driveways. A minimum sight triangle extending 10 feet shall be maintained at all driveways.

1. Pedestrian Safety. Within a driveway sight triangle, no plant material, tree trunks, signage, walls, fences, or any other obstructions shall interfere with the driver's view of pedestrians on a public sidewalk.
2. Height Limit. Within the driveway sight triangle, signage, walls, fences, etc., shall not exceed three feet in height. Within the driveway sight triangle, plant material shall not exceed three feet in height at maturity; trees shall be trimmed so that branches are at least seven feet above top of curb level.

17.82.080 Modification of Setback Requirements

A. Reduced Requirements. A Minor Exception or Variance to the setback requirements may be allowed pursuant to PMC Chapter 17.23 (Variances and Minor Exceptions).

17.83 Transition Between Land Uses and Zones

17.83.010 Purpose

The following standards are intended to ensure compatibility between adjacent uses of different type and intensity.

17.83.020 Applicability

The standards contained in this Section shall apply when a multi-family, commercial, industrial, or public/civic zone is located adjacent to property that is zoned or used for a less intensive use, except as otherwise provided in this Ordinance.

17.83.030 Development Standards

A. Setbacks and Building Heights. Setbacks and building height transitions for multi-family, mixed-use, commercial/office, industrial, and public/civic zones located adjacent to single-family residential zoned properties can be found in the development standards tables for the applicable base zone (Divisions 3 through 7 of this Ordinance).

B. Required Screening. A screening wall or fence shall be required between different zones for new development. Within the required front or street side setback, the wall or fence height shall be reduced pursuant to PMC Section 17.86.040 (Walls and Fences).
   1. Between Non-Residential and Residential or Mixed-Use Zones. Where a non-residentially zoned property abuts a residential or mixed-use zoned property, a solid masonry wall shall be installed along the adjacent interior property lines with a minimum height of six feet and a maximum height of eight feet.
   2. Between Mixed-Use and Stand-Alone Residential Zones. Where a Mixed-Use zoned property abuts a residential zoned property, a solid masonry wall shall be installed along the adjacent interior property lines with a minimum height of six feet and a maximum height of eight feet.
   3. Between Multi-Family Residential and Single-Family Residential Zones. Where a Multi-Family zoned property abuts a single-family residential zoned property, a solid masonry wall shall be installed along the adjacent interior property lines with a minimum height of six feet and a maximum height of eight feet.
   4. Between Non-Residential Zones. Where a non-residential property abuts another non-residential property in the same zone or a different zone, walls are allowed but not required.
   5. Mobile Home Parks and Subdivisions. See PMC Section 17.91.050 (Manufactured/ Mobile Home Parks) for screening standards.
   6. Adjacent to Highways and Freeways. Fences, walls, berms and/or other sound attenuation features that border highways and freeways may be constructed to a height of eight feet above natural grade or to such other height as required by the Director, to adequately mitigate the adverse effects of noise and/or for aesthetic reasons as discussed in an environmental document (e.g., an EIR or negative declaration).

C. Landscape Screening. Required screening between different zones shall include a minimum six-foot-wide landscape strip, landscaped as follows. See PMC Section 17.86.010 (Landscaping Requirements) for additional landscaping standards.
   1. Minimum one tree at least 24-inch box size for every 20 linear feet. A minimum of 50 percent of the required trees shall be of a fast-growing evergreen variety, conforming to the City's Planting List.
   2. Minimum three, five-gallon shrubs for every 20 linear feet.

17.84 Performance Standards

17.84.010 Applicability

Performance standards contained in this Chapter shall apply to any existing or proposed use, or portion thereof, allowed in any zone.

17.84.020 Smoke or Other Particulate Matter

All proposed uses shall comply with the applicable requirements of the South Coast Air Quality Management District.

17.84.030 Heat, Light, and Glare

Any existing or proposed use or portion thereof that creates heat, light, or glare that constitutes or may be considered a nuisance or hazard on any adjacent property, such as use of arc welders or furnaces, security lighting or spot lights, or reflecting building materials or water features, or similar equipment, shall shield or control all sources of heat, light, or glare in such manner as will prevent the issuance, continuance or recurrence of the disturbing emissions.

17.84.040 Electromagnetic Disturbances and Radiation

Any existing or proposed use or portion thereof that can or may generate any electrical disturbances or produce any electromagnetic or radioactive emanations that can or may be considered a nuisance or hazard shall shield or control the source of the electrical or radioactive emanations in such manner as will prevent the issuance, continuance, or recurrence of any hazardous or disturbing emanations.

17.84.050 Noise Standards

Any existing or proposed use or portion thereof that can or may generate noise that constitutes or may be considered a nuisance or hazard on any adjacent property, shall control the source of the noise in such manner as will prevent the issuance, continuance, or recurrence of any hazardous or disturbing emanations. All existing or proposed uses shall conform to the Noise Element of the General Plan. All construction activity shall conform to PMC Chapter 8.28 (Building Construction Hours of Operation and Noise Control).

17.84.060 Maintenance of Required Facilities

All physical facilities required in this Ordinance, such as buildings and structures, paving, fences, walls, and landscaping, shall be kept and maintained in a neat, clean, orderly, operable, and usable condition.

17.84.070 Fire Department Requirements

All plans shall meet the requirements of the Fire Department as to adequate fire protection.

17.84.080 Public Nuisance

Any existing or proposed use or portion thereof which produces any condition, substance or element including wastepaper, trash, or other debris, that constitutes or may be considered a nuisance or hazard due to its operation or maintenance, but is not subject to the standards contained in this Section, shall be eliminated or controlled as will prevent the issuance, continuance or recurrence of said nuisance or hazard.

17.85 Utilities and Services

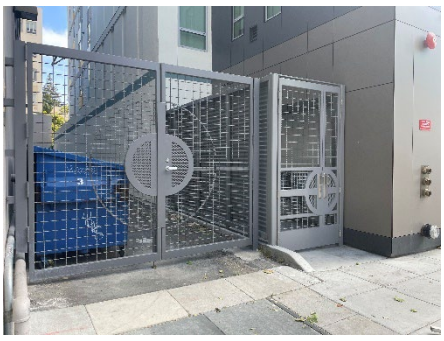
17.85.010 Utilities, Service Areas, and Building Equipment

A. Undergrounding of Utilities

1. All new utility lines 50kv and less, utility boxes, and utility equipment within a project and along adjacent Regional and Crosstown streets shall be placed underground pursuant to PMC Chapter 12.04 (Underground Utilities) unless otherwise prohibited by the utility provider (e.g., water backflow prevention device that must be placed above ground) or the City Engineer grants an exemption following his/her/their determination that such undergrounding is not practicable.

2. Exception
    a. In industrial zones, and for public/institutional development consistent with industrial zones, the Review Authority may reduce, waive, or defer requirements for utility line undergrounding and utility equipment screening, pursuant to PMC Chapter 12.04 (Underground Utilities) for portions of buildings not visible from Regional and Crosstown streets, and less intensive zones, and provided that such action is determined to have no adverse effects. Additionally, for infill industrial projects in substantially developed industrial zones where utility lines have not been placed underground within the vicinity of the site, the City Engineer may defer utility line undergrounding requirements until such time as lines in the general area are undergrounded.
    b. In industrial zones, and for public/institutional development consistent with industrial zones, the requirement for undergrounding of utility lines may be waived for remodeling of existing structures where the cost of remodeling is less than 50 percent of the replacement cost of the existing structure as determined for building permits.

B. Location of Service Areas, Storage, Utilities, and Equipment. All above-ground utilities and equipment (e.g., electric and gas meters, fire sprinkler valves, irrigation backflow prevention devices, etc.), service areas, and storage areas shall be integrated into building and landscape design and located to minimize impact on the pedestrian experience and neighboring properties by following the standards below:
    1. Utilities and equipment, service, storage, and non-passenger loading areas shall be located inside of buildings or on non-primary street frontages, alleys, parking areas, and/or at the rear or side of buildings and shall be fully screened from view per PMC Section 17.85.010.C (Service, Storage, Utility, and Equipment Screening) below.
    2. Utilities and equipment, service, storage, and non-passenger loading areas shall not be located within setback areas, along mid-block pedestrian connections, within the public right-of-way, and/or within 25 feet of a street corner.
    3. Except as otherwise required for fire safety as determined by the Director, roof ladders shall only be installed inside the associated building.





C. Service, Storage, Utility, and Equipment Screening. All service and storage areas, utilities, and equipment not housed inside buildings shall meet the following screening standards:

1. Screening shall be equal to or higher than the height of the equipment to be screened, unless specified otherwise.
2. Screening shall be made of a primary exterior finish material used on other portions of the building, architectural grade wood or masonry, metal, or landscape screening that forms an opaque barrier when planted.
3. Roll-up and service doors shall be painted to blend in with the main building colors and shall not face Regional and Crosstown streets. Where site constraints make the placement of these doors away from Regional and Crosstown streets infeasible, then doors shall be designed with glass or other architectural features to minimize visual impacts from the street, subject to approval by the Reviewing Authority.
4. Long-term shopping cart storage areas shall be completely screened. If screen walls are used, they shall be of sufficient height and length to screen all carts, and shall be made of a primary exterior finish material used on the main building, architectural grade wood or masonry, metal, or landscape screening that forms an opaque barrier when planted.
5. All vents, flashing, electrical conduits, etc., shall be painted to match the color of the adjacent surface.
6. The installation of gutters and downspouts on the exterior surface of new non-residential buildings shall be prohibited.

D. Location and Screening of Rooftop Equipment. Rooftop elements including roof access, mechanical equipment, and other features needed for the function of the building shall be located to minimize visual impact by meeting the following requirements. Mechanical equipment less than two feet in height, solar panels, wind generators, or green roof features shall be exempt from these requirements.
   1. Mechanical equipment shall be set back a minimum of 10 feet from the roof edge or screened with a parapet wall.
   2. Rooftop equipment shall be screened through the use of parapet walls, towers, or other architectural features such that it is not visible from any point at or below the roof level of the subject building (see PMC Section 17.85.010.C (Service, Storage, Utility, and Equipment Screening)).
   3. If equipment will be visible from adjacent taller buildings or from higher grades, it shall be painted to match the rooftop in color and should be grouped together where practical.

17.85.020 Refuse and Recycling

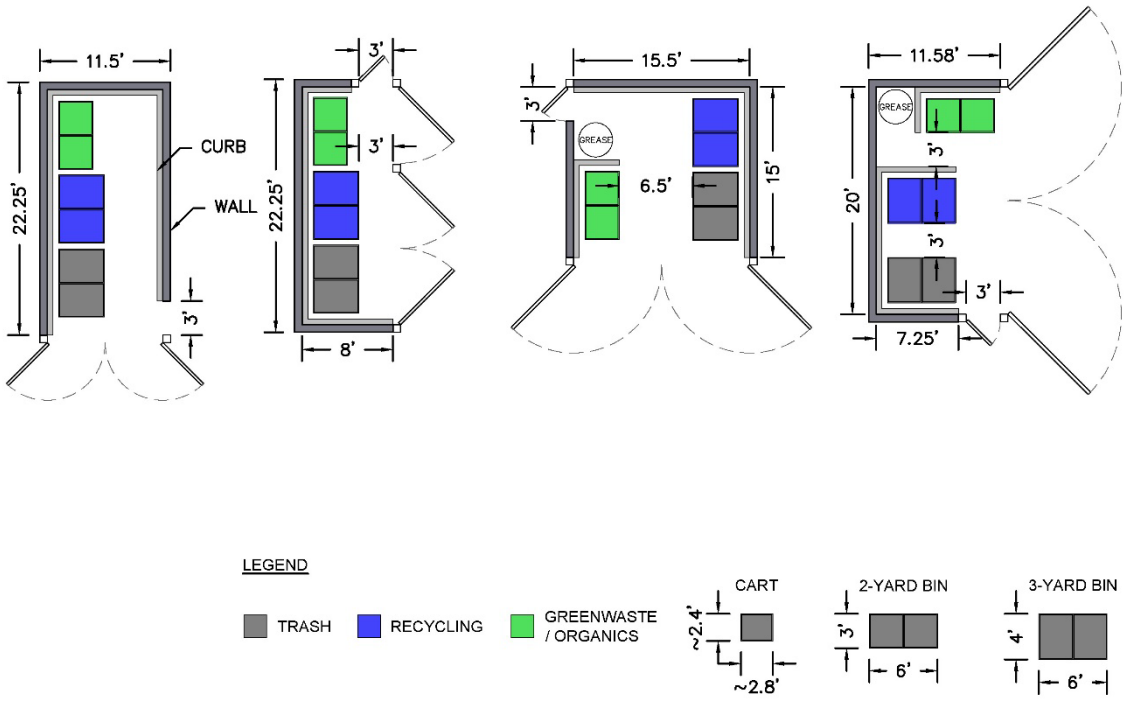
A. Applicability. Any project for which an application for a building permit is submitted after the effective date of this Ordinance, shall include adequate, accessible areas for collecting and loading trash, recyclable materials, organic waste, and other refuse as required per State law. These regulations apply to refuse and recycling areas not accessible to the public, and which are used exclusively by the tenants/owners of the development site. The provisions of this Section apply to all development except as follows.
   1. Single-family or multi-family residential development projects that do not necessitate communal or shared refuse and recycling areas/containers. In such cases, no enclosure structure shall be required, however individual trash, recycling, and green waste containers

shall be stored in such a manner that containers are not visible or screened from public view from the front of the property. Containers may be placed in public view for purposes of collection.

B. General Requirements

1. Trash, recycling, and organic waste containers and collection areas shall be adequate in capacity, number, and distribution to accommodate all waste generation of the site. An area for the storage of refuse/recycling shall be provided with minimum clear dimensions pursuant to Figure 17.85.020-1 (Refuse and Recycling Area Layout and Minimum Dimensions) for all multi-family residential uses, and for all non-residential uses with a gross floor area of less than 25,000 square feet. At minimum, one such area shall be required. For larger projects, additional space(s) may be required as determined by the local waste management service provider based on the type of use, the size of the refuse area proposed, and the frequency of refuse collection. Enclosure size and configuration may be determined during development review for users with specialized requirements. Where practical, enclosures shall be sized to contain transformer boxes or other utility equipment which also requires screening.

Figure 17.85.020-1. Refuse and Recycling Area Layout and Minimum Dimensions



2. Adequate and accessible enclosures for the storage of trash and recyclable materials shall be provided. An alternative to a trash/recycling enclosure shall include the placement of a bin in a concrete or metal lined pit. The use, location, design, construction, and accessibility of enclosures shall conform to the requirements in this Ordinance, and shall be reviewed and approved by the Review Authority.

3. When a site is retrofitted or upgraded to comply with refuse and recycling standards, the location of any new enclosures shall be reviewed by the local disposal service and approved by the Director.
4. Solid waste collection areas shall not be used for storage or other purposes.
5. To the extent feasible, refuse and recycling areas should be located adjacent to each other/within the same enclosure.

C. Location

1. Refuse and recycling collection and trash compactor areas shall be located inside of buildings or inside of enclosures located along alleys or in parking areas at the rear or side of buildings. Refuse collection areas shall be prohibited within any required front setback, street side setback, any required parking spaces, landscape areas, and open space areas.
2. Enclosures shall be located a minimum of 10 feet from any structure, 25 feet from any public street, 15 feet from a private street, and in non-residential areas, 20 feet from any residentially zoned property.
3. The location of enclosures shall not conflict with circulation or parking conditions on site. A condition shall not be created where a parked vehicle will obstruct access to an enclosure nor where a disposal truck will obstruct parked vehicles.
4. Refuse and recycling enclosures shall be located in order to be easily accessible to refuse collection trucks, and to site users. In general, distance from a building entry to the trash enclosure should not exceed 150 feet.

D. Access. The storage area for refuse and recyclable materials shall be accessible to pedestrians (both residents and/or employees) of the development site and to refuse and recycling haulers. Vehicle access requirements shall be as follows:

1. Driveways or travel aisles leading to exterior collection areas or enclosures shall be a minimum of 16 feet in width and paved pursuant to PMC Section 17.87.090 (Parking Design Standards).
2. Where driveways do not extend from street to street, a turnaround area for collection vehicles shall be provided. Minimum turning radius for collection vehicles shall be provided at 26/46 feet.
3. Driveways or travel aisles shall provide unobstructed paved access for collection vehicles and provide a minimum of 15 feet vertical clearance. In loading areas, minimum overhead vertical clearance shall be 25 feet for loading operations.
4. A concrete apron or pad, having a minimum size of 10 feet in width by 20 feet in length, shall be constructed in front of each exterior collection area or enclosure or trash compactor areas or at the point of pick-up by the collection vehicle. The purpose of this pad is to prevent damage to the surrounding asphalt paving. The pad shall have a level surface and shall be paved with concrete. The Director may waive the requirement for, and/or size of, the concrete apron or pad provided the property owner can demonstrate that the existing asphalt located at the access and servicing areas of the refuse and recycling enclosure has withstood on-going, regular use without appreciable degradation.

E. Enclosures. Exterior collection areas shall be within an enclosure that meets the following standards.

1. Minimum Height. Enclosures shall be adequate in height to fully screen containers and materials, with a minimum height of six feet.
2. Design and Materials. Refuse/recycling enclosures shall be constructed of a primary exterior finish material used on other portions of the building, masonry, or decorative block, and may be accented with metal.
3. Pedestrian Access. For multi-family residential developments, a pedestrian access and separate access for primary collection shall be provided.
4. Roofing. A solid roof treatment that is architecturally compatible with the primary buildings on-site shall be provided and shall be designed in a manner to prevent wind-blown trash from leaving the enclosure.
5. Bins. All refuse and recycling shall be stored in metal containers to prevent it from being blown outside its walled enclosure by the wind. Lids must always remain closed except when loading or unloading.
6. Gates. Solid metal self-closing gates painted to match the enclosure shall be required. All gates shall be post mounted. Gates shall be maintained in working order and shall remain closed except when in use.
7. Protection from Bins and Vehicles. Concrete curbs, decorative bollards, or wheel stops shall be installed or constructed inside the enclosure to prevent bins from damaging the enclosure. Concrete curbs or equivalent shall protect the exterior of enclosures from adjacent vehicle parking and travel ways.
8. Landscape Screening. Enclosures shall be screened with appropriate plant material wherever they are in view of the general public from the street, access drives, or less intensive zones. Plant material shall be in compliance with the City's Approved Planting List.

F. Trash Compactors
   1. Trash compactor areas shall be provided with a floor drain and hose bibb to facilitate washing of non-hazardous waste fluids from the area.
   2. The design of trash compactor areas shall prevent runoff of waste fluids into adjacent structures or onto adjacent properties.

G. Signage
   1. A sign clearly identifying all refuse and recycling collection and loading areas and the materials accepted therein shall be posted adjacent to all points of direct access to refuse and recycling areas.
   2. The facility and/or containers shall be clearly marked to identify the type of material to be deposited, operating instructions and hours, and the identity and phone number of the facility operator to call if a machine is inoperative, and shall display a notice stating that no material shall be left outside the refuse or recycling enclosure.
   3. Facilities shall meet the sign requirements of the zone as set forth in this Ordinance, unless otherwise specified; directional signs may be installed in compliance with PMC Chapter 17.88 (Signs).







H. Maintenance. Maintenance of each enclosure area and any bins and containers shall be the responsibility of the property owner. The property owner shall be responsible for keeping the area clean and free of litter, rodents, and insects. Enclosures that are damaged to the point of non-use will result in a service interruption if the hauler cannot access the containers and shall be repaired or replaced within 60 calendar days following notification by the City.

I. Health and Safety

1. Refuse and recycling areas for mixed-use developments shall meet the standards as set forth in PMC Section 17.56.030 (Performance Standards for Mixed-Use Zones), and PMC Chapter 17.84 (Performance Standards). If the facility is located in or near an area designated, or planned for residential use, special conditions for hours of operation, type of machinery used, lighting, and truck routes may be required, as determined by the Review Authority.
2. The facility shall meet all applicable requirements of the Fire Department, Health Department, and Building and Safety.

17.86 Landscaping, Lighting, Walls, and Fences

17.86.010 Landscaping Requirements

In all projects proposed or required to provide landscaping as part of the development plan, the landscaping shall be provided in accordance with the provisions in this Chapter.

A. Applicability. These standards shall apply to all new development and major additions or renovations of existing properties/structures in the City, including any construction, expansion, or improvement on private property which requires the issuance of a building permit or other approval by the City, except business licenses. This Chapter shall not apply to the following:
   1. Registered local, State or Federal historical sites;
   2. Open space, Ecological restoration, or habitat areas that do not require a permanent irrigation system;
   3. Mined-land reclamation projects in the MRE zone that do not require a permanent irrigation system; or,
   4. Existing plant collections, as part of botanical gardens and arboretums open to the public.

B. Landscape and Irrigation Plan and Review Process
   1. All landscaping shall conform to the provisions of PMC Chapter 14.04 (Native Desert Vegetation Preservation).
   2. Projects Subject to the Water Efficient Landscape Ordinance. Landscaping that meets the applicability criteria specified within PMC Section 14.05.030 (Applicability) shall comply with the provisions of PMC Chapter 14.05 (Water Efficient Landscape) and the City Landscaping Design Standards. A landscape and irrigation documentation package shall be prepared and approved pursuant to PMC Chapter 14.05 (Water Efficient Landscape).
   3. All Other Landscape Projects
      a. Applicability. All other projects requiring a building or landscape permit, Zoning Clearance, Site Plan Review, or Minor Site Plan Review that do not meet the criteria listed in PMC Section 14.05.030 (Applicability) of PMC Chapter 14.05 (Water Efficient Landscape).
      b. Landscape and Irrigation Plan. A landscape and irrigation plan shall be submitted to the City Engineer in conjunction with site improvement plans. The plans shall show the exact location of and irrigation for trees, shrubs, and ground cover. The landscape plan shall include, at a minimum, plant name, plant quantity, plant size, location of impervious surfaces, minimum landscape coverage and percentage live plant material, utilities and lighting, irrigation system, and plans for tree retention and removal where applicable. The landscape plan shall also include a water budget that includes the estimated water use (in gallons), the irrigated area (in square feet), precipitation rate, and flow rate in gallons per minute.
   4. Landscape Plan Review Process. The following landscape plan review process shall be conducted in conjunction with review for the proposed action, pursuant to the requirements of Division 2 (Review Procedures) of this Ordinance.

a. Review Authority. The Review Authority shall be the same as the Review Authority of the permit or approval sought for new projects or modifications to existing development.
b. Approval of Plans. The Review Authority shall review and approve the landscape and irrigation plan prior to issuance of grading or building permits for new projects or modifications to existing development.
c. Approval Required. The landscaping shall not be installed until the applicant receives approval of the landscape and irrigation plan by the Review Authority, the City Engineer and any applicable permits have been issued.
d. Changes to Approved Plans. Changes to the approved landscape and irrigation plans that affect the character or quantity of the plant material or irrigation system design shall be resubmitted for approval before installation.

C. Irrigation and Water Efficient Landscape Standards. Required landscape areas shall be supported by a permanent, automatic irrigation system coordinated to meet the needs of various planting areas. Proper irrigation shall be provided for healthy plant growth and maturation, and shall be designed to avoid the watering of structures, public walkways, and pedestrian access areas.

A landscape documentation package prepared and approved pursuant to PMC Chapter 14.05 (Water Efficient Landscape) shall be required for any project that is subject to the procedures and standards set forth in that Chapter. For all other projects, the following shall apply:

1. Irrigation systems shall be designed to avoid runoff, excessive low head drainage, overspray or other similar conditions where water flows or drifts onto adjacent property, non-irrigated areas, walkways, roadways, or structures.
2. Low-volume irrigation systems with automatic controllers shall be required. Low-volume irrigation systems include drip emitters, bubblers, micro sprinklers, and micro sprayers utilizing polyethylene drip hose or PVC pipe. Spray heads shall be prohibited.
3. The irrigation system shall include an automatic anti-siphon irrigation valve.
4. Irrigation systems shall be equipped with a meter or submeter and backflow preventer.
5. Automatic controllers shall be set to water between 7:00 p.m. and 10:00 a.m. to reduce evaporation.
6. An irrigation schedule indicating the four seasons of watering cycles is recommended for all irrigated landscape areas, and is required for those projects with a total landscape area of 2,500 square feet or more.

D. General Standards
1. Landscape design shall conform to the applicable provisions of the General Plan and the City's Landscape Design Standards.
2. Common open spaces shall be landscaped pursuant to PMC Chapter 17.38 (Supplemental Standards for Multi-Family Residential Development).
3. Plants shall be grouped according to their water needs and irrigated separately from other groupings to promote water efficiency.

4. Landscaping design shall consider solar heating and cooling techniques. Deciduous trees should be planted to the south and west of buildings, to provide summer shade and winter sunlight.
5. Graded, undeveloped portions of project sites proposed for future expansion shall be kept in a weed free condition and appropriate ground cover may be required for erosion control. Graded pad sites may require temporary seeding and irrigation for erosion control and to mitigate visual impacts.
6. Minimum Landscape Coverage and Live Plant Material. Setback areas shall be landscaped in accordance with the regulations set forth in the development standards for the applicable zone in PMC Divisions 3 through 7 which establishes minimum landscape coverage and percentage of live plant material. Areas devoted to parking, driveways, and walkways are excluded from the calculation of minimum landscaped area. Landscaping shall mean any combination of live plant materials (trees, shrubs, vines, ground cover) and pervious non-plant materials (gravel, stones, decomposed granite, mulch, etc.). Live plant materials include ground cover, shrubs, and trees. The remainder of landscaped yard and setback areas may be rock, gravel, pebbles, stones, or similar natural non-living, pervious material. Landscaped areas shall be top-dressed with rock, gravel, or an approved alternative. Bare dirt shall be prohibited. Synthetic turf may be counted toward the required minimum landscape coverage but does not count as live plant material.
7. Gravel, stones, decomposed granite, mulch, or other hardscape materials used in a parkway or along a pedestrian access shall be compacted or secured in such a way as to avoid spreading over any portion of a pedestrian path.
8. Decorative water features such as pools, ponds, and waterfalls used in landscaped areas shall recirculate water, shall use reclaimed water where available, and shall be designed and operated to minimize water loss.

E. Plant Types

1. Except in the ER, LDR, SFR1, SFR2, and SFR3 zones, all plants utilized in required landscape areas shall be from the City's Approved Planting List. In the ER, LDR, SFR1, SFR2, and SFR3 zones it is recommended, but is not required, that required landscaping utilize the above-mentioned plant lists.
2. The following species are not allowed, except in the ER, LDR, SFR1, SFR2, and SFR3 zones on properties developed before June 7, 2001:
    a. Trees: Cottonwood (including Populus fremontii, P. trichocarpa, and P. tremuloides), eucalyptus, willows (Salix), Siberian elms (Ulmus pumila), tamarack (Larix occidentalis), and Arizona (Cupressus glabra) or Leyland cypress (Cupressocyparis leylandii); and,
    b. Shrubs and grasses: pampas grass (Cortadera selloana), and common Bermuda (Cynodon dactylon).
3. Drought-Tolerant and Native Species. Landscape planting shall incorporate at minimum 50 percent drought-tolerant and native species (especially along natural, open space areas), and shall be suitable for the soil and climatic conditions specific to the site.

4. Deep-Rooted Trees. Trees planted within 10 feet of a street, sidewalk, paved trail, parking area, or walkway shall be a deep-rooted species or shall be separated from hardscapes by a root barrier to prevent physical damage to public improvements.

F. Plant Size, Spacing, and Location. In order to achieve an immediate effect of a landscape installation and to allow sustained growth of planting materials, minimum plant material sizes, plant spacing, and minimum planter widths (inside measurements) shall be as follows:
   1. Shrubs Size. All proposed shrubs except accent, color, or ground cover planting shall be a minimum five-gallons in size, with a 15-gallon minimum size where required for screening. The minimum planter width for shrubs is three feet.
   2. Trees Size. The minimum planting size for trees shall be 15-gallon, with 50 percent of all trees on a project site planted at a minimum 24-inch box size, and 20 percent of all trees on a project site planted at a minimum 36-inch box size or larger container. Trees required for screening shall be a minimum of 24-inch box size. Minimum planter width for trees shall be five feet.
   3. Spacing. The spacing of trees, shrubs, and ground cover plants shall accommodate mature planting size. Where required for screening, spacing shall form an opaque barrier when planted.
   4. Location. Trees and shrubs shall be located and spaced to ensure unobstructed access for vehicles and pedestrians and provide clear vision at intersections pursuant to PMC Section 17.82.070 (Safety Visibility Area Restrictions).

G. Turf and Synthetic Turf. The following standards shall apply to all project landscaping with the exception of projects that must comply with PMC Chapter 14.05 (Water Efficient Landscape) or existing single-family residential development (see PMC Section 17.37.010.G (Landscaping)).
   1. Turf areas shall be limited to activity or recreation areas.
   2. Synthetic turf may be used as a substitute for natural turf for the purposes of water conservation, or in in high activity or foot-traffic areas such as sports fields. The following standards shall apply to the use and maintenance of synthetic turf.
      a. Synthetic turf shall consist of life-like individual blades of grass that emulate real grass in look and color and have a minimum pile height of one and one-half inches.
      b. Synthetic turf used for pet areas shall be specifically formulated for that purpose.
      c. A proper drainage system shall be installed underneath to prevent excess runoff or pooling of water.
      d. Synthetic turf shall be installed and maintained to effectively simulate the appearance of a well-maintained lawn.
      e. The use of indoor or outdoor plastic or nylon carpeting as a replacement for synthetic turf or natural turf shall be prohibited.
      f. Tree root crowns shall be kept a minimum of 5 feet away from synthetic turf areas.
      g. Synthetic Turf Maintenance Guidelines
         i. Synthetic turf shall be maintained free of moss, mold, algae, and fungi growth.
         ii. Chemical agents or contaminated water shall not be applied to synthetic turf.

iii. A turf groomer shall be used to maintain the distribution of the infill material in the turf and to raise the turf fibers. Brushing should be performed every couple of weeks, raking of the turf should be performed once a month, and cleaning/sanitizing shall be performed once a year.

H. Landscape Installation. All plant materials, their location and spacing, and irrigation systems shall be installed and maintained pursuant to the City's Landscaping Design Standards or as otherwise approved by the City Engineer.

I. Landscape Maintenance. All landscaping shall be kept in an orderly condition, as follows:

1. Prior to the installation of landscaping in the public right-of-way the developer shall provide for the continued maintenance by entering into an agreement with the City;
2. Lawn and ground cover shall be trimmed or mowed regularly. All planting areas shall be kept free of weeds and debris. Bare spots in lawns or planters shall be promptly revegetated;
3. All plantings shall be kept in a healthy and growing condition. Fertilization, cultivation, and pruning shall be a part of regular maintenance. Good horticultural practices shall be practiced in all instances;
4. Plants shall be maintained free of disease and free of infestations of insects, animals, or other pests;
5. Irrigation systems shall be kept in working condition. Adjustments, replacements, repairs, and cleaning shall be a part of regular maintenance;
6. All significantly injured, decayed, or dead trees and other plant material shall be replaced within 30 days;
7. Trees and shrubs shall not overhang or encroach upon walkways, drives, parking areas, and traffic signs to the extent that they interfere with the use of these areas. Tree limbs which overhang public sidewalks shall be kept trimmed to a height of at least eight feet above the sidewalk level. Tree limbs which overhang the street shall be kept trimmed to a height of at least 13 feet above the street level;
8. In no case shall landscape areas be allowed to become overgrown. Examples of overgrown landscape materials include:
    a. Lawn grass species: plants which have established seed heads, lawns that have become thatched and matted, have become infested with herbaceous weeds, or exceed eight inches in height;
    b. Shrubs and decorative grasses: Plants that have grown so large as to block natural light from entering windows, extend over property lines, extend over roof peaks or eaves, or are causing the strangulation of other plants; and,
    c. Trees: Plants which display sucker growth, have grown to a height or canopy width which impairs the normal illumination of street lights, extend over property lines, interfere with overhead lines or impact public property.
9. Trees shall be staked and tied with lodge poles at the time of installation; and,

10. Stakes and ties on trees shall be checked regularly for correct functions. Stakes and ties shall be adjusted to avoid creating abrasions or girdling on trunks or branches, and removed after trees are well-established.

17.86.020 Reserved

17.86.030 Outdoor Lighting

A. Applicability. The standards of this Section shall apply to all new development and to exterior alterations and additions that involve replacement light fixtures or systems, except as provided below.
   1. Exceptions. The following outdoor lighting shall not be subject to the provisions of this Section.
      a. Public and Private Street Lighting
      b. Construction and Emergency Lighting. All construction or emergency lighting fixtures provided they are temporary and are discontinued immediately upon completion of the construction work or abatement of the emergency.
      c. Temporary Lighting. Temporary lights used for holiday decorations, and lighting for temporary uses and special events allowed consistent with this Ordinance.

B. Photometric Plan. The submittal of a photometric plan shall be required as part of a development application or land use approval (except for lighting on an existing single-family residence) and shall be approved prior to issuance of building permits. All lighting plans shall be prepared and certified for compliance with the requirements of this Section by an electrical engineer registered in the State of California prior to submitting lighting plans to the City. The photometric plan shall consist of a point-by-point foot candle layout (based on a 10-foot grid center) extending a minimum of 20 feet outside the property lines.

C. Prohibited Lighting. The following types of outdoor lighting shall be prohibited.
   1. Searchlights. Searchlights, laser source lights, or any similar high-intensity light, except for emergency use by police or fire personnel ~~or~~ at their discretion, or for approved temporary lighting for a special event approved by the City.
   2. Hazardous Lighting. Lighting fixtures operated in such a manner as to constitute a hazard or danger to persons or to safe vehicular travel.
   3. Mercury vapor and low-pressure sodium lighting fixtures.
   4. Illumination of entire buildings and continuous light strips (banding).
   5. Roof-Mounted Lighting. Roof-mounted lighting is prohibited, except for security purposes (see PMC Section 17.86.030.D.8 (Security Lighting)).
   6. Flashing Light Types. Moving, flashing, animated, laser lights or any other lighting that flashes, blinks, scrolls, alternates, or moves (excluding bi-level lighting).

D. General Requirements. The requirements listed below shall apply to all outdoor lighting.
   1. Dark-Sky Compliance. In accordance with the International Dark-Sky Association recommendations, the color temperature of outdoor lighting shall not exceed 3,000 Kelvins.

2. Nuisance Prevention. All outdoor lighting shall be designed, located, installed, directed downward or toward structures, fully shielded, and maintained in order to prevent glare, light trespass, and light pollution and away from adjoining properties and public rights-of-way, so that no light fixture directly illuminates an area outside of the project site intended to be illuminated.



3. Light Trespass. All lights shall be directed, oriented, and shielded to prevent light trespass or glare onto adjacent properties. The light level at property lines shall not exceed one-quarter foot candles.
4. Fixture Types. All luminaries shall meet the most recently adopted criteria of the Illuminating Engineering Society of North America (IESNA) for “Cut Off” or “Full Cut Off” luminaries.
5. Design. All light fixtures for non-residential projects visible to the general public shall be consistent with the overall architectural style of the project with respect to design, materials, color, and color of light.
6. Attachment. Lighting fixtures on buildings shall be attached only to walls or eaves, and the top of the fixture shall not exceed the height of the parapet, roof, or eave of the roof.
7. Accent Lighting.
    a. Architectural features may be illuminated by uplighting, provided that the lamps are low intensity, and fully shielded such that no glare or light trespass is produced.
    b. Exposed neon strips, chip strips, and LED lighting are allowed in the non-residential zones to enhance the architectural features of the building.
    c. Low-voltage string ornamental lighting may be used in mixed-use, commercial/office, and PF (Public Facilities) zones to accentuate landscaping or decorative architectural features, provided the fixtures are property maintained, securely attached to the structure, and provide architectural lighting to the building facade.

8. Security Lighting. Security lighting fixtures shall not project above the fascia or roof line of the building on which they are mounted. All security lighting fixtures shall be shielded and aimed so that the illumination is directed only to the designated area and shall not cast direct light on other areas. The use of flood-lighting fixtures shall be prohibited. Security lighting fixtures shall be included in the photometric lighting plan.
9. Signs. Lighting of signs shall be in compliance with PMC Chapter 17.88 (Signs).
10. Maintenance. Fixtures and lighting shall be maintained in good working order and in a manner that serves the original design intent.
    a. Lighting fixtures shall be weather and vandal resistant.
    b. Burnt-out and broken light bulbs shall be replaced.
    c. Lighting fixtures shall remain free of graffiti and rust.
    d. Painted light fixtures shall be maintained to minimize chipping or peeling.
11. Timing Controls. All outdoor lighting in non-residential zones shall be on a time clock or photo-sensor system and turned off during daylight hours and during hours when the building(s) is not in use and the lighting is not required for security.
12. Energy-Efficient Fixtures Required. Outdoor lighting shall utilize energy-efficient fixtures and lamps such as metal halide, hard-wired compact fluorescent, LED, or other lighting technology that is of equal or greater efficiency. All new outdoor lighting fixtures shall be energy efficient with a rated average bulb life of not less than 10,000 hours.

E. Maximum Height of Freestanding Outdoor Light Fixtures. Height shall be measured from the finished grade to the top of the illumination fixture (excluding decorative elements on the top of the fixture).
    1. Abutting Residential Zones. The maximum height of on-site freestanding outdoor light fixtures abutting residential zones or within 100 feet of the zone boundary shall be 15 feet.
    2. Mixed-Use or Multi-Family Zones. The maximum height of an on-site freestanding outdoor light fixture within a mixed-use or multi-family residential zone shall be 15 feet.
    3. Industrial Zones. The maximum height limit for on-site freestanding outdoor light fixtures in industrial zones and public/civic uses consistent with industrial zones shall be 35 feet.
    4. Other Zones. In all other zones or locations, the maximum height for on-site freestanding outdoor light fixtures shall be 25 feet.
    5. Outdoor Recreational Facilities. Outdoor light fixtures within the PF (Public Facility) zones for active recreation (public or private) including, but not limited to, baseball diamonds, soccer and football fields, golf driving range, tennis courts, and swimming pools shall not exceed 70 feet in height. The lighting intensity shall not exceed 50 horizontal foot-candles measured from the infield. The installation shall limit off-site spill (off the parcel containing the sports facility) to the maximum extent possible consistent with the illumination constraints of the design. The luminary shall be fully shielded.
    6. Additional Height. Taller light fixtures may be approved through a Minor Use Permit for portions of a development not visible to the public and if there is no glare or light trespass into areas visible to the public.

F. Minimum Lighting Requirements

1. Parking Areas. Lighting in parking, garage, and carport areas shall be maintained with a minimum of one-half foot candle illumination at the darkest spot on the parking area during hours of darkness. There shall be no more than a four-to-one (4:1) average illumination ratio (average to minimum) level of illumination shown between lighting fixtures. The maximum average illumination across the parking lot shall be no more than 2.4 foot candles. All lighting shall be on a time-clock or photo-sensor system. Lighting used to illuminate parking areas shall be designed and located to prevent light trespass or glare, pursuant to PMC Section 17.86.030.D.2 (Nuisance Prevention).
2. Multi-Unit Residential Developments. Aisles, passageways, and entryways/recesses related to and within the building complex shall be illuminated with an intensity of at least one-quarter foot candles at the ground level during the hours of darkness.
3. Non-Residential Developments. All exterior doors, during the hours of darkness, shall be illuminated with a minimum of one-quarter foot candles of light.

17.86.040 Walls And Fences

A. Applicability and Exemptions. Unless otherwise exempt below, a Building Permit is required for new fences, walls, and screening over six feet in height in all zones.

1. Required Fences and Walls. The requirements of this Section shall not apply to a fence or wall required as an environmental mitigation measure or required by any law or regulation of the County, State, or Federal government, or any agency thereof.
2. Temporary Fencing. Nothing in this Section shall be deemed to prohibit the erection of a temporary fence, including chain-link fencing, around construction projects or in an effort to otherwise temporarily secure a parcel in compliance with the building code and other applicable requirements of this Code. If chain-link fencing is used, it shall be vinyl-coated with a maximum height of eight feet.

B. Maximum Height. Fences and walls shall be measured pursuant to PMC Section 17.17.030.E (Fence and Wall Height Measurement). Tiering of walls shall be allowed as long as the horizontal distance between the walls is a minimum of three feet, which must be landscaped. Unless otherwise specified and per PMC Section 17.82.070 (Safety Visibility Area Restrictions), fences, walls, and similar screening structures shall be limited to a maximum height as follows:

1. Residential and Mixed-Use Zones
    a. Within Required Front Setbacks:
        i. Three feet for a sight-obscuring wall, fence, or hedge. Open view fencing may be allowed up to five feet in height.
        ii. On residential lots of 20,000 square feet or more, a six-foot-high open view fence may be located within the required front setback. Any gates for vehicles must be set back a minimum of 20 feet from the property line to allow for vehicle parking when the gate is closed.
        iii. Walls and fencing within the front setback shall be located within the property line of the subject parcel.

iv. If fencing is located across the driveway, it shall operate using an automated rolling gate, or open inward, away from the public right-of-way. Any main gate shall open away from the public right-of-way.

b. Within Required Street Side Setbacks: Six feet. An additional foot is allowed (maximum seven feet), provided that the portion of the fence exceeding six feet in height consists of open view fencing.

c. Within Required Interior Side and Rear Setbacks. Six feet. An additional foot is allowed (maximum seven feet), provided that the portion of the fence exceeding six feet in height consists of open view fencing.

d. When there is a difference in the ground level between two adjoining parcels, the fence or wall height shall be measured pursuant to PMC Chapter 17.17 (Rules of Measurement). If there is a retaining wall on the lower parcel, if it is more than three feet in height, it shall be terraced.

2. Commercial/Office Zones

a. With Required Front Setbacks. Three feet for a sight-obscuring wall, fence, or hedge.

b. All Other Required Setback Areas. Six feet. An additional foot is allowed (maximum seven feet), provided that the portion of the fence exceeding six feet in height consists of open view fencing.

c. When there is a difference in the ground level between two adjoining parcels, the fence or wall height shall be measured pursuant to PMC Chapter 17.17 (Rules of Measurement). If there is a retaining wall on the lower parcel, if it is more than three feet in height, it shall be terraced.

3. Industrial Zones

a. Within Required Front Setbacks. Three feet for a sight-obscuring wall, fence, or hedge.

b. All Other Required Setback Areas. Eight feet.

c. Exceptions

i. See outdoor storage screening standards in PMC Section 17.92.120 (Outdoor Storage (Primary and Accessory)).

ii. A fence or wall up to 12 feet in height may be approved with a Minor Site Plan Review, based upon a finding that no adverse visual or aesthetic impacts will occur on adjacent properties and public rights-of-way.

4. Public Facilities and Open Space Zones

a. Within Required Front Setbacks. Three feet for a sight-obscuring wall, fence, or hedge.

b. All Other Required Setback Areas. An additional foot is allowed (maximum seven feet), provided that the portion of the fence exceeding six feet in height consists of open view fencing.

c. Exceptions

i. See outdoor storage screening standards in PMC Section 17.92.120 (Outdoor Storage (Primary and Accessory).

ii. A fence or wall up to eight feet in height may be approved with a Minor Site Plan Review, based upon a finding that no adverse visual or aesthetic impacts will occur on adjacent properties and public rights-of-way.

5. Vacant or Abandoned Lots
   a. Within Required Front Setbacks. Six feet for an open-view fence
   b. All Other Required Setback Areas: Six feet.
6. Decorative Features. Support posts or columns not exceeding 18 inches in width may exceed maximum allowable fence heights by a maximum of four inches. One entry gateway, trellis, or other entry structure is allowed in the required front or street-facing setback of each lot, provided that the maximum height or width of the structure does not exceed 10 feet. Such decorative feature shall not have any solid obstruction that exceeds two feet in diameter between the height of three and 10 feet.
7. Recreational Fencing. Residential sports court fencing in residential zones shall comply with the standards set forth in PMC Section 17.37.030 (Residential Sports Courts). Tennis court fencing in all other zones shall not exceed the height of 15 feet and shall observe the setback of accessory structures within the zone. However, not less than a five-foot setback shall be provided to any property line.
8. Pools, Spas, and Similar Features. Swimming pools, spas, and other similar water features shall be enclosed in compliance with Building Code requirements.

C. Materials
   1. Allowed Materials. Acceptable fencing materials shall consist of engineered wood, masonry, wrought iron, durable vinyl, or other similar durable materials, as approved by the Review Authority. Walls or fences in industrial zones which are not visible to the general public from a freeway, Regional or Crosstown street, or less intensive zones may be of other materials as approved by the Review Authority.
   2. Prohibited Materials. Fencing composed of natural wood, plywood, solid metal, tires, garage doors, and other salvageable materials shall be prohibited. Treated wood may be allowed only as gates or as split rail fencing utilized adjacent to walking or hiking trails.
   3. Hazardous Fencing Materials. The use of barbed wire, razor wire, ultrabarrier, electrified, broken glass, and other hazardous fencing shall be prohibited, with the following exceptions:
      a. Where such fencing is required by any law or regulation of the City, the State of California, Federal Government, or other public agency.
      b. Where the use of the site includes public safety facilities, such as police stations and fire stations.
      c. Within the ER and LDR zones, the use of barbed wire or electrified fence in conjunction with any fence, wall, or hedge, or by itself is allowed provided that the barbed wire or electrified fence is used in conjunction with animal keeping or other agricultural activities, and that it is separated from any public access (i.e., road, trail, etc.) by a regular fence or wall that is a minimum of six feet in height. Such fences shall also be adequately signed with warnings.

d. Within the LI, HI, AI, and MRE zones, barbed wire may be allowed atop fencing that is at least eight feet in height, where the Review Authority finds such fencing is necessary for security purposes.

4. Limitation on Chain-Link Fencing
   a. Residential Zones. Chain-link fencing shall be prohibited in residential and mixed-use zones unless it qualifies as temporary fencing as described within PMC Section 17.86.040.A.2 (Temporary Fencing).
   b. Non-Residential Zones. In non-residential zones, chain-link fencing shall not be visible from public streets or adjacent residential or mixed-use zones.
   c. Vacant and Abandoned Properties. Vacant properties in any zone may be fenced with vinyl-coated chain-link fencing not to exceed the height pursuant to PMC Section 17.86.040.B.5 (Vacant and Abandoned Lots) when the purpose of such fencing is to prevent unauthorized use, dumping, or vehicular soil disturbance that results in fugitive dust or nuisance conditions. Such fencing of vacant properties shall not be construed to allow use of the property for outdoor storage. Barbed wire shall be prohibited.
5. Anti-Graffiti Treatment. Walls shall be constructed of a graffiti-resistant material consisting of a hard, smooth, impermeable surface (e.g., ceramic tile or baked enamel), or treated with an anti-graffiti sealant.
6. Retaining Walls. Retaining walls shall be constructed of masonry material such as brick, concrete, or paver block.

D. Wall and Fence Design
1. Plain, concrete (precision) block shall be prohibited as a fence/wall material. Concrete block must be finished with stucco, include varying textures and/or colors (e.g., decorative split-faced block) and capped with a decorative cap.
2. In the commercial/office zones, where open-view fencing is required for security purposes and is visible from public rights-of-way, decorative fencing such as tubular steel or wrought iron shall be used. Masonry pilasters and/or landscaping may be required by the Review Authority to provide visual interest.
3. All new sound walls, masonry walls, or non-transparent fences that face a public right-of-way or publicly-accessible path or open space, and that are 50 feet in length or longer and four feet in height or taller shall be designed to minimize visual monotony through at least two of the following:
   a. Changes in plane. A minimum one-foot depth offset for every 50 to 75 feet of wall.
   b. Changes in height. Wall inserts and/or decorative columns or pilasters every 40 feet to provide relief.
   c. Changes in material. Changes in material and/or material texture.
   d. Landscaping. Continuous and opaque landscape screening.
4. Exceptions. Walls or fences in industrial zones which are not visible to the general public from Major Highway, Regional or Crosstown streets, or less intensive zones may be of other materials and design as approved by the Review Authority.

E. Maintenance. Fencing and walls shall be continuously maintained, with no sign of rust or disrepair.

F. Minor Exceptions or Variances to the fence, wall, and hedge requirements may be allowed in accordance with PMC Chapter 17.23 (Variances and Minor Exceptions).

17.87 Off-Street Parking and Loading

17.87.010 Intent and Purpose

The purpose of this Chapter is to ensure the provision of adequate, accessible, secure, screened, and well maintained. Properly provided and designed parking will facilitate the intended use of the property; reduce traffic congestion and safety concerns; protect the neighborhoods from the effects of vehicular noise and traffic generated by adjacent nonresidential land use districts; assure maneuverability of emergency vehicles; and provide a positive visual experience.

17.87.020 Applicability

A. New Buildings and Land Uses. On-site vehicle parking, bicycle parking, and loading spaces shall be provided pursuant to this Chapter at the time any main building or structure is erected, or any new land use is established.

B. Existing Non-Residential Buildings

1. When a change in use, expansion of use, or expansion of floor area creates an increase of 25 percent or more in the number of required vehicle parking or loading spaces, additional parking and loading shall be provided for such addition, enlargement, or change in use. For existing uses with nonconforming parking conditions, additional parking shall be provided for the new additions or enlargements, and not for the entire building or site.
2. Bicycle parking shall be provided for any change in use, expansion of use, or expansion of floor area.
3. A change in tenancy or ownership is not considered a change in use unless the new occupant is in a different use classification than the former occupant.
4. Additional parking and loading spaces are not required for the reconstruction of an existing building when there is no increase in floor area.
5. If the number of existing vehicle parking, bicycle parking, and/or loading spaces is greater than the requirements for a proposed use, the number of excess parking or loading spaces may be counted toward meeting the requirements for any change, alteration, or major addition or renovation.

C. Existing Residential Buildings. Parking pursuant to this Chapter shall be provided where additional dwelling units are created through the alteration of an existing building or construction of an additional structure or structures. Parking for ADUs and JADUs shall be provided pursuant to PMC Section 17.91.010 (Accessory Dwelling Unit and Junior Accessory Dwelling Unit Standards).

17.87.030 General Provisions

A. Existing Parking and Loading to be Maintained. No existing parking and loading area serving any use may be reduced in amount or changed in design or location below the requirements for such use unless equivalent substitute facilities are provided, and unless otherwise allowed by this Chapter. The provision for off-street parking facilities shall be a continuing obligation of the property owner so long as any use requiring vehicle parking continues.

B. Nonconforming Parking and Loading. An existing use of land or structure shall not be deemed to be nonconforming solely because of a lack of parking and/or loading facilities required by this

Chapter as long as facilities used for parking and/or loading are not further reduced in number to less than what is required as of the date of adoption of this Code.

C. Parking Areas. Motorized vehicle parking is only allowed within garages, carports, parking lots, and other approved structures and locations that have been developed in conformance with this Ordinance.

D. Stacked and Valet Parking. Stacked or valet parking is allowed if an attendant is present, or an automated system is in place to move vehicles. Uses with valet parking shall provide an approved valet parking plan which includes insurance provisions for patrons. Such provisions shall be reviewed by the City Attorney and approved by the Review Authority. If stacked parking managed by an attendant is used for required parking spaces, an acceptable form of guarantee must be filed with the Director ensuring that an attendant will be present while the parking lot is in operation.

E. Assigned Parking. Lots developed with multiple uses and a shared parking area shall not assign parking spaces to individual tenant spaces or uses, except that parking spaces for residential uses in a mixed-use development shall be assigned to residential occupants.

F. Unbundling Parking for Residential Uses. The following rules apply to the sale or rental of parking spaces accessory to attached single-family residential developments and multi-family developments of five units or more, unless waived by the Director as infeasible. One hundred percent affordable housing projects shall be exempt from this requirement.

1. Required Unbundling. All off-street spaces shall be leased or sold separately from the rental or purchase fees for dwelling units for the life of the dwelling units, such that potential renters or buyers have the option of renting or buying a residential unit at a price lower than would be the case if there were a single price for both the residential unit and the parking space.
2. Use of Unbundled Spaces. Owners or lease holders have the right of first refusal to parking spaces built for their unit or use. Remaining residential unbundled parking spaces that are not leased or sold to on-site users built for their unit or use may be leased to other on-site users or to off-site residential users on a month-to-month basis.
3. Reoccupancy of Use. New owners or leaseholders shall have the opportunity to lease or purchase parking spaces built for their unit or use upon occupancy the residential use.
4. Hierarchy of Right of First Refusal. In cases where there are fewer parking spaces than dwelling units, the parking spaces shall be offered first to the potential owners or renters of three-bedroom or more units, second to owners or renters of two-bedroom units, and then to owners and renters of other units. Spaces shall be offered to tenants first. Non-tenants may lease with a provision for 30 days to terminate the lease.
5. Affordable Units. For deed-restricted affordable units, the tenant may choose to either receive one parking space, which shall be included within the unit's affordable rent level, or receive a rent discount equivalent to half the amount charged for monthly lease of a parking space, in exchange for not receiving a parking space. Tenants of affordable units shall not be permitted to sublease their parking spaces.

17.87.040 Permit Requirements and Exemptions

A. Permit Requirements. New parking lots and modifications or expansions to existing parking lots will be evaluated as part of the project review for other permits and approvals (e.g., Site Plan Review, Minor Modification). At a minimum, a Minor Site Plan Review shall be required for new parking lots and expansions to existing parking lots to determine compliance with all applicable provisions of this Ordinance. A Zoning Clearance shall be required for modifications to existing parking lots.

B. Exempt Activities. Parking lot improvements listed below shall be considered minor in nature if they do not alter the number or configuration of parking stalls and are therefore exempt from Zoning Clearance or Minor Modification requirements. However, exempt activities listed herein may require other permits (e.g., grading permit).

1. Repair of any defects in the surface of the parking area, including repairs of holes and cracks;
2. Resurfacing, slurry coating, and restriping of a parking area with identical delineation of parking spaces;
3. Repair or replacement in the same location as damaged planters and curbs; and,
4. Work in landscape areas, including sprinkler line repair or replacement of landscape materials, except removal of trees.

17.87.050 Vehicle Parking Requirements and Calculations

A. Minimum Number of Vehicle Spaces Required. Each land use shall be provided at least the number of parking spaces stated in PMC Table 17.87.060-1 (Required Number of Vehicle Parking Spaces). The parking requirement for any use not listed in Table 17.87.060-1 (Required Number of Vehicle Parking Spaces) shall be determined by the Director based upon the requirements for the most similar comparable use, the characteristics of the proposed use, and any other relevant data regarding parking demand (e.g., parking demand analysis of similar facilities within the City or region).

1. Additional Parking Required. Nothing in this Chapter shall be deemed to limit the power of the Review Authority to require adequate provision of parking spaces as a Condition of Approval of a Site Plan Review, Minor Site Plan Review, or as a development standard when under the circumstances of a particular case, a greater number than specified in this Chapter is found to be necessary.

B. Accessible Spaces. Americans with Disabilities Act (ADA) parking spaces shall be provided in accordance with State and Federal regulations and shall be considered in the calculation of required spaces.

C. Electric Vehicle Charging Spaces

1. Non-Residential Development. Non-residential development shall provide electric vehicle charging stations in accordance with CalGreen.

2. Multi-Family Residential Development. New multi-family residential developments with 40 or more parking spaces shall be equipped with raceways, wiring, and power to support future Level 2 EV charging stations at a rate of one for every 20 parking spaces. To incentivize the provision of electric vehicle charging stations, required parking may be reduced by two spaces for every Level 2 EV charging station provided, up to a maximum of a 10 percent reduction in total required parking. Notwithstanding the above, all electric vehicle charging facilities shall comply with the requirements in the California Building Code and California Electrical Code.

D. Calculation of Required Spaces. The following rules apply to the calculation of vehicle parking spaces in this Chapter.

1. Parking Ratios
    a. Floor Area. Where an on-site parking or loading requirement is stated as a ratio of parking spaces to floor area, the floor area is assumed to be net floor area, unless otherwise stated.
    b. Employees. Where an on-site parking or loading requirement is stated as a ratio of parking spaces to employees, the number of employees shall be based on the largest shift that occurs in a typical week.
    c. Bedrooms. Where a parking requirement is stated as a ratio of parking spaces to bedrooms, any rooms meeting the standards of the Building Code as a sleeping room shall be counted as a bedroom.
    d. Students. Where a parking or loading requirement is stated as a ratio of parking spaces to students (including children in day care), the number is assumed to be the number of students at the state-certified capacity or at Building Code Occupancy where no state certification is required.
    e. Seating. Where fixed seats provided are either benches, bleachers, or pews, such seats shall be calculated at one seat for every 32 inches, and one seat for every 24 inches of booth length for dining.
    f. Assembly Area. All rooms or areas that can be logically used for seating, in addition to any fixed seating area, shall be calculated in determining the parking requirement for assembly areas.
2. Sites with Multiple Uses. The number of parking spaces is computed based on the primary uses on the site except as stated in PMC Section 17.87.050.D.3 (Accessory Uses), below. When there are two or more separate primary uses on a site, the minimum parking for the site is the sum of the required or allowed parking for the individual primary uses, unless a reduction is approved pursuant to PMC Section 17.87.070 (Exceptions and Reductions to Required Parking).

    For example, following would be the required number of spaces for a public Park and Recreation Facility with the following amenities:

Table 17.87.050-1. Example Parking Calculation for Site with Multiple Uses

Primary Use/Amenities	Required Vehicle Spaces per PMC Table 17.87.060-1	Calculated Number of Spaces
Active recreation area – 5 acres	10 spaces per /net acre of active recreational area (e.g., athletic fields) within a park or playground	50 spaces
Tennis Courts – 6 courts	Tennis, racquet, or handball facilities: 3 spaces/court	18 spaces
Pool – 20,000 sf	Pools: 2 spaces/1,000 sf of pool area, minimum 5 spaces	40 spaces
Amphitheater – 20,000 sf	1 space/8 fixed seats or 1 space/100 sf of assembly area if no fixed seats	200 spaces
TOTAL		**308 spaces**

3. Accessory Uses. When more than 20 percent of the floor area on a site is an accessory use, the required or allowed parking is calculated separately for the accessory use. An example would be a 10,000 square foot building with a 7,000 square foot warehouse and a 3,000 square foot accessory retail area. The minimum parking would be computed separately for the retail and warehouse uses, except as provided in Table 17.87.060-1 (Required Number of Vehicle Parking Spaces).
4. Fractions. If the calculation for parking needs results in the requirement for a fraction of a parking space, the value shall be rounded to the nearest whole number.

17.87.060 Required Vehicle Spaces

A. Parking Schedule. Each land use is subject to the following minimum vehicle parking space requirements unless otherwise provided in another section of this Ordinance. All spaces may be uncovered unless otherwise specified. “Not applicable” shall mean that there is no minimum vehicle parking space requirement for the specified use.

Table 17.87.060-1. Required Number of Vehicle Parking Spaces

Use	Number of Required Spaces
Aerospace Uses	
Aerospace Manufacturing	1 space/employee, plus 5 guest spaces, plus space to accommodate all service trucks/vehicles
Aerospace Services	1 space/employee, plus 5 guest spaces, plus space to accommodate all service trucks/vehicles
Agriculture & Animal Keeping Uses	
Agricultural Support, Sales, Service, and Storage	1 space/employee
Animal Husbandry and Production	Not applicable
Animal Raising and Keeping (domestic, livestock, horses, poultry)	Not applicable
Farmstands	Not applicable

Use	Number of Required Spaces
Garden/Greenhouse, Private	Not applicable
Horticultural/Crop Production/Aquaculture	1 space/employee
Kennels, Private/Hobby	Not applicable
Stable/Equestrian Facility, Commercial/Public	1 space/4 stables
Stable/Equestrian Facility, Hobby/Private	Not applicable [1]
Automobile and Vehicle Uses	
Fueling Station	1 space/employee, plus additional spaces for convenience store and/or service/repair if included (see Convenience Store and Vehicles and Equipment Services and Repair). If a convenience store is included, see "General Retail" for additional required parking. If service bays are included, see "Auto and Vehicle Services and Repair" for additional required parking.
Travel Center	1 space/employee, plus truck space parking sufficient to accommodate the use, plus additional parking required (per this table) for additional uses
Vehicle and Equipment Services and Repair, Major	2 spaces/service bay
Vehicle and Equipment Services and Repair, Minor	2 spaces/service bay
Vehicle Rental	3 spaces/1,000 sf of office or retail area, 1 space for each rental vehicle for planned fleet inventory, plus 1 space/service bay when repair services are included
Vehicle Sales, New	3 spaces/1,000 sf of office area, 1 space for each sale vehicle for planned fleet inventory, 2.5/1,000 sf of gross floor area in the showroom, plus 1 space/service bay when repair services are included
Vehicle Sales, Used	3 spaces/1,000 sf of office or retail area, 1 space for each sale vehicle for planned fleet inventory, 2.5/1,000 sf of gross floor area in the showroom, plus 1 space/service bay when repair services are included
Vehicle Sales and Rental, Large Vehicles and Equipment	2 spaces/1,000 sf of office or retail area, plus 1 space /1,000 sf of outdoor display
Vehicle Towing/Impounding	1 space/employee, plus sufficient vehicle spaces to accommodate all impounded vehicles
Vehicle Washing & Detailing	2 spaces/service bay or lane
Vehicle Wrecking/Dismantling	5 spaces, plus 1 space/employee
Eating and Drinking Establishments & Entertainment Uses	
Bar/Nightclub/Lounge	Greater of: 1 space/3 seats or 10 spaces/1,000 sf for indoor areas, For outdoor dining/seating areas > 450 sf in size: 1 space/150 sf of outdoor dining and seating area over 450 sf
Brewpub/Taproom/Wine Bar/Microdistillery	Greater of: 1 space/3 seats or 6 spaces/1,000 sf for indoor areas, For outdoor dining/seating areas > 450 sf in size: 1 space/150 sf of outdoor dining and seating area over 450 sf
Café/Bakery	Greater of: 1 space/4 seats or 5 spaces/1,000 sf for indoor areas, For outdoor dining/seating areas > 450 sf in size: plus 1 space/150 sf of outdoor dining and seating area over 450 sf
Cinema/Theater/Performing Arts Center	1 space/4 fixed seats, or 1 space/40 sf of assembly area if seats are not fixed
Live Entertainment as Accessory Use, Indoor (Accessory)	Not applicable
Live Entertainment as Accessory Use, Outdoor (Accessory)	Not applicable
Outdoor Dining (Accessory)	Not applicable

Use	Number of Required Spaces
Outdoor Entertainment	1 space/4 fixed seats or 1 space/60 sf of assembly area if seats are not fixed, or 1 space/1,000 sf of lot area
Restaurant, Bona Fide	Greater of: 1 space/3 seats or 6 spaces/1,000 sf for indoor areas, For outdoor dining areas > 450 sf in size: 1 space/150 sf of outdoor dining and seating area over 450 sf
Restaurant, Dine-In and Take-Out	Greater of: 1 space/3 seats or 6 spaces/1,000 sf for indoor areas, For outdoor dining areas > 450 sf in size:1 space/150 sf of outdoor dining and seating area over 450 sf
Restaurant, Drive-Through	1 space/employee plus 4 spaces for pickup
Film, Research and Development	
Film Production & Post Production	3 spaces/1,000 sf, plus space to accommodate all service trucks/vehicles
Research & Development	2.5 spaces/1,000 sf. For developments where office space exceeds 25% of the gross floor area, parking for that portion of office space shall be required at 4 spaces/1,000 sf.
Industrial and Manufacturing Uses	
Artisan Manufacturing/Makers Space	2 spaces/1,000 sf
Brewery/Distillery/Winery - without tasting room or > 10,000 sf	2 spaces/1,000 sf, plus space to accommodate all service trucks/vehicles
Brewery/Distillery/Winery - with tasting room and <10,000 sf	2 spaces/1,000 sf, plus 1 space/4 seats in tasting room area, plus space to accommodate all service trucks/vehicles
Commercial Vehicle Parking (Primary	Not Applicable
Construction and Materials Yards	1.5 spaces/1,000 sf
Food or Beverage Manufacturing	2 spaces/1000 sf, plus space to accommodate all service trucks/vehicles
Hazardous Materials Facility	1 space/employee, plus space to accommodate all service trucks/vehicles
Indoor Warehousing, Storage, Wholesaling, and Distribution	0.5 spaces/1,000 sf or 1 space/employee whichever is less, plus space to accommodate all service trucks/vehicles
Manufacturing, Outdoors	0.5 spaces/1,000 sf of outdoor storage area or 1 space/employee whichever is greater, plus space to accommodate all service trucks/vehicles
Manufacturing/Processing, Light	2 spaces/1000 sf, plus space to accommodate all service trucks/vehicles
Manufacturing/Processing, Heavy	1 spaces/1000 sf, plus space to accommodate all service trucks/vehicles
Mining/Resource Extraction	Not applicable[1]
Mini-Storage Warehousing or Facility	1 space /75 storage units, plus 3 spaces/1,000 sf of office area. A minimum of 5 spaces shall be provided.
Outdoor Storage (Accessory)	Not applicable
Outdoor Storage (Primary)	0.5 space/1,000 sf, plus space to accommodate all service trucks/vehicles
Outdoor Storage (Temporary)	Not Applicable
Salvage Yards	1 space/employee, plus space to accommodate all service trucks/vehicles
Temporary Buildings or Storage Facilities (Temporary and Accessory)	Not applicable
Lodging	
Bed and Breakfast	1 space/guest room, plus 2 spaces/resident owner or manager
Lodging – Hotels, Motels, Extended Stay	1 space/guest room, plus 4 spaces/1,000 sf of eating area in a restaurant/café, plus 1 space/70 sf of seating area in a ballroom/banquet hall, plus 1 space/3 employees

Use	Number of Required Spaces
Lodging - Timeshares	1 space/unit, plus 1 space/10 units for guest and staff parking, plus 4 spaces/1,000 sf of eating area in a restaurant/café, plus 1 space/70 sf of seating area in a ballroom/banquet hall
Public, Quasi-Public and Institutional Uses	
Civic/Government	2.5 spaces/1,000 sf of gross floor area
Cultural Institutions	2.5 spaces/1,000 sf
Hospital	Adequate number as determined through Review process
Public Service Facility	Adequate number as determined through Review process
Social Service Facilities	4 spaces/1,000 sf
Recreation, Education, and Public Assembly Uses	
Athletic Fields, Unlighted	Not applicable (see required spaces for primary use)
Athletic Fields, Lighted	Not applicable (see required spaces for primary use)
Campground	1 space/campsite, plus 1 space/onsite caretaker
Cemeteries, Crematories, or Mausoleums	1 space/6 fixed seats or 1 space/150 sf of assembly area if no fixed seats
College/University	Adequate number as determined through Review process
Commercial Recreation and Sports, Indoor	• Health, Fitness and Sports Clubs: 4.5 spaces/1,000 sf • Bowling Alleys and Billiard Clubs: 3 spaces /bowling lane and/or billiard table plus additional spaces for accessory uses (e.g., restaurant) • Pools: 2 spaces/1,000 square feet of pool area, minimum 5 spaces • Indoor tennis, racquet, or handball facilities: 3 spaces/court • Coin-operated electronic amusement centers: 4.5 spaces/1,000 sf • All Other Outdoor Recreational Uses: 2 spaces/1,000 sf Plus 4 spaces/1,000 sf for associated restaurant/cafe/commercial uses.
Commercial Recreation and Sports, Outdoor	• Golf Facilities: ○ Pitch and Putt: 3 spaces /hole ○ Driving Range: 1 space/tee ○ Golf Course: 5 spaces/hole • Outdoor tennis, racquet, or handball facilities: 3 spaces/court Pools: 2 spaces/1,000 square feet of pool area, minimum 5 spaces • Community Assembly/Amphitheaters: 1 space/8 fixed seats or 1 space/100 sf of assembly area if no fixed seats • All Other Recreational Uses: 1 space/1,000 sf of lot area Plus 4 spaces/1,000 sf for associated restaurant/cafe/commercial uses.
Community Assembly, ≤ 5,000 sf (gross sf)	1 space/4 fixed seats, or 1 space/40 sf of assembly area if no fixed seats
Community Assembly, > 5001 sf - 12,000 sf (gross sf)	1 space/4 fixed seats, or 1 space/40 sf of assembly area if no fixed seats
Community Assembly, >12,000 sf (gross sf)	1 space/4 fixed seats, or 1 space/40 sf of assembly area if no fixed seats
Family Day Care Center	1 space/employee plus 1 space/8 children/adults for loading and unloading
Instructional Services, ≤ 5,000 sf	1 space/employee plus 1 space/4 students
Instructional Services, > 5,001 sf	1 space/employee plus 1 space/4 students
Open Space, Natural	Not applicable

Use	Number of Required Spaces
Parks and Recreation Facilities	• 10 spaces /net acre of active recreational area (e.g., athletic fields) within a park or playground, plus 5 spaces /net acre of passive recreational area; minimum 5 spaces • Additional spaces shall be required for uses such as swimming pools, gymnasiums, and tennis courts as follows: ○ Golf Course: 5 spaces/hole ○ Tennis, racquet, or handball facilities: 3 spaces/court ○ Pools: 2 spaces/1,000 sf of pool area, minimum 5 spaces ○ Gymnasiums: 2 spaces/1,000 sf ○ Community Assembly/Amphitheaters: 1 space/8 fixed seats or 1 space/100 sf of assembly area if no fixed seats
Retreat Center	Adequate number as determined through Review process
Recreational Vehicle (RV) Park	1 space/travel trailer/RV site
Schools, Public or Private (TK-12)	• Elementary and Middle Schools: 1.5 spaces/classroom, plus 1 space/2 employees or admin personnel • High School: 5 spaces/classroom, plus 1 space/2 employees or admin personnel
Tutoring Facilities	1 space/employee plus 1 space/4 students
Vocational/Trade School ≤ 10,000 sf	1 space/employee, plus 1 space/3 students
Vocational/Trade School > 10,001 sf	1 space/employee, plus 1 space/4 students
Residential Uses	
Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU) (Accessory)	See Section 17.91.030 (Accessory Dwelling Unit and Junior Accessory Dwelling Unit Standards)
Agricultural Worker Housing	1 space/employee, plus 1 space/unit or 1 space/3 beds
Caretaker's Unit (Accessory)	1 space/unit
Child Day Care in a Home	1 space/nonresident employee plus one space for loading and unloading children plus parking required for the Residential Housing Type
Cottage Food Operation (Accessory)	None beyond the parking required for the Residential Housing Type
Cottage Industry (Accessory)	None beyond the parking required for the Residential Housing Type
Emergency Shelters	1 space/employee, plus 1 space/20 temporary residents
Group Residential Home	1 space/employee, plus 1 space / bedroom/sleeping room
Home Occupation (Accessory)	None beyond the parking required for the Residential Housing Type
Live/Work	2 spaces/1,000 square feet of nonresidential area plus 1 space for each residential unit
Model Home (on-site)	Not applicable
Manufactured/Mobile Home Park or Subdivision	2 spaces/unit (may be tandem), plus 1 guest space/5 home lots (may be provided on street)
Residential Care Facilities, Small	1 space/employee, plus 1 space/facility vehicle, plus 1 space/6 beds
Residential Care Facilities, Large	1 space/employee, plus 1 space/facility vehicle, plus 1 space/8 beds
Residential Housing Types	
Single-Family Dwelling - Attached	2 spaces /unit, of which 1 shall be enclosed
Single-Family Dwelling - Detached	2 enclosed spaces /unit
Two-Family Dwelling/Duplex	• 1 space /studio or one-bedroom unit • 2 spaces /unit with two or more bedrooms Minimum 1 space /unit shall be enclosed

Use	Number of Required Spaces
Multi-Family Dwelling, Triplex/Quadplex	• 1 space per studio or one-bedroom unit • 2 spaces per unit with two or more bedrooms Minimum 1 space /unit shall be covered.
Multi-Family Residential, ≥ 5 Units	• 1 space per studio or one-bedroom unit • 1.5 spaces per two-bedroom unit • 2 spaces per unit with three or more bedrooms Minimum 0.5 space per unit shall be covered. Plus 0.2 guest space per unit For senior housing developments (62 years or age or older): 0.5 space /unit. Plus 0.1 guest space per unit
Manufactured/Mobile Home	See "Mobile/Manufactured Home Park or Subdivision." Manufactured/mobile homes not within a mobile/manufactured home park or subdivision shall provide parking pursuant to the parking requirements for a "Single-Family Dwelling (Attached or Detached)."
Single-Room Occupancy	0.5 space/unit
Sober Living Home	1 space/employee plus 1 space/7 beds
Supportive Housing	1 space/employee plus 1 space/7 beds
Transitional Housing	1 space/employee plus 1 space/7 beds
Yard Sales (Temporary Use)	Not applicable
Retail, Service, and Office Uses	
Adult-Oriented Business	Greater of: 1 space/3 fixed seats or 4 spaces/1,000 sf
Alcohol & Drug Treatment Facility, Large	1 space/employee plus 1 space/7 beds
Alcohol & Drug Treatment Facility, Small	1 space/employee plus 1 space/7 beds
Alcohol Sales, Off-Sale	4 spaces/1,000 sf
Animal Sales and Services	4 spaces/1,000 sf
Auction Sales, Indoor	1 space/3 fixed seats or 1 space/50 sf in the seating area used for the auction if no fixed seats
Auction Sales, Outdoor	1 space/1,000 sf of lot area devoted to sales and display
ATM (Accessory)	1 space/ATM (if stand-alone)
Bail Bonds	3 spaces/1,000 sf
Banks, Financial, Savings and Loan Institutions	3 spaces/1,000 sf
Building Materials Sales and Services	2 spaces/1,000 sf interior sales area, plus 1 space/1,000 sf exterior sales and storage area
Business to Business Support Services	2 spaces/1,000 sf, plus 1 space/service or fleet vehicle
Check-Cashing Businesses	3 spaces/1,000 sf
Convenience Market	4 spaces/1,000 sf
Drive-Through Services (Accessory)	Not applicable
Farmer's Market (Temporary)	1 space/1,000 sf of lot area devoted to sales and display
Food Preparation, Commercial	2 spaces/1,000 sf, plus 1 space/service or fleet vehicle
Fortunetelling, Palm and Card Reading	3 spaces/1,000 sf
Funeral Homes and Mortuaries	1 space/4 fixed seats or 1 space/40 sf of assembly area where no seats or where temporary or moveable seats are provided
General Retail ≤ 5,000 sf	5 spaces/1,000 sf

Use	Number of Required Spaces
General Retail 5,001 sf - 25,000 sf	25 spaces for the first 5,000 sf; plus 4 spaces/1,000 sf above 5,000 sf
General Retail/Superstore > 25,000 sf	105 spaces for the first 25,000 sf; plus 3 spaces/1,000 sf above 25,000 sf
Grocery Store	25 spaces for the first 5,000 sf; plus 4 spaces/1,000 sf above 5,000 sf
Kennels/Boarding, Commercial	3 spaces/1,000 sf
Kiosk/Outdoor Vending	Not applicable
Laundromat	4 spaces/1,000 sf
Massage Establishment, Accessory (Accessory)	Not applicable
Massage Establishment, Stand-Alone	3 spaces/1,000 sf
Medical Services, Extended Care	1 space/employee, plus 1 space/facility vehicle, plus 1 space/3 beds
Medical Services, Medical/Dental/Holistic/Clinic	5 spaces/1,000 sf
Medical Services, Urgent Care	4 spaces/1,000 sf
Microblading/Permanent Makeup	Greater of: 4 spaces/1,000 sf or 2 spaces/chair
Neighborhood Market	4 spaces/1,000 sf
Nursery/Garden Center	2 spaces/1,000 sf of building floor area; 1 space/1,000 sf of outdoor display area
Office, Processing	7 spaces/1,000 sf
Office, Professional/Administrative	4 spaces/1,000 sf
Office, Service	5 spaces/1,000 sf
Outdoor Display	Not applicable
Pawnshop	5 spaces/1,000 sf
Personal Services	Greater of: 4 spaces/1,000 sf or 2 spaces/chair
Pet Daycare	4 spaces/1,000 sf
Resale/Consignment/Thrift Shop	5 spaces/1,000 sf
Smoking Lounge	Greater of: 1 space/3 fixed seats or 5 spaces/1,000 sf
Smoke Shop	5 spaces/1,000 sf
Swap Meet, Indoor	3 spaces/1,000 sf of floor area devoted to sales and display
Swap Meet, Outdoor	1 space/1,000 sf of lot area devoted to sales and display
Tattoo/Body Art/Piercing	Greater of: 4 spaces/1000 sf or 2 spaces/chair
Temporary Real Estate Sales Office (Temporary)	1 space/employee, plus 2 guest spaces
Veterinary Hospitals	4 spaces/1,000 sf
Utility, Transportation, and Communication Uses	
Airports and Heliports	Adequate number as determined through Review process
Co-located Small Wind Energy Systems (CSWES) (Accessory)	Not applicable
Communications/Wireless Telecommunications Facilities, Major	1 space /maintenance vehicle operated or kept on-site; minimum 2 spaces
Communications/Wireless Telecommunications Facilities, Minor	1 space /maintenance vehicle operated or kept on-site; minimum 2 spaces
Communications, Facilities within Buildings	3 spaces/1,000 sf of office space, plus 1 space/service or fleet vehicle
Freight/Trucking Facility	2 spaces/1,000 sf of office space, plus 1 space/service or fleet vehicle
Light Fleet-Based Services	2 spaces/1,000 sf of office space, plus 1 space/service or fleet vehicle
Parking Lots & Structures	Not applicable
Passenger Transportation Facilities	Adequate number as determined through Review process

Use	Number of Required Spaces
Recycling Collection Facility, Large	1 space/employee, plus 1 space/service or fleet vehicle
Recycling Collection Facility, Small	1 space/employee, plus 1 space/service or fleet vehicle; plus 3 spaces required for accessory small recycling collection facilities located at the established parking lot of the primary use
Recycling Processing Facility, Heavy	1 space/employee, plus 1 space/service or fleet vehicle
Recycling Processing Facility, Light	1 space/employee, plus 1 space/service or fleet vehicle
Reverse Vending Machine	3 spaces
Sanitary Landfills	1 space/employee, plus 1 space/service or fleet vehicle
Small Residential Wind Generator Systems (SRWGS) (Accessory)	Not applicable
Solar Energy System (Primary)	1 space /maintenance vehicle operated or kept on-site; minimum 2 spaces
Utilities, Major	1 space /maintenance vehicle operated or kept on-site; minimum 2 spaces
Utilities, Minor	1 space /maintenance vehicle operated or kept on-site; minimum 2 spaces
Utility Yard	1 space/service or fleet vehicle

17.87.070 Exceptions and Reductions to Required Parking

The number of parking spaces required by PMC Section 17.87.060 (Required Vehicle Spaces) may be reduced as follows if the Director finds any or all of the following criteria are applicable, that the number of parking spaces provided is adequate and such reduction will not create a traffic safety hazard. In the event the City Engineer determines additional spaces are needed for traffic safety, or an intensification of use is proposed on the site, the City may require provision of the additional spaces. Parking reductions are cumulative, up to a maximum of 30 percent; all applicable parking reductions may be applied in determining the number of required parking spaces.

A. Transit Access. When a site has a bus stop with frequent transit service (every 15 minutes on average during peak hours) located within a quarter mile, a maximum 10 percent reduction to the required number of automobile parking spaces shall be allowed.

B. Bus Turnout. Where required or agreed to by the City and the transit authority, provisions for a bus turnout shall be provided. When such a turnout is provided, the number of on-site parking spaces may be reduced by a maximum of either five spaces or two- and one-half percent of the required number of spaces.

C. Carpool/Vanpool Spaces. When a site has dedicated parking spaces for carpool or vanpool vehicles, a maximum five percent reduction to the required number of automobile parking spaces shall be allowed.



D. Motorcycle/Scooter Spaces. When a site has dedicated parking spaces for motorcycles, scooters, or electric carts reductions to the minimum dimensions for parking spaces shall be allowed.

E. Adjacent On-Street Parking. For non-residential uses and the non-residential portion of a mixed-use development, the Director may approve a reduction to the off-street parking requirements of Table 17.87.060-1 (Required Number of Vehicle Parking Spaces) by one parking space for every two on-street parking spaces located adjacent to the subject site (along the frontage), provided the parking spaces meet the dimensional standards of this Chapter.

F. Car Sharing Programs. Required parking spaces may be substituted with designated carshare vehicle parking spaces, and the required number of parking spaces may be reduced, pursuant to the following.

1. Carshare Parking Designation. A maximum of 10 percent of the required parking spaces may be designated as carshare vehicle parking spaces.
2. Reduction Allowed
    a. Parking Areas with 50 or Fewer Parking Spaces. A five percent reduction in the required parking shall be allowed where five percent of the required spaces are designated as carshare vehicle parking spaces.
    b. Parking Areas with 51 or More Parking Spaces. A 10 percent reduction in the required parking shall be allowed where 10 percent of the required spaces are designated as carshare vehicle parking spaces.

    For example, if a development was required to provide 100 vehicle parking spaces, and they provide 10 as carshare spaces, they would receive a 10 percent reduction in total required vehicles spaces for a total of 90 spaces (10 of which would be designated for carshare).
3. Accessibility. Car share spaces shall be made available to a car share organization for the purposes of providing car share services for service subscribers. In addition to conforming to the requirements of this Chapter, the parking area shall be designed to be accessible to local and non-local car share subscribers 24 hours a day, seven days a week.
    a. Exception. Car share parking spaces may be occupied by non-car share vehicles, if it is demonstrated to the satisfaction of the Director that no car share organization can make use of the parking spaces. These spaces shall not be separately leasable and shall be made available on a first come first serve basis.

4. Deed Restriction. Prior to issuance of a building permit, a deed restriction shall be recorded identifying the number and location of the car share parking spaces. The location of the car share spaces shall be subject to approval by the Director or Review Authority, as applicable.



G. Shared Parking. Required parking facilities for two or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that the owners or operators show that the need for parking facilities does not materially overlap (e.g., uses primarily of daytime versus nighttime nature; weekday uses versus weekend uses), and provided that the right of joint use is evidenced by a recorded deed, lease, contract, covenants, conditions, or restrictions (CC&Rs), or similar written instrument are executed and recorded ensuring that required parking is provided and that the uses and operating characteristics of all participating uses are maintained. The total number of spaces and their distribution through the site shall be substantiated through a parking demand study and a parking management plan prepared by a qualified traffic engineering professional.

1. Review Process. Requests for shared parking shall be considered as follows:
    a. Existing development. Where the request involves an existing development, an application shall be filed pursuant to PMC Section 17.26.040 (Minor Modification to Approved Plans).
    b. New development. Where the shared parking is being proposed as part of a Site Plan Review or Minor Site Plan Review application, the request shall be processed concurrently with said applications.
2. Findings and Conditions of Approval: Shared parking requests shall be subject to review and approval based on the following criteria and findings:
    a. Factors evaluated to establish shared parking arrangements shall include operating hours, seasonal/daily peaks in parking demand, the site's orientation, location of access driveways, transit service, accessibility to other nearby parking areas, pedestrian connections, distance to the parking area, availability of parking spaces, special trip reduction programs (e.g., subsidized vanpooling, transit, shuttle, or telecommuting), and cooperation of adjacent owners;
    b. The parking demand, rates, and/or number of parking spaces required shall be based on well-recognized sources of parking data such as the Urban Land Institute (ULI) or Institute of Transportation Engineers (ITE) reports. If standard rates are not available or are limited, the applicant may collect data at similar sites to establish local parking

demand rates. If the shared parking plan assumes use of an existing parking facility, then field surveys shall be conducted to determine actual parking accumulation;

c. The peak hours of parking demand from all uses do not coincide so that peak demand will not be greater than the parking provided;

d. Commercial/non-residential parking demand often occurs at different times of the day;

e. Residential parking spaces will be available to residents between the hours of 8 p.m. and 7 a.m.;

f. The efficiency of parking provided will equal or exceed the level that can be expected if parking for each use were provided separately;

g. If a privately owned parking facility is proposed to serve two or more separate properties, a legal agreement shall be established between property owners guaranteeing access to, use of, and management of designated spaces;

h. Signage does not prohibit or reserve parking spaces for a particular use;

i. All shared parking spaces are located in order to be reasonably accessible to the uses they serve and are not separated from such uses by any street, unless otherwise approved by the Review Authority; and,

j. Pedestrian connections are provided from any shared parking spaces to all the uses that they are proposed to serve.

3. Additional Requirements. Nothing in this Section shall preclude the Review Authority from placing additional conditions to protect the health, safety, and welfare of the residents of the City or to establish the number or percentage of off-street parking to be shared.

H. Transportation Demand Management (TDM) Programs. Reductions in the number of parking spaces provided may be approved by the Review Authority through the Minor Exception process pursuant to PMC Chapter 17.23 (Variances and Minor Exceptions) when the applicant has provided substantial evidence that TDM efforts may be effective in reducing vehicle demand. Such a program may require such provisions as:

1. Land set aside for additional parking if determined necessary;
2. In-lieu payments for transportation demand related services and programs;
3. Periodic monitoring and certification that the TDM effort is being maintained; and/or,
4. Penalties for non-compliance (including suspension or revocation of occupancy permit).

17.87.080 Use of Parking Spaces

A. General. Except as otherwise provided by this Ordinance, required parking spaces must be available for residents, guests, renters, customers, or employees of the use. Parking and loading areas shall be accessible for their intended purpose during all hours of operation.

B. No area designated as a required parking area in connection with any designated building or use shall be operated as a commercial or public lot providing parking spaces for the general public or the occupants, tenants, customers, clients, or residents of any use or activity for a fee or other compensation, unless approved by the Review Authority. Required parking spaces may not be assigned in any way to a use on another site, except for shared parking pursuant to PMC Section 17.87.070.G (Shared Parking).

C. Required parking spaces shall not be used for sale, display, rental, storage, or repair of motor vehicles.

D. Residential Zones. No vehicle which is registered for commercial purposes pursuant to applicable provisions of the Vehicle Code of the State of California or other jurisdiction and which has a manufacturer's gross vehicle weight rating of 10,000 pounds or more shall be parked or left standing on any residentially zoned property, in excess of 30 consecutive minutes unless it falls within the exceptions given in PMC Section 10.04.040.

E. Commercial/Office and Industrial Zones. Required parking spaces shall not be used or allowed to be used for the repair, servicing, or storage of vehicles, or for the storage of recycling bins, property, or materials, nor shall the racks and pump blocks used in auto repair shops or other similar uses be considered in calculating required parking spaces.

17.87.090 Parking Design Standards

The following design standards shall apply to all off-street parking areas:

A. Location and Orientation

1. Residential Uses. Required parking for residential uses shall be on the same lot as the dwelling or use they serve, or on a parcel or tract owned in common by all the owners of the properties that will use the parking area:

a. Single-Family Residential. For single-family detached residential uses, parking shall not be located within a required front, street-facing side, or rear setback. For attached single-family residential uses, driveways may count toward the required parking so long as the driveway is at least 20 feet long. Parking shall only be allowed in a garage or approved driveway. There shall be no expansion of parking areas through the addition of paved areas in the front, side, or rear yards without the appropriate approval as outlined within Division 2 (Review Procedures) of this Ordinance.

b. Multi-Family Residential and Residential Mixed-Use

i. Off-street parking spaces for multi-family dwelling types shall be located on the same development site and on the same lot or parcel, but in no event more than 200 feet from the dwelling unit for which the parking space is provided. No parking space shall be located in the required front, side, or rear setback area, except as otherwise provided in this Ordinance.

ii. Off-street parking serving multi-family and residential mixed-use development shall be located in one of the following facilities:

a.) Surface parking lots, garages, or carports located to the side or rear of residential buildings in relation to adjacent streets. If a site fronts on two or more streets, the standard shall apply on the street with the highest classification in the General Plan. If a site fronts on two public streets of equal classification, the Director may determine on which frontage to meet the standard.

b.) Parking structures in which parking is located underground or the exterior facades are treated with an external skin, facade articulation strategy, or an

integrated building facade. See PMC Section 17.87.090.Q (Parking Structure Design and Screening).

2. Non-Residential Uses. Parking shall be located on the same lot, or, with a reciprocal parking and access agreement approved by the City, on a lot contiguous to the building, structure, or use to be served. Where feasible, parking shall be located to the side or rear of buildings in relation to adjacent streets. Where parking is proposed to be located off-site, the location of such parking, and where applicable the lot itself, shall be approved by the Review Authority. Any term agreements between private property owners shall be recorded and shall require review by the City Attorney and approval by the Director, Review Authority, and/or City Engineer as applicable prior to execution. Pedestrian access shall be available within a distance of not more than 300 feet measured from the nearest point of public access to the building, to the nearest part of the off-site parking area, unless otherwise approved by the Review Authority. Such separated parking areas shall be useable without causing unreasonable traffic congestion, detriment to any residential neighborhood, or safety concern to pedestrian or vehicular traffic in the vicinity.

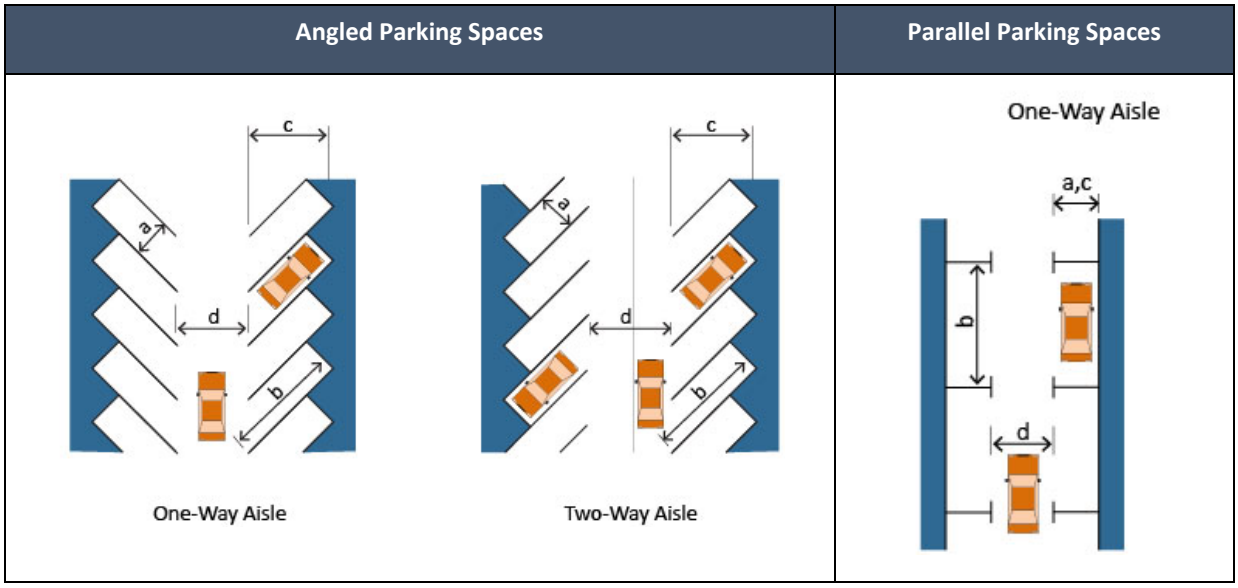
B. Size. Parking spaces and maneuvering aisles shall meet the minimum dimensions required by this Section. Screening walls, roof support posts, columns, or other structural members shall not intrude into the required dimensions for parking spaces.

1. Standard Parking Spaces and Drive Aisles. The minimum basic dimension for standard parking spaces is nine feet in width and 18 feet in length, with a minimum vertical clearance of seven feet. End spaces where clear back-out space is restricted on one side shall be 11 feet in width. PMC Table 17.87.090-1 (Parking Space and Drive Aisle Dimensions)~~)~~ provides the dimensions of spaces (stalls) and aisles according to angle of parking spaces and is accompanied by PMC Figure 17.87.090-1 (Parking Space and Drive Aisle Dimensions).
2. Compact Spaces. A compact parking space shall have minimum dimensions of eight feet in width and 15 feet in depth. For non-residential uses with 20 or more required parking spaces, up to 25 percent of the required spaces provided may be compact size as defined in this Ordinance. For unassigned/guest stalls for residential uses with more than 25 spaces, up to 25 percent of the required spaces may be compact. Compact car parking spaces shall be clearly marked “compact cars only,” “compact,” or “c.”

Table 17.87.090-1. Parking Space and Drive Aisle Dimensions

Stall Type	Minimum Space and Aisle Dimensions				
	A Stall Width	B Stall Length	C Stall Depth (Aisle to Curb)	D Drive Aisle Width	
				One-Way	Two-Way
Parallel	9 ft	22 ft	9 ft	12 ft	26 ft
30 Degree	9 ft	18 ft	17 ft	16 ft	26 ft
45 Degree	9 ft	18 ft	19 ft	18 ft	26 ft
60 Degree	9 ft	18 ft	20 ft	20 ft	26 ft
90 Degree	9 ft	18 ft	18 ft	26 ft	26 ft
Compact Stalls, all angles	8 ft	15 ft	—	Same as standards above per stall type	

Figure 17.87.090-1 Parking Space and Drive Aisle Dimensions



Key:

a = Stall width *c = Stall depth*

b = Stall length *d = Drive aisle width*

3. Accessible Spaces. Whenever any off-street parking is required, spaces shall be provided in accordance with the latest version of Title 24 of the California Code of Regulations.
4. Spaces Abutting Fences and Walls. Each parking space adjoining a wall, fence, column, or other obstruction higher than one-half feet in the vicinity of where a vehicle door may be located shall be widened by two feet to accommodate access to the vehicle through the door.
5. Overhang. Two and one-half feet of the sidewalk width located perpendicular to parking stall may be counted as part of the overall parking space length.

6. Minimum Dimensions for Residential Garages and Carports. Garages and carports serving residential uses shall be constructed to meet the following minimum inside dimensions and related requirements.
    a. A single car garage or carport: 10 feet in width by 20 feet in length.
    b. A two-car garage or carport: 20 feet in width by 22 feet in length.
    c. A garage or carport containing three or more spaces: 9 feet in width by 18 feet in length per space.
    d. A tandem garage or carport: 10 feet in width by 40 feet in length.
    e. The vertical clearance for garage or carport parking spaces shall not be less than eight feet.
7. Reduced Parking Space Length and Width Prohibited. No reduction of parking space length or width shall be allowed.

C. Tandem Parking. Tandem parking may be allowed to satisfy parking requirements in accordance with the following.
1. No more than two vehicles shall be placed one behind the other.
2. Both spaces shall be assigned to the same residential dwelling unit or non-residential establishment for employee parking.
3. Tandem parking to meet required parking for non-residential uses may be used for employee parking only; the maximum number of tandem parking spaces shall not exceed 50 percent of the total number of spaces.
4. Tandem parking for visitors or customers may be allowed with valet parking, subject to approval by the appropriate Review Authority.
5. Tandem parking to meet required parking for multi-family residential development shall be located within an enclosed structure; the maximum number of tandem parking spaces shall not exceed 25 percent of the total number of spaces.
6. Tandem parking shall not be used to meet the guest parking requirement.

D. Parking Access. Parking access areas shall be designed to ensure vehicular access to parking spaces as determined by the City Engineer.
1. Access Hierarchy. Parking and service area access shall be provided from the following, in order of preference: 1) from an alley; 2) in the absence of an existing or proposed alley, access shall be from a driveway shared with a property abutting the development site; 3) in the absence of an alley or shared driveway, access shall be from the side/lesser street abutting the development site; 4) in the absence of a side street, from a curb cut/driveway along the primary street frontage.
2. Distance from Intersection. Driveways for parking facilities shall be located a minimum of 50 feet from the intersection of any two streets, or the maximum feasible distance from the intersection.
3. Shared Vehicle Access. Nonresidential projects are encouraged to provide shared vehicle and pedestrian access to adjacent nonresidential properties for convenience, safety, and efficient circulation. A joint access agreement guaranteeing the continued availability of shared access between the properties shall be reviewed by the City Attorney and approved

by the Director, Review Authority and/or City Engineer, as appropriate, prior to recordation of the document in the County Recorder's Office.

4. Forward Entry. Except for single-family dwelling units, parking areas of four or more spaces shall be provided with suitable maneuvering room so that all vehicles therein may enter an abutting street in a forward direction.
5. Driveways and Curb Cuts. Each development project site shall be limited to one curb cut, including driveways and private/service streets, for every 400 feet of public street frontage, or two curb cuts for each street frontage, whichever is less (unless otherwise required for emergency vehicle access).
6. Driveway Length. Driveway length shall be regulated per the following to properly facilitate lot layout and on-site parking.
    a. Driveways for non-residential uses shall be designed to prevent queuing and backing up onto public rights-of-way. Adequate clear throat distance shall be provided at all parking entrance and/or exit driveways. Parking stalls within the first 40 feet are strongly discouraged.
    b. For attached and detached single-family dwelling units and duplexes, resident parking is allowed in a driveway with a minimum depth of 20 feet.
    c. Driveways providing direct access from a public street to a garage or carport shall be at least 20 feet in depth, with the following exceptions. No portion of the public sidewalk shall be counted toward meeting this requirement.
        i. For single-family dwelling units and duplexes, side-on garages may be located a minimum of 15 feet from the public right-of-way provided that driveway parking shall accommodate a full car length of 20 feet measured from the edge of the public right-of-way. In hillside areas, the maximum driveway slope shall be 15 percent, with at least 18 feet in front of the garage at a slope not exceeding 5 percent.
        ii. For multi-family residential and residential mixed-use developments, a minimum 5-foot driveway apron shall be provided between the garage and any private street or drive aisle. Garages with parking aprons of less than 20 feet in length shall have automatic garage door openers and sectional roll-up doors.
7. Driveway Width
    a. Single-Family Residences and Duplexes. Minimum width of 12 feet for any driveway serving one residence. There shall be no more than two driveways per parcel. Driveways for three- or four-car garages shall be tapered down to a standard two-car width at the street.
    b. Minimum width of 12 feet for a one-way driveway.
    c. Minimum width of 26 feet for a two-way driveway serving any use other than single-family residential and duplexes.
    d. The width of driveways shall be limited to the width necessary to access the allowed parking spaces or garage/carport.

E. Circulation and Safety

1. Visibility shall be assured for pedestrians, bicyclists, and motorists entering individual parking spaces, circulating within a parking facility, and entering or leaving a parking facility. Parking shall not be allowed within the traffic safety visibility area per PMC Section 17.82.070 (Safety Visibility Area Restrictions).
2. Parking lots shall be designed so that sanitation, emergency, and other public service vehicles can provide service without backing up unreasonable distances or making other dangerous or hazardous turning movements.
3. Parking Aisles
    a. Parking aisle length shall not exceed 350 feet without a cross aisle for vehicle circulation.
    b. Tangent or long radius sections of aisles along the perimeter of buildings should be less than 400 feet.
    c. Four-way aisle intersections should be avoided, and where use of such intersection is necessary, it should be properly signed.
    d. Dead end aisles should be avoided.
4. Separate vehicular and pedestrian circulation systems shall be provided where possible. Multi-unit residential developments of five or more units must provide pedestrian access that is separate and distinct from driveways. Parking areas for commercial/office and mixed-use developments with 25 or more parking spaces must have distinct and dedicated pedestrian access from the use to parking areas, building entries, and public sidewalks, according to the following standards:
    a. Connection to Public Sidewalk. An on-site walkway shall connect parking areas to building entries and to the public sidewalk. Access for people with disabilities shall be provided in accordance with State and Federal statutes and shall provide a convenient and efficient circulation system for these individuals. For commercial/office uses, parking spaces should be located within 150 feet of a building entrance, or a sidewalk leading to a building entrance.
    b. Separation from On-site Buildings. Parking areas designed to accommodate five or more vehicles must be separated from the front and side exterior walls of on-site buildings by walkways or landscaping a minimum of four feet in width.
    c. Routes through Parking Areas. Walkways running parallel to the parking rows shall be provided for every four rows. Parking lot layout should minimize the need for pedestrians to cross parking aisles and landscape areas to reach destination points.
    d. Materials and Width. All walkways located perpendicular to parking stalls shall be a minimum of seven feet in width to accommodate vehicle overhang and to meet accessibility requirements.
    e. Identification. Pedestrian walkways shall be clearly differentiated from driveways, parking aisles, and parking and loading spaces through the use of elevation changes, different paving material, or similar method.

f. Separation and Distinction. Pedestrian pathways shall be clearly delineated by using landscaping, raised walkways, special pavers, decorative bollards, arches, trellises, and/or other design elements to alert drivers to potential conflicts with pedestrians. Where a pedestrian walkway is parallel and adjacent to an auto travel lane, it must be raised and separated from the auto travel lane by a raised curb at least four inches high, bollards, or other physical barrier. Where the path crosses the auto lane, the path shall be clearly delineated by a contrasting color, pavement material or pattern, and/or be raised slightly to form a speed table.

F. Parking Lot Striping. All parking stalls shall be clearly outlined with striping, and all aisles, approach lanes, and turning areas shall be clearly marked with directional arrows and lines as necessary to provide for safe traffic movement. Parking lots shall be completely striped, indicating individual parking spaces and traffic lanes as provided in a striping/parking plan submitted to and approved by the City. Except for parallel parking, the striping of all other parking spaces shall be either single line or double line. All parallel parking spaces shall be striped with single lines. Handicapped spaces shall be striped, marked and signed in accordance with Title 24 of the California Code of Regulations.

G. Surfacing. All parking lots shall be paved and improved, and all sites shall be properly graded and drained, consistent with applicable stormwater runoff regulations and subject to the approval of the City Engineer. Drainage shall not be allowed across the surface of sidewalks or driveways. All areas used for the movement, parking, loading, repair, or storage of vehicles shall be paved according to the requirements in this Ordinance. All areas within the parking area not used for parking stalls or maneuvering areas shall be landscaped pursuant to PMC Section 17.87.090.N (Landscaping).

1. Pavement Standards. Parking areas shall be paved consistent with the following materials or comparable material recommended by a Geotechnical Engineer, approved by the City Engineer.

a. Residential Areas. Two inches of asphalt on four inches of aggregate, on four inches of compacted base material recommended by a Geotechnical Engineer, or four inches of concrete.

b. Non-Residential Areas. A minimum of three inches asphalt on four inches of aggregate, on four inches of compacted base material recommended by a Geotechnical Engineer, or four~~4~~ inches of concrete.

c. Pavers or Permeable Pavement Systems. Pavers or permeable pavement systems with strength equivalent to a or b above.

2. Landscaping Alternative. Up to two feet of the front of a parking space as measured from a line parallel to the direction of the bumper of a vehicle using the space may be landscaped with ground cover plants instead of paving. In addition, a ribbon driveway~~"Hollywood driveway"~~ with a three-foot landscape strip in the middle shall be allowed in single-family residential zones.

H. Slopes

1. Parking Spaces and Turnarounds. All parking lot areas used exclusively for parking and turnarounds shall be designed and improved with a grade not exceeding five percent slope.

Parking spaces for the handicapped shall conform to the slope requirements of Title 24 of the California Code of Regulations and the Americans with Disabilities Act.

2. Driveways. All driveways within a parking lot used exclusively for ingress and egress or interior parking lot circulation shall be designed and improved with grades not to exceed a 10 percent slope. Driveways providing a means of ingress and egress to a lot upon which is proposed to be located a single family detached dwelling shall not be subject to this requirement, except that in hillside areas, the maximum driveway slope shall be 15 percent, with at least 18 feet in front of the garage at a slope not exceeding 5 percent.

I. Drainage. Parking areas, aisles and access drives shall be graded and drained to dispose of surface water without damage to private or public properties, streets, or alleys. All parking and circulation areas shall be designed with an adequate drainage system and improvements shall consist of appropriate devices as specified by the City Engineer.

J. Perimeter Curbing. Parking areas within 15 feet of a building, structure, fence/wall, public right-of-way or lot line, except spaces within a garage or carport shall provide six-inch wide and six-inch high concrete curbing along the outer edge of the parking facility pavement. Curbs separating landscaped areas from parking areas shall be designed to allow stormwater runoff to pass through.

K. Wheel Stops. Use of individual wheel blocks should be avoided.

L. Heat Island Reduction. In order to reduce ambient surface temperatures in parking areas, at least 50 percent of the areas not landscaped shall be shaded, of light-colored materials with a Solar Reflectance Index of at least 29, or a combination of shading and light-colored materials. Shade may be provided by canopies, shade structures, trees, or other equivalent mechanism. If shade is provided by trees, the amount of required shading shall be achieved within 15 years.

M. Lighting. Parking area lighting shall comply with the regulations in Section 17.86.030 (Outdoor Lighting).

N. Landscaping

1. Applicability. The following landscaping requirements shall apply to all off-street parking areas for residential and commercial/office zones and uses, and for public/institutional uses consistent with these zones. For industrial zones and for public/civic uses consistent with these zones, the following landscaping requirements shall apply to off-street parking areas which are visible from freeways, Regional and Crosstown streets, and less-intensive zones. For parking lots in industrial areas which are not visible to the general public from freeways, Regional and Crosstown streets, or less-intensive zones, the requirement for parking lot landscaping may be reduced or waived by the Review Authority.

2. Minimum Parking Lot Landscaping

a. Minimum Landscaping. A minimum of 15 percent of the total off-street open parking area shall be landscaped with a mixture of trees, shrubs, ground cover, and other plant material. A minimum of one-third of the required landscaping shall be distributed within the interior of the parking facility and the remaining two-thirds of the required landscaping shall be provided as peripheral planting on the exterior edges of the parking area. The parking area shall be computed by adding the areas used for access

drive aisles, stalls, maneuvering, and landscaping within that portion of the premises that is devoted to vehicular parking and circulation.

b. Minimum Trees. A minimum of one canopy tree shall be required for every four parking spaces (or eight parking stalls when two rows of four share a common frontage). A minimum 50 percent of the parking lot trees shall be a minimum two-inch caliper in a 24-inch box size or larger container. A minimum 20 percent of the parking lot trees shall be a minimum two- and one-half-inch caliper in a 36-inch box size or larger container. Parking lot trees may be coordinated with required street trees, but in no event shall the number of trees be less than one for every 30 lineal feet of street frontage. The following exceptions shall apply:
   i. Where this ratio cannot be achieved due to the installation of solar facilities, trees shall be provided along the perimeter of the parking lot.
   ii. An existing shade tree may fulfill this requirement, so long as the existing shade tree is a minimum of four inches diameter at breast height. Existing mature trees on the site in good health shall be preserved whenever possible.

c. Non-Plant Material. Crushed rock, pebbles, stones, and similar non-plant materials shall be allowed up to 60 percent of the total required landscaping. Landscaped areas shall be top dressed to avoid exposed bare soil.

3. Perimeter Landscape Strip. Each unenclosed parking lot shall provide a perimeter landscaped strip where the facility adjoins a property line in accordance with the following standards. The perimeter landscaped strip shall be planted with trees, shrubs, and groundcover, and may include any landscaped yard or landscaped area otherwise required. The landscape strip shall be continuous, except for required access to the site or parking facility. See also PMC Chapter 17.83 (Transition Between Land Uses and Zones).
   a. Minimum five-foot landscape strip in residential and mixed-use zones.
   b. Minimum 10-foot landscape strip in non-residential zones.

4. Landscape Islands
   a. Landscape planters shall be a minimum of six feet in width (inside dimension), except that tree wells located between parking rows and spaces may be a minimum of four feet in width (inside dimension). All landscaping and planting within paved areas shall be contained within raised planters surrounded by six-inch concrete curbs. Tree areas shall be planted a minimum of five feet from walls, walkways, or buildings. To protect the hardscape and encourage deep root development, root barriers shall be installed during planting operations.
   b. Wheel stops or curbs shall be placed a minimum of 30 inches away from the trunk of any tree.
   c. Landscape islands a minimum of 10 feet in width with minimum aisle turning radii of 10 feet shall be provided at the end of all parking rows, except where parking rows directly abut buildings, sidewalks, walls, or similar features.
   d. For parking rows containing 15 or more spaces, one landscape island within the interior of the parking row shall be provided for every 15 parking spaces in addition to the required row end landscape islands.

e. Landscape islands shall not extend closer than three feet from the aisle end of the adjacent parking space(s).

f. All landscape islands shall be designed with a six-inch curb and an additional paved strip to provide a minimum one-foot-wide paved landing area where abutting the side of parking stalls. Paved areas shall not be counted toward fulfilling landscape requirements or meeting minimum width requirements of this Ordinance.

g. All landscape islands shall be designed with a minimum two-and-a-half-foot area free from vegetation where the front of a vehicle may overhang the island. Overhang area shall be surfaced with non-living landscape material such as gravel, or rock.

h. For projects requiring 20 or fewer parking spaces on site, the width of required landscape islands may be reduced to four feet, and the requirement for landscape islands within the interior of the parking row may be waived, subject to a determination by the Review Authority that an equivalent amount of overall site and parking lot landscaping is provided and that the parking lot is provided with a reasonable amount of shade.

5. Adjacent to Vacant Property. Landscaping along a property line adjacent to an abutting property that has no entitlement application on file for development is required to be defined by use of a six-inch concrete curb or a block wall or six-inch concrete mowing strip or a combination thereof.

6. Irrigation. All portions of a parking lot devoted to landscaping shall be provided with a permanent automatic irrigation system designed for water conservation.

O. Fire Lanes. All Fire Lanes shall be identified through signs or pavement markings for “NO PARKING” in accordance with Fire Department Specifications.

P. Maintenance. All parking facilities, including landscaped areas, driveways, and loading areas, shall be maintained free of refuse, debris, or other accumulated matter, and shall be kept in good condition at all times. The maintenance thereof may include, but shall not be limited to the repaving, oiling, and striping of a parking area and the repair, restoration, and/or replacement of any parking area design features when deemed necessary by the Director to insure the health, safety, and welfare of the general public.

Q. Parking Structure Design and Screening. Except for garage entrances, structured parking shall not be visible from the street, or any adjacent public park or publicly-accessible open space area. Public-facing elevations of parking structures shall be integrated into the building architecture and/or screened from public view by meeting the following standards:

1. All portions of parking visible above grade shall be designed and treated with the same level of detail, material quality, and facade articulation as other facade areas and/or screened with landscape screening (e.g., shrubs, landscaped trellises) and/or crafted ornamental metal screens.

2. Parking levels above the ground level may be visible on (or extend to) the building facade but shall be designed and treated with the same level of detail and material quality as other facade areas (e.g., facade articulation and modulation, use of real windows with glazing or false windows defined by frames, lintels, or sills). No more than two levels of parking shall extend to the building facade.









R. Surface Parking Screening. All surface parking areas designed to accommodate five or more vehicles shall be screened from view from public streets, publicly-accessible open spaces, and adjacent lots in a more restrictive zone, according to the following standards.

1. Height. The maximum height of a fence or wall along street frontages and walkways/sidewalks shall be no taller than three feet when used to screen the parking lot. Alley frontages are exempt from this standard. Screening of parking lots along interior lot lines that abut residential zones shall be six feet in height, except within the required front setback of the applicable zone, where screening shall be three feet in height.
2. Fences and Walls. Screening shall consist of one the following:
   a. Walls. Low-profile walls consisting of brick, stone, stucco, or other quality durable material approved by the Director. Plain concrete blocks are not allowed as a screening wall material unless capped and finished with stucco or other material approved by the Director.
   b. Fences. An open fence of manufactured wood wrought iron, or similar material combined with plant materials to form an opaque screen.
3. Planting. In addition to a fence or wall, screening shall be landscaped with plant materials consisting of compact plants that form an opaque screen. Such plant materials must achieve

a minimum height of two feet within 18 months after initial installation and must be permanently maintained.

17.87.100 through 17.87.190 Reserved

17.87.200 Loading Standards

Every use, building, or structure shall have permanently maintained off-street loading and unloading spaces as follows.

A. Number of Loading Spaces Required. All off-street loading facilities shall have the number of spaces required per building based on proposed or projected use or uses as specified in Table 17.87.200-1. (Required Loading Spaces).

   a. Multi-Tenant Buildings. The gross floor area of the entire building shall be used in determining spaces for multi-tenant buildings. A common loading area may be required if each tenant space is not provided with a loading area. Drive-in roll-up doors for multi-tenant industrial projects may be substituted for required loading areas.

   b. Reduction to Number of Loading Spaces Required. The Review Authority may waive or reduce the loading space requirement, or allow joint use of loading zones through the Site Plan or Minor Site Plan review process upon finding that the applicant has satisfactorily demonstrated that, due to the specific nature of the use and building, such loading space will not be necessary. When considering a request for joint use of loading zones, the Review Authority shall consider the proximity of the loading zone to the uses being served, the nature of the uses being served, their demand for frequent or continuous loading and the nature of the goods being loaded.

   c. Additional Loading Spaces Required. Additional loading spaces may be required to ensure that trucks will not be loaded, unloaded, or stored on public streets. Such requirement shall be based on the anticipated frequency of truck deliveries.

Table 17.87.200-1. Required Loading Spaces

Use	Floor Area (sf)	Loading Spaces Required
Restaurants and Other Eating and Drinking Establishments	less than 4,000	0
	4,000 to 20,000	1
	20,001 to 50,000	2
	(each additional 50,000)	1
Medical Offices, Personal and Financial Services, Lodging, Hospitals and Similar Treatment Facilities, Commercial Recreation and Entertainment uses	Less than 10,000	0
	10,000 to 100,000	1
	100,001 to 200,000	2
	(each additional 100,000)	1
	Less than 5,000	0

Use	Floor Area (sf)	Loading Spaces Required
Warehouses, Storage Facilities, Manufacturing and Other Industrial uses, General Retail	5,000 to 30,000	1
	30,001 to 80,000	2
	80,001 to 150,000	3
	(each additional 100,000)	1

B. Calculation. The number of loading spaces shall be computed as follows:
   1. If the calculation for loading needs results in the requirement for a fraction of a loading space, the value shall be rounded to the nearest whole number.
   2. In the case of mixed uses, the total number of required loading spaces shall be the sum of the requirements for the various uses proposed for each building.
   3. Requirements for uses not specifically listed herein shall be based upon the requirements for comparable uses listed and upon the particular characteristics of the use as determined by the Director.
   4. No area may be utilized and counted both as a required parking space and a required loading space.
   5. No part of an alley or street shall be used for loading except areas designated by the City for loading.

C. Location and Orientation



   1. Off-street loading facilities shall be located on the same site with the use for which the spaces are required.
   2. Off-street loading facilities shall be designed and located so that loading vehicles are not parked in required setbacks, driveways, or required parking spaces during loading activities.
   3. No loading spaces shall be closer than 30 feet to any property in a residential zone unless completely enclosed within a building, or a uniformly solid fence or wall, or any combination thereof, not less than eight feet in height.
   4. No allowed or required loading space shall be located within 25 feet of the nearest point of any street intersection.
   5. Loading areas shall not face a public right-of-way. Loading spaces shall be located inside of buildings or on non-primary street frontages, alleys, parking areas, and/or at the rear or side of building as specified within PMC Chapter 17.85 (Utilities and Services).
   6. Passenger loading spaces shall be located so that passengers do not need to cross drive aisles to walk from the loading space to the building entryway.
   7. Exceptions. The location requirement may be modified or waived where the Review Authority finds that:
      a. The intended use of the property or the location of or shape of the site and/or existing development warrant a Variance or Minor Exception;

b. That street-facing loading areas will exhibit architectural treatment, or will be enhanced with landscaping, in such a way as to minimize visual and noise impacts, and

c. There are specific features of the site and design of the building such that strict application of the location requirement is impractical.

D. Size

1. All off-street loading facilities shall comply with the following minimum dimensions, except that passenger loading spaces shall be at least 10 feet in width and 20 feet in length:

Table 17.87.200-2. Loading Space Dimensions

Use	Width	Length	Clearance	Turning Radius*
Warehouses and Industrial uses	12 ft	50 ft	15 ft	45 ft
Office Commercial, Retail Commercial, Restaurants	11 ft	30 ft	15 ft	32 ft
** Outside turning radius of the vehicles.*				

E. Loading Design Standards

1. Screening. All loading zones and truck parking areas shall be screened from view by a minimum of an eight-foot-high wall or fence and may be installed in combination with a hedge, vine-covered fence, and landscaping pursuant to PMC Chapter 17.85 (Utilities and Services).
2. Forward Entry. Loading spaces shall be located and designed so that trucks shall not back into a public street or alley, nor shall a loading area be designed to require the use of a public right-of-way for access to a loading dock.
3. Maneuvering Space. Sufficient space for turning and maneuvering loading vehicles shall be provided on the site.
4. Loading Doors. Loading doors should not open toward public streets; when these features must face a street due to prevailing winds or site constraints, they shall be adequately screened.
5. Vertical clearance of all access aisles or drives to loading areas shall not be less than 14 feet above finished surface.
6. Bumpers. Bumper rails shall be provided in loading areas where needed for safety or to protect property.
7. Paving. Loading areas, aisles, and access driveways shall be paved in order to provide a durable, dustless surface and shall be graded and drained to dispose of surface water. Loading areas shall be paved with a minimum of four inches of asphalt over six inches of base material, or as otherwise approved by the City Engineer.
8. Rolling Doors. Hardware for rolling doors shall be placed on the inside of the building.

17.87.210 Bicycle Parking Facilities

A. Short-Term Bicycle Parking. Short-term bicycle parking shall be provided in order to serve shoppers, customers, messengers, guests, and other visitors to a site who generally stay for a short time. Short-term bicycle parking shall be designed in a manner that is architecturally compatible with the primary building.





1. Short-Term Bicycle Parking Spaces Required. Each land use is subject to the short-term bicycle parking requirements as specified in Table 17.87.210-1 (Short-Term Bicycle Parking Requirements). Fractional requirements of half a space or greater shall be considered as a full bicycle rack space.

Table 17.87.210-1. Short-Term Bicycle Parking Requirements

Use	Required Short-Term Bicycle Parking Spaces
Residential Uses	
Multi-family residential with 5 or more units	At least 10 percent of the number of required automobile parking spaces; minimum two spaces per development.
Educational Uses	
Nursery/Preschools, Day Care Centers	One short-term bicycle parking space for every 20 students at planned capacity.
Elementary and Middle Schools	One short-term bicycle parking space for every 20 students at planned capacity.
High Schools	One short-term bicycle parking space for every 10 students at planned capacity.
Colleges and Universities	One short-term bicycle parking space for every 10 students at planned capacity.
Non-Residential Uses	
All other non-residential uses anticipated to generate visitor or customer traffic (e.g., public/civic, retail and commercial, entertainment, etc.)	At least 10 percent of the number of required automobile parking spaces; minimum two spaces per development.

2. Location. Short-term bicycle parking shall be located outside of the public right-of-way, pedestrian pathways and located within 50 feet of the main entrance to the building it serves. Where the bicycle parking area is not visible from the main entrance of the building, signs located at the main entrance of the building shall identify the location of bicycle parking.
3. Access. Safe and convenient access shall be provided from the public right-of-way and internal circulation system to the bicycle parking facilities.

4. Rack Style and Spacing
    a. Rack Style. For each short-term bicycle parking space required, a stationary, securely anchored bike rack/structure shall be provided to which a bicycle frame and one wheel (two points of contact) can be secured with a high-security U-shaped shackle lock if both wheels are left on the bicycle. One such rack may serve multiple bicycle parking spaces. Decorative bicycle racks, such as circular, ring, or bicycle shaped racks are recommended. Wave style racks are prohibited.
    b. Rack Spacing. Racks shall be spaced a minimum of three feet between each other when placed side by side, and a minimum of five feet when placed end to end.
5. Security. Short-term bicycle parking areas shall be lit during hours of darkness for security purposes. The location of bicycle racks should provide for surveillance of the area from the primary building parking and pedestrian access areas, to provide security of the bicycle parking area.
6. Size and Clearance. Each short-term bicycle parking space shall be a minimum of two feet in width and six feet in length and shall be accessible without moving another bicycle. Two feet of clearance shall be provided between bicycle parking spaces and adjacent walls, poles, landscaping, street furniture, drive aisles, and pedestrian pathways and at least five feet from vehicle parking spaces.

B. Long-Term Bicycle Parking. Long-term bicycle parking shall be provided in order to serve employees, students, residents, commuters, and others who generally stay at a site for four hours or longer.





1. Long-Term Bicycle Parking Spaces Required. Each land use is subject to the long-term bicycle parking requirements as specified in Table 17.87.210-2 (Long-Term Bicycle Parking Requirements). Fractional requirements of half a space or greater shall be considered as a full bicycle rack space.

Table 17.87.210-2. Long-Term Bicycle Parking Requirements

Use	Required Long-Term Bicycle Parking Spaces
Residential Uses	
Multi-Family Residential	A minimum of one long-term bicycle parking space shall be provided for every four units for multi-unit residential unit.
Educational Uses	
Nursery/Preschools, Day Care Centers	One long-term bicycle parking space for every 15 employees.
Elementary, Middle, and High Schools	One long-term bicycle parking space per 15 employees; minimum one space.
Colleges and Universities	One long-term bicycle parking space per 15 employees; minimum one space
Other Uses	
Other Uses (commercial, office, etc.)	Any establishment with 15 or more full-time equivalent employees shall provide long-term bicycle parking for five percent of required automobile spaces; minimum one space.
Parking Structures	Long-term bicycle parking shall be provided at a minimum ratio of one space per 20 vehicle spaces.

2. Location. Long-term bicycle parking shall be located on the same lot as the use it serves, outside of the public right-of-way and pedestrian paths, and located within 50 feet of the entrance for which the rack is intended to serve. In parking garages, long-term bicycle parking shall be located within 50 feet of an entrance to the facility. Where the bicycle parking area is not visible from the entrance of the building, signs located at the entrance or in an entry lobby of the building shall identify the location of bicycle parking.
3. Security. Long-term bicycle parking must be:
    a. Within an enclosed bicycle locker;
    b. Within a fenced, covered, and locked or guarded bicycle storage area;
    c. A rack or stand inside a building that is within view of an attendant or security guard or visible from employee work areas or within secure/restricted bicycle storage room; or,
    d. Other secure area approved by the Director.
4. Rack Style and Spacing. Racks, if used, shall be designed and spaced as follows:
    a. Rack Style. Decorative bicycle racks, such as circular, ring, or bicycle shaped racks are recommended. Wave racks are prohibited.
5. Rack Spacing. Racks shall be spaced a minimum of three feet between each other when placed side by side, and a minimum of five feet when placed end to end. Size, Clearance, and Accessibility.
    a. Size. Each bicycle parking space shall be a minimum of two feet in width and six feet in length and shall be accessible without moving another bicycle.
    b. Clearance. Two feet of clearance shall be provided between bicycle parking spaces and adjacent walls, poles, landscaping, street furniture, drive aisles, and pedestrian pathways and at least five feet from vehicle parking spaces.

c. Accessibility. Bicycle parking areas shall be accessible from the public right-of-way or from within the building or parking structure. The access path shall be clear at all times, provide a five-foot minimum width, a three-foot minimum door width, five percent maximum slope, elevator minimum interior dimensions of 80 inches by 54 inches, require no lifting of bicycle over any steps, and provide lighting for the access route and bicycle parking spaces. At least one main access path shall meet all the above listed criteria if multiple access paths are provided.

6. Covered Spaces. One hundred percent of required bicycle parking for multi-unit developments shall be inside buildings, garages, or in bike lockers. At least 60 percent of other required long-term bicycle parking must be covered either inside a building, under roof overhangs or awnings, in bicycle lockers, or within or under other structures.
7. Electric Bicycle Charging. Bike rooms shall provide outlets for charging electric bicycles.

C. Bicycle Repair Stands. Bicycle repair stands have tools to help fix minor maintenance issues, such as adding air to a tire, tightening a loose chain, or adjusting handlebars. To support people bicycling, bicycle repair stands shall be provided as follows:



1. Residential Uses. At least one bicycle repair stand shall be provided for all residential developments with 50 or more units.
2. Non-Residential Uses. At least one bicycle repair stand shall be provided for all non-residential developments with 50 or more employees.

17.87.220 Modification of Parking and Loading Requirements

A. Minor reductions in the number of required parking spaces or configuration to meet requirements of the Americans with Disabilities Act may be granted through approval of a Minor Exception, pursuant to PMC Chapter 17.23 (Variances and Minor Exceptions).

B. Other Exceptions/Reductions through Parking Analysis
The applicant may propose a parking standard that is different than the standards in Table 17.87.060-1 (Required Number of Vehicle Parking Spaces) for review and approval through the Minor Exception process pursuant to PMC Chapter 17.23 (Variances and Minor Exceptions). The applicant's proposal shall consist of a written request and a parking analysis prepared by a qualified transportation professional. The parking analysis, at a minimum, shall assess the average parking demand and available supply for existing and proposed uses on the subject site; opportunities for shared parking with other uses in the vicinity; existing public parking in the vicinity; transportation options existing or planned near the site, such as frequent bus service, carpools, or private shuttles; and other relevant factors.

C. Any other deviation from the requirements of this Chapter not specifically authorized as a Minor Exception shall be deemed a Variance and may be approved pursuant to PMC Chapter 17.23 (Variances and Minor Exceptions).

17.88 Signs

17.88.010 Applicability

This Chapter shall apply to all signs and/or sign structures that are visible from public rights-of-way and private streets, within parking lots and loading areas and from adjacent properties, unless such signs are regulated pursuant to the provisions of an adopted specific plan.

17.88.020 Intent and Purpose

The purpose of this Chapter is to implement the Palmdale General Plan by promoting the growth of the City in an orderly and attractive manner and to provide standards to safeguard life, health, property, and public welfare by regulating and controlling the type, number, area, height, quality of materials, construction, illumination, location, and maintenance of all signs and sign structures. The sign standards of this Chapter are intended to accomplish the following results:

A. Make the City attractive while enhancing economic development through an effective and high-quality signing program. Protect and enhance the character of neighborhoods by preventing visual clutter caused by excessive and obtrusive signage. Promote and maintain healthy commercial, mixed-use, and industrial areas and property values for effective identification and communication of the nature of goods and services and avoidance of wasteful and unsightly signs.
B. Establish uniform Citywide signage standards and requirements that provide for public convenience by directing persons to various activities and uses.
C. Provide a reasonable system of sign control throughout the City consisting of sign type, size, location, illumination, and spacing to contribute toward development of a high-quality visual environment.
D. Encourage signs that are well designed and pleasing in appearance and to provide incentive and latitude for variety, good design, relationship and spacing.
E. Encourage a desirable community character, which has a minimum of visual clutter.
F. Enhance aesthetic appeal through the reasonable regulation of such things as type, number, area, height, location, and illumination of signs.
G. Encourage signs that are properly located, harmonious with adjacent land uses and architecturally compatible.
H. Reduce and, to the extent permissible and practicable, eliminate traffic and safety hazards posed to motorists and pedestrians by outdoor advertising structures and other signs that may distract motorists and pedestrians.
I. Implement the goals, policies, and objectives of the general plan.
J. Encourage pedestrian-oriented commerce by promoting pedestrian-scale signs.
K. Direct persons at entrances of multi-tenant buildings through placement of directory signs or information kiosks where such signage is supported by a compelling governmental interest and/or is government signage.
L. Enhance the community environment by limiting the visual influence of wall signs on structures containing three stories or more.

M. Ensure and protect the constitutional right of free speech by not imposing greater restrictions on noncommercial speech than on commercial speech or advertising.

N. Provide sign criteria that is objective, does not vest City officials with unfettered discretion, and that is aimed at regulating the time, place, and manner of signs as distinguished from the content of the sign. Where content is regulated, the City intends its standards to be narrowly tailored to serve the City's compelling interest in preserving and enhancing its appearance and in protecting motorists and pedestrians from traffic and safety hazards.

O. Bring existing approved sign programs into conformance with current development standards while maintaining the unique characteristics intended for such programs.

P. Provide a reasonable amortization period for the removal of nonconforming signs.

Q. Inventory, identify and abate all illegal, abandoned and improperly maintained signs.

R. Identify precisely those areas and/or zones where the installation of additional outdoor advertising structures should be prohibited due to the importance of such areas to the environmental, economic, or other development goals and objectives of the City.

S. Provide for the relocation of existing legal outdoor advertising structures so as to minimize the adverse effects of such signs on the City's goals and objectives, pursuant to the California Business and Professions Code Section 5412.

T. Remove all outdoor advertising sign structures from the residential areas of the City, pursuant to the California Business and Professions Code Section 5412.

17.88.030 Definitions

A. **Agreement, Billboard Relocation** shall mean an agreement entered into between the City and a billboard owner resulting in removal of an existing outdoor advertising sign structure, reconstruction of the outdoor advertising sign structure on its existing parcel or relocation of the outdoor advertising structure to another parcel of property within the City, subject to the approval of a Conditional Use Permit.

B. **Outdoor Advertising** shall mean the use of a sign or signs soliciting public support or directing public attention to the sale, lease, hire or use of any objects, products, services or functions which are not produced, sold or otherwise available on the premises where such sign is erected or maintained.

C. **Sign** shall mean any object conveying a message and having a visual appearance primarily used for attracting public attention or patronage from the street, sidewalk, or other outside public area. Signs located completely within an enclosed building, and not exposed to view from a street, are not considered a sign for purposes of this Ordinance.

D. **Sign, Abandoned** shall mean any sign associated with a business remaining in place for a period of 90 days or more where the establishment to which the sign is attached has ceased operation or where there is no sign copy appearing on the sign.

E. **Sign, Accessory** shall mean signs that are secondary in purpose and provide information concerning the business and are typically placed on the outer edge of a permanent canopy island structure or that are displayed on or below a canopy projecting from a main building.

F. **Sign, Advertising or Commercial** shall mean any message, the prevailing thrust of which is to propose a commercial transaction.

G. **Sign, Advertising Structure** shall mean a structure of any kind erected, used, or maintained for outdoor advertising purposes, upon which any poster, bill, printing, painting or other advertisement or commercial speech of any kind whatsoever may be placed, including statuary, for advertising or commercial purposes.

H. **Sign, Alteration** shall mean any change of size, shape, illumination, position, location, construction or supporting structure of an existing sign.

I. **Sign, Animated** shall mean a sign having moving parts or lighting, an image projection which creates the illusion of moving parts, or has flashing, chasing, or twinkling lights.

J. **Sign, Balloon** shall mean a flexible, nonporous bag inflated with a gaseous substance, including, but not limited to helium, that is lighter than the surrounding air, which causes the bag to rise and float in the air.

K. **Sign, Banner** shall mean a temporary sign composed of flexible, lightweight material not enclosed in a rigid frame.

L. **Sign, Billboard** shall mean the same as outdoor advertising sign structure.

M. **Sign, Cabinet or Can** shall mean a sign consisting of one or more flat translucent panels containing sign copy affixed to an internally illuminated box or cabinet mounted on a building or monument structure. Such signs are typically illuminated with fluorescent lights. Sign panels may or may not be interchangeable.

N. **Sign, Canopy** shall mean any sign printed or painted on the visible surface of a canopy or awning.

O. **Sign, Change of Copy** shall mean the changing of a message on a lawfully erected sign. A change of copy does not include the following (all of which acts shall be considered as the placing of a new sign): any alteration or reconfiguration of the outside dimensions of a sign, any structural modifications of a sign and/or relocation of all or any portion of a sign.

P. **Sign, Changeable Copy** shall mean a sign on which message copy can be changed manually through use of attachable letters and numerals.

Q. **Sign, City Kiosk Program** shall mean a uniform off-site directional sign program, administered by the BIA or an agency as determined by resolution of the City Council for the purpose of providing travel directions.

R. **Sign, Construct** when used with reference to a sign, shall mean to install, erect, or place on the ground or on a building structure, or to affix, paint or post on or to a building or structure.

S. **Sign, Copy** shall mean either commercial speech or noncommercial speech messages.

T. **Sign, Digital Advertising Display** shall mean an electronic advertising display where the message is changed more than once every two minutes, but no more than once every six seconds and the transition between messages is no more than one second. A digital advertising display shall not be considered an electronic reader board or animated sign as those terms are otherwise defined herein.

U. **Sign, Directional** shall mean any sign that serves solely to designate the direction or the location of any place or area and is placed on the property to which the public is directed. Distinctions for directional signs within this Chapter are limited to those situations where there is a

compelling government interest and/or where the directional sign qualifies as a government sign.

V. **Sign, Directory** shall mean a sign or a set of similarly designed individual signs placed or displayed in sequence, to list the location of various units within a development. Distinctions for directory signs within this Chapter are limited to those situations where there is a compelling government interest and/or where the directory sign qualifies as a government sign.

W. **Sign, Double-Faced** shall mean a sign with copy on two faces, legible from opposite directions.

X. **Sign, Electronic Reader Board** shall mean a sign that contains a video screen, rows of light bulbs or other type of electronic display, which when activated forms messages, symbols, or graphics. Electronic reader boards do not include Outdoor Advertising Sign Structures utilizing Digital Advertising Display pursuant to PMC 17.88.150.~~(~~E~~)~~.

Y. **Sign, Externally Illuminated** shall mean any sign constructed to have artificial light shone on the sign face from a lighting source that is external to the sign structure.

Z. **Sign, Flashing** shall mean the same as **Animated Sign**.

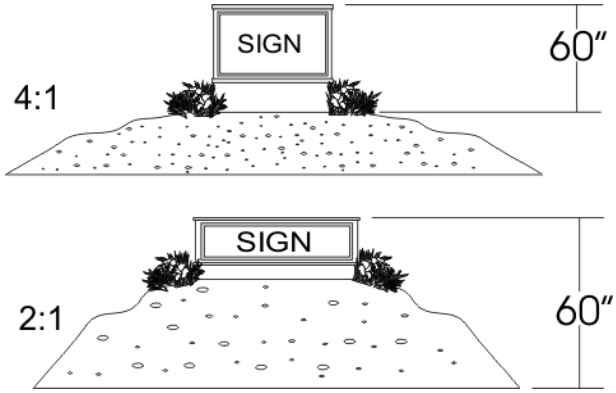
AA. **Sign, Freestanding** shall mean any sign supported by structures or supports that are placed on, or anchored in, the ground, which are independent from any building or other structure. This definition may include pole signs, ground signs and monument signs.

BB. **Sign, Government** shall mean a sign erected and maintained by the Federal, State, or local government, or any other public agency. **Government Sign** shall also mean a sign that is required to be constructed, placed, or maintained by the Federal, State, County, or local government or any other public agency either directly or to enforce a property owner's rights. **Government Sign** shall also include a sign erected and maintained by any person authorized by the City pursuant to resolution, license, or agreement, as part of the City kiosk sign program or the government sign section, which may include a digital advertising display or an electronic reader board.

CC. **Sign, Halo** shall mean a sign that directs light toward the wall behind the sign or lettering rather than outward creating a halo or negative effect.

DD. **Sign, Height of Freestanding** shall mean the greatest vertical distance measured from ground surface to the top of the freestanding sign and any accompanying architectural feature of the sign. Intentional changes in the elevation of the ground surface by mounding within landscape areas utilizing more than a 3:1 slope in order to achieve an increased overall height shall be counted in the calculation of sign height.

Figure 17.88.030-1. Freestanding Sign Height



EE. **Sign, Height of Nonfreestanding** shall mean the greatest vertical distance measured from the bottom to the top of the sign area.

FF. **Sign, Human** shall mean any person having a visual appearance primarily used for, or having the effect of, attracting attention from the streets, sidewalks, or other outside public areas for identification purposes to convey a commercial message. Noncommercial messages shall not be considered within the definition of human signs.

GG. **Sign, Illegal Nonconforming** shall mean any sign structure which did not conform to applicable laws and/or was not granted a sign permit when constructed and has not been brought into full conformity by a specific remedy provided in this Ordinance.

HH. **Sign, Information Kiosk** shall mean a freestanding or wall-mounted sign structure, other than an outdoor advertising structure, billboard, or monument sign, that is designed to display a collection of two or more on-site signs or noncommercial signs.

II. **Sign, Internally Illuminated** shall mean any sign constructed to have artificial light shone on the sign face from a lighting source that is inside the sign structure.

JJ. **Sign, Legal Nonconforming** shall mean any sign that was lawfully erected, with all necessary permits, but due to a change in the law, fails to conform to all applicable standards and limitations of this Ordinance.

KK. **Sign, Maintenance** shall mean the repair, restoration or preservation of an existing sign or sign structure to a condition or state similar to, but not larger than, that which was originally installed, erected, or approved by the City.

LL. **Sign, Marquee** shall mean a freestanding structure, wall sign or a structure that overhangs the entrance of a building or projects beyond a building facade, on which a changeable copy sign is affixed, including, but not limited to those typically displayed outside theaters, hotels, schools, or churches. Individual letters are changed manually on such signs as opposed to electronically.

MM. **Sign, Monument** shall mean a low-profile, ground-mounted freestanding sign that is supported by a solid base as an essential element of the design of the sign.

NN. **Sign, Neon** shall mean a sign constructed of tubing that is illuminated by means of a gas or vapors. Decorative or other architectural elements on buildings consisting of neon tubing are not included in this definition.

OO. **Sign, Official** shall mean signs that help direct pedestrians and motorists away from roadway hazards, toward public services, and informs those persons of the applicability of certain traffic regulations which are required to be erected by the City, the State Department of Transportation, or any other public agency.

PP. **Sign, Off-Site/Off-Premises Commercial** shall mean a sign displaying a permanent commercial message that is not located on the site of the business, accommodations, services, or commercial activity served by the sign.

QQ. **Sign, On-Site/On-Premises Commercial** shall mean a sign that is located on the site of the business, accommodations, services, or commercial activity served by the sign.

RR. **Sign, Outdoor Advertising Structure** shall mean a panel or billboard affixed to the ground, enclosed in a rigid frame used to display paid commercial and noncommercial messages or advertisements in outdoor public places, such as alongside highways.

SS. **Sign, Painted** shall mean a wall sign painted directly onto the surface of a building or onto a separate flat surface that is attached to the side of a building.

TT. **Sign, Pole** shall mean a permanent freestanding sign supported by one or more posts, columns or poles that are not enclosed in a solid structure equal in width to at least one-quarter the sign face and where the portion of the unenclosed posts, columns or poles exceeds 18 inches in height. This definition shall not include in whole or in part electronic reader boards or digital advertising displays.

UU. **Sign, Projecting** shall mean a sign that is attached to and projects away from the side of a building. Such signs are typically oriented for pedestrian visibility and are viewed perpendicular to the face of the building.

VV. **Sign, Reader Board** shall have the same definition as the term Electronic Reader Board.

WW. **Sign Relocation** shall mean to move a sign from one location to another or to remove a sign from one location and construct a similar sign at another location.

XX. **Sign, Roof** shall mean any sign erected upon, against, or directly above a roof, or projecting above the parapet of a building. Signs erected completely below the uppermost roof line on a mansard roof shall not constitute a roof sign.

YY. **Sign, Secondary Skyline** shall mean a wall sign that is placed below the second floor of a building consisting of three stories or more.

ZZ. **Sign, Skyline** shall mean a wall sign that is placed above the windows of the highest floor of a building consisting of three stories or more.

AAA. **Sign, Temporary** shall mean a sign that is displayed for the specific period of time of an event and which is removed immediately after the completion of the event or time period.

BBB. **Sign, Under-Canopy** shall mean signs suspended no lower than eight feet above the public right-of-way or a walkway under a canopy or awning of a building.

CCC. **Sign, Unlawful** shall mean a sign which was constructed illegally and which violates this Chapter, or which the Director declares to be unlawful because it has become dangerous to public safety.

DDD. **Sign, Upgrade** shall mean any activity intended to improve the design quality and aesthetic appeal of an existing sign, display, or device by modifying structural elements of, or providing substantial cosmetic enhancements to, such sign, display or device.

EEE. **Sign, Vehicle** shall mean any sign painted directly upon, magnetically affixed to or permanently affixed to the body or other integral part of an operative vehicle or trailer; provided, that the maximum number of such signs is two and the maximum size of each sign is four square feet.

FFF. **Sign, Wall** shall mean a sign attached to, painted, or erected on the exterior wall of a building or structure with the exposed face of the sign in a plane approximately parallel to the plane of the exterior wall.

GGG. **Sign, Window** shall mean a sign constructed of paper, canvas, cardboard or painted with water soluble pigment which is to be displayed on the inside of a glass window surface or painted on the outside of a window. This term does not include merchandise located in a window.

HHH. **Sign Area** shall mean the entire area within a single continuous perimeter composed of squares or rectangles which encloses the extreme limits of the writing, representation, emblem, or any figure, together with any frame, background area, structural trim, or other material, including any light or color that forms an integral part of the display which is used to differentiate the sign from the background upon which it is placed. In the case of a sign designed with more than one exterior surface, the area shall be computed as including only the maximum single display surface, which is visible from any ground position at one time. The supports or uprights on which any such sign is supported shall not be included in determining the sign area unless such supports or uprights are designed in such a manner as to form an integral background of the display.

Figure 17.88.030-2. Sign Area



III. **Sign Face** shall mean the surface or that portion of a sign upon which the sign copy or message is located that is visible from a single point as generally a flat surface or a single plane.

JJJ. **Sign Program** shall mean an approved plan by the Director setting forth all signage for an approved commercial, business, or industrial center.

KKK. **Sign Structure** shall mean any structure, which supports, has supported, or is capable of supporting a sign, including decorative cover.

LLL. **Speech, Commercial** shall mean any message, the prevailing thrust of which is to propose a commercial transaction.

MMM. **Speech, Noncommercial** shall mean any message that is not determined to be commercial speech as defined herein. Speech that is determined to be obscene shall not be included

NNN. **Structure, Advertising** shall mean a structure existing, erected or maintained to serve exclusively as a stand, frame or background for the support or display of signs.

17.88.040 Sign Permit Requirements and Procedures

Except as otherwise provided in this Chapter, no person shall cause or permit the construction, enlargement, remodeling, or upgrade of any sign without first obtaining a sign permit pursuant to the provisions of this Section, and any other permits required by law. Legally established signs becoming nonconforming as a result of this Chapter shall be subject to amortization pursuant to PMC Section 17.88.150 (Outdoor Advertising Sign Structures (Billboards)). Any person or entity engaged in the business of constructing signs in the City shall have a valid State contractor's license and a City business license.

In each instance, and pursuant to the same conditions to which this Chapter permits any sign with a commercial message, a sign containing a noncommercial message and constructed to the same physical dimensions, character, and standards shall be allowed.

A. Application Requirements. An application for a sign permit shall be made on the appropriate form(s) provided by the Director. A processing fee established by resolution of the City Council for new sign permits shall accompany applications. Applications for new sign permits shall contain all of the following information and materials:
    1. Project location
        a. Address or nearest cross streets
        b. Assessor's parcel number (for vacant land)
    2. Name of business (if applicable);
    3. Name, address, and phone number of person and firm preparing application;
    4. Applicant or applicant's authorized leasing agent name, signature, and telephone number;
    5. Description and number of signs requested, including all accessory signs;
    6. Drawing depicting dimensions, design, colors and materials of the sign or sign structure(s);
    7. Construction specifications for method of attachment of the sign to the ground or structure and illumination;
    8. Building elevation (for wall signs) depicting the dimensions, color and materials of the building or leaseholder unit where sign is to be attached. A photograph may be used to show the color and material of the building;
    9. Site plan (for freestanding signs). Showing the intended location and position of the proposed sign; distance to existing or future structures, parking facilities, any outdoor seating areas, other freestanding signs, property lines, roadways, and driveways on or adjacent to the parcel where the sign is to be located; and
    10. Grading Plans (for freestanding signs), demonstrating grade elevation within landscaped areas in relationship to the public right-of-way in immediate proximity of proposed sign structure(s).
B. Review Process. An application for a sign permit to construct a new sign or to enlarge or upgrade an existing sign for an existing building shall be submitted on the appropriate form(s) provided by the Director and accompanied by a processing fee established by resolution of the City Council. The Director shall approve the sign permit if the Director finds that such application satisfies the standards set forth in PMC Section 17.88.040.C (Criteria for Approval) of this Section and the provisions of this Chapter. Otherwise, the Director shall deny the sign permit, in

which case the applicant shall be notified in writing the reason(s) why the application was denied. All decisions of the Director may be appealed pursuant to PMC Section 17.20.110 (Appeal Procedures).

C. Criteria for Approval. The following findings shall be made for approval of any sign permit for a sign or sign structure regulated by this Chapter:
   1. The sign complies with the applicable provisions of PMC Section 17.88.090 (General Development Standards), for permanent sign structures regulating the allowable sign area, location, setbacks, orientation, design, construction, materials, colors, and illumination; and,
   2. The sign complies with the adopted sign program for the site, which regulates the size, color, lettering, location, and other design elements specified in the sign program (if applicable).

17.88.050 Change of Copy Requirements and Procedures

The application for a change of copy on an existing legally established and legally existing sign shall be made on the appropriate form(s) provided by the Director. Any person or entity engaged in the business of constructing signs in the City shall have a valid state contractor's license and a City business license. In each instance, and pursuant to the same conditions to which this Chapter permits any change of copy, a sign containing an ideological, political, religious, or other non-commercial message and constructed to the same physical dimensions, character, and standards shall be allowed.

A. Applications for a change of copy shall contain all of the following information and materials:
   1. Project location including address or nearest cross streets, assessor's parcel number (for vacant land), and name of business (if applicable);
   2. Name, address, and phone number of person and firm preparing the application;
   3. Applicant or applicant's authorized leasing agent name, signature, and telephone number;
   4. Description and number of signs for which change of copy is requested; and,
   5. Previously approved sign plans depicting sign area, dimensions, colors, design and materials, and method of illumination of the original sign or sign structure.

B. Review Process. An application for a change of copy to upgrade an existing sign shall be reviewed by the Director following submittal of a complete change of copy application. The Director shall either approve the requested change of copy if the Director finds that such application satisfies the standards set forth in PMC Section 17.88.050.C (Criteria for Approval) of this Section and the provisions of this Chapter or the Director shall deny the sign permit, in which case the applicant shall be notified in writing the reason(s) why the application was denied. All decisions of the Director may be appealed pursuant to PMC Section 17.20.110 (Appeal Procedures).

C. Criteria for Approval. The following findings shall be made for approval of any change of copy regulated by this Chapter:
   1. The requested change of copy is to change the face of a legally-established sign structure that was issued all required permits at the time the sign was originally constructed;
   2. The sign structure to which the change of copy is requested is of sufficient integrity and strength to adequately support the sign copy; and,

3. The requested change of copy does not alter or reconfigure the outside dimensions of the sign, structurally modify the sign, or relocate the sign from its original construction.

17.88.060 Sign Program Requirements and Procedures

Anyone wishing to establish a new sign program for the purpose of establishing a coordinated project theme consisting of uniform design elements for multiple tenants and/or for modifying the spacing, location, size, or height requirements for signs may apply for a sign program pursuant to this Section. Elements not specified as a component of the sign program shall comply with all applicable City sign standards as required pursuant to this Chapter. A processing fee established by resolution of the City Council shall accompany applications for new sign programs along with the following:

A. Application Requirements. New applications for sign programs shall contain the following information and materials.

B. Sign Program Specifications. The following shall be submitted in support of an application for a sign program at a minimum. Where appropriate, illustrations shall be included.
   1. Size and material specifications;
   2. Method of attachment;
   3. Method of illumination;
   4. Architectural design enhancements;
   5. Location(s) of signs;
   6. Major or other tenant sign specifications, provided total center sign area is not exceeded;
   7. Letter style, font, color, and/or height specifications;
   8. Spacing standards for signs; and,
   9. Additional sign restrictions, which may include prohibited signs.

C. Review Process. Applications for new sign programs shall be submitted on the appropriate form(s) provided by the Director and accompanied by a processing fee established by resolution of the City Council. The Director shall approve the application if the Director finds that such application satisfies the standards set forth in PMC Section 17.88.060.D (Criteria for Approval) of this Section and conforms to the provisions of this Chapter. Otherwise, the sign program shall be denied and the applicant shall be provided with the reason(s) for the denial in writing from the Director. All decisions of the Director may be appealed pursuant to PMC Section 17.20.110 (Appeal Procedures).

D. Criteria for Approval. An application shall be approved so long as it complies with the following criteria:
   1. The sign program establishes a coordinated project signage theme or modifies the spacing or location standards within an approved commercial, business, or industrial center; and,
   2. The sign program meets all of the provisions contained in this Section.

17.88.070 Exemptions to Sign Permit Requirements

The following signs shall be allowed without the requirement of a sign permit in all zones, except as specified herein in which case such signs shall comply with PMC 17.88.040 (Sign Permit Requirements

and Procedures). All exempt signs shall be subject to PMC 17.88.090 (General Development Standards), and PMC 17.88.180 (Administration):

A. Bus Shelter Signs. Signs located on bus shelters as specifically allowed by resolution of the City Council.

B. Flags. One flagpole per developed parcel with a maximum of two flags, not to exceed 35 feet in height and 25 square feet in area. One additional flagpole with up to two additional flags may be allowed subject to approval of a sign permit.

C. Information Kiosks. Information kiosks that are allowed by the zone as an accessory use and shall not exceed six feet in height or 16 square feet in area per face (maximum 32 square feet for a multi-sided kiosk). Information kiosks may be located within public property or right-of-way, subject to approval by the Director of Public Works or his/her designee. Wall-mounted signs are not exempt and are subject to the sign standards for the zone.

D. Interior Signs. Signs located inside a building, structure, or mall provided the sign copy is not visible to the public right-of-way or a parking lot or is not located so as to be conspicuously visible and readable without intentional and deliberate effort from outside the building, structure, or mall.

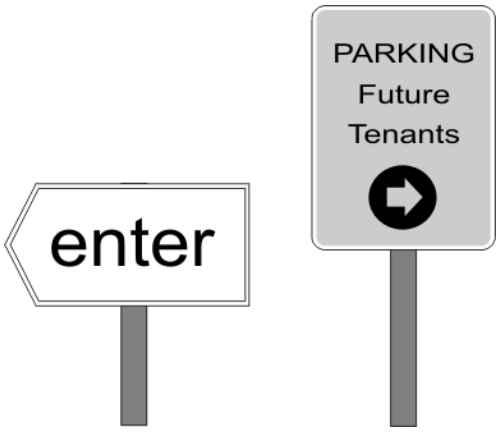
E. Home-based Business Signs. Mandatory signs required by Federal, State, County, or other agencies for home-based businesses.

F. Light Pole Banners. Light pole banners as specifically allowed pursuant to PMC Section 17.88.130 (Government Signs).

G. Government Signs. Signs as specifically allowed pursuant to PMC Section 17.88.130 (Government Signs).

H. On-site Directional Signs. The City has a compelling interest in ensuring traffic safety, and to directly advance that interest, the City will allow on-site directional signage so as to assist and direct traffic circulation into, out of, and through parking lots on private property. On-site directional signs shall be limited in number to five signs. Developed sites that have more than one frontage shall be allowed four signs per frontage up to eight total signs. The maximum area for such signs shall not exceed six square feet in area per sign and eight feet in height. Up to three times the allowable sign area and an additional four feet in height may be allowed with approval of a sign permit when it can be reasonably justified that due to the subject property or use, visibility constraints exist which justify larger signage.

Figure 17.88.070-1. On-Site Directional Signs



I. Official Signs. The City has a compelling interest in facilitating traffic safety for pedestrians and motorists. This interest is directly advanced by having official signs that help direct pedestrians and motorists away from roadway hazards, toward public services, and informs those persons of the applicability of certain traffic regulations. To accomplish this compelling purpose, the City finds that it shall allow for such signs to be erected, moved, and changed by governmental officials with minimal regulation from the Economic and Community Development Department. For these reasons, the City hereby exempts the following signs from its sign permit requirements and development standards. Official traffic, fire and police related signs, temporary traffic-control signs used during construction, utility facilities and substructure location and identification signs and markers required to protect said facilities, and other signs and markers required by the City, the State Department of Transportation, or any other public agency.

J. Signs Accompanying the Sale of Personal Property. One sign not exceeding four square feet in area may be placed on residential property where personal property is displayed for sale pursuant to the provisions of this Ordinance.

K. Signs on Vehicles. Vehicle signs, as defined in PMC Section 17.88.030 (Definitions), provided that the vehicle is not parked in a required parking space adjacent to a public right-of-way for the primary purpose of advertising. Any signage required by state law or local ordinance to be affixed to a vehicle, or vehicle signage required to protect public health, safety, and welfare is also exempt.

L. Temporary Signs. The City has a compelling interest in making the City attractive to residents, visitors, and business owners. To accomplish this interest, the City finds it necessary to establish standards for temporary signs and to regulate their duration. All temporary signs in the City shall be subject to the following:

   1. Number. No more than one temporary sign shall be allowed per authorized use as specified in this Section.
   2. Permission. Temporary signs may be placed on private property with the owner's permission. Nothing in this subsection shall prohibit the owner of a piece of property, or his or her authorized representative, from removing a temporary sign from his or her property when the sign has been erected without his or her consent; and provided, further, nothing

in this subsection shall prevent the Director, Code Enforcement staff, or other authorized representative of the City from taking action to abate sign violations.

3. Illumination. Temporary signs shall be non-illuminated.

Figure 17.88.070-1. Temporary Sign



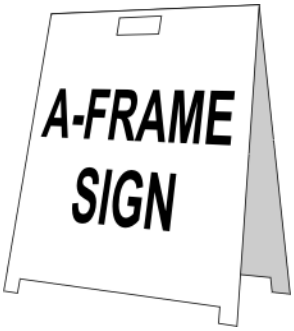
4. Removal. When displayed for a specific event or activity, temporary signs shall be removed within 10 calendar days of the advertised event or activity.
5. Temporary Noncommercial Signs. No person shall remove, destroy, relocate, or otherwise disturb any temporary noncommercial sign, or direct, permit or allow such removal, destruction, relocation, or disturbance, without the permission of the party who erected the sign. It shall be presumed, as to signs for political candidates, that the political candidate or his or her representative is the party who erected the sign. It shall further be presumed that the committee who has registered with the Secretary of State to support a position on a ballot proposition is the party who erected the sign taking the position on the ballot measure.
6. Temporary On-site Commercial Signs. Temporary on-site commercial signs may be displayed as follows:
    a. During the period that a valid Grading or Building Permit exists.
    b. For a maximum of 60 calendar days after the issuance of a business license for a new business. A new business may include an existing business under new ownership but does not include an existing business under new management. The size of a new business banner utilized pursuant to this Section shall be as allowed under PMC 17.88.100 (Temporary Banner Permit for Commercial and Industrial Properties).
    c. During the seasonal sale of agricultural products lawfully produced on the property.
    d. During the period when property is for sale, lease or rent.
    e. As a part of an approved Temporary Use Permit or Special Event Permit as specified in PMC Section 17.26.100 (Temporary Use and Special Event Permits) for:
        i. Parking lot and sidewalk sales;
        ii. Grand openings and anniversary events;
        iii. Outdoor art and craft shows and exhibits;
        iv. Bazaars, pony rides and festivals;
        v. Mobile health services;
        vi. Christmas tree lots, pumpkin lots, haunted houses, and firework stands; and,
        vii. Circuses, carnivals, rodeos concerts, shows, or similar enterprises.

f. Inflatable Displays. Inflatable displays may be approved by the Director for a period of time not to exceed an aggregate total of 45 days per calendar year and 14 consecutive days, and shall only be approved as part of a Special Event or Temporary Use Permit, as provided for in PMC Section 17.26.100 (Temporary Use and Special Event Permits). Inflatable displays shall be securely fastened, ground-mounted and maintained in a good condition. Inflatable displays do not include balloons typically found in retail stores.

g. Temporary on-site commercial signs allowed pursuant to this Section may also display noncommercial messages.

7. A-frame Signs. One temporary A-frame or similar impermanent freestanding sign is allowed for any use located within the Mixed-Use zones and civic center where pedestrian-oriented use is encouraged. Such signs shall be non-illuminated and not exceed five square feet per side (maximum two sides) and a height of five feet. Signs shall be constructed using a minimum of industrial grade particleboard (or equivalent) and designed with radius edges, unexposed hinges, and feet. Only oil-based paints shall be used for painted signs, which shall be professionally painted. Placement of A-frame signs shall not impede pedestrian or handicap access.

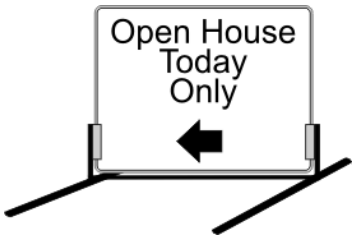
Figure 17.88.070-2. A-Frame Sign



8. Temporary Off-site Commercial Signs. Temporary off-site commercial signs are allowed in the single-family residential zones as follows:

a. Temporary off-site commercial signs shall be freestanding only and shall not be affixed to posts or utility poles or pushed or hammered into the ground. Such signs shall be formed from aluminum or a hard plastic material (or equivalent) pursuant to current industry standards. Cardboard or paper signs are not allowed. Signs shall not exceed six square feet in area and three feet in height. Signs shall be of sufficient weight in order to keep upright and in place. No reflective paint or day-glo colors are allowed. Signs shall not include balloons, ribbons, pennants, streamers, or other attachments.

Figure 17.88.070-3. Temporary Off-Site Commercial Sign



b. Signs shall not be placed within subdivision landscape easements.

c. Up to one such sign may be located at any one corner of an intersection provided handicap access is maintained.

d. No sign shall be placed upon any private property without first obtaining permission from the owner of such property.

e. No sign shall be placed within the public right-of-way without approval of an encroachment permit issued by the City Engineer. A minimum clearance of four feet shall be maintained at all times for safe pedestrian access on public sidewalks. Signs may not be located on center medians or within the public street where vehicles travel. Where the public right-of-way extends into a parkway strip, signs shall be placed so as not to cause damage to landscaping and/or irrigation systems. One or more signs may be approved with an encroachment permit. Signs that do not comply are subject to removal pursuant to PMC Section 17.88.160 (Amortization and Abatement of On and Off-Premise Signs, Sign Programs and Outdoor Advertising Sign Structures).

f. Signs may be displayed only during daylight hours on weekends, holidays, and one day during the week.

g. Temporary off-site commercial signs allowed pursuant to this Section may also display noncommercial messages.

M. Window Sign, Permanent. One permanent non-illuminated window sign not exceeding four square feet in area.

N. Window Signs, Temporary. Temporary window signs not exceeding 25 percent of the window area provided visibility into the building is maintained.

O. Strand Lights. Strand lights or similar outdoor lighting within areas where people dine or otherwise publicly congregate that is intended as festive ornamentation to be used on a year-round basis.

17.88.080 Prohibited Signs

The following signs are prohibited, except as otherwise expressly allowed pursuant to this Chapter:

A. Animated signs.
B. Balloons or other inflatable, wind activated, or spinning devices that are typically available in retail stores, except as exempted pursuant to PMC Section 17.88.070 (Exemptions to Sign Permit Requirements).
C. Banner signs as permanent signage; however, temporary banners may be exempt as specified pursuant to PMC Section 17.88.070.L.6 (Temporary On-Site Commercial Signs) or allowed pursuant to PMC Section 17.88.100 (Temporary Banner Permit for Commercial and Industrial Properties).
D. Cabinet signs with little or no decorative elements.

Figure 17.88.070-4. Plan Cabinet Sign



E. Cardboard signs exposed to the outdoor elements.
F. Electronic reader board signs, excluding government signs.
G. Flags, except as expressly allowed pursuant to this Chapter.
H. Flashing signs.
I. Human signs.
J. Off-site signs, except as exempted pursuant to PMC Section 17.88.070 (Exemptions to Sign Permit Requirements).
K. Paper signs exposed to the outdoor elements.
L. Pennants, strings of pennants, or streamers.
M. Portable or A-frame signs, except as allowed pursuant to PMC Section 17.88.070 (Exemptions to Sign Permit Requirements).
N. Revolving signs, excluding barber shop poles.
O. Roof signs.
P. Signs that create a safety hazard by obstructing the clear view of pedestrian and vehicular traffic.
Q. Signs that display a message, graphic representation, or other image that is obscene as that term is defined in Section 311 of the Penal Code.
R. Signs, which by their color, design, location, or illustration resemble, distract attention from, or conflict with any traffic control device.

S. Signs within the public right-of-way or upon public property (except where approved or required by a government agency and exempted pursuant to PMC Section 17.88.070 (Exemptions to Sign Permit Requirements)), including, but not limited to, any notice, placard, bill, card, poster, sticker, banner, sign, advertising, or other device affixed or attached to or upon any public street, walkway, crosswalk, or other right-of-way, curb, lamp post, hydrant, tree, telephone booth or pole, lighting system, or any fixture of the police or fire alarm system.

T. Signs Mounted on Vehicles. No person shall park any vehicle on a public right-of-way or in a location on a private property that is visible from a public right-of-way, which has attached thereto or suspended therefrom any sign, except as exempted pursuant to PMC Section 17.88.070 (Exemptions to Sign Permit Requirements). This Section shall not preclude the display of bumper stickers.

17.88.090 General Development Standards

The following general provisions are applicable to all signs and sign structures regulated by this Chapter, excluding signs within sign programs or specific plans. These general provisions apply in addition to any specific standards in this Chapter.

A. Sign Area. Unless otherwise specified in this Chapter, the maximum allowed sign area for signs shall be calculated based on the acreage and frontage of a property and/or the length of the building elevation upon which the sign is to be attached. Wall signs for multiple tenant buildings shall be based upon the lineal building frontage occupied by each tenant as specified by the zone.

B. Locational Criteria. All signs shall be subject to all applicable standards for the zone in which the proposed sign is to be located, pursuant to PMC Section 17.88.100 (Temporary Banner Permit for Commercial and Industrial Properties) through 17.88.120 (Signs in Non-Residential and Mixed-Use Zones). Unless otherwise expressly provided in this Chapter, no sign shall be erected or used for business purposes of any kind, except such sign(s) as shall be located on the site of the place of business, enterprise, or calling which is reasonably related to the products or services available on or within those premises. Sign location shall not obstruct motorists' visibility by considering driveway placement, long-term growth of landscaping, and adjacent and/or future development. No signs may be located in or adjacent to the public right-of-way, or private drive aisle or driveway in such a manner that it obstructs the clear view of pedestrians and/or vehicular traffic or constructed so as to obstruct any window, door, fire escape, or other emergency exit of any building. In addition, the following additional location criteria shall be maintained:

   1. Wall-mounted signs shall not project above the parapet, canopy, fascia, wall, or roofline to which they are attached.
   2. Freestanding signs shall not block visibility of motorists in order to maintain traffic safety, or from outdoor seating areas to preserve views. Freestanding signs shall not be placed in such a manner that obstructs any portion of a traffic control device as regulated by the California Manual on Uniform Traffic Control Devices, as viewed by a driver, pedestrian, or bicyclist, as is appropriate for the type of device. Freestanding signs shall be set back and spaced along street frontages as specified in this Chapter.

3. Except where approved or required by a government agency or as otherwise expressly allowed pursuant to this Chapter, no sign may be stuck, glued, painted, pasted, posted, nailed, stapled or otherwise affixed or attached to or upon any public street, walkway, cross walk or other right of way, curb, lamp post, transit bench or shelter, trash receptacle, fire hydrant, tree, telephone booth or pole, lighting system or any fixture of the police or fire alarm system, any existing sign, or upon any other public property.

C. Setbacks. All freestanding signs shall be set back a minimum of one foot from the public right-of-way.

D. Orientation. On-site signs shall be oriented so as not to create confusion and shall be visible to pedestrians, motorists and/or other passersby from the front, side, or rear of the building to which it is intended; however, wall signs located within commercial or industrial zones shall not face directly onto residentially designated property.

E. Methods of Attachment. Wall signs shall be attached to the sides of structures with fasteners that are either concealed from clear view or treated to match the building. Projecting signs shall utilize decorative methods of attachment in instances where their visibility cannot reasonably be concealed. Freestanding signs shall be secured to the ground utilizing a solid support base consisting of solid materials such as concrete, block, stone, or brick rather than poles with veneer covers.

F. Design. Signs and sign structures shall be professionally designed, pursuant to industry standards, and clearly understood for their intended purpose. Signs shall incorporate a classic style that will not quickly become outdated. On-site freestanding signs adjacent to the roadway shall be designed to include break-away features that are forgiving and crash-worthy. Signs shall not be designed to mimic traffic control devices, traffic warning devices, traffic regulating or directional way-finding signs. In addition, the following additional criteria of design shall be incorporated into new signs:

1. Wall signs

   a. Wall signs shall consist of one of the following types of signs:

Figure 17.88.090-1 Channel Letter Sign



Figure 17.88.090-2 Contour Sign



Figure 17.88.090-3 Cabinet Sign



Figure 17.88.090-4 Printed Sign



i. Individual raised letters or symbols (channel letter);

ii. Custom contour enclosure; or

iii. Professionally custom painted.

b. Signs attached to buildings shall project no less than one inch and no more than 18 inches from the structure.

2. On-Site Freestanding Sign Structures

a. Signs shall be architecturally integrated into the overall development of the site with respect to color, material, and design, except that pole signs may utilize metal for the sign structure regardless of building materials on site.

b. Minor architectural features such as cornices, roof pitches and archways, which are similar to those of the building(s) shall be incorporated into the design of the sign structure. Such features may increase the allowable size of structures by 25 percent, exclusive of sign face and base. Freestanding can signs with no architectural features are not allowed.

Figure 17.88.090-5 Architecturally Treated Freestanding Sign



c. The shape or appearance of freestanding signs shall not depict inanimate objects, animals or human beings.

d. The depth of sign structures shall be a minimum of six (6) inches and a maximum of 24 inches, exclusive of the base. Sign structures exceeding 24 inches in depth may be considered provided the total sign area allowed for a double-faced sign is not exceeded and the sign structure meets all other criteria for approval.

e. Panel inserts for multi-tenant freestanding sign structures shall be uniform in color and typeface.

G. Substitutions

1. Marquee signs may be substituted for wall or freestanding sign structures pursuant to the definition of a marquee sign pursuant to PMC Section 17.88.030 (Definitions).
2. Projecting signs may be used in place of wall signs provided they do not exceed one-half of the allowable wall sign area and the sign meets all other provisions in this Section.
3. Canopy signs may be allowed in place of or in addition to wall signs as specified in PMC Section 17.88.090.O (Canopy/Awning Signs) of this Section.

H. Construction. All signs and sign structures shall be professionally constructed pursuant to industry standards. All parts, portions, units, and materials, comprising all signs, together with the frame, background, supports, or anchorage for all sign structures, shall be manufactured, fabricated, assembled, constructed, and erected pursuant to all applicable Federal, State, County, and City laws and standards.

I. Materials. Construction materials for all components of signs shall consist of durable, long-lasting materials that hold up to the extremes inherent in Palmdale's desert environment, including heat, cold and wind for long-term durability, as well as damage caused by nesting birds and other environmental constraints of the region. Individual foam letters shall be covered with a solid material to prevent damage by birds, sun, and harsh weather.

J. Colors. Earth tones and subdued colors such as maroon, brown, tan, gray, peach, cream, or white shall be used for the sign face or sign structure. Primary colors such as red, green, blue, yellow, orange, purple, pink, and black may be used for letters, symbols, graphics, or minor accents; however, except in the case of temporary signs, such colors shall not be used for the sign face or sign structure. Day-glo colors may only be used as minor accents to the overall sign. Reflective paint is not allowed.

K. Illumination. The City has a compelling interest in promoting traffic safety for pedestrians and motorists. To achieve this interest, it is necessary to minimize excessive lighting of signs that may distract pedestrians and motorists or produce hazardous light and glare into the eyes of motorists, and to do so by conditioning the type and intensity of the lighting and its appropriateness for the planned location and orientation of the sign. In addition, no sign shall be illuminated in such a way that mimics a traffic signal or traffic control device.

The method of illumination for all types of signs is an important design element. However, the intensity or glare of the illumination may cause a visual distraction, safety hazard or public nuisance. The Director shall determine any required measures necessary to reduce possible negative impacts on adjacent structures, roadways, or surrounding land uses. New light fixtures

added to the exterior of an existing building for the purpose of sign illumination shall be subject to the specifications of PMC Section 17.86.030 (Outdoor Lighting). Any sign that requires approval of an electrical building permit shall utilize only approved electrical components that are properly listed and tested by an acceptable testing agency and approved by the City's Building Official. No illuminated sign or lighting device shall be placed or directed so as to permit or cause glare or reflection which may constitute a traffic or safety hazard or interfere with the use and enjoyment of a public street, walkway, or adjacent properties by having a blinding effect on residents, motorists, or pedestrians, preventing safe illumination of sidewalks, streets, or drive aisles, or by negatively impacting illumination levels on adjacent properties.

L. Flags. Flags shall consist of fabric or similar flexible material that is designed to hang from a pole and blow in the wind. Plastic or other materials that produce more noise than fabric are prohibited for use as flags. Such flags shall be replaced when ripped, tattered, and/or faded or other wear is evident as determined by the Director.

M. Neon Signs. Neon signs as defined by this Chapter are allowed only in the commercial/office zones, subject to PMC Section 17.88.040.C (Criteria for Approval) and Section 17.88.090.K (Illumination) of this Section.

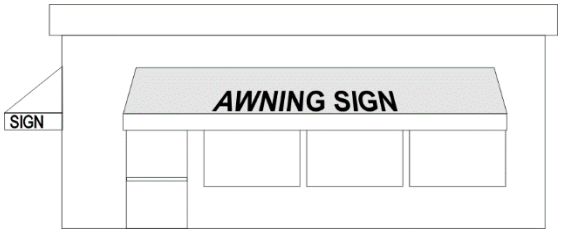
N. Painted Signs. Painted signs may be allowed as permanent wall signs and shall be professionally painted only. Such signs may be externally illuminated with decorative light fixtures within commercial zones subject to PMC Section 17.88.090.K (Illumination) of this Section. As allowed by the zone, signs may be painted directly on structures or on industrial grade particleboard (minimum, or equivalent) with radius edges. Only oil-based paints (or equivalent) shall be utilized for painted signs.

Figure 17.88.090-6. Painted Signs



O. Canopy/Awning Signs. Canopy and awning signs are intended to be visible to pedestrians and/or from nearby parking areas and on-site circulation drives. Canopy signs are allowed within a shopping center where canopies are uniformly used within the shopping center or for a single tenant if the tenant is occupying an entire parcel and does not share space in a shopping center, as follows:

Figure 17.88.090-7. Awning Sign



1. The total combined area for wall and awning signs shall not exceed the allowable wall sign area allowed for the face of the building;
2. Awning signs may be located on the front or side panels of angled, curved or box awnings or on the bottom flap (valance) of the awning;
3. Awning signs shall not consist of more than a single line of copy or symbols; and,
4. The size of the sign shall not exceed seventy-five (75 percent) percent of any one dimension of the canopy or awning.

P. Maintenance. The following maintenance standards shall apply to all signs:

1. Every sign and all parts, portions, units, and materials comprising the same, together with the frame, background, supports, or anchorage thereof, shall be continuously maintained in a safe, structurally sound, neatly painted, and well-repaired condition; and,
2. Signs illuminated either internally or externally shall be capable of being fully illuminated and legible and the face(s) shall be intact without holes or other exterior facial damage. Illuminated signs that are damaged or have defective lighting elements shall remain unlighted until repaired.

17.88.100 Temporary Banner Permit for Commercial and Industrial Properties

The following provisions are applicable to all banners regulated pursuant to this Section. The provisions are intended to permit the greatest flexibility possible in terms of business signage, while maintaining an orderly and attractive business environment within the City's commercial and industrial areas.

A. Permit Process and Fees for Temporary Banners

1. The applicant shall be responsible for obtaining all required building permits from the Building and Safety Division associated with the installation of the banner.
2. A Temporary Banner Permit shall be obtained for the use of banners at a business location. In evaluating permit applications, staff will review zoning, location, size, method of attachment, and conformance with this Section and any other applicable standards.
3. The Temporary Banner Permit application shall include the applicant's authorized leasing agent name, signature, and telephone number.
4. Applicants shall pay an annual Temporary Banner Permit fee and annual inspection fees as established by the fee resolution approved by the City.

B. Zones. Banners will be allowed in all commercial/office and industrial zones and commercial/office and industrial designated properties within Specific Plan areas.

C. Use. Banners may be used for all general business purposes, provided that banners may not be utilized as the sole source of business identification. In order to ensure that banners are not used for primary business identification, any business applying for a banner permit shall have permanent signage on the building that has been legally established.

D. Noncommercial banners shall be allowed pursuant to this Section to the same extent commercial banners are allowed.

E. Design Standards. The banner shall be constructed of high quality, durable material capable of withstanding the severe local weather conditions. The banner shall be professionally designed and manufactured. No handwriting on blank banners or erasable banner material and design shall be allowed.

F. Types of Banners

1. Wall-Mounted. Standards for wall-mounted banners are provided within PMC Section 17.88.120 (Signs in Non-Residential and Mixed-Use Zones).
2. Ground-Mounted Banners. Standards for ground-mounted banners are provided within PMC Section 17.88.120 (Signs in Non-Residential and Mixed-Use Zones).

G. Any banner legally established pursuant to this Section shall be maintained by the applicant. When wear and tear is observed by any employee of the City and upon notification to the applicant, required work to restore or replace the worn banner shall be performed to the satisfaction of the Director within 14 days. Failure to comply with this provision may result in revocation of the permit for the temporary banner.

The Director shall give written notice to the applicant regarding any violations of the provisions of this Section. Within 14 days of receipt of the notice, the violation shall be corrected or remedied to the satisfaction of the Director. Failure to pay fees, or noncompliance with the standards, procedures, and conditions set forth in this Section shall be cause for revocation of the temporary banner permit and removal of the banner. Materially inaccurate or erroneous information submitted as a part of a Temporary Banner Permit application may be cause for revocation of the permit.

17.88.110 Signs in Residential Zones

In addition to temporary signs identified in PMC Section 17.88.070 (Exemptions to Sign Permit Requirements), the following signs are allowed in residential zones subject to approval of a sign permit:

Table 17.88.110-1. Allowed Signs in Residential Zones

Sign Type	Maximum Number	Maximum Sign Area	Maximum Height Including Base	Remarks
Wall	No limit: combined area of signs shall not exceed the maximum allowed sign area	1 ½ sf of sign area per lineal foot of building frontage	N/A	Signs may be internally illuminated only, subject to PMC Section 17.88.090.K (Illumination).

Sign Type	Maximum Number	Maximum Sign Area	Maximum Height Including Base	Remarks
Monument	1 per public entrance, up to 2 signs total	30 sf	5 ft	Signs may be internally illuminated only, subject to PMC Subsection 17.88.090.K (Illumination).
Directional	1 per public entrance, up to 4 signs total	16 sf	5 ft	Signs shall not be illuminated.
Temporary freestanding banner (teardrop, feather, bowhead, etc.)	1 freestanding sign per frontage; 2 per model home	60 sf per single face for freestanding signs and 15 sf for flags	10 ft for free-standing signs and 15 ft for flags	Signs shall not be illuminated. Flags shall not be within 50 ft of an occupied residence.

17.88.120 Signs in Non-Residential and Mixed-Use Zones.

In addition to temporary signs identified in PMC Section 17.88.070 (Exemptions to Sign Permit Requirements), the following signs may be allowed in commercial, industrial, mixed-use or public facility zones, subject to approval of a sign permit:

Table 17.88.120-1. Allowed Signs in Non-Residential and Mixed-Use Zones

Sign Type	Maximum Number	Maximum Sign Area	Max. Height[1]	Remarks
Wall signs, secondary skyline signs or canopy signs	No limit: combined area of signs shall not exceed the maximum allowed sign area	1 ½ sf of sign area per lineal foot of building frontage	N/A	Secondary skyline signs are subject to PMC Section 17.88.140 (Skyline Signs); externally lighted signs are subject to PMC Section 17.88.090.K (Illumination); canopy signs are subject to PMC Section 17.88.090.O (Canopy/Awning Signs).
Skyline signs[2]	1 per allowable elevation; up to 2 signs total on opposite sides of the building	1 sf of sign area per lineal foot of building frontage	N/A	Skyline signs subject to PMC Section 17.88.140 (Skyline Signs) are in addition to secondary skyline signs. Shall be compatible with the building surface and shall complement the aesthetics of the development. Shall consist of a single line of copy/symbol unless approved by the Director due to building architecture prohibiting placement of a single line of copy. May be halo sign or internally illuminated.

Sign Type	Maximum Number	Maximum Sign Area	Max. Height[1]	Remarks
Monument signs	1 sign for every 250 feet of street frontage	For Industrial zones < 10 acres: 30 sf > 10 acres: 50 sf For non-industrial zones < 10 acres: 50 sf > 10 acres: 100 sf	 5 ft 8 ft 8 ft 12 ft	
Under-canopy signs	1 per tenant	5 sf	N/A	Minimum 8-foot clearance above walkways.
Wall-mounted banner[3]	1 per frontage except facing residential uses	1 sf of area per lineal foot of frontage	N/A	Shall be mounted flat against the wall using permanent anchors. Banners shall not be mounted using wire, rope, cables, bungee cords or similar devices.
Freestanding banner (teardrop, feather, bowhead, etc.)	1 per business	42 sf	12 ft	Minimum clearance of 5 ft from edge of right-of-way, except when located within the Mixed-Use zones to PMC Section 17.88.070.L (Temporary Signs). Shall not impede pedestrian or handicap access. Shall not obstruct clear view of pedestrians and/or vehicular traffic. No off-site banners are allowed. Signs shall not be illuminated.
Pole signs[4]	1 per development	100 sf	10-ft minimum clearance height and 30-ft maximum	Signs may be internally illuminated only, subject to PMC Section 17.88.090.K (Illumination). Shall maintain a minimum distance separation of 50 ft from residentially designated property or existing residential development.

Notes:

1. *Grade changes by mounding within landscape areas less than 3:1 slope shall be counted in calculation of sign height; maximum height includes the base.*
2. *This applies to buildings with three or more stories, pursuant to PMC Section 17.88.140 (Skyline Signs).*
3. *Not allowed within 50 feet of an occupied residence.*
4. *Only allowed within the Regional Commercial zone.*

17.88.130 Government Signs

The City has a compelling interest in making the City attractive to residents, visitors, and business owners and in protecting and improving economic vitality, protecting, and enhancing aesthetic character, and promoting traffic safety in, through, and around areas that have a concentration of public facilities and structures. To accomplish these interests, the City finds it necessary to establish certain classes of government signs, to limit their content and to provide a public convenience by directing motorists and pedestrians to various locations throughout the City.

This Government Sign Section consists of signs that are uniform in design, which provide the community with a sense of place and a distinct identity. Signs constructed as a part of this Section shall be allowed without the requirement of a sign permit in all zones, except that electronic reader boards and digital advertising displays are not allowed in residential zones. Government signs shall be erected by the City, a public agency, or by any person authorized by City resolution to erect such signage. This Section shall be applicable to the following types of signs:

A. Civic Center Plaza. Roadway signs may be installed on streets leading to the Civic Center and surrounding public parking areas.

B. City Entry Signs. Freeway and roadway monument signs may be installed on major thoroughfares near City limits in varying size. Such signs shall be constructed of integral concrete monolith and stone base with lettering to be cast into the concrete with color infill.

Figure 17.88.130-1. City Entry Sign



C. City Roadway/Street Signage. Street name signs may be installed on streets throughout the City.

D. Light Pole Banners. Banners may be placed on light poles along major thoroughfares and/or surrounding the Civic Center during various seasons of the year or for City-sponsored events.

E. City Kiosk Signs. City kiosk signs are permissible in all zones except those that are residential. City kiosk signs are subject to the development standards for monument and on-site freestanding sign structures contained in PMC Section 17.88.120 (Signs in Non-Residential and Mixed-Use Zones).

F. Digital Advertising Display (DAD). Government signs that are considered DADs are not required to be installed pursuant to a Billboard Relocation Agreement and are permissible in all zones except residential. Government signage DADs are subject to the following standards:

   1. Sign Area. The maximum sign area of a single-face DAD is 675 square feet and 1,350 square feet for a double-face DAD.

2. Sign Height. The maximum sign height is 40 feet; however, a DAD located immediately adjacent to State Route 14 may be modified if it can be demonstrated that compliance with the 40 foot height limit would impair visibility for a portion of the sign face. Increased height shall only be allowed to the extent necessary to allow reasonable view of the sign face.
3. A DAD may only display a series of still images, each of which is displayed for a minimum of six seconds and transitions between images shall not exceed one second. No DAD shall depict or simulate any motion or video, or have flashing, chasing, or twinkling lights.
4. Each DAD shall include a photometric sensor that will adjust the intensity of the sign for daytime and nighttime viewing. The intensity from sunset to sunrise shall be limited to 150 nits. The City may modify or further restrict the intensity of any DAD should the lighting create a distraction to drivers or an adverse effect on nearby residential properties.
5. In addition to complying with the other standards set forth in this Section, any DAD located within 660 feet of a state highway shall also comply with the standards of the California Outdoor Advertising Act (Chapter 2 of Division 3 of the California Business and Professions Code beginning at Section 5400), including, but not limited to, the restrictions on size, height, proximity to interstate and primary highways and landscaped freeways. To the extent any conflict arises between this Section and the Outdoor Advertising Act, the Outdoor Advertising Act shall prevail.

G. Electronic Reader Boards. Government signs that are considered electronic reader boards are permissible in all zones except residential and are subject to the development standards for monument and on-site freestanding sign structures contained in PMC Section 17.88.120 (Signs in Non-Residential and Mixed-Use Zones).
   1. General Standards for Government Signs
      a. For purposes of this Section, “street intersection” shall mean where two or more streets or roads cross at the same grade. This shall include all streets and roads with a right-of-way of 100 feet or larger.
      b. Signs may be constructed on improved or unimproved property along Regional and Crosstown streets provided they are located on private property with the owner’s written permission or within the public right-of-way with approval of an encroachment permit. Regional and Crosstown streets shall consist of those designated on the General Plan Circulation Map.
      c. Signs shall not obstruct the use of sidewalks, walkways, bike, and hiking trails and shall not obstruct the visibility of motorists, pedestrians of traffic control signs.
      d. Signs shall be limited to no more than three structures on the same side of the street between major intersections and shall not be located within 100 feet of another freestanding sign structure.
      e. Sign structure installations shall include “breakaway” design features.
      f. No signs, pennants, flags or other devices for visual attention or other appurtenances shall be placed on government signs.
      g. The design of all government signs shall be consistent throughout the City.
      h. Sign lettering used for identification panels shall be uniform in style and size.

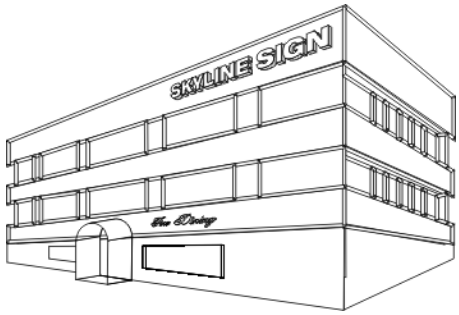
17.88.140 Skyline Signs

Skyline signs shall consist of wall signs that are placed on structures of three stories or more. Signs on tall buildings can have a significant visual influence upon the community's environment; therefore, they should be consistent with the architectural style of the building. The approval of skyline signs shall be subject to PMC Section 17.88.040 (Sign Permit Requirements and Procedures) and to the following standards:

A. Skyline Signs

1. Placement. Skyline signs shall be placed above the vision glass windows of the highest floor of the building and below the eave line pursuant to the provisions for signs within the zone. In conventional high-rise design, a sizeable area is generally available for signs above the vision glass of the highest floor. Skyline signs shall not be located on any building elevation in vertical (stacked) alignment and shall be separated by a horizontal dimension of not less than 40 percent of the linear dimension of the subject elevation. For buildings with articulated roofs, a more flexible definition is appropriate. In such cases, signs are to be integrated visually with architectural features such as windows, projections, and articulating elements.

Figure 17.88.140-2. Skyline Sign Placement and Proportion



2. Proportion of Sign Area. To avoid the appearance of crowding a sign into a sign area, sign copy shall occupy no more than 80 percent of the horizontal skyline sign area as defined by this Section. Additionally, no part of a sign can be located within the extreme left or right 10 percent of the building elevation.

B. Secondary Skyline Signs

1. Placement. Secondary skyline signs shall be allowed below the second floor, except that, if the building has a two-story lobby, secondary skyline tenant signs are allowed between the second and third floors above such lobby. An individual tenant may have no more than one sign per building elevation. Secondary skyline signs shall not be located on any building elevation in vertical (stacked) alignment and shall be separated by a horizontal dimension of not less than 15 percent of the linear dimension of the subject elevation.
2. Locational Criteria. Secondary skyline signs are intended to be viewed from on-site walkways and parking areas adjacent to the building.

C. Retail, Service Business, and Restaurant Uses Located within Structures of Three or More Stories. In addition to secondary skyline signs described in PMC Section 17.88.140.B (Secondary

Skyline Signs) of this Section, retail uses, service business uses, or restaurants located within an office building containing three or more stories may be allowed signs as specified in this Chapter and may appear on the same building elevation as and be included in the same total sign area calculation and placement as secondary skyline signs. Such signs shall be located at or adjacent to the entrance of the building and individual tenants shall be allowed no more than one sign per elevation.

17.88.150 Outdoor Advertising Sign Structures (Billboards)

A. Permits and Review Process

1. Permits Required
    a. No outdoor advertising sign structure shall be constructed, relocated, or upgraded at any location in the City without obtaining a Conditional Use Permit subject to the provisions of this Section, and any other permits required by law.
    b. Other Permits. Nothing in this Chapter shall exempt the applicant from obtaining any other required approval including, but not limited to, any permits required by the State of California.
2. Review Process. A Conditional Use Permit shall be required, pursuant to the provisions of this Chapter and PMC Chapter 17.22 (Conditional Use Permits) for any construction, upgrade, or relocation of outdoor advertising sign structures. The Planning Commission shall approve the Conditional Use Permit if the Commission finds that such application satisfies the standards set forth in PMC Section 17.88.150.A.3 (Findings for Approval) of this Section, or the Planning Commission shall deny the application, in which case the applicant shall be notified in writing of the reason(s) why the application was denied. All decisions of the Planning Commission may be appealed pursuant to PMC Section 17.20.110 (Appeal Procedures).
3. Findings for Approval. No Conditional Use Permit for an outdoor advertising sign structure shall be issued unless the Planning Commission finds that the application satisfies, or with conditions can satisfy, all of the following standards:
    a. The proposed sign meets all of the findings for approval of a Conditional Use Permit as set forth in PMC Section 17.22.050 (Approval Requirements and Conditions);
    b. The proposed sign meets the locational criteria for outdoor advertising sign structures, pursuant to PMC Section 17.88.150.B (Locational Criteria) of this Section;
    c. The proposed outdoor advertising sign structure meets all of the development standards as specified in PMC Section 17.88.150.C (Development Standards) or PMC 17.88.150.E (Outdoor Advertising Sign Structures Subject to a Billboard Relocation Agreement) of this Section;
    d. The outdoor advertising sign structure is oriented to attract the attention/patronage of the general public, taking into consideration long-term growth of landscaping and future projects; and,
    e. The outdoor advertising sign structure is in compliance with all applicable Federal, State, and City laws and regulations pertaining to the construction of outdoor advertising sign structures.

B. Locational Criteria. Outdoor advertising sign structures shall be limited to placement on improved properties with habitable structures only, subject to the following restrictions:
   1. No outdoor advertising sign structure shall be located within the area bounded by 20th Street West to the west, Avenue N to the north, Sierra Highway to the east and Palmdale Boulevard to the south.
   2. There shall be no more than four outdoor advertising sign structures, including existing outdoor advertising sign structures, located within the area bounded by the extension of Avenue N-12 to the north, Rancho Vista Boulevard to the south, Sierra Highway to the west and an imaginary line 100 feet of the easterly Southern Pacific property line to the east.
   3. No additional outdoor advertising sign structures shall be constructed, relocated, or upgraded except when located in the industrial zones.
   4. No additional outdoor advertising sign structures shall be constructed on properties within 660 feet of Palmdale Boulevard.
   5. The outdoor advertising sign structure shall be no closer than a radius of 500 feet to any premises designated or zoned for residential purposes, or to any premises containing a school, religious institution, or similar place of worship, historical site or building, cemetery, or similar place of interment, public or private park or outdoor recreational facility.
   6. The outdoor advertising sign structure shall be no closer than a radius of 1,500 feet to a previously constructed off-premise outdoor advertising sign structure.
   7. An outdoor advertising structure may be approved in a location other than specifically identified or excluded in PMC Sections 17.88.150.B.1 through 17.88.150.B.5 of this Section, including within an adopted specific plan area, when a Conditional Use Permit is approved in conjunction with a Billboard Relocation Agreement pursuant to PMC Section 17.88.150.D (Billboard Relocation Agreement) of this Section, but in no event shall be located within a residential zone.

C. Development Standards. All outdoor advertising sign structures shall comply with the following standards:
   1. Sign Area. The total area of a single sign face shall not exceed 300 square feet. The total area of a double-faced sign shall not exceed 600 square feet. Not more than five percent of the area of a sign face shall be used for projections.
   2. Height. The outdoor advertising sign structure shall not exceed 32 feet in height measured from the ground level.
   3. Setbacks. The sign shall comply with all setback standards of the underlying zone. It shall be located no closer than 10 feet to any property line. No materials or structural feature, except poles or pilasters, shall extend into the cross-visibility area between ground level and seven feet above the grade of the nearest street curb. No portion of the sign shall block the view of any on-site advertising sign on the same or adjoining parcels.
   4. Construction. The outdoor advertising sign structure shall be built to withstand a minimum wind pressure of 21 pounds per square foot of exposed surface.
   5. Design. The outdoor advertising sign structure shall not be supported by more than one supporting post. It shall be architecturally treated so as to screen the frame, support structures and lighting from public view. The outdoor advertising sign structure shall not

contain any flashing or blinking material, or mechanically activated or animated devices. The color and materials shall be subject to the provisions of this Chapter.

6. Sign Copy Area. The message or sign copy area of any relocated or upgraded outdoor advertising sign structure may be no larger than the message copy area of the original outdoor advertising sign structure.
7. Utility Lines. Utility lines providing electrical power to a new or relocated outdoor advertising sign structure shall be placed underground.
8. Maintenance. The sign and structure shall be continuously maintained in an attractive, clean, and safe condition pursuant to PMC Section 17.88.090.P (Maintenance).
9. Traffic Safety. The sign shall not constitute a traffic hazard because of sign shape or its location in relationship to an official public traffic sign or signal.

D. Billboard Relocation Agreement

1. Purpose. The purpose of the Billboard Relocation Agreement is to reduce the overall number of outdoor advertising sign structures within the City by allowing relocation of billboards in more suitable locations and provide more attractive, aesthetically-pleasing billboard designs and to improve the aesthetic appearance of the City.
2. Authority. Notwithstanding any other provision of this Chapter, and consistent with the California Business and Professions Code Outdoor Advertising provisions, existing outdoor advertising sign structures may be relocated and/or upgraded as part of a Billboard Relocation Agreement entered into between the City Council and a billboard owner and the approval of a Conditional Use Permit for any relocated billboard.
3. Content. Each Billboard Relocation Agreement shall contain, at a minimum, the following information:
    a. Identification of the location of the billboards being permanently removed and the location of the relocated billboards; and
    b. Conceptual design drawings for the relocated billboards.
4. Review Process and Findings. All Billboard Relocation Agreements shall be reviewed and approved by the City Council. The following findings shall be made by the City Council in order to approve a Billboard Reduction and Relocation Agreement:
    a. The proposed agreement is consistent with the goals, objectives, purposes and provisions of the Palmdale General Plan, this Ordinance, and any applicable specific plan;
    b. The proposed relocation site is compatible with the uses and structures on the site and in the surrounding area;
    c. The proposed Billboard Relocation Agreement provides for a net reduction in existing outdoor advertising sign structures within the City;
    d. The proposed Billboard Relocation Agreement contributes to the reduction of visual clutter in the City;
    e. The proposed billboard would not create a traffic or safety problem with regard to onsite access circulation or visibility;

f. The proposed billboard would not interfere with onsite parking or landscaping required by City ordinance or permit; and,

g. The proposed billboard would not otherwise result in a threat to the general health, safety, and welfare of City residents.

5. Conditional Use Permit. Subsequent to the approval of a Billboard Relocation Agreement by the City Council, the billboard owner shall file a Conditional Use Permit application to relocate or upgrade the outdoor advertising sign structure as authorized by the Billboard Relocation Agreement.

E. Outdoor Advertising Sign Structures Subject to a Billboard Relocation Agreement. An outdoor advertising sign structure may be upgraded or relocated through the approval of a Conditional Use Permit and a corresponding Relocation Agreement. A relocated or upgraded billboard shall meet the development standards contained within PMC Section 17.88.150.C (Development Standards) of this Section. A DAD is permissible in conjunction with the relocation/upgrade of an outdoor advertising sign structure approved pursuant to a Billboard Relocation Agreement, subject to the following standards:

1. Sign Area. A DAD shall be subject to the sign area standards specified in PMC Section 17.88.150.C.1 (Sign Area) of this Section; however, given the unique characteristics of DAD's, an applicant may request a modification to the maximum sign area pursuant to the following conditions:

   a. The applicant demonstrates, to the satisfaction of the Planning Commission, that the larger size is necessary to provide a readable DAD in a cost-effective manner; and,

   b. The maximum sign area of a single-face DAD is 675 square feet and 1,350 square feet for a double-face DAD.

2. Sign Height. A DAD shall be subject to the sign area standards specified in PMC Section 17.88.090.C.2 (Height) of this Section; however, a DAD relocated immediately adjacent to State Route 14 may be modified if the applicant can demonstrate that compliance with the 32-foot height limit would impair visibility for a portion of the sign face. Increased height shall only be allowed to the extent necessary to allow reasonable view of the sign face.

3. A DAD may only display a series of still images, each of which is displayed for a minimum of six seconds and transitions between images shall not exceed one second. No DAD shall depict or simulate any motion or video, have flashing, chasing, or twinkling lights.

4. Each DAD shall include a photometric sensor that will adjust the intensity of the sign for daytime and nighttime viewing. The intensity from sunset to sunrise shall be limited to 150 nits. The City may modify or further restrict the intensity of any DAD should the lighting create a distraction to drivers or an adverse effect on nearby residential properties.

5. In addition to complying with the other standards set forth in this Section and any other applicable provisions of this Section, any relocated billboard within 660 feet of a State highway shall also comply with the standards of the California Outdoor Advertising Act (Chapter 2 of Division 3 of the California Business and Professions Code beginning at Section 5400), including, but not limited to, the restrictions on size, height, proximity to interstate and primary highways and landscaped freeways. To the extent any conflict arises between this Section and the Outdoor Advertising Act, the Outdoor Advertising Act will prevail.

17.88.160 Amortization and Abatement of On and Off-Premise Signs, Sign Programs, and Outdoor Advertising Sign Structures

A. On-Premise Signs

1. Inventory of Signs. Within 120 days of the date of adoption of this Ordinance the Director shall cause to be performed an inventory of all on-premise signs within the City to identify those that are illegal or abandoned. For the purposes of this Section, the term "illegal" denotes a sign which was erected without compliance with all ordinances and standards in effect at the time of its construction and erection or use, and the term "abandoned" denotes a sign which remains in place or is not maintained for a period of 90 days which no longer advertises or identifies an ongoing business, product, or service available on the business premises where the sign is located.
2. Public Hearing. Upon completion of the required identification and inventory of signs described in PMC Section 17.88.160.A.1 (Inventory of Signs)~~Subsection A.1 of this Section~~, the City Council shall consider at a public hearing, with opportunity for public comment, whether there is a continuing need for the provisions of the ordinance that caused the signs to become illegal or abandoned.
3. Abatement. No later than 60 days after the public hearing described in PMC Section 17.88.160.A.2 (Public Hearing)~~Subsection A.2 of this Section~~, the City shall commence abatement as provided in this subsection of the illegal and abandoned on-premises signs identified by the inventory required by PMC Section 17.88.160.A.1 (Inventory of Signs) of this Section.
4. Nonconforming Signs Which May Be Abated Without Payment of Compensation. Any sign which does not comply with the standards of this Chapter and which may be abated without the payment of compensation pursuant to Section 5497 or Section 5498 of the Business and Professions Code shall be brought into compliance with the standards and requirements of this Chapter as soon as may reasonably be accomplished and in no event later than six months after the date of adoption of this Ordinance, unless such period is extended by the Planning Commission for good cause shown. Any sign that is not brought into conformance with the standards and requirements of this Chapter within that time shall be subject to abatement as a public nuisance.
5. Other Nonconforming Signs. Any sign which does not conform to the standards and requirements of this Chapter and which may be abated after the expiration of 15 years pursuant to Section 5495 of the Business and Professions Code shall be brought into compliance with the standards and requirements of this Chapter within 15 years of the date of adoption of this Chapter. Any sign that is not brought into conformance with the standards and requirements of this Chapter within that time shall be subject to abatement as a public nuisance.
6. Continuation of Existing Nonconforming Signs. Pursuant to PMC Section 17.11.080 (Continuation of Existing Nonconforming Uses), a sign that lawfully existed as a nonconforming sign prior to the effective date of this Chapter pursuant to Ordinance No. 684 and/or Ordinance No. U-1060 shall be deemed to be continued pursuant to this Ordinance, and in determination of the termination date established by this Ordinance, shall

be computed from the original date it became nonconforming pursuant to said Ordinance No. 684 and/or Ordinance No. U-1060. Any sign that is not brought into conformance with the standards and requirements of this Chapter within that time shall be subject to abatement as a public nuisance.

7. Signs with Flashing and Rotating Features. Any sign which contains flashing or rotating features and which is not in compliance with the provisions of this Chapter shall be brought into compliance with the provisions of this Chapter as soon as may reasonably be accomplished and in no event later than six months after the date of adoption of this Ordinance unless such period is extended by the Planning Commission for good cause shown. If such sign is not brought into conformance with the standards and requirements of this Chapter within that time, the flashing or rotating features of the sign shall be deactivated immediately. However, the owner or operator of such sign may be authorized to continue its operation notwithstanding this Section if the Planning Commission determines the sign to be of historical significance.

B. Off-Site Commercial Signs. All off-site commercial signs that do not comply with the standards and requirements of this Chapter shall be brought into compliance with the standards and requirements of this Chapter as soon as may reasonably be accomplished and in no event later than one year after the date of adoption of this Ordinance, unless such period is extended by the Planning Commission for good cause shown. Any sign that is not brought into conformance with the standards and requirements of this Chapter within that time shall be subject to abatement as a public nuisance.

C. Sign Programs. Sign programs approved prior to the effective date of this Ordinance shall be automatically subject to the General Development Standards contained in PMC Section 17.88.090 (General Development Standards). New sign permits requested pursuant to these programs may not exceed the maximum sign area or maximum sign height specified under PMC Sections 17.88.100 (Temporary Banner Permit for Commercial and Industrial Properties) through 17.88.120 (Signs in Non-Residential and Mixed-Use Zones).

D. Outdoor Advertising Sign Structures. Any outdoor advertising sign structure which lawfully existed in a residential zone at the time of the adoption of this Chapter or was lawfully constructed pursuant to a permit issued by Los Angeles County and was later annexed to the City, but which is not in conformance with the standards and requirements of this Chapter, and is located within residential zoned property, shall be deemed a legal nonconforming use which shall be maintained, and may be upgraded subject to the restrictions and limitations imposed on nonconforming signs by this Chapter. Such signs shall be removed pursuant to the following amortization schedule.

Table 17.88.160-1 Amortization Schedule

Fair Market Value of Off-Premise Commercial Advertising Signs*	Years Allowed Before Removal
Under $1,999	2
$2,000 to $3,999	3
$4,000 to $5,999	4

Fair Market Value of Off-Premise Commercial Advertising Signs*	Years Allowed Before Removal
$6,000 to $7,999	5
$8,000 to $9,999	6
$10,000 and over	7

* *Fair Market Value of outdoor advertising sign structures on the date of removal requirement.*

E. Continuation of Existing Nonconforming Signs. Pursuant to PMC Section 17.11.080 (Continuation of Existing Nonconforming Uses), nonconforming outdoor advertising sign structures that lawfully existed prior to the effective date of this Chapter pursuant to Ordinance No. 684 and/or Ordinance No. U-1060 shall be deemed to be continued pursuant to this Ordinance, and in determination of the termination date established by this Ordinance, shall be computed from the original date it became nonconforming pursuant to said Ordinance No. 684 and/or Ordinance No. U-1060. Any sign that is not brought into conformance with the standards and requirements of this Chapter within that time shall be subject to abatement as a public nuisance.

17.88.170 Variance and Minor Exceptions

Applicants may apply for a Variance or Minor Exception to the provisions of this Chapter pursuant to PMC Chapter 17.23 (Variances and Minor Exceptions), and shall have the burden of proving that the requested Variance or Minor Exception is in conformance with the required findings.

17.88.180 Administration

A. Duty to Enforce. The Director shall have the duty to enforce the provisions of this Ordinance.

B. Violations. It shall be unlawful for any person to violate any provision of this Chapter. It shall also be unlawful for a property owner, tenant, and a proprietor of a sign company to use, occupy, or maintain property in violation of this Chapter. Illegal signs and persons using, occupying, or maintaining property with an illegal sign shall be subject to enforcement procedures as described in the PMC, including but not limited to issuance of a citation, imposition of a fine, and/or arrest. Signs in violation of this Chapter may be summarily removed by the Superintendent of Maintenance or his/her representative, or any Community Service or Code Enforcement Officer, or any other City employee authorized by the City Manager to remove such sign(s). The sign owner shall be responsible for payment of a fine in an amount specified in the City's fee resolution for each sign so removed. In cases where a duly authorized representative of the City has direct contact with the violator of these provisions, this person shall be responsible for the payment of the aforementioned fines. A written notice of the removal shall be given to the sign owner stating that the sign may be reclaimed within 10 days and will be returned to the owner upon payment of the fine specified herein, except that no such notice shall be required if the owner is not identified on the sign. In the event the sign is not reclaimed within the time allowed to do so, the sign may be destroyed or otherwise disposed of by the Superintendent of Maintenance. Unclaimed signs may be sold at a price determined by the Superintendent of Maintenance.

C. Ambiguity. Whenever ambiguity arises as to the interpretation of the provisions of this Ordinance, the applicant for a sign permit may request that the Planning Commission make a determination as to the meaning and application of the ambiguous provisions.

D. Discontinuance of a Business. Within 91 days of vacancy in the unit or building for which a commercial sign was placed or before a new business occupies the premises, it shall be the responsibility of the applicant or the applicant's authorized leasing agent to remove the message or copy of an abandoned sign and to patch and conceal any and all damage to the structure resulting from removal of the sign in a neat and professional manner. Legally existing abandoned cabinet signs shall be replaced with a blank panel.

E. Removal of Illegal Signs on Public Property. The Director shall remove or cause to be removed any sign unlawfully placed or located on public property. The Director shall send notification in writing to the owner of such sign, if such owner is known, stating the location where his or her sign is being held and that it will be destroyed if not claimed by the owner within 10 days after the date of such notice. In the event that the owner does not claim such sign within the 10 day period, the Director may destroy or otherwise dispose of such sign. The owner of the sign shall reimburse the City for the actual costs of removing, storing, and destroying or otherwise disposing of the sign.

For purposes of this ~~sub~~section, there shall be a presumption that:

1. The real estate agent, broker, brokerage firm or other person whose name or telephone number appears on the handbill or sign is the person responsible for posting a handbill or sign advertising property for sale, lease or rent;
2. The candidate seeking office is the person responsible for posting a handbill or sign promoting the candidate for public office;
3. The owner, or lessee if the property is leased, of property used for a yard or garage sale is the person responsible for posting a handbill or sign advertising a yard or garage sale;
4. The owner, or lessee if the property is leased, of property used for a commercial activity or event is the person responsible for posting a handbill or sign advertising the subject commercial activity or event;
5. The person whose name, telephone number or address appears as the sponsor for a sporting event, concert, theatrical performance, or similar activity or event is the person responsible for posting a handbill or sign advertising the subject activity or event; and,
6. The person whose name, telephone number, or address appears as the person to contact on any handbill or sign posted is the person responsible for posting the same. For purposes of this Section, the person presumed to be responsible for posting a handbill or sign on public or utility property may rebut such presumption by declaring under penalty of perjury or swearing under oath that the person did not cause, authorize, allow, or permit the posting of the handbill or sign on public or utility property.

F. Abatement of Danger. When the Director determines a sign constitutes an imminent danger to the public safety, the Director may take appropriate action to abate the danger. Any sign removed to abate such a threat to the public safety shall become the property of the City and may be disposed of in any appropriate manner. The cost of such emergency abatement shall be

charged against the owner of the sign and may be recovered by the City by an appropriate legal action or by assessment against the property, provided that the person assessed shall be granted a hearing before the Planning Commission to contest the amount or propriety of the charge if such person requests a hearing within 30 days of notice from the City. For the purposes of this Section, a sign shall be refutably presumed to be the property of the same person as described in Section 17.88.180.E (Removal of Illegal Signs on Public Property) of this Section.

G. Entitlements Strictly Construed. Because the standards provided by this Chapter are established to protect and promote the public health, safety, and general welfare, any sign entitlement authorized herein shall be strictly construed to further the purposes of this Chapter.

17.89 Animal Keeping

17.89.010 Purpose

The purpose of this Chapter is to establish regulations governing the keeping of animals where accessory to the residential use of a property.

17.89.020 Applicability

This Section shall apply to all agricultural and residentially designated properties.

17.89.030 General Provisions

A. Types of animals allowed:
   1. Dogs
   2. Cats
   3. Large animals, including horses, mules, donkeys, cattle, goats, hogs, sheep, llamas, alpacas, and other similar hooved animals, may be kept on a lot or parcel of land having an area of not less than 20,000 square feet.
   4. Other domestic creatures which are neither farm animals, exotic, nor wild animals, such as canaries, parakeets, cockatiels, and other similar birds; tropical fish excluding caribe; turtles; white mice, white rats, hamsters, gerbils, guinea pigs, and similar small rodents; snakes and reptiles; and other similar animals commonly sold in pet stores and kept as household pets.
   5. Poultry and fowl, excluding roosters and peafowl, on a lot or parcel of land, not having less than 20,000 square feet, provided that said birds are kept or maintained for the private use of members of the family residing on the premises.
   6. Vietnamese pot-bellied pigs maintained as a pet.
   7. Bees

B. Limitations
   1. The allowable number of animals shall be limited as outlined within the following table:

Table 17.89.030-1. Allowed Number Animals

Type of Animal	All Zones Where Allowed pursuant to Divisions 3 –7 of this Ordinance
"ft" = Feet and "*sf*" = Square Feet	
Equine and Large Animals	
Large animals, including horses, mules, donkeys, cattle, goats, hogs, sheep, llamas, alpacas, and other similar hooved animals	Max. 3 for every 20,000 square feet of lot area; provided, that said animals are primarily raised and kept for the private use of members of the family residing on the premises. Up to 25 percent of the total allowed number of animals on a parcel may be boarded for persons who do not reside on the property.
Small Animals and Poultry	
Vietnamese pot-bellied pigs	Max. 1 per dwelling unit
Poultry and fowl, excluding roosters and peafowl	Max. 3 such birds in any combination for every10,000 square feet of lot area.

Zoning

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Division 9. SPECIAL REGULATIONS

17.90 General Provisions

17.90.010 Purpose

The purpose of this Chapter is to protect the health, safety, and general welfare of the community by establishing specific standards, design criteria, and review procedures for certain uses which have unique structural, development, and/or operational characteristics and have the potential for adverse visual, health, safety, and other impacts on the surrounding properties and/or the community.

17.90.020 Applicability

All uses that are addressed by this Division and are permitted or conditionally permitted by this Ordinance shall be subject to all applicable standards of this Division, in addition to any other applicable provisions of this Ordinance.

The standards of this Division shall be in addition to any standards which the Review Authority may deem necessary for the protection of the public health, safety, and general welfare, and to meet the goals, objectives, and policies contained in the General Plan.

17.91 Residential Uses

17.91.010 Accessory Dwelling Unit and Junior Accessory Dwelling Unit Standards

A. Purpose. The intent of this Section is to is to allow and regulate accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) in compliance with Government Code Sections 65852.2 and 65852.22., and that such dwelling units do not adversely impact surrounding residents or the community.

B. Applicability. Except as authorized by Federal or State law regulations, accessory dwelling units are allowed only in zones where single-family or multi-family residential units are allowed. Junior accessory dwelling units are allowed only in single-family dwellings.

C. General Plan Consistency. In adopting these standards, the City recognizes that the approval of accessory dwelling units or junior accessory dwelling units may, in some instances, result in densities exceeding the maximum densities prescribed by the General Plan. The City finds that this occurrence is consistent with the General Plan, as allowed under State planning and zoning law applicable to accessory dwelling units, and that this Ordinance furthers the goals, objectives, and policies of the General Plan.

D. Maximum Number of Accessory Dwelling Units and Junior Accessory Dwelling Units per Lot

1. Single-Family Residences. For lots with a proposed or existing single-family residence, no more than one accessory dwelling unit and no more than one junior accessory dwelling unit may be on the lot, as follows:
    a. One accessory dwelling unit and one junior accessory dwelling unit per lot may be constructed within an existing or proposed single-family or accessory structure, including the construction of up to a 150 square foot expansion beyond the same physical dimensions as the existing accessory structure to accommodate ingress and egress; or,
    b. One detached, new construction, accessory dwelling unit and one junior accessory dwelling unit built within the existing or proposed single-family dwelling.
2. Multi-Family Residences. For lots with a proposed or existing multi-family residential dwelling, no junior accessory dwelling units are allowed. However, if there is an existing multi-family residential structure, the following are allowed:
    a. Non-habitable portions of the existing main structure (e.g., storage rooms, boiler rooms, hallways, attics, basements, or garages) may be converted to an accessory dwelling unit(s) provided that the maximum number of such accessory dwelling units shall not exceed 25 percent of the number of the existing residential units on the lot, provided, that applicable building standards are met; and,
    b. No more than two ADUs that are detached from the multi-family dwelling; provided, that no such unit shall exceed the height limits as established in PMC Section 17.91.010.F.9, and each such unit complies with the setbacks specified within PMC Section 17.91.010.F.~~4~~3. The maximum square footage of detached accessory dwelling units on lots with existing multi-family residential dwellings shall be 800 square feet each.

E. General ADU and JADU Requirements

1. Ministerial Approval. Any application for an accessory dwelling unit or junior accessory dwelling unit which meets the standards of this Section shall be approved pursuant to PMC Section 17.26.030 (Zoning Clearance Review) and Government Code Section 65852.2(a)(3).

2. Conveyance. Except as authorized by Government Code Section 65852.26, accessory dwelling units and junior accessory dwelling units may not be sold or otherwise conveyed separate from the primary residence.
3. Rental Restrictions. Rental periods for accessory dwelling units and junior accessory dwelling units shall not be less than 31 days.
4. Recorded Covenants. Before obtaining a permit for an accessory dwelling unit or junior accessory dwelling unit, the property owner shall file with the County Recorder a declaration or agreement of restrictions, which has been approved by the City Attorney as to its form and content. The covenants for the accessory dwelling unit or junior accessory dwelling unit shall describe restrictions that allow for the continued use of the accessory dwelling unit or junior accessory dwelling unit as follows:
    a. The accessory dwelling unit or junior accessory dwelling unit shall not be sold separately from the primary residence unless otherwise exempted by the provisions of Government Code 65852.2(a)(1)(D);
    b. The accessory dwelling unit or junior accessory dwelling unit shall not be rented for periods of less than 31 days;
    c. The restrictions shall be binding upon any successor in ownership of the property, and lack of compliance shall result in legal action against the property owner for noncompliance with the standards for an accessory dwelling unit or junior accessory dwelling unit;
    d. For junior accessory dwelling units, owner complies with the development standards and owner-occupancy requirements consistent with PMC Section 17.91.010.G (Junior Accessory Dwelling Units – Specific Standards); and,
5. Building Standards. All accessory dwelling units and junior accessory dwelling units must comply with PMC Chapter 8.04 (Adoption of Health, Safety and Technical Construction Codes) and any other applicable provisions of the California Building Standards Code and the California Fire Code.
6. City/Public Utilities
    a. Utilities Required. All accessory dwelling units and junior accessory dwelling units must be properly connected to public utilities, including water, electric, and sewer (or septic) services. Junior accessory dwelling units with separate bathroom facilities and accessory dwelling units may not be attached to a septic system unless approved by the County of Los Angeles Public Health Department.
    b. Impact Fees. No impact fees shall be imposed on a junior accessory dwelling unit or an accessory dwelling unit less than 750 square feet in size.
    c. Separate Connections. If an accessory dwelling unit or junior accessory dwelling unit is constructed with a new single-family home, a separate utility connection directly between the accessory dwelling unit or junior accessory dwelling unit and the utility and payment of the normal connection fee and capacity charge for a new dwelling shall be required. If, however, the accessory dwelling unit or junior accessory dwelling unit is constructed within an existing single-family structure, then the City cannot require a separate utility connection.

7. Easements. No accessory dwelling unit or junior accessory dwelling unit may be constructed in a location that would violate any easement unless approved in writing by the holder of the easement.
8. Accessibility Standards. New construction of any ground level accessory dwelling unit and/or junior accessory dwelling unit is encouraged to be designed and constructed to allow for disability/accessibility standards by providing plans which demonstrate adequate door and hallway widths, maneuvering space in kitchens and bathrooms, and structural reinforcements for grab bars.
9. Nonconforming. Accessory dwelling units and junior accessory dwelling units shall not be required to correct legal nonconforming zoning conditions as a pre-condition to obtaining authorization to construct.
10. Fire Sprinkler Requirements. accessory dwelling units and junior accessory dwelling units shall not be required to include fire sprinklers if they are not required for the primary residence.
11. Zone Conformity. Except as otherwise provided in this Section accessory dwelling units and junior accessory dwelling units shall conform to all other development standards of the underlying zone.

F. Accessory Dwelling Units – Specific Standards

1. Legal Lot/Residence. An accessory dwelling unit shall only be allowed on a lot within the City that contains or has approved plans to be developed with a legal or legal non-conforming, single-family or multi-family residence.
2. The local agency shall not deny an application for a permit to create an accessory dwelling unit due to the correction of nonconforming zoning conditions, building code violations, or unpermitted structures that do not present a threat to public health and safety and are not affected by the construction of the accessory dwelling unit.
3. Floor area. Accessory dwelling units shall comply with the following:
    a. Attached Accessory Dwelling Units. The maximum floor area of an attached accessory dwelling unit shall be the higher of:
        i. Eight hundred fifty square feet for an accessory dwelling unit with zero to one bedroom or 1,000 square feet for an accessory dwelling unit with two or more bedrooms; or,
        ii. If there is an existing primary single-family dwelling, 50 percent of the square footage of the existing primary single-family dwelling.
    b. Detached Accessory Dwelling Units. The maximum floor area of a detached accessory dwelling unit shall be 1,200 square feet.
    c. An addition of up to 150 square feet to accommodate ingress and egress for an accessory dwelling unit created from the conversion of an existing accessory structure shall be exempt from the maximize floor area standard.
4. Setbacks
    a. No setbacks are required for either:
        i. Those portions of accessory dwelling units that are created by converting existing living area or existing accessory structures to new accessory dwelling units; or,

ii. The construction of a new accessory dwelling unit is in the same location and to the same dimensions as an existing structure.

b. All other accessory dwelling units must be setback a minimum of four feet from interior side, street side, and rear lot lines and where feasible and does not preclude the creation of an 800 square foot accessory dwelling unit, must comply with all applicable front setbacks pursuant to the standards of the underlying zone.

c. Where feasible and does not preclude the creation of an 800 square foot accessory dwelling unit, the minimum required distance between a detached accessory dwelling unit and the primary dwelling unit, and all other structures, including garages, on the property, shall be 10 feet.

5. Location. Where feasible and does not preclude the creation of an 800 square foot accessory dwelling unit, newly constructed accessory dwelling units shall be located in line with, or behind the front-most building wall of the primary dwelling unit.

6. Parking

a. In addition to the required parking for the primary unit, one parking space shall be provided unless the accessory dwelling unit has no bedrooms (e.g., a studio), in which case no parking space is required, or unless the proposed accessory dwelling unit qualifies for a parking exemption under PMC Section 17.91.010.F.6.b below. The required parking space may be provided as:

i. Tandem parking on an existing driveway in a manner that does not encroach onto a public sidewalk and otherwise complies with parking standards specified within this Ordinance; or,

ii. Within a setback area or as tandem parking in locations determined feasible by the City for such use. Locations will be determined infeasible based upon specific site or regional topographical or fire and life safety conditions.

b. Notwithstanding the foregoing, no parking space shall be required for an accessory dwelling unit if:

i. It is located within one-half mile walking distance of public transit;

ii. It is located within an architecturally and historically significant district;

iii. It is part of a proposed or existing primary residence or accessory structure;

iv. When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit; or,

v. Where there is a car share vehicle located within one block of the accessory dwelling unit.

vi. The application for an accessory dwelling unit is submitted with a permit application to create a new single-family dwelling or a new multifamily dwelling on the same lot, provided that the accessory dwelling unit or the parcel satisfies any other criteria listed in this paragraph.

c. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, the demolished or converted off-street parking spaces do not have to be replaced, and parking would be eliminated.

7. Design and Materials. Accessory Dd~~d~~welling Uu~~u~~nits shall comply with all standards of PMC Section 17.37.010~~030~~ (Detached Single Family Residential Standards), where applicable and not in conflict of the standards of this Section, except that PMC Sections 17.37.010~~030~~.G and H shall not apply, and PMC Section 17.37.010~~030~~.C.3.b (regarding garages) shall not apply unless a new or revised garage is being proposed for the single-family dwelling. Junior accessory dwelling units shall only be allowed in a primary dwelling that meets all applicable standards.
8. Second Story. For accessory dwelling units on a lot with a single-family residence, all or part of an accessory dwelling unit may be on the second floor only if the accessory dwelling unit does not have any open and not fully enclosed stairways, and one of the following applies:
    a. The accessory dwelling unit was converted entirely from existing space within the single-family dwelling;
    b. The accessory dwelling unit is attached to the primary dwelling and the primary dwelling (inclusive of the accessory dwelling unit) will comply with all standards applicable to the primary dwelling (except parking in scenarios pursuant to PMC Section 17.91.010.F.6~~4~~.c~~C~~); or,
    c. All or part of the accessory dwelling unit is above a code-compliant two car garage.
9. Height Limits. Accessory dwelling units are subject to the following height standards:
    a. A height of 16 feet for a detached accessory dwelling unit on a lot with an existing or proposed single family or multifamily dwelling unit;
    b. A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed single family or multifamily dwelling unit that is within one half of one mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in Section 21155 of the Public Resources Code. A local agency shall also allow an additional two feet in height to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit;
    c. A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed multifamily, multistory dwelling; or,
    d. A height of 25 feet or the height limitation in the local zoning ordinance that applies to the primary dwelling, whichever is lower, for an accessory dwelling unit that is attached to a primary dwelling. This clause shall not require a local agency to allow an accessory dwelling unit to exceed two stories.
10. Conversion of Existing Primary Unit. An existing single-family dwelling may be converted to an accessory dwelling unit when all standards of this Section are met and a new, larger single-family dwelling will be constructed pursuant to all standards of this Ordinance.
11. Passageway
    a. No passageway shall be required in conjunction with the construction of an accessory dwelling unit.
    b. For the purposes of this Section, passageway shall have the same meaning as that stated in Government Code Section 65852.2 as that section may be amended from time to time.
12. Other Standards. Lot coverage, open space, and floor area ratio limitations, where applicable, shall not preclude the development of an accessory dwelling unit of up to 800 square feet with a minimum of four-foot side and rear setbacks.

G. Junior Accessory Dwelling Units – Specific Standards
   1. Owner Occupancy. The owner must reside either in the junior accessory dwelling unit or in the single-family residence. Owner-occupancy is not required if the owner is a governmental agency, land trust, or "housing organization" as that term is defined in Government Code Section 65589.5(k)(2), as that section may be amended from time to time.
   2. Kitchen. The junior accessory dwelling unit shall include an efficiency kitchen, including a food preparation counter and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.
   3. Parking. The accessory dwelling unit shall not be required to have a parking space.
   4. Exterior Access. The junior accessory dwelling unit shall have exterior access and side and rear setbacks sufficient for fire safety.

H. Conflicts Between this Section and State Law. Should there be any conflict between this Section and Cal. Government Code sections 65852.2 and 65852.22 as amended from time to time, then the provisions of the above cited Government Code sections shall prevail.

17.91.020 Alcohol and Drug Treatment Facility

A. Purpose and Intent. It is the purpose of these standards to establish specific standards for Alcohol and Drug Treatment Facilities which house seven or more persons. The intent is to ensure that there are adequate Alcohol and Drug Treatment Facilities while also protecting adjacent land uses from adverse effects of such uses.

B. Development and Use Standards
   1. Use Restrictions. All Alcohol and Drug Treatment Facilities shall conform to the following requirements and standards:
      a. State License Required. Each facility must obtain a license from the State. Facilities without the proper State licensing shall be prohibited;
      b. Occupancy Requirements. Occupancy, not including on site staff, shall be limited to persons recovering from alcoholism or alcohol and/or drug abuse;
      c. All residents must actively participate in legitimate programs, including, but not limited to, Alcoholics Anonymous (AA) or Narcotics Anonymous (NA), and maintain current records of meeting attendance;
      d. All owners, managers, operators, and residents must observe and promote a "zero tolerance" policy regarding the consumption or possession of alcohol and controlled substances, except for prescription medications obtained and used under direct medical supervision;
      e. There must be a written policy dealing with the use of drugs or alcohol;
      f. The number of residents subject to the sex offender registration requirements of Penal Code Section 290 must not exceed the limit set forth in Penal Code Section 3003.5 and must not violate the distance provisions set forth in Penal Code Section 3003; and,
      g. Owners, managers, operators, and residents must ensure that the property and its use comply with all applicable state and local laws.

2. Property Requirements
    a. The parcel upon which the Alcohol and Drug Treatment Facility is located shall conform to all standards of the underlying land use designation and zone.
    b. Location
        i. The facility shall provide access to necessary support services;
        ii. There shall be a 5,000-foot separation measured from the nearest outside building walls between the subject use and any Sober Living Home or other Alcohol and Drug Treatment Facility; and,
        iii. An Alcohol and Drug Treatment Facility shall not be located within 1,000 feet of a public or private school (pre-school through 12th grade), universities, colleges, student housing, senior housing, childcare facilities, public parks, or businesses licensed for on- or off-site sales of alcoholic beverages as measured from any point on the outside walls of the subject use to the nearest property line of the noted use.
    c. Parking. Off-street parking shall be provided pursuant to PMC Chapter 17.87 (Off-Street Parking and Loading) and the following:
        i. All required off-street parking shall be located a maximum of 150 feet from at least one entrance to the facility;
        ii. If a shuttle stop is located on the property, shaded waiting areas and adequate and suitably striped paved areas for shuttle parking shall be provided adjacent to the shuttle stops; and,
        iii. Parking requirements may be adjusted on an individual project basis, subject to a parking study based on the type of care assistance provided, and the location and proximity to services including but not limited to medical offices, shopping areas, mass transit, etc.
    d. Bus turnouts and shelters: A bus turnout and shelter may be required as determined by the Review Authority if the project is located on a designated Regional or Crosstown street and adjacent to existing/future bus route(s).

17.91.030 Caretaker's Units (Accessory)

A. Purpose and Intent. It is the purpose of this Section is to establish specific standards for full-time caretaker's residences as an accessory use. The intent is to allow Caretaker's Units where a need exists, based on the type of use, for full-time security personnel or a superintendent to be present on-site. Caretaker's Units, where allowed by the zone, are allowed only as an accessory use.

B. Development Standards. A Caretaker's Unit shall be allowed as an accessory structure where allowed in the underlying zone, on a lot or site containing a primary use, subject to the following standards:
    1. Limited Use. A Caretaker's Unit may be occupied only by a caretaker or superintendent and their family. No other residential occupancy shall be allowed. A Caretaker's Unit shall not be used as office space;
    2. Property Standards. Only one Caretaker's Unit shall be allowed per lot of record;

3. ~~Construction~~ Development Standards. D~~All construction of d~~etached Caretaker's Units shall meet the minimum ~~construction~~ standards for single-family residences as contained in PMC Section 17.37.010 (Detached Single-Family Residential Standards). ~~17.41.090.G.~~ All construction of attached Caretaker's Units shall meet the applicable ~~construction~~ development standards for multifamily residences contained in PMC Chapter ~~Section 17.42.090.G~~17.38. (Supplemental Standards for Multi-Family Residential Development). ~~.~~ All Caretaker's Units shall be affixed to a permanent foundation;
4. Design and Materials. Caretaker's Units shall be designed and constructed with materials that are comparable to and compatible with any structures constructed for the primary use, if applicable, except that those construction materials which are prohibited pursuant to the appropriate construction standards shall not be used for Caretaker's Units;
5. Driveway Access. The driveway serving the primary use shall also serve the Caretaker's Unit;
6. Pedestrian Access. Each Caretaker's Unit shall be provided with a separate outside entrance, with pedestrian access from a public street to the entrance;
7. Parking. A minimum of one covered parking space~~, in an allowed location,~~ shall be provided on the same lot as the Caretaker's Unit, in addition to the required parking spaces serving the primary use; and,
8. Setbacks. A Caretaker's Unit shall not be constructed within a setback area required by the zone or for the primary use.

C. Review Process. Uses subject to this Section shall be subject to Minor Site Plan Review approval pursuant to PMC Section 17.26.090 (Minor Site Plan Review) and the permit requirements as specified in the applicable zone pursuant to the permissions tables in Divisions 3 through 7 of this Ordinance. Caretaker's Units that are intended to be incorporated into the overall site plan design of the property and constructed at the same time as the primary use shall be reviewed and approved as part of the development application for the primary use.

17.91.040 Cottage Food Operation

A. Purpose and Intent. The purpose of the Cottage Food Operation provisions are to allow the establishment and operation of cottage food operations within the home, pursuant to Section 113758 of the California Health and Safety Code, while minimizing any impacts of such businesses on adjacent properties or the general neighborhood.

B. Review Process. Uses subject to this Section shall be subject to the permit requirements as specified in the applicable zone pursuant to the permissions tables in Divisions 3 through 7 of this Ordinance.

C. Mandatory Conditions of Approval. Cottage Food Operations may be allowed on property used for residential purposes pursuant to the requirements as specified in the applicable zone and provided that the use is operated pursuant to the following:

1. The operator of a Cottage Food Operation must reside within the residential unit in which the facility is operated. The Cottage Food Operation shall not be transferable to another operator or transferable to another site.
2. Each Cottage Food Operation shall conform to all State and County laws, regulations, and requirements.

3. Within 30 days of receipt of an approval for a Cottage Food Operation, the operator of such facility shall provide proof of receipt of a permit from the County of Los Angeles, Environmental Health Services, Department of Public Health to the City.
4. The Cottage Food Operation shall be clearly incidental to the use of the structure as a dwelling.
5. No physical conversions or alterations to the residential nature and character of the residential unit where a Cottage Food Operation is being conducted shall be allowed in conjunction with the Cottage Food Operation.
6. A Cottage Food Operation shall be conducted only within an enclosed living area of the dwelling unit and shall not occupy more than 25 percent of the gross floor area of the dwelling. A Cottage Food Operation shall not utilize any outdoor area, any accessory structure, or any garage or carport utilized to satisfy off-street parking standards. There shall be no storage of equipment, inventory, or supplies in an attached garage, an accessory structure, or outside of the dwelling (including inside of a storage building that is not a "structure").
7. No greater than one cottage food employee, as defined by California Health and Safety Code Section 113758.b.1, and not including a family member or household member of the cottage food operator, shall be allowed on the premises of the Cottage Food Operation.
8. If direct sales are proposed at the site of the Cottage Food Operation, no third parties or customers shall be allowed to dine at the Cottage Food Operation.
9. No outdoor sales shall be allowed at the site of the Cottage Food Operation.
10. No Cottage Food Operation shall sell, or offer for sale, from the residence food items prepared from that residence between the hours of 6:00 p.m. and 9:00 a.m.
11. Commercial delivery of items used in a Cottage Food Operation shall be prohibited between the hours of 6:00 p.m. and 8:00 a.m.
12. Cottage Food Operations shall not create noise levels in excess of those allowed in residential areas in the Noise Element of the General Plan.
13. Parking Standards. For single-family homes, parking spaces in the property's garage or carport and driveway shall be available for the parking demand created by the use, including parking spaces for the cottage food operator's personal vehicles, parking spaces for employees if employees are present, and one parking space for customers if direct sales on the property are proposed. For apartments and multi-family developments, the cottage food operator's designated space(s) shall be available for the parking demand created by the use, including parking spaces for the cottage food operator's personal vehicles, parking spaces for employees if employees are present, and one parking space for customers if direct sales on the property are proposed.
14. The cottage food operator shall contract with the local waste disposal company for additional trash removal services, as deemed necessary by the Director and pursuant to PMC Chapter 5.52 (Solid Waste Handling and Recycling Services).
15. No signage or advertisement identifying the Cottage Food Operation shall be allowed at the premises except as may be required by Federal, State, and/or local agencies. No vehicles with any signs indicating that the premises is being used for the business shall be parked within view of the public right-of-way.

16. Gross annual sales shall not exceed the amount specified in California Health and Safety Code Section 113758.
17. The City shall have the right to inspect the premises in which the Cottage Food Operation is located.

D. Modification or Revocation by the Director. The Director may periodically review any Cottage Food Operation to ensure that it is being operated in a manner consistent with the conditions specified within this Section and in a manner which is not detrimental to the public health, safety, or welfare, or materially injurious to properties in the vicinity. If, after reviewing, the Director deems that there is sufficient evidence to modify or revoke the Cottage Food Operation approval, this shall be accomplished pursuant to the standards specified within PMC Section 17.26.090.E.

E. Lapse of Approval
   1. A Cottage Food Operation, approved under the provisions of this Section, shall become null and void upon expiration of a business license issued in conjunction with the Cottage Food Operation and will require the filing of a new application, including applicable fees, with the City.
   2. Where a Cottage Food Operation has been revoked pursuant to this Section, a new application for the same or substantially the same Cottage Food Operation may not be filed within one year of the date of revocation.

17.91.050 Manufactured/Mobile Home Parks

A. Purpose and Intent. It is the purpose of this Section is to establish specific standards for Manufactured/Mobile Home Parks, including tiny homes and park models. The intent is to prevent the creation of any nuisance to the occupants of neighboring areas while allowing the establishment and operation of the Manufactured/Mobile Home Park.

B. General Development Standards. All Manufactured/Mobile Home Parks shall be constructed in the following manner:
   1. Minimum Site Size. A site proposed for a Manufactured/Mobile Home Park shall be a minimum of five gross acres.
   2. Density. The overall density of the project shall not exceed the maximum density allowed by the General Plan.
   3. Manufactured/Mobile Home Space Standards
      a. Minimum Size. The manufactured/mobile home spaces in the park shall average a minimum of 3,000 square feet, but no site shall be smaller than 2,500 square feet;
      b. Minimum Width. The minimum average width of a manufactured/mobile home space shall be 42 feet for sites designated for a single width manufactured home, or 30 feet plus the width of the manufactured home for sites designated for double width or wider manufactured homes; and
      c. Frontage. Each manufactured/mobile home space shall abut directly upon an interior drive aisle for a minimum of 30 feet.
   4. Setbacks. The minimum setbacks for individual manufactured/mobile home spaces, measured from the edge of internal streets or edge of an internal drive aisle, and border of unit space lines as follows, shall be as follows:
      a. Front setback shall be minimum 10 feet;

b. Side setback shall be either a minimum of five feet on each side, or zero lot line on one side and 10 feet on the opposite side. On corner manufactured home sites or lots, the side setback adjoining the Manufactured/Mobile Home Park or Subdivision street shall not be less than 10 feet;

c. Rear setback shall be a minimum of 10 feet; and,

d. Structural separation between any two dwelling units shall be a minimum of 10 feet.

5. Exterior Boundaries. All exterior boundaries of the Manufactured/Mobile Home Park or Subdivision shall appear similar to conventional residential developments and shall be screened by a decorative wall, fence, or other comparable devices a minimum of six feet in height. A minimum six foot wide landscaped area shall be provided along the inside of the perimeter wall, which may include the required setbacks of the adjoining manufactured home spaces. Where a perimeter wall is located adjacent to public rights-of-way, a minimum of 12 feet of landscaping shall be provided between the wall and the edge of curb, excluding the sidewalk. Landscaping shall be provided as approved by the City Engineer.

6. Lot Coverage. Maximum space coverage (unit and its accessory structure(s)) shall be 75 percent of the manufactured/mobile home space.

7. Common Areas. A minimum of 20 percent of the park site shall be devoted to common usable open space. Useable open space areas shall not include rights-of-way, vehicle parking areas, areas adjacent to or between structures less than 15 feet in width, private setbacks, or slopes greater than 3:1. The area to be utilized for common recreation facilities shall have a minimum aggregate area of 300 square feet for every manufactured/mobile home space or lot.

8. Amenities. All Manufactured/Mobile Home Parks shall provide recreational amenities within the site which may include, but are not limited to swimming pool; spa; clubhouse; tot lot with play equipment; picnic shelter – barbecue area; court game facilities including, but not limited to tennis, basketball, or racquetball; improved softball or baseball fields; or day care facilities. The type of amenities shall be approved by the Review Authority and provided according to the following schedule:

Table 17.91.050-1. Amenities Per Number of Units

Units	Amenities
0 - 9	0
10 - 50	1
51 - 100	2
101 - 200	3
201 - 300	4

Note:
Add 1 amenity for each 100 additional units or fraction thereof.

9. Facilities. The following facilities shall be provided in each Manufactured/Mobile Home Park:

a. Manufactured/Mobile Home Park Office. Every Manufactured/Mobile Home Park shall include a permanent building for office use. Such building may include a single-family dwelling for the exclusive use of the owner or manager.
b. Laundry Rooms. Every Manufactured/Mobile Home Park shall provide laundry facilities based on the number of manufactured/mobile home spaces pursuant to PMC Section 17.38.070 (Dwelling Unit Requirements).
c. Mailboxes. Each manufactured/mobile home space shall be equipped with a receptacle for mail deliveries pursuant to the standards of the local postmaster. Mailbox areas shall be designed pursuant to PMC Section 17.38.070 (Dwelling Unit Requirements)
d. Storage Areas. Areas used for storage of travel trailers, boats, or other such items may be established in a Manufactured/Mobile Home Park provided they are screened from public view.
e. Utilities. All utility distribution facilities, including television antennae service lines serving individual manufactured/mobile home spaces, shall be placed underground. The Manufactured/Mobile Home Park owner shall be responsible for compliance with the standards of this Section, and they shall make all the necessary arrangements with each of the serving utilities for the installation of such facilities. Transformers, terminal boxes, meter cabinets, pedestal, concealed ducts, and other appurtenant facilities necessary for such underground facilities may be placed above ground. Water and sewer distribution facilities shall be installed in conformance with specifications of the City Engineer. All manufactured/mobile home spaces shall be served with water, gas, electricity, television cable, and sewer, and fiber as it is available.

10. Design. No manufactured/mobile home shall be installed in a Manufactured/Mobile Home Park if more than 10 years have elapsed between the date of the manufacture of the home and the date of an application for the issuance of a building permit to install the unit. Each unit shall be equipped with skirting or provided with a support pad which is recessed, in order to give the appearance of the home being located on-grade.
11. Internal Streets. Streets shall be designed to provide convenient traffic circulation within the Manufactured/Mobile Home Park or Subdivision. The following minimum standards shall apply unless modified by the City Engineer:
    a. The minimum width of any street shall be 30 feet including the curbs;
    b. The streets shall be paved in accordance with the standards established by the City Engineer; and,
    c. Concrete roll curbs shall be provided on each side of the street. Sidewalks shall be provided along internal streets/drive aisle where deemed appropriate.
12. Driveways. Driveway approaches into Manufactured/Mobile Home Parks shall be delineated with interlocking pavers, rough-textured concrete, landscaped medians, or similar features.
13. Pedestrian Access. All recreation facilities and common areas shall be conveniently located within the park or subdivision and be accessible via pedestrian pathways and sidewalks. Such accessways shall also be provided to off-site walkways.
14. Parking. The Manufactured/Mobile Home Park shall be provided with parking and access as required by PMC Chapter 17.87 (Off-street Parking and Loading). If garages are provided, a minimum of 20 feet shall be provided between the face of the garage door and the back of

sidewalk or edge of internal drive aisle. In addition, if the manufactured/mobile homes park has more than 40 spaces, common recreation and laundry areas shall have sufficient parking to accommodate 40 plus one automobile for every 10 manufactured/mobile home spaces.

15. Landscaping. Common open space areas shall be landscaped pursuant to an approved landscape plan. Landscaping shall be maintained in accordance with such plans by the property owner in perpetuity. In addition to perimeter trees, the equivalent of one tree shall be planted for each manufactured/mobile home lot or space, either within the individual spaces or in common areas.
16. Lighting and Signs. Lighting and signs shall be pursuant to Division 8 (General Development Standards) of this Ordinance. Adequate internal and external lighting, including lighting of walkways, shall be provided for security purposes. The lighting shall be energy efficient, stationary, deflected away from adjacent properties and public rights-of-way, and of an intensity compatible with the residential neighborhood.
17. Trash Areas. Trash areas shall be dispersed throughout the park. Trash areas not located within a building shall be paved and located a minimum of five feet from the private street or drive aisle. One trash area shall be provided for the first 10 units, and one for each additional 10 units or fraction thereof. Trash areas must be able to accommodate trash, recycling, and organics collection services in compliance with state law.
18. Animal-keeping. Animal-keeping at Manufactured/Mobile Home Park shall be pursuant to the standards in PMC Chapter 17.89 (Animal Keeping).
19. Transient Spaces. Transient manufactured/mobile home spaces shall include all spaces that are occupied with manufactured/mobile homes for 90 days or less. Not more than 10 percent of the manufactured/mobile home spaces may be used for transient manufactured/mobile homes. Spaces reserved for transient manufactured/mobile homes shall be so designated on the plans submitted with the application for the manufactured/mobile home park. All standards of this Section shall apply to transient spaces. Manufactured/mobile homes which are smaller than specified in this Section may occupy such designated transient manufactured/mobile home spaces for periods up to 90 days.

C. Homeowner's Associations. A homeowner's association shall be formed for any Manufactured/Mobile Home Subdivision. Such association shall be responsible for the maintenance of common recreation facilities, common open space areas, common landscape areas, pedestrian pathways, private streets/drive aisles, and other common areas identified on the subdivision map.

D. Review Process. Uses subject to this Section shall be subject to the permit requirements as specified in the applicable zone pursuant to the permissions tables in Divisions 3 through 7 of this Ordinance. Manufactured/Mobile Home Subdivisions must also comply with the requirements for subdivisions.

17.91.060 Manufactured/Mobile Home Park Closures

A. Findings and Declaration of Purpose. The State Mobile home Residency Law, Civil Code Section 798, et seq. and Government Code Sections 65863.7 and 66427.4, limit the grounds on which manufactured/mobile home owners may be evicted from a Manufactured/Mobile Home Park, protect a manufactured/mobile home owner's right to sell their mobile homes in place in a Manufactured/Mobile Home Park and authorize local jurisdictions to impose reasonable measures

to mitigate the adverse impacts on displaced manufactured/mobile home owners when a Manufactured/Mobile Home Park closes or converts to another use. Pursuant to these state laws, this Section provides a procedure and standards for reviewing applications for change of use and closure of mobile home parks, determining reasonable mitigation measures, and protecting residents from tactics including, but not limited to intimidation, designed to pressure manufactured/mobile home owners to relocate without receiving assistance pursuant to this Section.

B. Definitions. Refer to PMC Chapter 17.16 (Definitions).

C. Application and Conversion Impact Report--Data on Manufactured/Mobile Home Owners and Park Residents -- Duty to File

1. Prior to a change of use of a Manufactured/Mobile Home Park, an application therefore and a conversion impact report ("CIR") complying with the requirements of this Section must be filed with the Director. No application shall be deemed complete or processed for consideration and approval until an application and CIR meeting all the requirements of this Section have been filed. No oral or written announcement or notice that a Manufactured/Mobile Home Park is closing or changing the use of a Manufactured/Mobile Home Park, or will be applying to do so, may be made before an application for change of use has been filed pursuant to this Section. The City Council, by resolution, may impose a fee for review of the application and CIR.
2. The CIR shall contain the following information:
    a. A description of any proposed new use;
    b. A timetable for conversion of the park;
    c. A legal description of the park;
    d. The number of spaces in the park, length of occupancy by the current occupant of each space, and current rental rate for each space;
    e. The date of manufacture and size of each manufactured/mobile home by space;
    f. Appraisals of the on-site value, depreciated replacement value and removal value of the manufactured/mobile home of each eligible resident in the park;
        i. A qualified appraiser shall be selected by the City and the cost of the appraisals shall be borne by the applicant. The appraisals shall identify those manufactured/mobile homes which cannot be moved due to type, age, or other considerations;
    g. The total number of manufactured/mobile home residents, broken down space by space to identify the owner or renter occupancy, principal or second home occupancy, residents under 16 years of age, residents 60 years of age or over, residents who require accessibility per the Americans with Disabilities Act, any remaining mortgage and its terms, the purchase date and price paid by the manufactured/mobile home owner, the cost incurred by the manufactured/mobile home owner in improving the home and the amount and terms of any remaining mortgage. This information shall be provided on a questionnaire developed by the Director and sent to the residents by the Director who shall use the information in evaluating the application and any appropriate relocation assistance, provided, however, that the questionnaires shall remain confidential and that, to the extent possible, the Director shall maintain the confidentiality of the personal financial information contained in the questionnaire;

h. The name and mailing address of each eligible resident, mobile home tenant, manufactured/mobile home resident, resident manufactured/mobile home owner and legal owner of a manufactured/mobile home in the park;

i. The purchase price of condominiums, similar in size to the manufactured/mobile homes within a reasonable distance, and the rental rates and moving costs involved in moving to an apartment or other rental unit within a reasonable distance, including but not limited to, fees charged by moving companies and any requirement for payment of the first and last month's rent and security deposits;

j. A list of comparable Manufactured/Mobile Home Parks within a 50-mile radius of the applicant's manufactured/mobile home park. For each comparable park, the list shall state the criteria of that park for accepting relocated manufactured/mobile homes, rental rates and the name, address, and telephone number of the park representative having authority to accept relocated homes, including any written commitments from Manufactured/Mobile Home Park owners willing to accept displaced manufactured/mobile homes;

k. Estimates from two moving companies as to the minimum and per mile cost of moving each manufactured/mobile home, including tear-down and setup of manufactured/mobile homes and moving of improvements including, but not limited to porches, carports, patios, and other moveable amenities installed by the residents. Said moving companies shall be approved by the Director prior to inclusion in the final CIR;

l. Proposed measures to mitigate the adverse impacts of the conversion upon the Manufactured/Mobile Home Park residents; and,

m. Identification of a relocation specialist to assist residents in finding relocation spaces and alternate housing. The specialist shall be selected by the applicant, subject to approval by the City, and shall be paid for by the applicant.

D. Notice to Existing and Prospective Occupants Regarding Pending Change in Status of Park – Relocation Assistance. When an application for change of use of a manufactured/mobile home park has been filed with the Director, the applicant shall give notice to all existing tenants of the subject park, and all prospective manufactured/mobile home purchasers and prospective manufactured/mobile home tenants within the park, prior to commencement of escrow to purchase the home and execution of any rental agreement, that the application for change of use has been filed and that they may not be entitled to relocation assistance pursuant to this Section. The applicant shall obtain a signed acknowledgment of receipt of such notice from each tenant and prospective purchaser or tenant and file it with the Director. Provided all requirements of Civil Code Section 798.80 or successor statute have been complied with, tenants of the manufactured/mobile home park shall have the right of first refusal to purchase the manufactured/mobile home park prior to its sale to some other individual or entity.

E. Application for Change of Use – Public Hearing – Findings

1. Application

a. Upon the filing of an application for change of use and CIR, or for exemption from the requirements of Government Code Section 65863.7, the Director shall examine the same and advise the applicant in writing within 30 days after receipt thereof whether it is complete. The application for a change of use and CIR shall be accepted for filing without

the appraisals and confidential tenant information required by PMC Section 17.91.0670.C.2.f, but the application shall not be deemed complete until that information has been supplied by the applicant. If the applicant fails to provide the information required by PMC Section 17.91.0670.C.2.f within 120 days of filing the application, the application shall be deemed withdrawn.

b. An application for exemption from the requirements of Government Code Section 65863.7 shall specify whether it is for a partial or complete exemption and shall provide documentary evidence of the qualification for any exemption allowed by Government Code Section 65863.7. The application shall contain the information required in PMC Section 17.91.0670.C.2 except that it need not provide the information required by PMC Sections 17.91.0670.C.2.f, 17.91.6070.C.2.i, and 17.91.0670.C.2.l. Further, while the applicant must identify a qualified relocation specialist, the requirement that the services of the specialist be paid for by the applicant may be waived.

2. Not less than 30 days prior to the scheduled public hearing before the Planning Commission, the applicant shall, by certified mail or personal delivery, transmit to the registered and legal owner of each manufactured/mobile home occupying a space within the manufactured/mobile home park and to each resident a copy of the CIR and notice of the date, time, and place of the public hearing on the application.

3. Not less than 15 days prior to the scheduled public hearing before the Planning Commission on the CIR, the applicant shall file with the Director a verification that they have complied with the requirements of this Section pertaining to notices and transmittal of copies of the CIR and with all notice requirements in Government Code Section 65863.7, et seq. The form and manner of such verification shall be subject to approval by the City Attorney.

F. Planning Commission Hearing, Findings, and Advisory Decision.

1. Upon review of an application for change of use or exemption and the CIR and consideration of the written and oral evidence received at the hearing, the Commission shall render its findings and recommendation to the City Council by resolution within 95 days of the date the application and CIR were accepted as complete. In rendering its advisory decision, the Commission may recommend reasonable measures not exceeding the reasonable costs of relocation to mitigate the adverse impacts on eligible residents displaced by the change of use, which may include, but are not limited to, the following:

a. Payment of the cost of physically moving the manufactured/mobile home to a new site, including tear down and setup of manufactured/mobile homes, including, but not limited to, movable improvements including, but not limited to patios, carports, and porches;

b. Payment of a lump sum based on consideration of the first and last month's rent and any security deposit at the new Manufactured/Mobile Home Park;

c. Payment of a lump sum based on consideration of any differential between rental rates at the closing Manufactured/Mobile Home Park and the new Manufactured/Mobile Home Park during the first year of the new tenancy;

d. For residents whose manufactured/mobile home cannot be relocated to a comparable park within a 50 mile radius of the closing Manufactured/Mobile Home Park, payment of a lump sum based upon consideration of the value of the manufactured/mobile home, including resident improvements (i.e., landscaping, porches, carports, etc.), any mortgage

obligations of the resident on the manufactured/mobile home, and the costs of purchasing a mobile home on-site in a comparable park or acquiring other comparable replacement housing;

e. Provision of a replacement space within a reasonable distance of the closing Manufactured/Mobile Home Park;

f. Notwithstanding any other provision in this Section, the total of the mitigation measures required shall be subject to and shall not exceed the limitation in Government Code Section 65863.7 which provides: "the steps taken to mitigate shall not exceed the reasonable costs of relocation."; and,

g. Notwithstanding any other provision of this Section, if the Manufactured/Mobile Home Park closure or cessation in use is the result of an adjudication of bankruptcy, the applicant shall not be required to pay relocation assistance as specified within Government Code Section 65863.7~~.~~(e).

2. City Council Hearing, Findings and Decision.

a. The application for change of use and any application for exemption shall be set for hearing before the City Council within 45 days of the date of the Planning Commission resolution recommending the mitigation measures to be imposed on the change of use of a park or exemption, pursuant to Government Code Section 65863.7, from the provision of relocation assistance.

b. The City Council, after review and consideration of the application, the CIR and the written and oral evidence received at the hearing, shall by resolution render its findings and decision within 80 days of the date of the Planning Commission resolution.

c. The City Council may impose reasonable measures not exceeding the reasonable costs of relocation to mitigate the adverse impacts of the change of use on eligible manufactured/mobile home residents pursuant to PMC Section 17.91.0<u>6</u>~~7~~0.E.4. The decision of the City Council shall be final. Pursuant to Code of Civil Procedure Section 1094.6, the statute of limitations for bringing a judicial challenge to any decision concerning a change of use of a Manufactured/Mobile Home Park shall be 90 days and notice of the City's decision to the applicant and affected residents shall include notice that the 90-day statute of limitations in Section 1094.6 is applicable.

G. Measures to Prevent Avoidance of Relocation Assistance Obligations

1. No notice or other announcement that a park is closing, or converting to another use, or may close or convert to another use, may be made before the applicant has filed an application for change of use with the City. No signs may be posted on or adjacent to the park property indicating that the park is closed or converted to another use until the application and CIR has been approved and the applicant has executed and filed with the Director a written acceptance of the mitigation requirements imposed on the change of use pursuant to this Section.

2. Any eligible resident who relocates after an application for a change of use is filed shall be entitled to the relocation assistance imposed as a condition of the change of use even if that resident relocates before the final decision of the City Council determining the required relocation assistance pursuant to this Section.

3. Each applicant shall send a copy of this Section to each existing and new resident of the park by certified mail. Signed acknowledgment of receipt of such copy by each existing resident shall be filed with the Director within 30 days of the effective date of this Ordinance. A signed acknowledgment of such copy by each new resident shall be filed with the Director within 15 days of the date the new resident enters into a rental agreement with a park or lawfully occupies a manufactured/mobile home in the park.
4. No prospective manufactured/mobile home resident who enters escrow to purchase a manufactured/mobile home in a park prior to the date an application for change of use is filed and no existing manufactured/mobile home resident may be required to sign a waiver, or a lease or rental agreement which includes a waiver, of their rights pursuant to this Section. Any waiver of rights pursuant to this Section by such a manufactured/mobile home resident shall be deemed invalid unless the resident or prospective resident and the applicant obtain the prior approval of the waiver from the Director, who may grant such approval only upon a finding that the waiver is voluntary and was made after being fully informed of the terms of this Section.

H. Compliance with Relocation Assistance Required as a Condition of Approval of a Change of Use
   1. The applicant shall execute and record a certificate, and file proof thereof with the Director, accepting the mitigation measures imposed on the approval of a change of use within 90 days of the final resolution approving the change of use and shall give the six months notice of the "Termination of Tenancy" and closure of the park required by the Civil Code within 120 days of the adoption of that resolution. A resolution approving a change of use shall automatically become null and void if the certificate accepting the conditions is not filed and executed within 90 days of the date of the final resolution approving the change of use and the notice of "Termination of Tenancy" has not been given within 120 days of that resolution. All mitigation measures imposed on the approval of a change of use shall be fully performed as to each resident prior to that resident's required vacation of the manufactured/mobile home park, unless otherwise provided in the mitigation measure. No eligible resident shall be required to vacate a manufactured/mobile home space unless the applicant is in full compliance with all mitigation measures imposed pertaining to such resident and has otherwise fulfilled the notice requirements of the California Mobile Home Residency Law relating to "Termination of Tenancy."
   2. No building permit shall be issued for the development of any real property which has been, or is being, converted from a Manufactured/Mobile Home Park pursuant to this Section unless and until the City has adopted a resolution approving the change of use and the applicant has fully complied with the relocation assistance required by that resolution.

I. Modification and Revocation of Approved Change of Use
   1. Modification
      a. After a change of use has been approved and after the applicant has executed and recorded a certificate of acceptance of the conditions of the resolution approving it, modification of the mitigation measures imposed, including additions and deletions, may be considered upon the filing of a written application by the applicant. Modification may be granted on the grounds that there has been a change in circumstances or new information, which could not reasonably have been known or considered at the time of the hearings on the application, has become available. Examples of such new information

or changed circumstances include, but are not limited to, revised plans by the applicant and a change in the availability of relocation spaces. A modification shall not be granted when it would unreasonably prejudice the ability of the residents to relocate to comparable spaces or comparable alternate housing.

b. Any application for modification shall be subject to the notice and hearing procedures set forth in PMC Section 17.91.0670.E and PMC Section 17.91.0670.F. The decision in connection with a modification request shall take place as with the initial approval.

2. Revocation

a. The City Council may by resolution initiate revocation proceedings on the grounds that the applicant has violated the provisions of this Section or the terms of the resolution approving the change of use. The resolution shall specify the grounds asserted for revocation of the approval of the change of use by the park and shall set a hearing before the City Council to consider the revocation not sooner than 45 and not later than 60 days after the date of the resolution.

b. A copy of the resolution shall be sent to the applicant by certified mail or personal delivery together with notice that any response by the park must be filed at least 20 days prior to the date set for the revocation hearing.

c. The City Council shall render its findings and decision concerning revocation by resolution within 90 days after initiating revocation proceedings.

J. Expiration and Extension of Approval

1. Approval of a change of use shall become null and void if the notice of "Termination of Tenancy" has not been given within the time provided in PMC Section 17.91.060.H.1 and relocation pursuant to the conditions of approval has not occurred within 12 months of the effective date of the resolution approving the change of use, unless otherwise extended as provided in PMC Section 17.91.060.J.2 or unless otherwise provided in the resolution approving it.

2. Upon application by the applicant filed with the Director on or before the time provided for giving the Notice of Termination or the expiration of the approval of the change of use, the date for giving notice and the approval may be extended by the City Council upon a showing of good cause. The request may be denied if the Council finds that the applicant has unreasonably delayed implementation of the mitigation measures or that further delay will result in prejudice or further adverse impacts upon eligible residents remaining in the park. Approval of an extension may be conditioned on reasonable measures designed to mitigate the adverse impacts resulting from the delay. The application for extension shall be subject to the notice and hearing procedures set forth in PMC Sections 17.91.0670.E and 17.91.060.F.

K. Enforcement

1. The City Council may bring a civil action to enforce the terms of this Section or the terms of a resolution approving a change of use.

2. A violation of this Section or of the terms of a resolution approving a change of use shall be a misdemeanor punishable by a fine of $1,000. Each violation of this Section shall be a separate violation, each violation of each term of such resolution as to a particular eligible resident shall be a separate violation and each continued day of violation after notice of violation has been given shall constitute a separate violation.

L. Conflicts. In the event the provisions of this Section conflict with any code, ordinance, or standard of the City, the provisions of this Section shall govern. In the event any provisions of this Section conflict with a provision of State law, this Ordinance shall be interpreted and applied in conformity with State law.

M. Severability. If any part or provision of this Section, or the application of such to any person or circumstance is held invalid, the remainder of the Section, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end the provisions of this Section are severable.

17.91.070 Residential Care Facilities, Large

A. Purpose and Intent. It is the purpose of this Section to establish specific standards for Large Residential Care Facilities as defined within PMC Chapter 17.16 (Definitions). The intent is to ensure that adequate services and facilities are available to meet the special housing needs of individuals with a disability or illness who require assistance with day-to-day living.

B. Development Standards. All Large Residential Care Facilities shall conform to the following standards:

1. Property Standards. The parcel upon which the Facility is to be established shall conform to all standards of the underlying land use and zone;
2. Occupancy Limitations. Resident occupancy shall be limited to persons who require some form of personal assistance with day-to-day living due to a disability or illness and their spouses, and caregivers who live on-site.
3. Density. Large Residential Care Facilities which do not include individual kitchen facilities shall not be subject to density requirements. If the Facility does include individual kitchen facilities and the units are considered “dwelling units” as defined in PMC Section 17.16.040~~.D~~, the Facility shall be subject to the density requirements as specified by the General Plan.
4. Common Facilities. Large Residential Care Facilities shall provide the following common areas which shall be centrally located and accessible to all residents:
   a. Kitchen(s);
   b. Dining room(s);
   c. Laundry facilities;
   d. Restrooms; and,
   e. Lounges that provide television and areas for socializing and sitting.
5. Recreation and entertainment areas shall also be provided at the following standards provided in PMC Table 17.91.070-1 (Recreation and Entertainment Areas Standards). Examples of recreation and entertainment areas that can be provided to meet the minimum area standards include, but are not limited to:
   a. Activity areas;
   b. Workshops;
   c. Outdoor patios; and,
   d. Walking paths.

PMC Table 17.91.070-1. Recreation and Entertainment Areas Standards

Standard	1-100 Units	101+ Units
Minimum	1,200 sf or 25 sf/unit*	1,600 sf or 10 sf/unit*

*Note: *Whichever is greater.*

6. Parking. Off-street parking shall be provided pursuant to PMC Chapter 17.87 (Off-Street Parking and Loading) and the following:
   a. All required off-street parking shall be located a maximum of 150 feet from at least one entrance to the facility;
   b. If a shuttle stop is located on the property, shaded waiting areas and adequate and suitably striped paved areas for shuttle parking shall be provided adjacent to the shuttle stops; and,
   c. Large Residential Care Facility parking requirements may be adjusted on an individual project basis, subject to a parking study based on the type of assistance provided, and the location and proximity to services including but not limited to medical offices, shopping areas, mass transit, etc.
7. Bus Turnouts and Shelters. A bus turnout and shelter may be required as determined by the Review Authority if the project is located on a designated Regional or Crosstown street and adjacent to existing/future bus route(s).
8. Driveways. Driveway approaches shall be delineated with interlocking pavers, rough textured concrete, landscaped medians, or similar features. Stamped concrete shall be prohibited.

C. Other Standards
1. Accessibility. In addition to the Americans with Disabilities Act (ADA) standards for the resident bedrooms listed above, the site shall be provided with access as required by the ADA. Handrails shall be provided along both sides of corridors accessible to residents.
2. Elevator Access. All Large Residential Care Facilities that are two stories or greater shall provide an elevator(s). The elevator(s) must be accessible to all rooms above the first floor and large enough to accommodate a gurney.
3. Security and Lighting: Landscaping, screening, and other aspects of the development shall conform with the applicable standards of Division 8 (General Development Standards) of this Ordinance.
4. Trash Areas. Trash areas not located within a building shall be paved and located a minimum of five feet from a private street or drive aisle. Such areas shall be consistent with the standards contained in PMC Section 17.85.020 (Refuse and Recycling). A minimum of one trash area shall be provided for each building. Trash areas must be designed to accommodate trash, recycling, and organics collections.
5. Other Requirements. Large Residential Care Facilities shall conform with all local, state, and federal requirements.

D. Review Process. Uses subject to this Section shall be subject to the permit requirements as specified in the applicable zone pursuant to the permissions tables in Divisions 3 through 7 of this Ordinance.

17.91.080 Sober Living Home

A. Purpose and Intent. It is the purpose of this Section to establish specific standards for Sober Living Homes. The intent is to ensure that there are adequate provisions for sober living homes while also protecting surrounding residents from adverse effects from such uses.

B. Development and Use Standards

1. Use Restrictions. A Sober Living Home shall mean the use of a residential dwelling structure or unit for a cooperative living arrangement to provide an alcohol and drug-free environment for persons recovering from alcoholism or alcohol and/or drug abuse who seek a living environment in which to remain clean and sober. A Sober Living Home shall demonstrate each of the following identifying characteristics that serve to distinguish the Sober Living Home, from similar land uses including, but not limited to drug treatment facilities or community care facilities that are subject to state licensing requirements and from all other uses of residential property as follows:
    a. No more than six persons, including live-in managers, operators, or owners, must reside on the premises;
    b. All residents, including live-in managers, operators, or owners, must be recovering from alcohol and/or drug abuse;
    c. All residents must actively participate in legitimate programs, including, but not limited to, Alcoholics Anonymous (AA) or Narcotics Anonymous (NA), and maintain current records of meeting attendance;
    d. All owners, managers, operators, and residents must observe and promote a “zero tolerance” policy regarding the consumption or possession of alcohol and controlled substances, except for prescription medications obtained and used under direct medical supervision;
    e. There must be a written policy dealing with the use of drugs or alcohol;
    f. Owners, operators, managers, and residents must not provide any of the following services on-site as they are defined by Section 10501.a.6 of Title 9, California Code of Regulations:
        i. Detoxification;
        ii. Educational counseling;
        iii. Individual or group counseling sessions; or,
        iv. Treatment or recovery planning.
    g. The number of residents subject to the sex offender registration requirements of Penal Code Section 290 must not exceed the limit set forth in Penal Code Section 3003.5 and must not violate the distance provisions set forth in Penal Code Section 3003;
    h. Residents must not require non-medical care and/or supervision as those terms are defined in Health & Safety Code Section 1503.5 and Section 80001.c.3 of Title 22 of the California Code of Regulations;

i. The operators and/or residents must maintain current membership in a recognized nonprofit organization of Sober Living Homes that provide a credible quality assurance service for applicants or members or have received a Sober Living Home certification from the State of California Department of Alcohol and Drug Programs; and,

j. Owners, managers, operators, and residents must ensure that the property and its use comply with all applicable state and local laws.

2. Property Standards. The parcel upon which the Sober Living Home is located shall conform to all standards of the underlying land use designation and zone.

C. Review Process. Uses subject to this Section shall be subject to the permit requirements as specified in the applicable zone pursuant to the permissions tables in Divisions 3 through 7 of this Ordinance.

17.92 Commercial Uses

17.92.010 Adult-Oriented Businesses

A. Purpose and Intent. The purpose of this Section is to regulate Adult-Oriented Businesses in order to protect the health, safety, and welfare of the community from the harmful secondary effects brought about by the unregulated operation of Adult-Oriented Businesses. These secondary effects include but are not limited to depreciation of property values; increased vacancy rates in residential and commercial areas; increased criminal activity; increased litter, noise, and vandalism; and interference with the enjoyment of residential property in the vicinity of such businesses. The provisions of this Section have neither the purpose nor intended effect of:

1. Imposing a limitation or restriction on the content of any communicative material;
2. Denying access by adults to adult-oriented materials protected by the First Amendment to the U.S. or State Constitutions; or,
3. Denying access by distributors or exhibitors of adult-oriented materials or entertainment to their intended market.

B. Definitions. For the purposes of this Section, unless it is plainly evident from the context that a different meaning is intended, the following definitions shall apply:

1. Adult-Oriented Businesses. “Adult-Oriented Businesses” means any of the following:
   a. Adult Arcade. The term “adult arcade” as used in this Section, is an establishment where, for any form of consideration, on still or motion picture projectors, or similar machines, for viewing by five or fewer persons each, are used to show films, computer-generated images, motion pictures, video cassettes, slides, DVD, CD-ROM, or other visual or audio representations or any material in digital format, or other photographic reproductions and 30 percent or more of the number of which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.
   b. Adult Bookstore, Adult Novelty Store, Adult Video Store. The terms “adult bookstore”, “adult novelty store”, or “adult video store” as used in this Section, is an establishment that has 20 percent or more of its stock in books, magazines, periodicals or other printed matter, adult-oriented merchandise or of photographs, films, motion pictures, video cassettes, slides, tapes, records, DVD, CD-ROM, or other visual or audio representations or any material in digital format, are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities and/or specified anatomical areas. An adult bookstore, adult novelty store, or adult video store shall not include mail order businesses or wholesale businesses with no patrons on the premises.
   c. Adult Cabaret. The term “adult cabaret” as used in this Section, means a nightclub, restaurant, or similar business establishment which: (1) features live performances which are distinguished or characterized by an emphasis upon the display of specified anatomical areas or specified sexual activities; and/or (2) features persons who appear semi-nude; and/or (3) shows films, computer-generated images, motion pictures, video cassettes, slides, DVD, CD-ROM, or other visual or audio representations or any material in digital format, or other photographic reproductions and 30 percent or more of the number of which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.

d. Adult Hotel/Motel. The term “adult hotel/motel” as used in this Section, means a hotel or motel or similar business establishment offering public accommodations for any form of consideration which, (1) provides patrons with closed-circuit television transmissions, films, computer-generated images, motion pictures, video cassettes, slides, DVD, CD-ROM, or other visual or audio representations or any material in digital format, or other photographic reproductions and 30 percent or more of the number of which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas; and (2) rents, leases, or lets any room for less than a 10 hour period, or rents, leases, or lets any single room more than twice in a 24-hour period.

e. Adult Motion Picture Theater. The term “adult motion picture theater” means any business, other than a hotel or motel which regularly provides closed-circuit viewing to each individual room as a secondary service to its hotel or motel customers, with the capacity for five or more persons where, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions in which the predominant character and theme is distinguished or characterized by its emphasis on matters depicting or relating to "specified sexual activities," "specified anatomical areas" or men and/or women in a "state of nudity" or "state of partial nudity" as defined in this section, are regularly shown. This includes, without limitation, showing any such slides, motion pictures or videos by means of any video tape system which has a display, viewer, screen, or a television set. For purposes of this chapter, motion pictures receiving up to an "NC17" rating from a generally recognized movie rating organization shall not be deemed to be included in the definition of an adult motion picture theater.

f. Adult live entertainment theater means any place, building, enclosure, or structure, partially or entirely used for "live adult entertainment," as defined in this section, performances or presentations characterized by an emphasis on depicting, exposing, displaying, or describing or relating to "specified sexual activities," "specified anatomical areas" or men and/or women in a "state of nudity" or "state of partial nudity" for observation by patrons or customers therein. "Live adult entertainment" means any physical human body activity, whether performed or engaged in alone or with other persons, including but not limited to singing, walking, speaking, dancing, acting, posing, simulating, wrestling, or pantomiming, in which the performer(s) expose to public view without opaque covering "specified anatomical areas" or appear in a "state of nudity" or a "state of partial nudity" for any form of consideration.

g. Modeling Studio. The term “modeling studio” as used in this Section, means a business which provides, for pecuniary compensation, monetary or other consideration, hire or reward, or on a voluntary basis, figure models who, for the purposes of sexual stimulation of patrons, appear either nude or semi-nude or display “specified anatomical areas” to be observed, sketched, photographed, painted, sculpted, or otherwise depicted by persons on the premises. “Modeling studio” does not include schools maintained pursuant to standards set by the State Board of Education. “Modeling studio” further does not include a studio or similar facility owned, operated, or maintained by an individual artist or group of artists, and which does not provide, allow, or make available “specified sexual activities”.

2. Adult-Oriented Merchandise. The term Adult-Oriented Merchandise" as used in the Section, means sexually oriented implements or paraphernalia, including, but not limited to dildos; auto sucks; adult-oriented vibrators; edible underwear; benwa balls; inflatable orifices; anatomical balloons with orifices; simulated vaginas, and similar adult-oriented devices which are designed or marketed primarily for the stimulation of human genital organs or sadomasochistic activity.
3. Distinguished or Characterized by an Emphasis Upon. As used in this Section, the term "distinguished or characterized by an emphasis upon" shall mean and refer to the dominant or essential theme of the object described by such phrase. For instance, when the phrase refers to films "which are distinguished or characterized by an emphasis upon" the depiction or description of specified sexual activities or specified anatomical areas, the films so described are those whose dominant or predominant character and theme are the depiction of the enumerated sexual activities or anatomical areas.
4. Establishment of an Adult-Oriented Business. As used in this Section, to "establish" an Adult-Oriented Business shall mean and include any of the following:
    a. The opening or commencement of any Adult-Oriented Business as a new business;
    b. The conversion of an existing business, whether or not an Adult-Oriented Business, to any Adult-Oriented Business defined herein;
    c. The addition of any of the Adult-Oriented Businesses defined herein to any other existing Adult-Oriented Business; or,
    d. The relocation of any such Adult-Oriented Business.
5. Park. As used in this Section, the term "park" means a park, trail, recreation center, sports complex, golf course, or athletic field within the City which is under the control, operation or management of the City or other public agency.
6. Religious Institution. The term "religious institution" as used in this Section, is a structure which is used primarily for religious worship and related religious activities.
7. School. The term "school" as used in this Section, is any child or day care facility, or an institution of learning for minors, whether public or private, offering instruction in those courses of study required by the California Education Code and maintained pursuant to standards set by the State Board of Education. This definition includes a nursery school, kindergarten, elementary school, middle or junior high school, senior high school, or any special institution of education, but it does not include a vocational or professional institution of higher education, including a community or junior college, college, or university.
8. Semi-Nude. As used in this Section, the term "semi-nude" means a state of dress in which clothing covers no more than the genitals, pubic region, buttocks, areola of the female breast, as well as portions of the body covered by supporting straps or devices.
9. Specified Anatomical Areas. As used in this Section, "specified anatomical areas" shall mean and include any of the following:
    a. Less than completely and opaquely covered human:
        i. Genitals or pubic region;
        ii. Buttocks; and,
        iii. Female breast below a point immediately above the top of the areola;

b. Human male genitals in a discernibly turgid state, even if completely and opaquely covered; and,

c. Any device, costume, or covering that simulates any of the body parts included in PMC Sections 17.92.010.B.11.a or 17.92.010.B.11.b.

10. Specified Sexual Activities. As used in this Section, "specified sexual activities" shall mean and include any of the following, whether performed directly or indirectly through clothing or other covering:

a. The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breast;

b. Sex acts, actual or simulated, including intercourse, oral copulation, or sodomy;

c. Masturbation, actual or simulated; or,

d. Excretory functions as part of or in connection with any of the other activities described in PMC Section 17.92.010.B.12.a though PMC Section 17.92.010.B.12.c.

11. Substantially Enlarged. The term "substantially enlarged" as used in this Section means the increase in floor area occupied by an Adult-Oriented Business by more than 10 percent of its floor area as it existed at the time an Adult-Oriented Regulatory Permit was issued for the business.

C. Development Standards

1. Location Standards

a. An Adult-Oriented Business shall not be established or located in any zone or location except as allowed in the permissions table of the underlying zone and shall not violate any of the following separation standards:

i. The Adult-Oriented Business is not proposed within 1,000 feet of any other Adult-Oriented Business;

ii. The Adult-Oriented Business is not proposed ~~to be~~ within 1,000 feet of any residential use or zone whether in the ~~c~~City, in an adjoining city or unincorporated area; and,

iii. The Adult-Oriented Business is not proposed ~~to be~~ within 1,000 feet of any park, religious institution, or site used for assembly by a religious organization, school, or primary alcohol use.

b. The distances set forth above shall be measured as a straight line from the edge of the building of the Adult-Oriented Business to the property line so used without regard to intervening structures.

D. Review Process. Uses subject to this Section shall be subject to Conditional Use Permit approval pursuant to PMC Chapter 17.22 (Conditional Use Permit) and the permit requirements as specified in the applicable zone pursuant to the permissions tables in Divisions 3 through 7 of this Ordinance.

E. Required Findings for Approval. Notwithstanding the provisions of PMC Section 17.22~~1~~.060 (Required Findings for Approval), the Review Authority shall approve a Conditional Use Permit~~Site Plan Review~~ for an Adult-Oriented Business if the Review Authority is able to make affirmative findings based on ~~all of~~ the following criteria:

1. The proposed use is in compliance with PMC Section 17.92.010 (Adult-Oriented Businesses) and PMC Chapter 5.04 (Business Regulation), to the extent such standards are not in conflict with the provisions of PMC Section 17.92.010 (Adult-Oriented Businesses).

F. Existing Adult-Oriented Businesses

1. Any Adult-Oriented Business lawfully operating on the effective date of this Section in violation hereof shall be deemed a non-conforming use.
2. Any Adult-Oriented business lawfully operating on the effective date of this Section which becomes non-conforming due to the criteria specified within this Ordinance and/or PMC Section 5.04.400.I shall adhere to the provisions of PMC Chapter 17.28 (Non-conforming Uses and Structures).
3. An Adult-Oriented Business lawfully operating as a conforming use shall not be rendered a non-conforming use by the subsequent location of:
   a. A residential use or zone within 1,000 feet of the Adult-Oriented Business; or,
   b. A park, religious institution, school, or primary alcohol use, within 1,000 feet of the Adult-Oriented Business. This exemption shall only apply if the Adult-Oriented Business is continuous, which means that interruptions in business operations shall not exceed six months.

17.92.020 Alcoholic Beverage Establishments

A. Purpose and Intent. It is the purpose of this Section to establish specific standards for Alcoholic Beverage Establishments where alcoholic beverages are sold for on- or off-site consumption to ensure that such businesses are appropriately located and operated so as not to pose a significant threat to the public health, safety, peace, and welfare.

B. Definitions

1. **Alcoholic Beverage Establishment** shall mean an Off-Sale Alcoholic Beverage Establishment or an On-Sale Alcoholic Beverage Establishment. Does not include grocery stores with incidental sales of alcohol for off-sale consumption.
2. **Alcoholic Beverage Establishment, Existing Non-Conditional Use Permit** shall mean an Alcoholic Beverage Establishment that was lawfully operating without a Conditional Use Permit on August 10, 2005.
3. **Alcoholic Beverage Establishment, Off-Sale** shall mean an establishment that sells, serves, or gives away alcoholic beverages for consumption off the premises. Without limitation, this definition includes a liquor store and a Convenience Market that sells alcoholic beverages.
4. **Alcoholic Beverage Establishment, On-Sale** shall mean an establishment that sells, serves, or gives away alcoholic beverages for consumption on the premises. Without limitation, this definition includes an eating establishment or Bona Fide Restaurant that sells alcoholic beverages, Brewpubs/Taprooms/Wine Bars/Micro-distilleries, and Breweries/Distilleries/Wineries (with tasting room). For purposes of this Chapter, if any sale of alcoholic beverages for consumption on the premises is involved, the following uses shall also be considered an On-Sale Alcoholic Beverage Establishment: Adult Cabaret; Bar, Night Club or Lounge; Billiards and Pool Hall; and a bowling alley.
5. **Alcohol Sales, Off-Sale.** See PMC Chapter 17.16 (Definitions).
6. **Bar/Nightclub/Lounge.** See PMC Chapter 17.16 (Definitions).

7. **Bona Fide Restaurant.** See PMC Chapter 17.16 (Definitions).
8. **Break in Service** shall mean the closure of an Alcoholic Beverage Establishment for a period of 180 consecutive days.
9. **High Crime Area** shall mean a crime-reporting district that has more than 120 percent of the average crimes reported.
10. **Responsible Beverage Service Training** shall mean a certified training program in responsible methods and skill for selling and serving alcoholic beverages. Such program shall incorporate the Responsible Beverage Service (RBS) Best Practices of the California Department of Alcoholic Beverage Control.
11. **Specific Demand Not Currently Served** shall mean an alcoholic beverage establishment where more than 50 percent of the alcoholic beverage products sold or served are not available within one-quarter mile of the location.
12. **Substantial Change in Mode or Character of Operation** shall mean without limitation that an Alcoholic Beverage Establishment has done any of the following:
    a. Increased its floor area by 25 percent or more;
    b. Increased the floor area principally devoted to alcoholic beverage sales by 25 percent or more;
    c. Converted from a Bona-Fide Restaurant to a Bar or Night Club, or any other Primary On-sale Alcoholic Beverage Establishment;
    d. A change of its Alcoholic Beverage Control (ABC) License from a Type 20 to a Type 21 or a Type 41 to a Type 47 or Type 48;
    e. Had its ABC License suspended for a period greater than 30 days;
    f. Had a Break in Service; or,
    g. Transferred its alcoholic beverage operations from one premises to another.

C. Review Process. Uses subject to this Section shall be subject to the permit requirements as specified in the applicable zone pursuant to the permissions tables in Divisions 3 through 7 of this Ordinance.

D. Submittal Requirements
1. The applicant shall provide the following information as part of the application for an Alcoholic Beverage Establishment:
    a. A vicinity map indicating the location of the proposed establishment and the distance separation from those uses specified in the location standards of this Section.
    b. Where deemed necessary by the Department to complete the City's review and evaluation of the proposed use, additional information may be required regarding ongoing use of the site, including but not limited to, hours of operation, number of employees, provisions for on- or off-site security, and other similar information.
2. Prior to approving or conditionally approving an Alcoholic Beverage Establishment, in additional to the findings required for the approval type required pursuant to the permissions tables in Divisions 3 through 7 of this Ordinance, the Review Authority shall find that the proposed use is consistent with the purpose of this Section. In making a decision, the Review Authority may consider the following:

a. Whether the Los Angeles County Sheriff's Department determines the proposed establishment would be located in a High Crime Area;
b. Information in the surrounding area; and,
c. The operational characteristics of the proposed establishment.

E. Location Standards

1. Alcoholic Beverage Establishments within the RC, VC, and MU zones are not subject to the location standards identified below.
2. Bona fide restaurants and Grocery Stores are not subject to the location standards below.
3. Alcoholic Beverage Establishments
   a. New Alcoholic Beverage Establishments, except for bona fide restaurants (see PMC Section 17.92.020.D.2) shall be separated from existing sensitive and similar uses based on the location standards specified in Table 17.92.020-1 (Location Standards of New Alcoholic Beverage Establishments):

PMC Table 17.92.020-1. Location Standards of New Alcoholic Beverage Establishments

Existing Uses	New On-Sale, Distance from existing use (ft)	New Off-Sale, Distance from existing use (ft)
*Public or Private TK-12 School, Learning/Tutoring Center or Commercial Day Care	500	1,000
Public Parks, Recreation Centers, or Public Libraries	500	500
**Residential Uses	500	500
Existing Bona Fide Restaurants	0	0
Existing Off-Sale Alcoholic Beverage Establishment	0	1,000
Existing On-Sale Alcoholic Beverage Establishment	0	500
Adult Oriented Business	1,000	1,000

Notes:
** Includes existing school facilities and undeveloped school sites as identified by the applicable School District.*
*** Includes existing residential uses and areas designated for future residential land uses as specified on the Official General Plan Land Use Map.*

   b. For purposes of this Section, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or suite wall where an Alcoholic Beverage Establishment is proposed to be conducted, to the nearest portion of a building or suite wall of an existing use or the nearest property line if there is no structure. For school and residential uses, the distance shall be measured from the nearest portion of the building or suite wall where the Primary Alcoholic Beverage Establishment is proposed to the nearest property line of an existing or future school or residential use site.
   c. Any Alcoholic Beverage Establishment may apply for modification of the location standards specified in this Section. A request for modification of the location standards shall be submitted in conjunction with the appropriate application for the proposed establishment and shall be reviewed concurrently by the Review Authority. The Review

Authority shall approve or deny the request and shall make at least two of the following additional findings:

i. It will serve a Specific Demand not Currently Served within one-quarter mile of the project location;

ii. It will not adversely affect nearby property; or,

iii. It will not promote community blight.

F. Development and Operation Standards

1. All Alcoholic Beverage Establishments

a. All new alcoholic beverage sales activities shall be designed, constructed, and operated to conform to all of the following operational standards.

i. The activity shall not endanger the public health or safety or create adverse effect to the health, peace, or safety of persons residing or working in the surrounding area;

ii. The activity shall not result in repeated nuisance activities within the premises or in close proximity of the premises especially in the late night or early morning hours, including, but not limited to, a disturbance of the peace, illegal drug activity, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, sale of stolen goods, public urination, theft, assaults, incidents of battery, acts of vandalism, excessive littering, loitering, graffiti, illegal parking, excessively loud noises, traffic violations, curfew violations, lewd conduct, or police detentions and arrests; and,

iii. The activity shall comply with all provisions of local, State, or Federal laws, regulations, or orders, including but not limited to those of the ABC, California Business and Professions Code Sections 24200, 24200.6, and 25612.5, as well as any condition imposed on any permits issued pursuant to applicable laws, regulations, or orders. This includes compliance with the requirements of the PMC for issuance of an annual City business license.

2. Off-Sale Alcohol Sales Establishment

a. In addition to any conditions imposed by the Review Authority, Off-Sale Alcohol Sales Establishments shall comply with the following development standards.

i. No beer or wine shall be displayed within five feet of the cash register or the front door unless such item is in a permanently affixed cooler;

ii. No sale of alcoholic beverages shall be made from a walk-up or drive-in window;

iii. No display or sale of alcoholic beverages shall be made from an ice tub. An “ice tub” shall be a vessel filled with ice that displays single servings of alcoholic beverages for customer self-service;

iv. No beer or wine advertising shall be located on motor fuel islands and no self-illuminated beer or wine advertising shall be located on buildings or windows of establishments where motor vehicle fuels are sold or stored;

v. Alcoholic beverages and non-alcoholic beverages shall be stocked and displayed separately;

vi. The establishment shall be a member of the “Business Watch Program”;

vii. Trash areas shall be able to accommodate trash, recycling, and organics collection services in compliance with PMC Section 17.85.020 (Refuse and Recycling) and State law;

viii. The exterior of the establishment, including all signs, accessory buildings, and structures, shall be maintained free of litter and graffiti at all times. Graffiti shall be removed within 72 hours of written notice from the City;

ix. The sales area shall be located so that the clerk and customer are fully visible from the street at the time of the sales transaction;

x. The cash register and sales area shall be illuminated in a manner that provides clear observation for law enforcement surveillance;

xi. Establishments shall be prohibited from selling single serve containers;

xii. Alcoholic beverages shall not be consumed on the premises;

xiii. Loitering in the public right-of-way, parking area or in front of adjacent properties shall be prohibited;

xiv. Window signs shall comply with PMC Chapter 17.88 (Signs), and shall be located in a manner that provides a clear and unobstructed view of the cash register and sales area from the parking area and public right-of-way;

xv. The establishment shall conspicuously post the following signs:

a.) Interior and exterior signs stating that consumption of alcoholic beverages on the premises is prohibited by law;

b.) Exterior signs stating Penal Code Section 602.1 and PMC Chapter 9.44 (Trespass on Private Property) shall be clearly visible from the parking area of the establishment and shall include the Los Angeles County Sheriff's Department phone number; and

c.) An interior sign stating: "We ID everyone under 30 years of age for alcohol sales." The dimensions of such sign shall be at least eight inches by eleven inches. The sign shall be provided in both English and the predominant language of the clientele of the establishment;

xvi. Coin-operated games shall be prohibited;

xvii. Exterior lighting of the parking area and premises shall be provided at a level sufficient for recognition of the features of a person at any point on the property. Lighting shall conform to PMC Section 17.86.030 (Outdoor Lighting), and shall not produce glare or unnecessarily illuminate nearby residential properties;

xviii. A security camera system approved by the Neighborhood Services Department shall be installed on the premises, shall be maintained in proper working order at all times and shall be subject to periodic inspection by the City. The system shall be capable of producing a retrievable image on film or tape that can be made a permanent record and that can be enlarged through projection or other means. Video or digital recordings generated by the system shall be maintained for a minimum of 30 days;

xix. The establishment shall implement preventative architectural design features, as approved by the Neighborhood Services Department and the Review Authority, to maintain security of the premises. Such features shall control access to the facility, open sight lines, lighting levels, ambient noise levels and circulation patterns;

xx. Special security measures including, but not limited to security guards, door monitors and burglar alarm systems may be required as a Condition of Approval. This shall be determined on a case-by-case basis upon review by the Director, the Neighborhood Services Department, and the Los Angeles County Sheriff's Department; and,

xxi. The sale of distribution to the customer of paper or plastic cups in quantities less than their usual and customary packaging shall be prohibited.

3. On-Sale Alcoholic Beverage Establishments

a. In addition to any conditions imposed by the Review Authority, On-Sale Alcoholic Beverage Establishments, shall comply with the following development standards.

i. Litter shall be removed from the exterior of the establishment as required and no less frequently than once each day the establishment is open.

ii. The exterior of the establishment, including all signs, accessory buildings, and structures, shall be maintained free of litter and graffiti at all times. Graffiti shall be removed within 72 hours of written notice from the City.

iii. Alcoholic beverages shall not be sold for consumption off the premises, unless allowed by State law under the applicable ABC license.

iv. Alcoholic beverages shall not be consumed in the parking area or other exterior areas. This prohibition shall not apply to City-approved outdoor dining-areas that are adequately separated from direct public access or in conjunction with an approved Temporary Use Permit~~UP~~.

v. Exterior lighting of the parking area and premises shall be provided at a level sufficient for recognition of the features of a person at any point on the property. Lighting shall conform to PMC Section 17.86.030 (Outdoor Lighting) and shall not produce glare or unnecessarily illuminate nearby residential properties.

vi. The establishment shall be a member of the "Business Watch Program."

vii. The establishment shall conspicuously post an interior sign stating: "We ID everyone under 30 years of age for alcohol sales." The dimensions of such sign shall be at least eight inches by 11 inches. The language of such sign shall be English, as well as the predominant language of the clientele of the establishment.

viii. The establishment shall implement preventive architectural design features, as approved by the Neighborhood Services Department and the Review Authority, to maintain the security of the premises. Such features shall control access to the facility, open sight lines, lighting levels, ambient noise levels and circulation patterns.

ix. Special security measures including, but not limited to security guards, door monitors and burglar alarm systems may be required as a Condition of Approval. This shall be determined on a case-by-case basis upon review by the Director, the Neighborhood Services Department, and the Los Angeles County Sheriff's Department.

b. Entertainment, as defined by PMC Section 5.04.460 (Entertainment) shall not be conducted, except ~~where an Entertainment Permit~~when approved pursuant to PMC Section ~~5.04.400 (Adult-Oriented Businesses)~~~~17.26.110 (Entertainment Permit) has been approved by the City Council~~.

G. Training Requirement

1. Each person who sells or serves alcoholic beverages in any of the following venues shall successfully complete Responsible Beverage Service Training. The program shall be completed within 60 days of assuming the position that involves sale or service of alcoholic beverages and shall be periodically completed again not less than once every three years. The training shall be required:
   a. At a temporary use that requires a Temporary Alcoholic Beverage Sales Permit;
   b. In a new Alcoholic Beverage Establishment; or,
   c. In an existing Alcoholic Beverage Establishment that the City has determined has knowingly allowed Nuisance Activities on the premises.
2. Records of successful completion of Responsible Beverage Service Training shall be maintained on the premises of the temporary use or the Alcoholic Beverage Establishment and shall be presented to City and Los Angeles County Sheriff's Department representatives upon request.
3. Alcoholic Beverage Establishments with 25 or more employees that maintain a corporate policy and training program for the sale of alcoholic beverages, which incorporates the Responsible Beverage Service Best Practices of the Department of Alcoholic Beverage Control, may provide a copy of the corporate policy in place of the training requirement for each employee rather than complete the Responsible Beverage Service training as specified within PMC Section 17.92.020.~~F~~G.1.

H. Annual Administrative Program Fee. The owner of each Alcoholic Beverage Establishment shall pay an annual administrative program fee to cover the cost of administering an outreach and education program, monitoring and enforcement activities. The amount of the fee shall be established by City Council resolution and may be adjusted as necessary to ensure that revenues collected do not exceed the costs incurred by the City.

I. Deemed Approved

1. All Alcoholic Beverage Establishments that are legally nonconforming uses as of September 2, 2015, shall automatically become Deemed Approved uses as of the effective date of this Ordinance and shall no longer be considered legal nonconforming.
2. Each Deemed Approved use shall retain its deemed approved status as long as it complies with the following performance standards.
   a. That it does not result in adverse effects on the health, peace or safety of persons residing or working in the surrounding area.
   b. That it does not jeopardize or endanger the public health or safety of persons residing or working in the surrounding area.
   c. That it does not result in repeated nuisance activities, as defined herein, within the premises or in close proximity to the premises.
   d. That it complies with all provisions of local, State, or Federal laws, regulations, or orders, including, but not limited to, those of the ABC, California Business and Professions Code Sections 24200, 24200.6, and 25612.5, as well as any condition imposed on any permits issued pursuant to applicable laws, regulations, or orders. This includes compliance with the requirements of this Ordinance for an annual City business license.

e. That its upkeep and operating characteristics are compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood.

f. That the establishment is in compliance with the training requirements identified in PMC Section 17.92.020.G~~F~~.

3. The occurrence of any of the following shall terminate the Deemed Approved status of the Alcoholic Beverage Establishment and require the approval of the appropriate permit pursuant to the permissions tables in Divisions 3 through 7 of this Ordinance in order to continue the alcoholic beverage establishment use:
   a. There is a substantial change in mode or character of operation; or,
   b. There is a break in service.
4. The City shall notify the business owner of each Deemed Approved Alcoholic Beverage Establishment of the use's deemed approved status. The notice shall be sent by U.S. First Class Mail and shall include a copy of the performance standards in this Section. The notice shall also provide that the activity is required to comply with all performance standards and that the activity is required to comply with all other aspects of the Deemed Approved standards. The failure of any person to receive notice given pursuant to this Section shall not affect the Deemed Approved status of the use.
5. The Review Authority may review and examine any Deemed Approved use to ensure that it is being operated in a manner consistent with the conditions of approval and in a manner which is not detrimental to the public health, safety, or welfare, or materially injurious to properties in the vicinity. If, after review, the Review Authority deems that there is sufficient evidence to warrant a full examination, then a public hearing date shall be scheduled.
6. After scheduling a date for a public hearing, the Director shall notify the applicant and owners of the deemed approved use in question. Such notice shall be sent by certified mail and shall state that the Review Authority will be reviewing the use for possible modification or revocation of its Deemed Approved status. It shall also state the date, time, and place of hearing. The public hearing shall be conducted, and notice given pursuant to PMC Section 17.20.020 (Notification Procedures).
7. The Director shall fully investigate the evidence and prepare a report for consideration by the Review Authority. Upon conclusion of the public hearing, the Review Authority shall make render a decision to do one of the following measures:
   a. Find that the use is being conducted in compliance with the terms and conditions of the Deemed Approved Alcoholic Beverage Establishment and in an appropriate manner and that no action to modify or revoke the Deemed Approved status of the use is necessary;
   b. Find that the use is not being conducted in compliance with the terms and conditions of the Deemed Approved Alcoholic Beverage Establishment or in an appropriate manner and that modifications to conditions are necessary; or,
   c. Find that the use is not being conducted in compliance with the terms and conditions of the Deemed Approved Alcoholic Beverage Establishment or in an appropriate manner and that measures are not available to mitigate the impacts of the Deemed Approved use; upon making this determination, the Review Authority may revoke the Deemed Approved status of the use and order the operation of the alcoholic beverage use ~~shall~~ to

cease and desist in the time allotted by the Review Authority or obtain the necessary permit approvals pursuant to the permissions tables in Divisions 3 through 7 of this Ordinance.

8. An appeal of the determination of the Review Authority may be made pursuant to PMC 17.20.110 (Appeal Procedures).

17.92.030 Convenience Markets

A. Purpose and Intent. It is the purpose of this Section to establish specific standards for Convenience Markets. The intent is to provide for the convenience shopping needs of the surrounding neighborhood while preventing potential negative impacts relating to noise, traffic, visual appearance, health and safety, loitering, alcohol consumption, and blight on the property.

B. General Standards. In addition to compliance with all other applicable statutes, ordinances and standards, the following location and operation standards shall apply to Convenience Markets:

1. No video or arcade type games shall be installed or operated on the premises.
2. The site shall not have direct access to a N~~n~~eighborhood S~~s~~treet as designated by the General Plan.
3. All signage shall comply with PMC Chapter 17.88 (Signs).
4. The premises shall be kept in a neat and orderly condition at all times.
5. Trash areas shall be able to accommodate trash, recycling, and organics collection services in compliance PMC Section 17.85.020 (Refuse and Recycling) and with State law.
6. All public restrooms shall be accessible only from inside the market.
7. Any security lighting, site lighting, or illuminated signage shall be designed and/or directed so as not to adversely affect adjacent residential areas.
8. Convenience Markets which sell alcoholic beverages shall comply with the standards of PMC Section 17.92.020 (Alcohol Beverage Establishments). In the event of a conflict between the provisions of this Division and other provisions of this Ordinance, the more restrictive of the provisions shall apply.
9. The minimum site area shall be 10,000 square feet, unless the convenience market includes the sale of fuel, then the site standards within PMC Section 17.92.070.B.5 shall also apply.
10. Parking shall be provided pursuant to PMC Chapter 17.87 (Off-Street Parking and Loading).
11. The cashier area shall be equipped with a CCTV/Security System with digital recording, playback capability, and single image retrieval to aid in criminal apprehension. The recorder should be housed in a secure room away from the cash register/counter area. The recording field shall include the cash register area, customer counter area, and areas where customers are entering/exiting the establishment. Camera(s) focused on the entry/exit should be mounted and angled to capture customer's faces. Camera(s) should be used in conjunction with public view monitor(s) to create public awareness that a video surveillance system is in place and to discourage criminal acts. Recordings shall be maintained for a minimum of 90 days.
12. The cashier area shall be equipped with a telephone.

13. The businesses shall be equipped with a central station silent robbery alarm. Employees shall be instructed not to use this alarm as a panic button for other store-related problems in lieu of calling for law enforcement response by telephone.
14. Alarm buttons or other activation devices shall be placed at the cash register site, in the administration office, and in any other locations deemed appropriate by management.
15. Any delivery and/or receiving door(s) shall be equipped with a peephole/vision panel and a delivery notification system.
16. A security height marker shall be installed on all public entrances/exits.
17. The premises, while open or closed for business after dark, shall be sufficiently lit by the use of interior night-lights.
18. Window signage shall be limited to no more than 25 percent coverage of window area provided visibility into the building is maintained as specified within PMC Section 17.88.070 (Exemptions to Sign Permit Requirements).
19. The use of an ultraviolet light shall be required to verify all identification presented.
20. The establishment shall be required to register in the City of Palmdale Business Watch Program and receive merchant fraud training through the Public Safety Division.

C. Review Process. Uses subject to this Section shall be subject to the permit requirements as specified in the applicable zone pursuant to the permissions tables in Divisions 3 through 7 of this Ordinance.

17.92.040 Conversion of Residential Structures to Non-residential Uses

A. Purpose and Intent. The purpose of this Section is to provide standards to ensure the orderly transition of areas from residential uses to non-residential uses including, but not limited to office uses or certain retail uses.

B. Development Standards. The following standards shall apply to any residential structure converted to a non-residential use:

1. If the access drive to the rear of the lot is less than 20 feet in width, a turnaround shall be provided, and clear sight shall be provided between the driveway and the rear of the lot;
2. An existing residential garage constructed to the minimum width and depth standards outlined within PMC Chapter 17.87 (Off-street Parking and Loading) may be used and counted toward the required on-site parking;
3. All structures used for commercial or institutional purposes shall be brought into conformance with the applicable standards of the Building code, Fire Department, Americans with Disabilities Act, Health Department, or any other applicable City, County, State, or Federal provision;
4. Setbacks for existing structures may be deemed to meet setback standards for the underlying zone, provided that if the structures are legally non-conforming, no additional encroachments into setback areas shall be allowed;
5. The structure shall be connected to a public sewer system; and,
6. Additional landscaping may be required to buffer the non-residential use from adjacent residential uses at the discretion of the Review Authority.

7. All applicable lighting and trash requirements of PMC Chapter 17.85 (Utilities and Services) and PMC Chapter 17.86 (Landscaping, Lighting, Walls, and Fences) shall apply.

C. Special Sign Requirements. Because of the allowed mix of non-residential uses within an existing residential neighborhood, the following special sign requirements shall apply for as long as residential uses exist within 300 feet of a non-residential use:
   1. No sign shall be internally illuminated;
   2. No neon lighting shall be allowed;
   3. Monument signs shall not exceed a height of four feet or an area of 32 square feet; and
   4. No window signs shall be allowed other than those required by the City, State, or other agency.

D. Review Process. Uses subject to this Section shall be subject to Minor Site Plan Review approval pursuant to PMC Section 17.26.090 (Minor Site Plan Review) and the permit requirements as specified in the applicable zone pursuant to the permissions tables in Divisions 3 through 7 of this Ordinance.

17.92.050 Drive-Through Restaurants and Drive-Through Services

A. Purpose and Intent. It is the purpose of this Section to establish specific standards for drive throughs, provided with other commercial uses including but not limited to drive-through restaurants and financial institutions. The intent is to ensure that such developments do not have negative impacts on traffic, safety, air quality, and visual character of the surrounding area.

B. Vehicle Reservoir Areas
   1. In addition to the parking standards established in PMC Chapter 17.87 (Off-Street Parking and Loading), the following vehicle reservoir area requirements apply to drive-through restaurants and drive-through services:
      a. Adequate reservoir capacity for vehicles to enter a facility safely and efficiently shall be provided for all drive-through development projects. Reduced requirements may be allowed when sufficient evidence is provided by a study prepared~~,~~ to the satisfaction of the Review Authority~~,~~ to demonstrate that such a reduction will not impair traffic safety on the site.
      b. The vehicle reservoir area shall accommodate a minimum of five cars for each drive-up or drive-through window in addition to the space required for the vehicle receiving service. The Review Authority may require that the applicant prepare a study and may require~~.~~ additional queueing space pursuant to the study findings.
      c. Each reservoir space shall be a minimum of 12 feet wide and 20 feet long. Reservoir areas shall not block aisles, driveways, or access to parking spaces.

C. Development Standards
   1. Site design should locate the drive-through aisle so that pedestrians do not need to cross the aisle in order to access the main building entrance from the parking lot or street. If a pedestrian walkway intersects a drive-through aisle, the walkway shall be highlighted with enhanced paving and lighting and shall be located for maximum visibility of pedestrians.
   2. Drive-through aisles shall have a minimum 15-foot width on curves and a minimum 12-foot width on straight sections, with a minimum inside turning radius of 15 feet.

3. Drive-through aisles and structures shall be set back from the ultimate curb face of an adjacent public right-of-way a minimum of 20 feet, or as otherwise determined by the Review Authority.
4. Drive-through aisles shall be screened with a combination of decorative walls and landscape to a minimum height of 40 inches to prevent headlight glare and direct visibility of vehicles from adjacent streets and parking lots. Any wall shall comply with sight triangle requirements of PMC Chapter 17.82 (Setbacks and Location of Buildings) and shall not be located in a required setback.
5. Each drive-through entrance and exit shall be at least 100 feet from an intersection of public rights-of-way, measured at the closest intersecting curbs, and at least 25 feet from the nearest curb cut on an adjacent property.
6. Drive-Through Restaurants and Drive-Through Services within an integrated shopping center shall have an architectural style consistent with the theme established in the center. The architecture of any drive-through shall provide compatibility with surrounding uses in form, materials, colors, scale, and other design elements.
7. Other than menu boards, signs for Drive-Through Restaurants and Services shall conform to PMC Chapter 17.88.
8. Drive-through ~~design~~ restaurants shall include a minimum 11~~2~~ foot wide bypass lane, which allows vehicles already served or~~to exit first or~~ other vehicles to navigate around a drive-through lane. A bypass lane shall not include parking spaces. This requirement may be modified or waived at the discretion of the Review Authority where site constraints make a bypass lane infeasible.
9. No new drive-through restaurant use may be approved if located within 500 feet from an existing or proposed drive-through restaurant use as measured according to PMC Section 17.17.020 (Measuring Distances).

D. Review Process. Uses subject to this Section shall be subject to the permit requirements as specified in the applicable zone pursuant to the permissions tables in Divisions 3 through 7 of this Ordinance. In making the decision for approval of the proposed drive through, the Review Authority shall consider possible air quality, traffic safety, and visual impacts, as well as consistency with this Section and other applicable provisions of this Ordinance.

17.92.060 Family Day Care Center

A. Purpose and Intent. The purpose of this Section is to ensure that Family Day Care Center facilities are designed and constructed to provide quality care for children within the community in a safe and nurturing setting, and located where the facility will not be adversely impacted by surrounding land uses.

B. Development Standards. The following standards apply to any Family Day Care Center facility which is established as a primary commercial use or as an accessory use within a religious institution or other social or community facility.

1. Location:

Table 17.92.060-1. Development Standards for Family Day Care Centers

Adjacent Use	~~Distance~~ Requirement ~~(ft)~~	Notes
Gasoline pump, underground gasoline storage tank, or any other storage of explosive or hazardous materials	Min. 300 ft	*
Alcohol related use (primary or incidental)	Min. 500 ft	Uses defined by PMC Section 17.92.020 (Alcohol Beverage Establishments)
Adult-Oriented Business	Min. 1,000 ft	Defined by PMC Section 17.16 (Definitions)
Areas subject to Community Noise Equivalent Level (CNEL) of 65 or greater	Family Day Care Centers are prohibited	See General Plan Map Figure 8.4 for details *
Industrial Zones	Only allowed as an accessory use to serve employees on the site.	*

Note:
** In approving a location for a Family Day Care Center facility, the City shall evaluate any adverse effects which may impact children from excessive ~~truck~~ traffic, air emissions, noise, adjacent land uses, or other environmental issues affecting the proposed site.*

2. Drop-Off Areas. To provide for the safe pickup and delivery of children, drop-off areas:
   a. Shall be provided pursuant to PMC Chapter 17.87 (Off-Street Parking and Loading);
   b. Must be located near the facility entryway, in such a way that children will not have to cross the parking lot or any traffic areas to enter the building;
   c. Must be located and designed so that there shall be no queueing of vehicles on the adjacent street or public right-of-way; and,
   d. Should be designed with a one-way circulation pattern, when feasible.
3. Play Spaces:

Table 17.92.060-1. Development Standards for Play Spaces

Type	Minimum Requirement per Child (sf)	Notes
Outdoor	75	Must be fenced.
Indoor	35	

4. Restroom facilities shall be provided with a minimum of one toilet for every 15 children.
5. Signage, landscaping, lighting, screening, and trash enclosures shall be provided pursuant to Division 8 (General Development Standards) of this Ordinance.

C. Review Process. Uses subject to this Section shall be subject to Minor Site Plan Review approval pursuant to PMC Section 17.26.090 (Minor Site Plan Review) where applicable and the permit requirements as specified in the applicable zone pursuant to the permissions tables in Divisions 3 through 7 of this Ordinance.

17.92.070 Fueling Station/Vehicle and Equipment Services and Repair

A. Purpose and Intent. It is the purpose of this Section to establish specific standards for Fueling

Stations/Vehicle and Equipment Service and Repair facilities. The intent is to prevent potential negative impacts relating to noise, traffic, visual appearance, health, and safety.

B. Development and Operation Standards. Uses subject to this Section shall comply with the following standards in addition to all other applicable requirements.

1. All activities, operations, sales, and storage shall be entirely within an enclosed structure, except the following:
   a. The dispensing of petroleum products, other fuels, EV charging, water, and air;
   b. The provisions of emergency service of minor nature;
   c. The sale of items via vending machines; and,
   d. Repair may be allowed outside only when conducted within an area that is completely screened from public view.
2. The cashier location within a Fueling Station/Vehicle and Equipment Services and Repair facility shall provide direct visual access to the pump islands and the vehicle parking adjacent to the islands.
3. Opening of service bays shall not face public rights-of way and shall be designed to minimize visual intrusion onto adjoining properties.
4. All parking, loading, circulation aisles, and pump island bay areas shall be constructed with Plain cement concrete ~~(PCC)~~.
5. Site Standards:

Table 17.92.070-1. Development Standards for Fueling Stations/Vehicle and Equipment Services and Repair

Standard	Requirement ~~(ft)~~	Notes
Interior drive aisle width	Min. 30 ft	Width between pump islands
Distance between curb cuts	Min. 150 ft	
Driveway width	Max. 36 ft at the sidewalk	
Landscaping	Min. 15% of site area	Does not include required setbacks. Must be provided and permanently maintained according to the standards provided in PMC Chapter 17.86 (Landscaping, Lighting, Walls, and Fences) and as required by the Review Authority
Signs	Shall conform to all applicable sign provisions in PMC Chapter 17.88 (Signs)	

6. Parking and Storage
   a. Outside storage of motor vehicles shall be prohibited.
   b. No vehicles may be parked on sidewalks, parkways, driveways, or aisles.
   c. No vehicle may be parked on the premises for the purpose of offering the vehicle for sale.

d. No used or discarded automotive parts or equipment or disabled, junked, or wrecked vehicles may be located in any required parking space, or in any open area outside the main structure.

e. Display areas, storage areas, and customer parking areas shall be separated and clearly distinguished from each other.

f. No discarded parts or equipment or permanently disabled or wrecked vehicles shall be located on the premises other than within a fully screened storage area, and no such items shall project above the screen wall as seen from any public rights-of-way or from any common or public areas of adjacent residential or commercial developments.

7. Lighting shall conform to PMC Section 17.86.030 (Outdoor Lighting).
8. Restrooms shall only be accessed from the building interior.
9. Bells or loudspeakers shall be prohibited.
10. Service and Repair Uses
    a. Service and repair services shall be limited to minor vehicle repair ~~only~~ (as defined in PMC Chapter 17.16 (Definitions).
    b. Services and Repair facilities shall be subject to the development review process specified by the applicable zone.
11. Distance Requirements. No new Fueling Station~~s~~/Vehicle and Equipment Services and Repair facilit~~y~~~~ies~~ shall be located within 500 feet from another Fueling Station~~s~~/Vehicle and Equipment Services and Repair facility as measured according to PMC Section 17.17.020 (Measuring Distances).

C. Review Process. Uses subject to this Section shall be subject to Site Plan Review approval pursuant to PMC Chapter 17.21 (Site Plan Review) and the permit requirements as specified in the applicable zone pursuant to the permissions tables in Divisions 3 through 7 of this Ordinance.

17.92.080 Kennels/Boarding, Commercial

A. Purpose and Intent. It is the purpose of this Section to establish specific standards for commercial kennels/boarding facilities. The intent is to protect the health and welfare of the surrounding residents and citizens in general by preventing potential negative impacts related to odor, noise, traffic, visual appearance, health, and safety.

B. Development and Operation Standards. Kennels shall be established and operated in accordance with the following requirements:

Table 17.92.080-1. Development and Operation Standards

	Standard
Minimum Lot Size	Minimum lot size of 20,000 sf in the ER and LDR zones. No minimum lot size for all other zones.
Kennels as accessory use	Allowed on parcels containing a dwelling unit for residence of kennel operator in the ER and LDR zones.
Kennel operation	Must comply with Los Angeles County Animal Control office standards for construction and operation.
Off-street parking for kennels	Minimum 5 spaces

	Standard
	Must comply with PMC Chapter 17.87 (Off-Street Parking and Loading)
Kennel signage	Must comply with PMC Chapter 17.88 (Signs)
Disposal of animal waste	Must comply with applicable Federal, State, and local laws.
Location of animal enclosures	Must comply with PMC Section 17.89.030.C

C. Review Process. Uses subject to this Section shall be subject to the permit requirements as specified in the applicable zone pursuant to the permissions tables in Divisions 3 through 7 of this Ordinance.

17.92.090 Massage Establishment (Accessory)

A. Purpose and Intent. It is the purpose of this Section to establish specific standards for the provision of Massage Establishments as an Accessory Use to a primary business. The intent is to provide for limited massage services in conjunction with other specific service and medical uses and to authorize corporate massage services to be provided for the employees of specified commercial or industrial businesses.

B. Development and Operation Standards. In addition to all other conditions and restrictions that may be imposed by statute, ordinance, or standard, the following standards apply to Massage Establishments as an Accessory Use.

1. Massage Establishments as an Accessory Use may be provided as follows:
    a. As an accessory use in conjunction with an approved health club, athletic club, gym, hotel, spa, beauty salon, barber shop, suntan parlor, or for the employees of an approved commercial or industrial business, when allowed in the zone where the primary use is allowed.
    b. As an accessory use in conjunction with an approved medical practice, when allowed in the zone where the primary use is allowed.
2. For the purposes of Massage Establishments as an Accessory Use in conjunction with an approved medical practice, massage treatments shall only be provided for medical purposes to patients of that medical practice or patients of a different caregiver, on a referral or prescription basis only. In no event may massage services be provided on a walk-in, self-referral basis.
3. Massage Establishments as an Accessory Use shall be administered by a licensed massage technician who a valid Business License pursuant to PMC Section 5.04.560 (Massage Establishments and Massage Technicians) pursuant to PMC Section 5.04.560.J.
4. The Massage Establishments as an Accessory Use shall be incidental to the primary business or business location. The owner of the primary business shall be responsible for the massage activities of all massage technicians employed at the location and shall comply with PMC Section 5.04.560 (Massage Establishments and Massage Technicians).

17.92.100 Outdoor Dining (Accessory)

A. Purpose and Intent. Outdoor seating areas for dining uses can enhance the pedestrian ambience of commercial areas and are encouraged. However, reasonable regulation of Outdoor Dining is necessary to protect the public health, safety, and welfare. The purpose of this Section is to set

forth the conditions and requirements under which outdoor dining areas may be allowed to operate by approval of the appropriate Review Authority.

B. Definitions. An Outdoor Dining area is a group of tables and chairs and its authorized shade, decorative and accessory devices situated and maintained upon private or public property or upon the public sidewalk in connection with the consumption of food and beverage sold to the public from or in an adjoining restaurant.

C. Development and Operational Standards. Any Outdoor Dining area shall be developed and operated in conformance with the following standards in addition to any other applicable standards.

1. Where Allowed
    a. An Outdoor Dining area may be established where allowed by the permissions tables in the underlying zone specified within Divisions 3 through 7 of this Ordinance.
    b. Restaurants, Brewpubs/Taprooms/Wine Bars/Microdistilleries, and, Breweries/Distilleries/Wineries (with tasting room), may be allowed to operate an outdoor dining area provided that the use conforms to all applicable codes, laws, and ordinances.
2. Dining Area Location and Design Requirements
    a. An Outdoor Dining area may be located on private property, on the private sidewalk, or public sidewalk subject to PMC Section 17.92.100.C.2.c, only where the sidewalk is wide enough to adequately accommodate both pedestrian traffic and the proposed outdoor seating area. There shall be a minimum of three-feet clear distance or 50 percent of the sidewalk width, whichever is greater, free of all obstructions in order to allow adequate pedestrian movement and to comply with ADA requirements.
    b. Any Outdoor Dining area located on the public sidewalk must be immediately adjacent to and abutting the associated restaurant.
    c. The length of the Outdoor Dining area shall extend no further than the actual street side or interior property line or tenant space of the associated restaurant.
    d. Any Outdoor Dining area located within the public right-of-way must also provide proof of sufficient liability insurance to the satisfaction of the City Engineer.
    e. The area in which the Outdoor Dining area is authorized shall be identified in a manner which will clearly separate and delineate it from the areas of the sidewalk which will remain open to pedestrian traffic.
    f. No signs are allowed within any outdoor dining area, except for the name of the operating establishment on awning(s) or umbrella valance(s).
3. Furniture
    a. All tables and chairs shall be set back not less than three feet from any curb and from any street or barrier and shall not be situated within eight feet of any designated bus stop.
    b. All outdoor dining furniture, including tables, chairs, umbrellas, and planters shall be movable, unless located on private property outside of the public right-of-way. Umbrellas must be secured with a minimum base of not less than 60 pounds. Outdoor amplified music or speakers shall be reviewed at the time of application.
4. The following additional requirements apply to Outdoor Dining areas:

a. The outdoor preparation of food shall be prohibited. The presetting of tables with utensils, glasses, napkins, condiments, and the like shall be prohibited. All exterior surfaces shall be easily cleanable and shall be kept clean at all times by the restaurant operator. Restrooms for the Outdoor Dining area shall be provided in the adjoining restaurant and the Outdoor Dining shall be counted in the restroom requirements for the restaurant;

b. Trash and refuse storage for the outdoor dining area shall not be allowed within the Outdoor Dining area or on adjacent sidewalk areas with the exception of ~~small trash~~ receptacles for customer trash, and all trash and litter shall be removed as it accumulates. The restaurant operator shall be responsible for maintaining the Outdoor Dining area including the sidewalk surface, furniture, and adjacent areas in a clean and safe condition;

c. Hours of operation shall be identical to those of the adjacent restaurant, unless reduced by the Review Authority; and,

d. No parking shall be required for the outside dining area, provided that no more than 20 percent of the total seating provided by the restaurant is outdoor seating. Otherwise, parking shall be provided pursuant to PMC Chapter 17.87 (Off Street Parking and Loading).

5. The City shall have the right and power, acting through the Director, to prohibit the operation of an outdoor dining area at any time because of anticipated or actual problems or conflicts in the use of public sidewalk area. Such problems or conflicts may arise from, but are not limited to, scheduled festivals and similar events, parades, repairs, to the street or sidewalk, or emergencies occurring in the area. To the extent possible, the permittee shall be given prior written notice of any time period during which the operation of the Outdoor Dining will be prohibited by the City, but any failure to give prior notice shall not affect the right and power of the City to prohibit the operation of the Outdoor Dining area at any given time.

D. Review Process

1. An Outdoor Dining area proposed in conjunction with a new restaurant shall be reviewed in conjunction with the application for the related restaurant. An Outdoor Dining area proposed for an existing restaurant shall be subject to Minor Modification pursuant to PMC Section 17.26.040 (Minor Modification to Approved Plans).
2. Any Outdoor Dining area located in the public right-of-way shall be subject to issuance of an Encroachment Permit. Any Outdoor Dining area in which alcoholic beverages will be consumed shall be subject to the provisions of PMC Section 17.92.020 (Alcoholic Beverage Establishments).
3. In connection with approval of any Outdoor Dining area, the Review Authority shall determine that the proposed operation meets the requirements of this Section. The Review Authority may impose such conditions in granting such approval as deemed necessary to ensure that the proposed operation will meet the operating requirements and conditions set forth in this Section and to ensure that the public safety and welfare will be protected.
4. The right to operate an Outdoor Dining area may be revoked by the Review Authority upon a finding that one or more of the conditions of this Section have been violated, that the Outdoor Dining area is being operated in a manner which constitutes a nuisance, or that the

operation of the Outdoor Dining area unduly impedes or restricts the movement of pedestrians.

17.92.110 Outdoor Display

A. Purpose and Intent. It is the purpose of this Section to establish specific standards for Outdoor Display. The intent is to ensure that such uses are compatible with the surrounding areas by preventing potential negative impacts related to odor, noise, traffic, visual appearance, health, and safety.

B. Development Standards. Outdoor Display shall be subject to the following standards in addition to all other applicable standards and regulations:

1. Only those goods and services associated with the primary use may be stored, sold, or displayed.
2. All outdoor display and sales activities that are independent of the primary use shall be considered their own primary use and regulated as such (e.g., seasonal sales as a temporary use requiring a Temporary Use Permit).
3. Where allowed, such Outdoor Display areas shall be paved, screened, landscaped, and lighted in accordance with the applicable sections of this Ordinance.
4. Hours of operation for Outdoor Display shall be consistent with the hours of operation for the corresponding primary use.

C. Review Process. Uses subject to this Section shall be subject to the permit requirements as specified in the applicable zone pursuant to the permissions tables in Divisions 3 through 7 of this Ordinance.

17.92.120 Outdoor Storage (Primary and Accessory)

A. Purpose and Intent. It is the purpose of this Section to establish specific standards for Primary or Accessory Outdoor Storage. For Temporary Outdoor Storage see PMC Section 17.98.020 (Temporary Uses). The intent is to ensure that such uses are compatible with the surrounding areas by preventing potential negative impacts related to odor, noise, traffic, visual appearance, health, and safety.

B. Development Standards. Outdoor Storage shall be subject to the following standards in addition to all other applicable standards and regulations:

1. All on-site areas for Outdoor Storage as an Accessory Use are limited to those materials directly used or produced in relation to the functional primary on-site business activity, subject to all storage and screening requirements of this Section and the applicable zone.
2. Location. Outdoor storage shall not be located within any required front or street side setbacks, parking, circulation, or access areas, or required landscaped areas.
3. Screening. Primary and accessory outdoor storage areas shall be screened from view from any adjacent public street or freeway, existing or planned residential area/property, or publicly-accessible open space area. A wall or fence a minimum of six feet and a maximum of eight feet in height shall be provided around all primary and accessory outdoor storage areas pursuant to PMC Section 17.86.040.C. In the AI, HI, and LI zones, screening walls shall be a minimum of eight and maximum of 12 feet in height.

4. Primary and accessory outdoor storage areas shall be paved, screened, landscaped, and lighted in accordance with the applicable sections of this Ordinance.
5. Parking. Parking for permanent Outdoor Storage as a Primary Use shall be provided pursuant to PMC Chapter 17.87 (Off-Street Parking and Loading).

C. Review Process. Uses subject to this Section shall be subject to Minor Site Plan Review approval pursuant to PMC Section 17.26.090 (Minor Site Plan Review) and the permit requirements as specified in the applicable zone pursuant to the permissions tables in Divisions 3 through 7 of this Ordinance.

17.92.130 Pawnshops

A. Purpose and Intent. It is the purpose of this Section to establish specific standards for Pawnshops to ensure that such businesses are appropriately located and operated in order to not pose a significant threat to the public health, safety, and welfare by curtailing the dissemination of stolen property and facilitating the recovery of stolen property.

B. Conditional Use Permit Requirement

1. No new Pawnshop shall be established unless a permit has first been obtained pursuant to PMC Chapter 17.22 (Conditional Use Permits).
2. In addition to the information required by PMC Chapter 17.22 (Conditional Use Permits), the applicant shall submit a detailed security plan which describes the proposed interior and exterior security measures applicable to the proposed business. The plan shall address issues including, but not limited to safes to be installed, alarm systems, deployment of any security personnel, funds transportation measures, hours of operation, shift personnel staffing, CCTV applications, type of loss prevention/crime prevention training provided to employees, and any other applicable measures.

C. Development and Operation Standards. In addition to any conditions imposed by the Review Authority, Pawnshops shall comply with the following development standards:

1. The pawnshop shall comply with all applicable local, State, and Federal laws.
2. No person shall obtain a Conditional Use Permit for a Pawnshop unless that person first or concurrently obtains a Pawnbrokers Permit or Secondhand Dealers Permit pursuant to PMC Section 5.04.580 (Pawnbrokers and Secondhand Dealers).
3. No Pawnshop, nor any employee thereof, shall accept any pledge, or loan any money for personal property, or purchase or receive any goods, wares or merchandise, or any article or thing, or in any manner whatsoever engage in or conduct business as a pawnshop store between the hours of 7:00 p.m. of any day and 7:00 a.m. of the following day. Businesses which purchase secondhand tangible personal property shall not engage in such activity between the hours of 7:00 p.m. of any day and 7:00 a.m. of the following day.
4. The establishment shall not engage in any transaction with any person under 18 years of age.
5. The cashier area shall be equipped with a CCTV/Security System with digital recording, playback capability, and single image retrieval to aid in criminal apprehension. The recorder should be housed in a secure room away from the cash register/counter area. The recording field shall include the cash register area, customer counter area, and areas where customers are entering/exiting the establishment. Camera(s) focused on the entry/exit should be mounted and angled to capture customer's faces. Camera(s) should be used in conjunction

with public view monitor(s) to create public awareness that a video surveillance system is in place and to discourage criminal acts. Recordings shall be maintained for a minimum of 90 days.

6. The cashier area shall be equipped with a telephone.
7. The businesses shall be equipped with a central station silent robbery alarm. Employees shall be instructed not to use this alarm as a panic button for other store-related problems in lieu of calling for law enforcement response by telephone.
8. Alarm buttons or other activation devices shall be placed at the cash register site, in the administration office, and in any other locations deemed appropriate by management.
9. Storage rooms, including roof access doors, maintenance, mechanical, electrical, and other room doors that contain property that may be susceptible to theft, shall be covered by a silent intrusion alarm system. These systems may terminate at the front desk.
10. Any office or room where funds are counted shall have a solid core door with a minimum thickness of one and three fourths of an inch and shall be secured by a deadbolt lock with a minimum throw of one inch. Doors shall also include a one-way vision panel with burglary-resistant glazing to provide visual surveillance of the interior of the store.
11. Outside hinges on all exterior doors shall be installed with non-removable pins when pin-type hinges are used or shall be installed with hinge studs, to prevent removal of door.
12. Any delivery and/or receiving door(s) shall be equipped with a peephole/vision panel and a delivery notification system.
13. A security height marker shall be installed on all public entrances/exits.
14. The premises, while open or closed for business after dark, shall be sufficiently lit by the use of interior night-lights.
15. Window signage shall be limited to no more than 25 percent coverage of window area provided visibility into the building is maintained as specified within PMC Section 17.88.070 (Exemptions to Sign Permit Requirements).
16. The use of an ultraviolet light shall be required to verify all identification presented.
17. The establishment shall be required to register in the City of Palmdale Business Watch Program and receive merchant fraud training through the Public Safety Division.

17.92.140 Pet Daycare

A. Purpose and Intent. It is the purpose of this Section to establish specific standards for Pet Daycare. The intent is to ensure that such uses are compatible with the surrounding areas by preventing potential negative impacts related to odor, noise, traffic, visual appearance, health, and safety.

B. Development and Operation Standards. Pet Daycare facilities shall be established and operated in accordance with the following standards:

1. Pet Daycare facilities shall be conducted and operated pursuant to standards established by the Los Angeles County Animal Care and Control Department (Los Angeles County Code, Title 10 – Animals).
2. All pet housing shall be inside an enclosed building. Air intake and discharge should be on the roof (no penetration of walls allowed without acceptable sound baffling and air filtration). No

operable windows shall be allowed, and fixed windows (if provided) shall be double-glazed. Light from non-operable skylights is allowed.

3. Solid fencing, a minimum eight feet in height, shall be provided around all outdoor exercise areas pursuant to PMC Section 17.86.040.C.
4. Unattended outdoor exercise areas shall be visually screened from other exercise areas such that pets cannot see each other.
5. The disposal of animal waste shall be pursuant to applicable Federal, State, and local laws.
6. The location of any animal enclosures shall be pursuant to development standards of the base zone specified within Divisions 3 through 7 of this Ordinance.
7. Off-street parking shall be provided pursuant to PMC Chapter 17.87 (Off-Street Parking and Loading); however, in no event shall the number of spaces be less than five.
8. All signage shall comply with the provisions of PMC Chapter 17.88 (Signs).

C. Review Process
Uses subject to this Section shall be subject to the approval requirements as specified in the applicable zone pursuant to the permissions tables in Divisions 3 through 7 of this Ordinance.

17.92.150 Smoke Shop

A. Purpose and Intent. It is the purpose of this Section to establish specific standards for retail establishments which sell tobacco/smoking products (as defined in Chapter 17.16 (Definitions)), to ensure that such businesses are appropriately located and operated so as not to pose a significant threat to the public health, safety, and welfare.

B. Conditional Use Permit Requirement

1. No new Smoke Shop use shall be established unless a permit has first been obtained pursuant to PMC Chapter 17.22 (Conditional Use Permits).
2. In addition to the information required by PMC Chapter 17.22 (Conditional Use Permits), the following shall be included with the Conditional Use Permit application:
   a. An interior floor plan of the proposed establishment drawn to scale indicating the total gross floor area and the percentage of merchandise which consists of tobacco or smoking products and paraphernalia; and,
   b. A vicinity map indicating the location of the proposed establishment and the distance separation from those uses specified in the location standards of this Section.

C. Location Standards

1. A new Smoke Shop use shall be separated from ~~existing~~ sensitive uses based on the location standards specified below:

Table 17.92.150-1. Location Standards for Smoke Shops

Use	Distance Requirement (ft)
*Public or Private TK-12 School or Family Day Care Center	1,000
Hospitals, Public Parks and Libraries, and Commercial Recreation and Sports	1,000
Existing Smoke Shops	1,000

Use	Distance Requirement (ft)

Note:
** Includes both existing school facilities and undeveloped school sites as identified by the applicable School District; excludes Small and Large Small and Large Residential Care Facilities*

2. For purposes of this Section, measurement shall be made pursuant to PMC Section 17.17.020 (Measuring Distances).

D. Development and Operation Standards. In addition to any conditions imposed by the Review Authority, retail sales of tobacco and smoking products shall comply with the following development standards:

1. The Smoke Shop shall comply with all applicable local, State, and Federal laws regarding the advertising, display, or sale of tobacco/smoking products.~~;~~
2. Only store employees shall have immediate access to the tobacco products, smoking products and/or tobacco/smoking paraphernalia. Any person, business, or Smoke Shop to selling, allowing to be sold, offering for sale or display any tobacco product or smoking product by means of Self-Service Display or by means other than vendor-assisted sales shall be prohibited.~~;~~
3. No Smoke Shop shall sell or transfer a tobacco product, smoking product or tobacco/smoking paraphernalia to another person who appears to be under the age of 27 years, without first examining the identification of the recipient to confirm that the recipient is at least the minimum age under State law, to purchase and possess the tobacco product, smoking product, or tobacco/smoking paraphernalia.~~;~~
4. No Smoke Shop shall allow any person who is younger than the minimum age established by State law for the purchase or possession of tobacco products, to engage or participate in the sale of tobacco products, smoking products, or tobacco/smoking paraphernalia.~~;~~
5. No person, business, Smoke Shop, or other establishment shall sell or offer for sale cigarettes or other tobacco or smoking products not in the original packaging provided by the manufacturer and with all required health warnings.~~;~~
6. No permit may be issued to authorize a Smoke Shop at a location that is licensed under State law to serve alcoholic beverages for consumption on the premises (e.g., an “On Sale” license issued by the California Department of Alcoholic Beverage Control) and no license may be issued to authorize a Smoke Shop at any location offering food for sale for consumption by guests on the premises.~~;~~
7. The establishment shall be required to register in the City of Palmdale Business Watch Program and receive merchant fraud training through the Public Safety Division.
8. Litter and trash receptacles shall be conveniently located inside and outside the establishment, and trash and debris shall be removed from the receptacles on a daily basis.~~;~~
9. The exterior of the establishment, including all signs, accessory buildings, and structures, shall be maintained free of litter and graffiti at all times. Graffiti shall be removed within 72 hours of written notice from the City.~~;~~
10. Loitering in the public right-of-way, parking area and in front of the property or adjacent properties shall be prohibited.~~;~~

11. No person shall commence Tobacco Retailing until that person first or concurrently obtains a Smoke Shop's permit pursuant to PMC Section 5.04.670 (Smoke Shop).~~; and,~~
12. The establishment shall conspicuously post the following interior sign stating:

    "We ID everyone under 27 years of age for tobacco sales." The dimensions of such sign shall be at least eight inches by 11 inches. If the predominant language of the clientele of the establishment is not English, then a sign shall also be posted in that language.

E. Training Requirements
   1. Each person who sells tobacco products, smoking products, or tobacco/smoking paraphernalia shall successfully complete a responsible tobacco retailing training. The program shall be completed within 60 days of assuming the position that involves sale of tobacco products, smoking products, and/or tobacco/smoking paraphernalia, and shall be periodically completed again not less than once every three years.
   2. Records of successful completion of responsible tobacco retailing training shall be maintained on the premises and shall be presented to City and Los Angeles County Sheriff's Department representatives upon request.

17.92.160 Swap Meet, Outdoor

A. Purpose and Intent. It is the purpose of this Section to establish specific standards for Outdoor Swap Meet uses not considered temporary as specified within PMC Section 17.98.020 (Temporary Uses). The intent of these standards is to prevent potential negative impacts relating to noise, traffic, visual appearance, health, and safety.

B. Development Standards. Outdoor Swap Meet uses shall conform to the following standards in addition to all other applicable standards and regulations.
   1. The minimum lot area shall conform with the standards set forth in the applicable zone.
   2. In addition to the required parking area and landscaping setback, additional on-site landscaping may be required to be installed and permanently maintained to reduce visual and noise impacts, as deemed appropriate by the Review Authority.
   3. Parking shall be provided pursuant to PMC Chapter 17.87 (Off-Street Parking and Loading).
   4. All outdoor retail activities shall be screened from public view, public rights-of-way, and less intensive land use districts. Landscaping, screen walls, or other approved means of screening may be used, pursuant to PMC Chapter 17.86 (Landscaping, Lighting, Walls, and Fences).
   5. Areas designated for Outdoor Swap Meets shall be set back a minimum of 20 feet from any Regional or Crosstown street, or from any adjacent residential designation or use and shall include a minimum of 10 feet of landscaping.
   6. An all-weather ground surface material, including, but not limited to asphalt, gravel, or decomposed granite, shall be installed in all areas utilized for Outdoor Swap Meets and related services. Principal walkways shall be surfaced pursuant to Title 24 of the California Code of Regulations. Parking areas shall be surfaced pursuant to PMC Section 17.87.090 (Parking Design Standards).
   7. All signs shall comply with PMC Chapter 17.88 (Signs).
   8. Retail sales shall not include the sale of adult-oriented merchandise, firearms, or off-Sale alcohol.

9. Outdoor Swap Meets shall not include mechanical carnival rides, except with the approval of a Temporary Use Permit pursuant to PMC Section 17.26.100 (Temporary Use and Special Event Permits) for a specific event or activity.
10. Outdoor Swap Meets shall not include the use of amplified sound, except with the approval of a Temporary Use Permit for a specific event or activity pursuant to PMC Section 17.26.100~~090~~ (Temporary Use and Special Event Permits).
11. Permanent sanitary facilities shall be provided on-site in accordance with City policies for commercial uses.
12. On-site lighting shall be installed pursuant to PMC Section 17.86.030 (Outdoor Lighting).
13. Trash areas shall be able to accommodate trash, recycling, and organics collection services in compliance with State law.
14. Outdoor swap meets shall conform with all local, State, and Federal requirements.

C. Review Process. Uses subject to this Section shall be subject to the approval requirements as specified in the applicable zone pursuant to the permissions tables in Divisions 3 through 7 of this Ordinance.

17.92.170 Tattoo/Body Art/Piercing Establishments

A. Purpose and Intent. It is the purpose of this Section to establish specific standards for Tattoo/Body Art/Piercing Establishments to ensure that such businesses are appropriately located and operated so as not to pose a significant threat to the public health, safety, and welfare.

B. Conditional Use Permit Requirement

1. No Tattoo/Body Art/Piercing Establishments use shall be established unless the appropriate approval has first been obtained pursuant to the permissions tables in Divisions 3 through 7 of this Ordinance.
2. In addition to the information required for the permit pursuant to PMC Division 2 (Review Procedures), the following shall be submitted with the application:
   a. An interior floor plan of the proposed establishment drawn to scale indicating the total gross floor area of the establishment, the areas within the establishment where tattooing and body piercing services are proposed to be conducted, decontamination and sterilization areas, and waiting areas;
   b. The interior floor plan shall identify an area where tattooing and body piercing services are to be applied on intimate body parts where no viewing areas are available from within the establishment or from the exterior of the establishment; and,
   c. A vicinity map indicating the location of the proposed establishment and the distance separation from those uses specified in the location standards of this Section.

C. Location Standards

1. An establishment shall be separated from existing uses based on the location standards specified below:

Table 17.92.170-1. Development Standards for Tattoo/Body Art/Piercing Establishments

Existing Uses	Distance Requirement~~Min. Distance~~ (ft)
Other Tattoo/Body Art/Piercing Establishments	500

Existing Uses	Distance RequirementMin. Distance (ft)
*Public or Private TK-12 School or Family Day Care	500
Public Parks and Recreation Facilities, Public Libraries, or Trails, Excluding Bike Lanes	500
On-Sale Alcoholic Beverage Establishments	500

Note:
** Includes both existing school facilities and undeveloped school sites as identified by the applicable School District.*

2. For purposes of this Section, measurement shall be made pursuant to PMC Section 17.17.020 (Measuring Distances).

D. Development Standards. In addition to any conditions imposed by the Review Authority, Tattoo/Body Art/Piercing Establishments shall comply with the following:

1. The owner of an establishment shall obtain a Health Permit through the Los Angeles County Department of Public Health, operate the facility in a safe and clean manner, maintain written procedures for the operation of the facility, and maintain records of training and equipment sterilization.
2. All practitioners shall annually register with the County of Los Angeles Department of Public Health, obtain annual blood-borne pathogen training, provide documentation of Hepatitis B vaccination status, obtain specific health information from clients, and obtain "informed consent" from clients, as required by the Department of Public Health.
3. Records of successful completion of registration and annual renewals of County of Los Angeles Department of Public Health permits for the owner of the establishment and any person providing services in the establishment shall be maintained on the premises and shall be presented to City employees and Los Angeles County Department of Public Health, Environmental Health Division inspectors on demand. An electronic copy of such records shall be provided on an annual basis to the City.
4. No tattoo or body piercing shall be performed without first obtaining "Informed Consent" from a client, as required by the County of Los Angeles Department of Public Health.
5. No establishment shall provide services to any person who is younger than the minimum age established by state law.
6. Amplified sound, loud music, shall not be audible outside of the premises.
7. The establishment shall be required to register in the City of Palmdale Business Watch Program and receive merchant fraud training through the Public Safety Division.
8. Litter and trash receptacles shall be conveniently located inside and outside the establishment, and trash and debris shall be removed from the receptacles on a daily basis.
9. The exterior of the establishment, including all signs, accessory buildings, and structures, shall be maintained free of litter and graffiti at all times. Graffiti shall be removed within 72 hours of written notice from the City.
10. Loitering in the public right-of-way, parking area and in front of the property and adjacent properties shall be prohibited.
11. The establishment shall conspicuously post the following interior sign stating:

"We ID everyone under 27 years of age for any request for our services". The dimensions of such sign shall be at least eight inches by 11 inches. If the predominant language of the establishment's clientele is not English, then a sign shall also be posted in that language.

17.92.180 Vehicle Washing and Detailing

A. Purpose and Intent. It is the purpose of this Section is to establish specific standards for Vehicle Washing and Detailing Facilities. The intent is to ensure that Vehicle Washing and Detailing Facilities are designed and located in a manner that minimize impacts to adjacent uses, aesthetic impacts, and ensure compatibility with the surrounding uses and neighborhood.

B. Development and Operation Standards. Any Vehicle Washing and Detailing establishment shall be developed and operated in conformance with the following standards in addition to any other applicable standards:

1. The Vehicle Washing and Detailing use shall only operate between the hours of 7:00 a.m. to 9:00 p.m., daily unless otherwise approved by the Review Authority.
2. Noise generated by a Vehicle Washing and Detailing use shall not impact existing or future adjacent residential uses pursuant to the Palmdale General Plan Noise Element. Acoustical studies and manufacturers data and information may be requested by the Director as needed to demonstrate compliance with this requirement.
3. Vehicle Washing and Detailing uses shall utilize a water recycling system incorporating best management practices (BMP's).
4. Vehicle Washing and Detailing tunnels shall be designed so that the exiting service bay, typically containing the drying equipment, does not face residentially designated property, or residential uses.
5. All security lighting, site lighting, or illuminated signage shall comply with all standards of this Ordinance and shall be designed and/or directed so as not to adversely impact adjacent residential areas.
6. Signs shall be posted prohibiting loitering and amplified music at the subject site. Such signs shall be posted within the customer self service area/vacuum areas.
7. Outdoor waxing, buffing, detailing, and engine steam cleaning shall be screened from the public right-of-way.
8. The applicant shall provide a floor plan identifying the areas utilized for retail sales. All proposed retail sales shall comply with the applicable requirements of this Ordinance.
9. No video or arcade games shall be located on the premises.
10. The premises shall be kept in a neat and orderly condition at all times.
11. Trash receptacles shall be provided at the building entrance and at convenient locations within the customer self -service area/vacuum areas.
12. All public restrooms that are provided shall be accessible only from inside the customer waiting area.

17.92.190 Veterinary Hospitals

A. Purpose and Intent. This Section establishes standards for the development and operation of Veterinary Hospitals, in order to protect the health and welfare of adjacent residents by preventing

potential negative impacts related to odor, noise, traffic, visual appearance, disposal of wastes, or other aspects of such business.

B. Development and Operation Standards
   1. The following standards shall apply to any Veterinary Hospital established in the City:
      a. Off-street parking facilities shall be provided as required by PMC Chapter 17.87 (Off Street Parking and Loading). In no event shall the number of parking spaces provided be less than five;
      b. All signage shall comply with the provisions of PMC Chapter 17.88 (Signs);
      c. The disposal of dead animals and waste shall be in portable, closed refuse containers, which shall be kept inside the building until removal from the premises. The applicant shall submit to the City satisfactory evidence that the applicant has made arrangements for the proper and adequate disposal of dead animals and refuse;
      d. The buildings and equipment on the premises shall be kept in a clean and sanitary condition at all times; and,
      e. All small animal care and, to the extent feasible, large animal care, shall be conducted within an enclosed and sound-controlled building. All animal enclosures shall be located pursuant to the provisions of PMC Section 17.89.030.C.
   2. The following standards shall apply to Veterinary Hospitals established in the ER and LDR zones:
      a. No hospital shall be established on a parcel containing less than five gross acres;
      b. Veterinary Hospitals shall be allowed only as an accessory use on parcels which contain a dwelling unit in which the veterinarian resides; and,
      c. The practice may include large or small animal patients.
   3. The following standards shall apply to Veterinary Hospitals allowed in zones other than ER and LDR zones:
      a. The practice shall be limited to small animals and shall include only dogs, cats, and other household pets;
      b. The operation shall be conducted in a completely enclosed and sound-controlled building and in such a way as to produce no objectionable noise or odors outside the building. The building materials and methods of odor control shall be acceptable to the Review Authority as adequately reducing emitted noise and odors; and,
      c. Landscaping, screening, and other aspects of the development shall conform with the applicable standards of Division 8 (General Development Standards) of this Ordinance.

C. Review Process. Uses subject to this Section shall be subject to the approval requirements as specified in the applicable zone pursuant to the permissions tables in Divisions 3 through 7 of this Ordinance.

17.93 Industrial Uses

17.93.010 Commercial Vehicle Parking as a Primary Use

A. Purpose and Intent. This Section establishes development standards for Commercial Vehicle Parking. For the purposes of this Section, the term "Commercial Vehicle Parking" means the primary use of the property for the parking of vehicles used for commercial purposes ~~unrelated to the principal use or operation conducted on the property.~~ This Section provides property owners in specified zones with the ability to satisfy a growing need for adequate off-street parking for commercial trucks and vehicles while establishing reasonable development standards designed to ensure that this type of use is located and conducted in a manner that minimizes the potential for adverse effects on the community from noise, traffic, visual, aesthetic, health, and safety impacts from the use.

B. Development Standards. Commercial Vehicle Parking as ~~an accessory~~a primary use shall conform to the following standards in addition to all other applicable standards and regulations:

~~1.~~ Any site used for Commercial Vehicle Parking under this Section shall provide ~~the following number of parking spaces:~~

~~a. The total number of required parking spaces for the primary use or uses conducted on the premises; and,~~

~~b.~~1. o~~O~~ne parking space for each commercial vehicle to be parked on-site ~~pursuant to this Section.~~. ~~The parking spaces required for the primary use or uses shall not be used or impacted by Commercial Vehicle Parking;~~

2. Parking areas designated for Commercial Vehicle Parking shall comply with minimum dimension and turning radii requirements as specified by the City Engineer.~~;~~
3. No inoperable vehicles shall be parked on the portion of the site that is designated and established for Commercial Vehicle Parking.~~;~~
4. Commercial Vehicle Parking surfaces shall be paved according to the standards provided in PMC Section 17.87.090 (Parking Design Standards). Surface improvements shall include measures to control dust and to avoid obstruction of surface drainage flows~~; and~~,.
5. If the proposed use shares a property line with a residential use or zone, the area used for Commercial Vehicle Parking shall maintain a minimum separation of 50 feet from the property line and~~or~~ provide screening as required by the Director.

C. Review Process. Uses subject to this Section shall be subject to the ~~permit~~ approval requirements as specified in the applicable zone pursuant to the permissions tables in Divisions 3 through 7 of this Ordinance. New accessory uses proposed for an existing use shall be subject to Minor Modification pursuant to PMC Section 17.26.040 (Minor Modification to Approved Plans).

17.93.020 Mini-Storage Warehousing or Facility

A. Purpose and Intent. These regulations provide standards for Mini-Storage Warehousing or Facilities. The intent is to ensure that such uses are compatible with the surrounding areas by preventing potential adverse health, safety, visual, and noise impacts.

B. Development Standards. Mini-Storage Warehousing or Facilities shall be subject to the following standards in addition to all other applicable standards and regulations:

1. The minimum site area shall be 100,000 square feet.

2. If a Mini-Storage Warehousing or Facility project is proposed to be located between or adjacent to an existing building(s)~~,~~ on adjacent sites, existing pedestrian and vehicular access shall be maintained or rerouted and the new building shall be designed to be consistent with existing buildings with respect to the use of materials, window and door placement, and colors.
3. All building and perimeter walls shall be constructed with both vertical and horizontal architectural elements. No wall plane shall exceed 50 feet in length without an architectural break. Building articulation shall include, but not be limited to:
   a. A minimum of two different types of materials;
   b. A minimum of four feet of the lower portion of the exterior walls of perimeter fencing and/or building walls must contain a different color and/or texture than the remainder of the fence or wall plane;
   c. Cornice or similar treatment; or,
   d. Tile insets or similar elements.
4. Building and perimeter wall colors shall be finished with earth toned materials. Accent colors may be utilized ~~for highlights~~.
5. Building facades that face and/or are visible from any public right-of-way shall contain additional articulation and enhancements including, but not limited to varying building heights, building planes or roof lines, windows or the appearance of windows~~, mansard or similar roof lines,~~ and vertical and horizontal articulations.
6. Gates shall be constructed of colors and materials that are architecturally compatible with the associated buildings. The gate shall be maintained in good working order and shall remain closed except when in use.
7. Aisle width shall be a minimum of 26 feet between interior buildings, which shall remain unobstructed.
8. Residential quarters for a manager or caretaker may be provided pursuant to PMC Section 17.91.030 (Caretaker's Units (Accessory)).
9. Parking shall be consistent with PMC 17.87.030 (Number of Parking Spaces Required).
10. ~~All required~~At minimum 25 percent of the required parking, ~~except that~~(excluding parking required for the caretaker's residence) but no less than two spaces~~,~~ shall be located outside of any vehicle restricting gates.
11. ~~A fully enclosed two car garage with a clear and free minimum interior dimension of 20 feet in width and 22 feet in depth, shall be provided for any manager or caretaker's residence~~
12. ~~12.~~11. If the project contains a manager's or caretaker's unit~~residence~~, the unit~~it~~ shall provide building articulation and design compatible with the M~~m~~ini-S~~-s~~torage W~~w~~arehousing or Facility buildings~~compatible with the main structure(s) and shall comply with all single-family residential development standards pursuant to PMC Section 17.91.030.B. No push-through air conditioning units shall be allowed. HVAC units shall either be ground-mounted with adequate screening or roof-mounted and screened from view from any public right-of-way or from any portion of the project through the architecture of the building, such as a parapet~~.
13. ~~13.~~12. Trash enclosures shall be placed at locations convenient to all storage units and comply with PMC Section 17.85 (Utilities and Services). ~~The enclosure shall contain a drainage system to allow for convenient cleaning.~~

~~14.~~13. Any vehicle storage (RV, boat, etc.) shall be covered and completely screened from view from the public right-of-way.

~~15.~~14. A maximum 50 percent of the lot frontage of Mini-Storage Warehousing or Facility use may be occupied by retail, service, and/or office uses on the ground floor. These ground activities shall not be directly associated with the primary use established at the site. All buildings shall be located behind, ~~or~~ on top of, the fronting retail, service, and/or office uses.

~~16.~~15. No flammable or otherwise hazardous materials shall be stored on site.

~~17.~~16. The hours of operation for Mini-Storage Warehousing or Facilities located adjacent to residential uses shall be limited to 7:00 a.m. to 9:00 p.m., Monday through Saturday, and 9:00 a.m. to 9:00 p.m. on Sunday.

C. Review Process. Uses subject to this Section shall be subject to ~~Site Plan Review approval pursuant to PMC Chapter 17.21 (Site Plan Review) and~~ the approval~~permit~~ requirements as specified in the applicable zone pursuant to the permissions tables in Divisions 3 through 7 of this Ordinance.

17.93.030 Salvage Yards

A. Purpose and Intent. These regulations provide standards for Salvage Yards. The intent is to ensure that such uses are compatible with the surrounding areas by preventing potential adverse health, safety, visual, and noise impacts.

B. Development Standards

1. All operations or storage shall be conducted within an enclosed building or within an area completely enclosed with a solid masonry wall not less than eight feet and a maximum 12 feet in height, except as otherwise approved by the Review Authority.
2. The minimum site area shall be five acres.
3. All repair activities and vehicle loading and unloading shall be appropriately screened from public view and shall not occur within adjacent streets and alleys.
4. All hazardous materials resulting from repair and dismantling operations shall be properly stored and removed from the premises in a timely manner. Storage, use, and removal of toxic substances, solid waste, and flammable liquids, particularly gasoline, paints, solvents, and thinners, shall conform to the applicable Federal, State, and local regulations.

C. Review Process. Uses subject to this Section shall be subject to ~~Site Plan Review approval pursuant to PMC Chapter 17.21 (Site Plan Review) and~~ the approval ~~permi~~t requirements as specified in the applicable zone pursuant to the permissions tables in Divisions 3 through 7 of this Ordinance.

17.93.040 Vehicle Towing/Impounding

A. Purpose and Intent. These regulations provide standards for Vehicle Towing/Impounding uses. The intent is to ensure that such uses are compatible with the surrounding areas by preventing potential adverse health, safety, visual, and noise impacts.

B. Development Standards

1. All operations or storage shall be conducted within an enclosed building or within an area completely enclosed with a solid masonry wall not less than eight feet in height and a maximum 12 feet in height, except as otherwise approved by the Review Authority.
2. Salvage Yard operations shall not be allowed, unless the use is otherwise allowed in the applicable zone.

C. Review Process. Uses subject to this Section shall be subject to ~~Site Plan Review approval pursuant to PMC Chapter 17.21 (Site Plan Review) and~~ the approval~~permit~~ requirements as specified in the applicable zone pursuant to the permissions tables in Divisions 3 through 7 of this Ordinance.

17.94 Public and Civic Facilities

17.94.010 Community Assembly Uses

A. Purpose and Intent. It is the purpose of this Section to establish specific standards for Community Assembly Uses. The intent is to preserve the integrity of residential and commercial areas by preventing negative health, safety, aesthetic, and traffic impacts, while allowing for establishment and operation of a Community Assembly Use.

B. Development Standards. All Community Assembly Uses shall comply with the following standards in addition to all other applicable statutes, ordinances, and standards:

1. All structures shall conform to the applicable development standards of the zone and Division 8 (General Development Standards) of this Ordinance; however, in no event shall a structure utilized for community assembly be located closer than 20 feet to adjacent residentially used or zoned parcels.~~;~~

2. On-site landscaping ~~must~~ shall be consistent with that prevailing in the neighborhood and installed and maintained, pursuant to applicable City Ordinances. Landscaping should be incorporated to reduce visual and noise impacts on surrounding properties, through appropriate screening of parking lots and other areas as determined by the Review Authority.~~;~~

~~3.~~ Permanent outdoor activities may only be conducted between the hours of 8:30 a.m. and 8:00 p.m. Any temporary outdoor activities or events ~~which include the use of tents, or which provide amplified sound systems~~shall require approval of a Temporary Use Permit pursuant to PMC ~~Section~~ Chapter 17.~~98.020~~26.100 (Temporary Use and Special Event Permits~~Temporary Uses~~) and must adhere to the hours of operation approved for the Temporary Use Permit~~;~~ .~~and,~~

~~4.~~3. ~~Any entertainment activities, other than those subject to review and approval of a Temporary Use Permit, require the approval of an Entertainment Permit pursuant to PMC Section 17.26.100 (Entertainment Permit).~~

~~5.~~4. Day cares, schools, and other uses are allowed as an accessory use to an approved Community Assembly Use, if allowed in the base zone, subject to the permit requirements pursuant to the permissions tables in Divisions 3 through 7 of this Ordinance.

C. Review Process. Uses subject to this Section shall be subject to the ~~permit~~ approval requirements as specified in the applicable zone pursuant to the permissions tables in Divisions 3 through 7 of this Ordinance.

17.94.020 Emergency Shelters

A. Purpose and Intent. It is the purpose of this Section to establish specific standards for Emergency Shelters. The intent is to prevent the creation of any adverse impact to adjacent properties while ensuring that adequate shelter facilities are provided for homeless persons.

B. Development Standards. All Emergency Shelters must conform to the following standards:

1. Property standards. The parcel upon which the Emergency Shelter is established shall~~must~~ conform to all standards of the underlying land use and zone.

2. Occupancy limitations. Nightly sleeping accommodations provided for homeless persons shall be~~is~~ limited to occupancy of six months or less.

3. Distance Standards. No more than one Emergency Shelter shall be~~is~~ allowed within 299 feet of another Emergency Shelter, transitional, or supportive housing facility measured from property line to property line;
4. Minimum Provisions:
   a. Emergency Shelters shall~~must~~ provide a minimum of 35 square feet of sleeping area per bed;
   b. Emergency Shelters shall~~must~~ provide a minimum one toilet, sink and shower for every 15 beds, or as otherwise required by the Uniform Building Code; and,
   c. Emergency Shelters shall~~must~~ provide on-site supervision at all times. At least one full-time equivalent employee must be provided for every 20 beds.
5. Common areas. Any living, dining and/or kitchen areas shall~~must~~ be physically separated from sleeping areas.
6. Hours of operation. Emergency Shelters operations shall be~~are~~ limited to the hours between 6:00 p.m. and 8:00 a.m.
7. Parking. Off-street parking shall~~must~~ be provided pursuant to PMC Chapter 17.87 (Off-Street Parking and Loading).
8. Accessibility. The shelter shall~~must~~ comply with the Americans with Disabilities Act standards.
9. Security. The shelter shall~~mus~~t be designed to provide adequate security for clients and employees. A security plan shall be established and submitted to the Review Authority in conjunction with the associated project for review.
10. Other standards. Emergency Shelters shall conform with all local, State, and Federal requirements.

~~10.~~C. Review Process. Uses subject to this Section shall be subject to the approval requirements as specified in the applicable zone pursuant to the permissions tables in Divisions 3 through 7 of this Ordinance.

17.94.030 Golf Courses

A. Purpose and Intent. This Section establishes specific standards for Golf Courses in order to prevent the creation of any nuisance to the occupants of neighboring dwellings while allowing establishment and operation of Golf Courses and related facilities.

B. Development Standards. Golf Courses must be constructed in the following manner:
   1. The design and irrigation of the golf course shall~~must~~ incorporate the use of native and drought-tolerant vegetation and other water conservation techniques.~~;~~
   2. Treated effluent shall~~must~~ be used for irrigation where available and feasible.~~;~~
   3. Perimeter walls or fences shall~~must~~ provide a viewshed window design along all public rights-of-way, incorporating a mix of pilasters and wrought iron fencing or equivalent treatment.~~;~~
   4. All accessory facilities, including but not limited to, clubhouses, maintenance buildings, and half-way club houses shall~~must~~ be designed and located to ensure compatibility and consistency with the overall golf course setting.~~; and,~~
   5. Lighting of any facilities including, but not limited to, driving ranges shall be provided consistent with PMC Section 17.86.030 (Outdoor Lighting). Lighting of any facilities must be

directed away from residential areas and public rights-of-way and of an intensity appropriate to the given location and site characteristics.

C. Review Process. Uses subject to this Section shall be subject to the approval~~permit~~ requirements as specified in the applicable zone pursuant to the permissions tables in Divisions 3 through 7 of this Ordinance.

17.94.040 Social Service~~s~~ Facilities with Congregate Meal Facilities

A. Purpose and Intent. It is the purpose of this Section is to establish specific standards for Congregate Meal Facilities as part of Social Service~~s~~ Facilities. The intent is to prevent the creation of any adverse impacts on adjacent properties while ensuring that adequate meal services and facilities are available to serve those who are experiencing homelessness, low-income, seniors, or persons with disabilities.

B. Development and Operational Standards. All Congregate Meal Facilities must comply with the following standards:

1. Property requirements. The parcel upon which the Congregate Meal Facility is established shall ~~must~~ conform to all standards of the underlying land use and zone.
2. Clientele requirements. Meals shall be provided only to families or individuals who are experiencing homelessness, low-income, seniors, or persons with disabilities.
3. Distance requirements. Congregate Meal Facilities shall ~~comply with the following standards~~be separated from uses based on the location standards specified below:

Table 17.94.040-1. Separation Standards for Congregate Meal Facilities

Existing Use	~~Minimum~~ Distance Requirement (ft)
*Another Congregate Meal Facility or Transitional Housing Facility	1,320
Public or Private TK-12 School or Learning/Tutoring Center	500
Any single-family residential zone or use	150

Note:
** Measured from property line to property line.*

4. Hours of operation. Congregate Meal Facilities shall only operate between the hours of 6:00 a.m. and 8:00 p.m.
5. Parking. Off-street parking shall be provided pursuant to PMC Chapter 17.87 (Off-Street Parking and Loading).
6. Service restrictions:
   a. All activities associated with the facility, including the serving of food and beverages, shall~~mus~~t occur within an enclosed building;
   b. Overnight accommodations shall be prohibited~~are not allowed~~;
   c. Drive-up or drive through service shall be prohibited~~is not allowed~~;
   d. Live entertainment shall be prohibited~~is not allowed~~; and,
   e. Distribution or consumption of alcoholic beverages on the premises shall be prohibited~~is not allowed~~.

7. Accessibility. The facility shall comply with the Americans with Disabilities Act standards.
8. Security. The facility shall be designed to provide maximum security for all clients and employees. A security plan shall be established and submitted to the Review Authority in conjunction with the review of the project.
9. Other standards. Congregate Meal Facilities shall conform with all local, State, and Federal requirements.

17.95 Communications and Utilities

17.95.010 Communication/Wireless Telecommunications Facilities

A. Purpose and Intent. It is the purpose of these standards to encourage and facilitate a wide variety of communication services and providers to serve businesses and citizens within the City. The City desires to avoid adverse health or aesthetic impacts on the community resulting from the unregulated proliferation of Communication/Wireless Telecommunications Facilities throughout the City, and to ensure for the protection of the general health, safety, and welfare of the community and the integrity of public rights-of-way and assets. This Section is adopted to set forth the goals and policies of the City that will be used to regulate the approval, installation, and operation of major and minor wireless commercial communications services and facilities within the City. This Section is not intended to apply to satellite dish antennas or to wireless telecommunications facilities in the right-of-way, which are regulated in PMC Title 12 (Streets, Sidewalks, and Public Places).

B. Definitions. For the purposes of this Section, unless it is plainly evident from the context that a different meaning is intended, the following definitions shall apply:

1. **Antenna** shall mean that part of a communication facility designed to radiate or receive radio frequency signals.
2. **Antenna, Amateur Radio** shall mean any antenna that is used for the purpose of transmitting and receiving radio signals in conjunction with an amateur radio station licensed by the Federal Communications Commission. The term Amateur Radio Antenna is interchangeable with the term Ham Radio Antenna.
3. **Antenna, Compact Horizontal** shall mean a horizontal antenna the longest dimension (boom or element) of which does not exceed 10 feet.
4. **Antenna, Ground-mounted** means mounted to a telecommunications tower.
5. **Antenna, Horizontal or Horizontal Array** shall mean an antenna with horizontally oriented radiating element(s) and/or boom other than a compact horizontal antenna.
6. **Antenna, Nested Position** shall mean the position in which a retractable antenna/antenna structure is fully retracted.
7. **Antenna, Single Element Wire** shall mean an antenna consisting of a single wire typically made of 14 or 12 gauge copper clad wire attached and suspended between supports.
8. **Antenna Structure** shall mean the supporting mast, pole, or tower of one or more antenna(s).
9. **Antenna Structure, Retractable** shall mean an antenna structure that is designed to be adjusted in height in order to be extended while the antenna is in use but lowered in a retracted position when the antenna is not in use.
10. **Antenna, Vertical or Whip** shall mean an antenna that extends vertically, directly up from its base or structural support.

11. **Antenna/Antenna Structure** shall mean collectively the antenna and its supporting structure, if any.
12. **Antenna/Antenna Structure Height** shall mean the distance from the highest point of the antenna/antenna structure to the natural grade at the point the structure touches, or, if extended, would touch the ground.
13. **Cellular** shall mean an analog or digital wireless telecommunications technology that is based on a system of interconnected neighboring cell sites.
14. **Collocation** shall mean the mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communication purposes.
15. **COW** shall mean a "cell on wheels," which is a communication facility temporarily rolled in or temporarily installed.
16. **Communications/Wireless Telecommunications Facility.** See PMC Chapter 17.16 (Definitions). shall mean any facility or facilities that transmits and/or receives electromagnetic waves. This classification includes, but is not limited to, antennas and/or other types of equipment for the transmission or receipt of such signals, telecommunications towers or similar structures supporting such equipment, related accessory equipment, equipment buildings, parking areas, and other accessory development. The term "communication facility" does not apply to the following:

a. Government-owned and government-operated telecommunications facilities.

b. Emergency medical care provider-owned and emergency medical care provider-operated telecommunications facilities.

c. Mobile services providing public information coverage of news events of a temporary nature.

d.16. Any wireless telecommunications facilities exempted from this Ordinance by Federal law or State law.

17. **Communication/Wireless Telecommunications Facility, Major.** See PMC Chapter 17.16 (Definitions). shall mean a communication facility that, due to size, scale, location, or other characteristics, is likely to have some detectable impact on adjacent uses or on the environment, including aesthetic or visual impacts, or that may have a cumulative impact City-wide or on the regional environment due to the number of sites included or in combination with other projects. This definition includes freestanding antenna structures, including monopoles and towers, or the placement of a network of wireless communication facilities throughout an area onto existing structures, or other facilities which, as determined by the Director, warrant this classification.
18. **Communication/Wireless Telecommunications Facility, Minor.** See PMC Chapter 17.16 (Definitions). shall mean a communication facility which by its size, scale, location, design, or combination of such measures, allows the facility to be aesthetically integrated into the surrounding environment so as not to be readily seen or recognized as a communication facility and is not likely to have some detectable impact on adjacent uses or on the environment. Such a facility is commonly referred to as a "Stealth Facility".
19. **Eligible Facilities Request** shall have the meaning stated in 47 U.S.C. Section 1455(a), as that statute may be amended or superseded, and means an existing wireless tower or base station that involves collocation of new transmission equipment or the replacement of transmission

equipment that does not constitute a substantial modification.

20. **Macro Cell Tower Site** shall have the meaning set forth in Government Code § 65850.75 as it may be amended from time to time. As of the effective date of this Ordinance, subsection (a)(3) of that section provides: “Macro cell tower site means the place where wireless telecommunications equipment and network components, including towers, transmitters, base stations, and emergency powers necessary for providing wide area outdoor service, are located. A macro cell tower site does not include rooftop, small cell, or outdoor and indoor distributed antenna system sites.”
21. **Modification** shall mean a change to an existing structure that involves any of the following: collocation, expansion, alteration, enlargement, intensification, reduction, or augmentation, including, but not limited to, changes in size, shape, color, visual design, or exterior material. “Modification” does not include repair, replacement, or maintenance if those actions do not involve a change to the existing structure.
22. **Monopole** shall mean a structure composed of a pole or tower used to support antennas or related equipment. A monopole also includes a monopine, monopalm, monoeucalyptus, monocactus, and similar monopoles camouflaged to resemble faux trees or other faux objects attached on a monopole (e.g., water tower).
23. **Small Wireless Facility** shall have the meaning set forth in 47 C.F.R. Section 1.6002(l), as that regulation may be amended or superseded.
24. **Stealth Telecommunications Facility** shall mean a telecommunications facility as defined in this Section which by its size, location, design, or combination of such measures, causes the facility to be aesthetically integrated into the surrounding environment so as not to readily be seen or recognized.
25. **"Substantial Modification"** has the same meaning as provided in 47 C.F.R § 1.40001(b)(7), as may be amended, which defines that term differently based on the particular Facility type and location. For clarity, the definition in this section organizes the FCC's criteria and thresholds for a substantial change according to the Facility type and location.
    a. For Towers outside the public rights-of-way, a substantial change occurs when:
        i. The proposed co-location or modification increases the overall height more than 10 percent or the height of one additional antenna array not to exceed 20 feet (whichever is greater);
        ii. The proposed co-location or modification increases the width more than 20 feet from the edge of the Wireless Tower or the width of the Wireless Tower at the level of the appurtenance (whichever is greater);
        iii. The proposed co-location or modification involves the installation of more than the standard number of equipment cabinets for the technology involved, not to exceed four; or,
        iv. The proposed co-location or modification involves excavation outside the current boundaries of the leased or owned property surrounding the Wireless Tower, including any access or utility easements currently related to the site.
    b. For Towers in the public rights-of-way and for all base stations, a substantial change occurs when:

i. The proposed co-location or modification increases that overall height more than 10 percent or 10 feet (whichever is greater);

ii. The proposed co-location or modification increases the width more than six feet from the edge of the Wireless Tower or base station;

iii. The proposed co-location or modification involves the installation of any new equipment cabinets on the ground when there are no existing ground-mounted equipment cabinets;

iv. The proposed co-location or modification involves the installation of any new ground-mounted equipment cabinets that are 10 percent larger in height or volume than any existing ground-mounted cabinets;

v. The proposed co-location or modification involves excavation outside the area in proximity to the structure and other transmission equipment already deployed on the ground.

c. In addition, for all Towers and base stations wherever located, a substantial change occurs when:

i. The proposed co-location or modification would defeat the existing concealment elements of the support structure ad determined by the City; or,

ii. The proposed co-location or modification violates a prior condition of approval as regards to height, width, number and size of equipment cabinets or any excavation that is inconsistent with the thresholds for a substantial change described in this section.

d. As to all measurements set forth herein, the following principles shall govern:

i. Any threshold or limit of height increases are cumulative or collective; or,

ii. For sites with horizontally separated deployments, the cumulative limit is measured from the originally permitted support structure without regard to any increases in size due to Wireless equipment not included in the original design. For sites with vertically separated deployments, the cumulative limit is measured from the permitted site dimensions as they existed on February 22, 2012, the date of passage of the Middle-Class Tax Relief and Job Creation Act of 2012, Section 6409(a).

26. **Telecommunications Tower** shall mean a freestanding mast, pole, monopole, guyed tower, lattice tower, freestanding tower, or other structure designed and primarily used to support communication facility antennas.

27. **Transmission Equipment** shall have the same meaning as provided in 47 C.F.R.§ 1.40001(b)(8), as may be amended.

28. **Wireless Telecommunications Services** shall mean the provision of services using a communication facility or a wireless telecommunications collocation facility, and shall include, but not be limited to, the following services: personal wireless services as defined in the Federal Telecommunications Act of 1996 at 47 U.S.C. Section 332(c)(7)(C) or its successor statute, cellular service, personal communication service, and/or data radio telecommunications.

17.95.020 Permits Required

A. Communication/Wireless Telecommunication Facilities are subject to review in all residential, commercial, industrial, and special purpose zones according to the permissions tables in Divisions 3 through 7 of this Ordinance.

B. General Rule: Conditional Use Permit Required. Unless otherwise provided in this Ordinance, all new wireless facilities, except for small cells, collocations, or modifications to existing wireless facilities, shall require a Conditional Use Permit.

1. The Review Authority may refer a Conditional Use Permit to the City Council for approval.
2. The Review Authority shall approve a Conditional Use Permit if all of the following apply:
   a. The facility will comply with all applicable laws including, but not limited to:
      i. The Americans with Disabilities Act;
      ii. All Building and Safety requirements, including those within the California Building Standards Code, as amended by the City and the latest version of TIA ANSI 222, to the extent that such standards are more restrictive than the otherwise applicable requirements;
      iii. All applicable current requirements of the FCC and OSHA (Occupational Safety and Health Administration), including requirements relating to radiofrequency (RF) emissions and limits on interference;
      iv. The requirements of PMC Chapter 17.95 (Communications and Facilities);
      v. Either the City has issued all required encroachment permits or it is a condition of the issuance of the permit that no installation begin in reliance on the permit until the City has issued all required encroachment permits.
3. A facility that obtains an administrative permit as allowed within the permissions table specified within Division 3 through 7 of this Ordinance need not obtain a Conditional Use Permit.

C. Administrative Permit

1. The Director shall approve an administrative permit pursuant to PMC Section 17.26.040 (Minor Modifications to Approved Plans) if it is in compliance with PMC Section 17.95.03040 (Development~~Operational~~ Standards) and if all of the following apply:
   a. The application is for:
      i. Small Wireless Facility; or,
      ii. A collocation or modification of wireless telecommunication equipment on an existing Eligible Facility which does not create a Substantial Modification.
   b. The facility will comply with all applicable laws including, but not limited to:
      i. The Americans with Disabilities Act;
      ii. All Building and Safety requirements, including those within the California Building Standards Code, as amended by the City and the latest version of TIA ANSI 222, to the extent that such standards are more restrictive than the otherwise applicable requirements;
      iii. All applicable requirements of the FCC and OSHA including requirements relating to RF emissions and limits on interference; and,
      iv. The requirements of PMC Chapter 17.95 (Communications and Facilities).~~;~~

2. The proposed facility will be installed on an existing support structure that meets all of the following requirements:
    a. The facility will match the design of the pole; and,
    b. If feasible, all equipment installed on the pole will be the same color as the pole.

D. Batched Application. An applicant, or its agent of record, may submit applications for multiple small wireless facilities or locations with the following conditions that are intended in order to assure compliance with the FCC's 'Shot Clock' requirements:
    1. No single batched submittal shall contain more than five applications;
    2. There must be a minimum of seven business days between submittals of batched applications; and,
    3. No more than four batched applications shall be accepted in any 30 consecutive day period.

E. Other Permits Required. In addition to any permit that may be required under this Chapter, the applicant must obtain all other required prior permits or other approvals from other City departments, or state or federal agencies. Any permit granted under this Chapter shall be subject to the conditions and/or requirements of other required permits or other approvals from other City departments, state, or federal agencies.

F. Speculative Equipment Prohibited. The City shall not approve any equipment or other improvements in connection with a Wireless Telecommunications Facility approval when the applicant does not actually and presently intend to install such equipment or construct such improvements within 180 days.

G. Any application for eligible facilities which does not include a substantial modification request shall be approved administratively pursuant to PMC Section 17.26.040 (Minor Modifications to Approved Plans) if it is in compliance with PMC Section 17.95.0304~~0~~. In cases of collocation, an applicant may, at their discretion, choose to pursue a new Conditional Use Permit pursuant to PMC Chapter 17.22 (Conditional Use Permits) in order to separate insurance and liability requirements and have individualized conditions of approval. This new Conditional Use Permit shall however not extend the life of the original Conditional Use Permit for the initial facility or pole structure.

H. Supplemental Information
    1. Permit applications for all Communication/Wireless Telecommunication Facilities shall be accompanied by the following supplemental materials, unless waived by the Director:
        a. A Preliminary Report that quantifies the project's electromagnetic frequency (EMF) radiation exposures and power levels, and compares them with adopted standards;
        b. A plan for the ongoing security and inspection of the facility as applicable, which may include but not be limited to provisions for fencing, anti-climbing devices, elevated ladders on towers, and monitoring, to prevent unauthorized access and vandalism;
        c. An alternative site analysis to mitigate visual, land use, or environmental impacts, if required;
        d. A facilities propagation map to ensure that maximum utilization and efficient use of limited communications sites will be achieved. Such a map shall be at a scale no smaller than one inch = one-half mile and shall include the corporate boundaries of the City and the City's Sphere of Influence; and,

e. For a proposed facility within the area affected by the Air Installation Compatible Use Zone (AICUZ), a report demonstrating compliance with Joint Land Use Committee Policies, including siting and electronic signal interference considerations, and compliance with FAA Regulation 77 (Height and Obstruction Criteria).

17.95.030 Development Standards

A. Site Standards. In addition to compliance with all other applicable statutes, ordinances, standards, and policies, the following standards shall apply to all Communication/Wireless Telecommunication Facilities as allowed in PMC Section 17.95.020.B:

1. Setbacks
   a. Setbacks are those specified for primary buildings within the respective zone;
   b. Antenna structures or towers shall not be placed in any front setback or street side setback;
   c. Antenna structures shall be located a minimum of 40 feet from any property zoned or legally used for residential use, unless such location is required for the proper operation of the system, based on the evidence and conclusions of a technical analysis supporting such precise placement;
   d. For antenna structures exceeding 160 feet in height, fall zones shall not cross places of public assembly, including, but not but limited to Community Assembly Uses or schools;
   e. Antenna structures exceeding 250 feet in height shall have fall zones established that encompass a circular area from the base of the tower whose radius exceeds the height of the tower; and,
   f. A major facility must be located minimum 1000 feet from the nearest existing, legally established major facility (except in the event that such a facility is co-located with another facility).
2. Height
   a. The maximum height is that as specified for primary structures within the respective zone. Heights a maximum of 20 feet in excess of the height limit for a primary building in the underlying zone may be approved through Conditional Use Permit approval. Additional height may be granted if the Review Authority determines that:
      i. No feasible alternate location or design is possible;
      ii. That the increase in height is for community benefit; and,
      iii. That there are circumstances that do not allow the antenna to meet the height standards for the respective zone.
3. Landscaping
   a. Communication/Wireless Telecommunications Facilities shall contain landscape screening around any accessory structure. Landscaping shall consist of a combination of vines, ground cover, and trees of a minimum of 24-inch box size container at the time of planting.
   b. Required landscaping may be waived at the discretion of the Review Authority.
4. Fencing. Communication/Wireless Telecommunications Facilities shall be screened and enclosed by use of the following materials:

a. Where visible from freeways, Regional or Crosstown streets, or a less intensive land use district, decorative masonry block, or similar decorative materials or combination thereof shall be used; and,

b. Where a Communication/Wireless Telecommunications Facilities site is adjacent to a residential zone or site legally in use for a residential purpose, a solid decorative block wall, a minimum six feet in height, shall~~must~~ be placed between the facility and the adjacent residential property. Walls up to eight feet in height may be approved at the discretion of the Review Authority.

B. Design Standards

1. All Communication/Wireless Telecommunications Facilities shall be reviewed for compliance with the General Plan and this Ordinance, including, but not limited to the following:

a. A facility shall not create or increase non-conformances to the site, such as a reduction of required parking, landscaping, trash enclosures, loading zones, or other required site features.~~;~~

b. A facility shall conform to any specific plan, area plan, comprehensive development plan, or other applicable development guidelines.~~;~~

c. The height and mass of Communication/Wireless Telecommunications Facilities should be the minimum necessary for the applicant's activity, commensurate with technical, safety, and visual considerations.~~;~~

d. Structures shall be located on existing buildings and below or integral with the skyline wherever possible.~~;~~

e. Facilities that rise above the horizon line shall be painted in non-reflective blue or gray or other colors to blend with the surrounding environment as required by the Review Authority.~~;~~

f. Microwave antennas shall be constructed of open mesh materials as opposed to solid materials.~~;~~

g. Antenna structures shall be finished in a neutral color to blend in with the immediate surroundings and must not be designed as a replica of any tree species that do not naturally occur in the surrounding environment. Antennas mounted on buildings must be of a color and finish that matches that of the building and shall be screened by RF transparent materials that match the color and finish of the building.~~;~~

h. Highly reflective surfaces conducive to glare are prohibited.~~;~~

i. No form of advertising or identification shall be allowed on the dish or supporting structure other than a manufacturer's identification tag.~~;~~

j. The display of any sign or other graphics on an antenna or support structure shall be prohibited except for public warning signs, which signs must be placed no higher than eight feet above the base of the antenna.~~; and,~~

k. Antennae and transmitter equipment on rooftops and projecting from walls shall be screened from view unless made an integral part of the design of the building. All antennae and architectural screening shall, to the extent possible, be compatible and integrated with the existing structure. The antenna and equipment building shall be located as far from the edge of the building as possible while still maintaining system performance.

C. Construction Standards

1. All Communication/Wireless Telecommunications Facilities shall be reviewed for compliance with structural engineering, building, electrical, and fire code standards, and other applicable construction standards. In addition, Communication/Wireless Telecommunications Facilities must comply with the following:
    a. Antennas and structures must be designed and constructed to achieve all lateral load standards contained in the Uniform Building Code (UBC);
    b. Any metallic support structures must be bonded to a grounding rod;
    c. Telephone repeater stations must be installed to reduce the need for additional cell towers;
    d. All wires, cables, and utility lines must be placed underground, except cables attached flush to the surface of a building or to the structure of the antenna. All underground wires and utility lines shall follow the path of least damage; and,
    e. Equipment must meet all manufacturer's specifications and all antennas and screens must have an outer finish with fire-resistive and corrosive-resistant material.
2. Conformance with PMC Chapter 12.04 (Underground Utilities). All Communication/Wireless Telecommunications Facilities that are the subject of this Section, are determined to have the definition of "utility" as it is defined by PMC Section 12.04.010.E and shall be subject to the provisions of PMC Chapter 12.04 (Underground Utilities), pertaining to underground utilities and encroachment into public rights-of-way.

17.95.040 Operational Standards

A. Time Limits. The duration of the approval period for a major facility or a minor facility shall be 10 years. An extension of the approval of the permit may be granted by the Review Authority. New conditions of approval may also be applied to an approval for extension, as may be deemed necessary based upon changing conditions or development in the surrounding area.

B. Subsequent EMF Report. A subsequent report shall be submitted within six months that quantifies cumulative field measurements of electromagnetic frequency (EMF) radiation power densities and exposures from all antennas installed at or near the subject site. The report shall contain a comparison of the measured results within applicable FCC standards. Failure to prepare and submit the subsequent report by the applicant, or the determination of the City that the project does not meet applicable FCC standards, may constitute grounds for revocation of the Conditional Use Permit.

C. Permittees may be required to post a bond or other suitable security as a condition of the Conditional Use Permit to guarantee removal of discontinued, or abandoned facilities, and repair of damage to sites, including revegetation.

D. Discontinued Use. The operator of a lawfully erected facility, and the owner of the premises upon which it is located, shall promptly notify the Director in writing in the event that use of the facility is discontinued for any reason. In the event that the discontinued use is permanent, the owner(s) and/or operator(s) shall promptly remove the facility and repair any damage to the premises caused by such removal. All such removal and repair shall be completed within 90 days after the sue is discontinued and shall be performed pursuant to applicable zoning and health and safety and codes requirements. For purposes of this Chapter, discontinued uses shall be permanent

unless the facility is reasonably likely to be operative and used within the immediately following three-month period.

E. Abandonment. Antennas, towers, and accessory structures that have been determined to be inoperative or abandoned for a period of six months shall be removed, unless a new application to re- establish two uses are filed with the City.

F. Removal by City. The City may remove an abandoned facility, repair any and all damage to the premises caused by such removal, and otherwise restore the premises as appropriate to be in compliance with applicable code at any time:

1. After 30 days following the notice of abandonment, or,
2. Following a notice of the decision by the Director, subject to the owner/operators right of appeal pursuant to this Ordinance. The City may, but shall not be required to, store the removed facility (or any part thereof). The owner of the premises upon which the abandoned facility was located, and all prior operators of the facility, shall be jointly liable for the entire cost of such removal, repair, restoration, and storage, and shall remit payment to the City promptly after demand therefore is made. The City may, in lieu of storing the removed facility, convert it to the City's use, sell it, or dispose of it in any manner deemed by the City to be appropriate.

G. Penalties. The operator of the facility and the owner(s) of the premises upon which it is located shall be in violation of this Section for failure to timely comply with any requirements hereunder. Each such person shall be subject to penalties for each such violation, pursuant to this Ordinance.

H. City Lien on Property. Until the cost of removal, repair, restoration, and storage is paid in full, a lien shall be placed on the abandoned personal property and any real property on which the facility was located, for the full amount of the cost of removal, repair, restoration, and storage. The Planning shall cause the lien to be recorded in the County of Los Angeles Recorder's Office.

17.95.050 Eligible Facilities Requests

Eligible facilities requests shall be processed as a Minor Modification pursuant to PMC Section 17.26.040 (Minor Modifications to Approved Plans). All terms used in this Chapter shall have the same meaning as defined in 14 U.S.C. 1455 and any related federal regulations as they may be amended from time to time.

A. Other Permits Required

1. Notwithstanding the foregoing, any eligible facilities request shall obtain any other required permit(s) (e.g., Encroachment Permit, Building Permit) prior to commencement of construction.
2. For facilities in the right-of-way, see PMC Title 12 (Streets, Sidewalks and Public Places).

B. Application

1. Each request for an exemption submitted pursuant to this Chapter shall be accompanied by a complete, duly executed Minor Modification application pursuant to PMC Section 17.26.040 (Minor Modifications to Approved Plans).
2. The granting of an eligible facilities request shall not extend the remaining term for the underlying Communication/Wireless Telecommunications Facilities.

17.95.060 Change in Law/Ministerial Permitting

A. If it is determined by the City Attorney that this Ordinance requires a discretionary permit (e.g.,

Conditional Use Permit), but State or Federal law prohibits discretionary permitting requirements, such requirement shall be deemed severable, and all remaining regulations shall remain in full force and effect. Such a determination by the City Attorney shall be in writing with citations to legal authority and shall be a public record. For those facilities, in lieu of a Site Plan Review or a Conditional Use Permit, administrative approval shall be required prior to installation or modification of a Communication/Wireless Telecommunications Facilities, and all provisions of this Chapter that would otherwise apply to the discretionary permit shall be applicable to any such facility with the exception that the required application shall be reviewed and administered as a ministerial application by the Director rather than as a discretionary permit. Any conditions of approval set forth in this provision or deemed necessary by the Director shall be imposed and administered as reasonable time, place, and manner rules.

B. Notwithstanding PMC Section 17.95.060.A, the determination that would otherwise be made by the City Attorney may be made by the Director if the Director's determination is made upon a form approved by the City Attorney which is designed to ensure compliance with the requirements of PMC Chapter 17.95 (Communications and Utilities).

C. If subsequent to the issuance of the written determination pursuant to PMC Section 17.95.060.A. or PMC Section 17.95.060.B, and before application approval, the City Attorney determines that the law has changed and that discretionary allowing is permissible, the City Attorney shall issue such determination in writing with citations to legal authority and all discretionary permitting requirements shall be reinstated. The City Attorney's written determination shall be a public record.

17.95.070 Emergency Standby Generators

A. General. An Emergency Standby Generator proposed to be installed to serve a macro cell tower site shall be an allowed use and the City shall review an application to install such Emergency Standby Generator on an administrative, nondiscretionary basis pursuant to an application filed pursuant to PMC Section 17.26.040 (Minor Modifications to Approved Plans) if it meets all of the following standards:

1. The Emergency Standby Generator is rated below 50 horsepower, compliant with applicable air quality regulations, has a double-wall storage tank, not to exceed 300 gallons, and is mounted on a concrete pad;
2. The macro cell tower site at which the Emergency Standby Generator is proposed to be installed is an existing site that was previously permitted by the City;
3. The Emergency Standby Generator complies with all applicable State and local laws and regulations, including building and fire safety codes;
4. The physical dimensions of the Emergency Standby Generator and storage tank are cumulatively no more than 250 cubic feet in volume; and,
5. The Emergency Standby Generator shall be located not more than 100 feet from the physical structure of the macro cell tower or base station.

B. Request. When the City receives an ~~permit~~ application pursuant to PMC Section 17.26.040 (Minor Modifications to Approved Plans) to install an Emergency Standby Generator that meets the requirements in PMC Section 17.95.070.A, the City shall approve or deny the application within the established time limits, subject to both of the following:

1. If the application is determined not to be complete, the City's determination shall specify those parts of the application that are incomplete and shall indicate the manner in which they can be made complete, including a list and thorough description of the specific information needed to complete the application. In any subsequent review of the application determined to be incomplete, the City shall not request the applicant to provide any new information that was not stated in the initial list of items that were not complete;
2. Upon receipt of any resubmittal of the application, a new review period shall begin, during which the City shall determine the completeness of the application; and,
3. The City shall not require any new or different information for the permit applications than it routinely requires for applications for other Emergency Standby Generators.

C. Timing

1. A completed application that the City has not approved or denied within the established timeframe or upon expiration of any tolling period shall be deemed approved.
2. This Section does not prohibit the City from revoking, through the appropriate process, the permit or approval status for an Emergency Standby Generator that is determined to violate an applicable State or local law or regulation, including building and fire safety codes, or from otherwise enforcing State and local law with respect to the Emergency Standby Generator.

D. Multiple Permits. When the City requires more than one permit application for the installation of an Emergency Standby Generator, all applications submitted concurrently shall be issued within the period set forth in PMC Section 17.95.070.B.

E. Authorization. The City shall not require the applicant to submit proof of consent or other authorization from an underlying property owner as part of the initial application for an Emergency Standby Generator Permit; however, the applicant shall not install the Emergency Standby Generator until the applicant provides documentation to the City.

~~F.~~ Application Fee. Applicants shall be required to pay all fees applicable to the proposed development, which fees may be established by City Council resolution.

17.96 Hazardous Materials Facilities

17.96.010 Intent and Purpose

It is the purpose of this Section to establish specific standards for Hazardous Materials Facilities consistent with the Los Angeles County Hazardous Waste Management Plan and to ensure protection of the health, safety, welfare, quality of life, and the environment of the residents of the City.

17.96.020 Definitions

For the purposes of this Section, unless it is plainly evident from the context that a different meaning is intended, the following definitions shall apply:

A. **Hazardous Material** shall mean a material that, because of its quantity, concentration, or physical or chemical characteristics poses a significant hazard to human health and safety or to the environment if released into the workplace or the environment, as defined in California State Health and Safety Code Section 25501.

B. **Hazardous Materials Facility.** See Chapter 17.16 (Definitions).

C. **Hazardous Waste** shall mean a waste or combination of wastes that poses a threat to human health or to the environment as defined in California Code of Regulations Title 22 section 66261.3

D. **Hazardous Waste, Acutely** shall mean any hazardous waste classified as acutely hazardous by the State Department of Health Services as based on California State Health and Safety Code Section 25110.02.

E. **Hazardous Waste, Applicant** shall mean the individual or entity submitting an application for a hazardous waste or materials facility to the City.

F. **Hazardous Waste, Auto Shredder (Metal Shredder Waste)** shall mean the shredding of automobiles and major household appliances in a process where materials are ground into fist-size pieces resulting in a mixture of ferrous metal, nonferrous metal and shredder waste called automotive shredder residue or automobile shredder residue or auto shredder residue (ASR).

G. **Hazardous Waste, Auto Shredder Residue (Metal Shredder Residue)** shall mean the portion of the metal shredder aggregate that remains after ferrous metals and nonferrous metals have been separated, and before chemical stabilization occurs. Also known as: metal shredder waste, auto shredder waste, shredder residue, fluff, auto shredder fluff, recycling residue, and chemically treated metal shredder residue.

H. **Hazardous Waste, Extremely** shall mean any hazardous waste, or combination of wastes, that upon human exposure poses a substantial risk of death, disabling personal injury or serious illness, as defined in California State Health and Safety Code Section 25115.

I. **Hazardous Waste, Facility Agreement** shall mean a binding legal document serving as an attachment to the Conditional Use Permit approved for a facility, which may be attached as a condition to the Conditional Use Permit, and which includes the terms, provisions, and conditions necessary to protect the public health, safety and welfare, to protect the environment of the City, and to provide special benefits and remuneration to the City for the local costs associated with the operation of a facility.

J. **Hazardous Waste, Infectious** shall mean any of the wastes listed in California State Health and Safety Code Section 25117.5.

K. **Hazardous Waste, Land Use Decision** shall mean a discretionary decision of the City Council, as defined in California State Health and Safety Code Section 25199.1(e).

L. **Hazardous Waste, Off-Site Facility** shall mean a facility which provides treatment, storage, or disposal service to producers of hazardous waste other than those located at the site of the off-site facility, as defined in California State Health and Safety Code Section 25199.1(m). Generally, any facility which serves more than one producer of hazardous waste is an off-site facility.

M. **Hazardous Waste, On-Site Facility** shall mean a facility which is located on the site of a producer of hazardous waste and that is used only by that producer, as defined in California State Health and Safety Code Section 25117.12.

N. **Hazardous Waste, Processed** shall mean any activity which alters the chemical or physical properties, or composition of a hazardous waste or material.

O. **Hazardous Waste, Recycling Facility** shall mean a facility that reclaims hazardous wastes for reuse.

P. **Hazardous Waste, Residual Repository** shall mean a land disposal facility that accepts only the solid residues resulting from the treatment of hazardous wastes pursuant to standards established pursuant to California State Health and Safety Code Section 25179.6, or that accepts hazardous organic waste that is stabilized, solidified, or encapsulated.

Q. **Hazardous Waste, Storage Facility** shall mean a facility which may legally store hazardous waste for specified time periods, as defined in California State Health and Safety Code Section 25123.3(a), (b) and (d).

R. **Hazardous Waste 30 Year Post-Closure Period** shall mean the 30 year period, starting with the certification of the closure of the hazardous waste facility by the appropriate State and Federal regulatory agencies, during which the facility owner shall continue to maintain and monitor the hazardous waste facility site pursuant to the post-closure plan required by California State Health and Safety Code Section 25246.

S. **Hazardous Waste Transfer Station** shall mean an off-site facility designed for the handling and storage of hazardous waste in order to facilitate transportation of the waste, as defined in California State Health and Safety Code Section 25123.3(c).

T. **Hazardous Waste Treatment Facility** shall mean a hazardous waste facility that uses processes designed to alter the physical, chemical, or biological character or composition of a hazardous waste, as set forth in California State Health and Safety Code Section 25123.5, except that the definition used in this Chapter excludes thermal treatment combustion processes.

U. **Local Assessment Committee (LAC)** shall mean a seven-member public body appointed by the City Council to represent the interests of the community in the hazardous waste facility review process, as defined in California State Health and Safety Code Section 25199.7.

17.96.030 Development and Operational Standards

A. No residual repository shall be allowed in the City. All other new facilities or expansions to existing facilities shall be considered discretionary land uses and are subject to the permit requirements pursuant to the permissions table for the underlying zone in Divisions 3 through 7 of this Ordinance.

B. Off-site facilities, as defined in this Chapter, shall comply with this ordinance and all applicable state and federal regulations, including PRC 21000-21177.

17.96.040 Applications

All applications for land use decisions shall be filed with the Director accompanied by the appropriate fees as established by City Council Resolution.

17.96.050 Local Assessment Committee

A Local Assessment Committee (LAC) will be formed for all proposed off-site facilities, and with the exceptions noted below, for all proposed on-site facilities. The role of the LAC is to review the application and the environmental documentation, to solicit public comments on the proposed facility application, and to recommend conditions of approval to the Review Authority. Policies and procedures for establishing and administering the LAC are generally defined in Section 25199.7 of California State Health and Safety Code and are hereby incorporated by reference. In addition, the following provisions shall also govern this process:

A. At the discretion of the City Council, and upon the recommendation of the Director, an LAC need not be formed for a proposed on-site storage or recycling facility which does not include an incinerator, or for any on-site facility for which an EIR is not required.
B. The LAC may provide comments to the City Council on the environmental document, health and environmental risk assessments, and any other necessary special studies required as a part of the facility application or associated environmental review.
C. The LAC will hold public meetings pursuant to the provisions of the Ralph M. Brown Act with sufficient frequency to keep the public informed of the progress of LAC review and to solicit public comments on the proposed facility.
D. The LAC may also recommend to the City Council that a separate body act as a “standing committee” during the facility’s operational life and closure period to promote ongoing communication between the applicant and the community, and to monitor the adherence to the conditions of approval applied to the project.

17.96.060 Contents of Application

Every application for a facility pursuant to this Ordinance shall be made in writing to the Director on the forms provided by the Planning Division and must be in sufficient detail to facilitate thorough review. All applications shall be accompanied by the appropriate filing fees as established by City Council Resolution. An application shall include, but is not limited to, the following information:

A. Name and address of the applicant;
B. Evidence that the applicant is the owner of the premises involved or that it has written permission of the owner to make such application;
C. A site plan drawn in sufficient detail to clearly describe the following:
    1. Physical dimensions of the property and structures;
    2. Location of existing and proposed structures, including elevations;
    3. Setbacks and landscaping;
    4. Methods of circulation and parking;
    5. Drainage patterns;
    6. Ingress and egress;
    7. Storage and processing areas;

8. Proposed utilization of property;
9. The distance from the facility property line to the nearest adjacent structure, and a description and location of such structure;
10. The distance to nearest residences, to properties designated in the General Plan for residential use, to proposed or presently zoned residential areas, and to immobile populations;
11. Proximity of the proposed facility to the 100-year flood prone areas;
12. Proximity of the proposed facility to any known active or potentially active earthquake faults as defined by the California State Department of Mines and Geology;
13. The relationship of the proposed facility to all surface water bodies, and all known underground aquifers beneath the facility or beneath the ground adjacent to the facility;
14. Topographic description and plotting of the property and surrounding area on a topographic map;
15. A preliminary geological study of the property and surrounding area including data on the permeability of the substrata;
16. Existing and proposed utilities which service or will be required to service the facility; and,
17. A radius and vicinity map including the project boundary.

D. A list of adjacent property owners and a map indicating their location relative to the proposed facility;

E. An environmental assessment questionnaire;

F. A grading plan;

G. A title report completed within six months of the date of facility application submittal;

H. A legal description of the site;

I. Identification of any other hazardous materials facilities presently or in the past owned or operated by the applicant, with copies of all permits and a listing of regulatory and community contracts for each facility, with their affiliations and current phone numbers;

J. Full disclosure of any past or present permit violations and any past or pending administrative, civil, or criminal proceedings or litigation involving any facility in any location presently or in the past owned or operated by the applicant, or proposed for operation by the applicant;

K. Disclosure of any past or present air, water, soil, or other property contamination that has resulted from any activity of the applicant, or that has occurred at any facility owned or operated by the applicant;

L. Financial statements from the applicant including proposed means for financing development of the facility, and anticipated costs and revenues associated with the operation of the facility;

M. Detailed information regarding how the applicant will meet state pollution liability insurance requirements for sudden and non-sudden events, and state requirements for funding closure and post-closure costs;

N. Identification of the amounts (in tons), sources, and types of hazardous materials to be treated or stored at the proposed facility; the geographical location of the producers; the ultimate disposition of the hazardous materials; and anticipated life of the facility. This information will be based on an actual survey of the industries to be served and be representative of the hazardous materials that will be processed at the facility;

O. Identification of the type(s) of processes that will be used at the facility. For any proposed facility other than storage or recycling, specification of whether any anticipated hazardous materials streams meet the definition of "recyclable material" pursuant to California State Health and Safety Code Section 25120.5 or are listed by the state as recyclable hazardous materials pursuant to California State Health and Safety Code Section 25175. If either of these conditions exist, an explanation of why these hazardous materials should not be recycled shall be provided;

P. Identification of all wastewaters, treated and untreated, generated by the proposed facility, the method and place of final discharge, and a copy of the required state waste discharge permit pursuant to California State Water Code, Division 2, Chapter 4, Article 4, Section 13260, et seq., and national pollutant discharge elimination system (NPDES) permit applications, pursuant to 40 Code of Federal Regulations 122;

Q. A copy of the facility's Hazardous Materials Storage Permit application and business plan, prepared pursuant to Section 2.20.140 of the Los Angeles County Code and California State Health and Safety Code Section 25503;

R. An analysis of visual, noise, and any olfactory impacts associated with the proposed facility and recommended mitigation measures;

S. An analysis of Vehicle Miles Traveled and any potential transportation impacts and recommended mitigation measures;

T. An analysis of all anticipated air quality impacts associated with the proposed facility, including the effect of wind patterns at the site, proposed mitigation measures to ensure no degradation of air quality in the area, and a copy of all required permits from the South Coast Air Quality Management District, or any other agency;

U. Identification of any rare or endangered species of plant or animals within the proposed facility site and recommended impact mitigation measures;

V. Identification of any cultural resources located on the proposed facility site, including archaeological, paleontological, and historical resources, and proposed mitigation measures to ensure no significant impact on cultural resources occurs;

W. The results of preliminary studies of the impact of the proposed facility on real property values and local employment patterns;

X. A health and environmental risk assessment based on a worst-case accident scenario resulting from an upset condition involving hazardous materials. If the proposed facility will include any hazardous materials listed on the United States Environmental Protection Agency's list of extremely hazardous substances (pursuant to Federal Register Volume 52, No. 77, page 13,397), a risk management prevention program pursuant to Chapter 6.95, Article II, Section 25531 of the California State Health and Safety Code shall also be submitted. Mitigation measures for all potentially significant impacts shall be recommended. The proposed scope, protocol, and methodology of the risk assessments will be submitted to the Director for approval prior to the initiation of the risk assessments;

Y. A health and environmental risk assessment that analyzes, in detail, all possibilities and probabilities of accidents or spills involving hazardous materials to be used at the site, transportation-related accidents from the points of origin to the facility, and any other probabilities requested by either the Director or the Review Authority. The proposed scope,

protocol, and methodology of the risk assessments will be approved by the Director prior to starting the necessary work. Such analyses shall identify mitigation measures to reduce the identified risks. The risk assessment shall identify the transportation routes which will yield the least risk of accident and environmental impact resulting from trucks hauling hazardous materials to the proposed facility;

Z. A plan that identifies an ongoing monitoring program of air, soil, groundwater, and other environmental systems. This plan must include any monitoring requirements imposed by other permitting agencies include, but are not limited to, the South Coast Air Quality Management District, the Regional Water Quality Control Board, and the State Department of Health Services;

AA. Documentation of how the proposed facility will serve the needs of local producers of hazardous waste, including household hazardous wastes;

BB. All applications must contain a designation of at least two reasonable alternative sites; and,

CC. An application for an off-site facility must include a detailed proposed public education and participation program to be employed during the local land use decision-making process and which shall be subject to review and approval by the Director.

17.96.070 Determination of Completeness and Processing Off-Site and On-Site Hazardous Materials Facility Applications

All applications for off-site hazardous materials facilities shall follow the procedures outlined within PMC Chapter 17.20 (General Review Procedures) set forth pursuant to California State Health & Safety Code Section 25199 et seq. and Government Code Section 65920 et seq. Standards and Locational Criteria.

17.96.080 Safety and Security

A. The owner or operator shall prevent the unknowing entry, and minimize the possibility for the unauthorized entry, of persons, livestock, or wild animals onto any portion of the facility. At a minimum, signs with the legend “DANGER! HAZARDOUS WASTE AREA – UNAUTHORIZED PERSONNEL KEEP OUT,” must be posted at each entrance to the facility, and at a minimum, shall be posted on the outside of the required perimeter fence. Minimum spacing requirements for such signage shall be determined at the time of facility application review. The sign shall be written in English and Spanish and shall be legible from a distance of at least 25 feet.

B. The operator shall~~must~~ provide a 24-hour surveillance system which continuously monitors and controls entry onto the facility.

C. Perimeter fencing shall~~must~~ be constructed in compliance with PMC Chapter 17.86 (Landscaping, Lighting, Walls, and Fences).

17.96.090 Monitoring

A. For the purpose of ensuring compliance with all standards, conditions, and other requirements of an approved facility permit which the City is authorized to enforce, City officials or their designated representatives may at any time enter the premises.

B. The owner or operator of a facility must report quarterly to the Director the amount, type, and disposition of all wastes handled or processed by the facility. Included in the report shall be copies of all manifests produced within each quarter identifying the hazardous waste producers using the facility, and the types of hazardous wastes delivered to the facility and include a map

showing the exact location (coordinates and elevation) of quantities and types of wastes treated or stored at the facility.

C. The owner or operator of a facility shall immediately send copies of all complaints related to facility operations and copies of all inspection reports and documentation of any other regulatory action including correspondence made by other local, state, or federal agencies to the Director within three working days of receipt of such complaint, report, or other documentation.

17.96.100 General Conditions

A. The City may impose, as necessary, conditions and standards other than those presented in this Chapter, in order to achieve the purposes of this Ordinance and to protect the health, safety, or general welfare of the community and the environment.

B. Any modifications of the types and quantities of hazardous wastes to be managed at the proposed facility or significant modifications to the processes employed at the facility which were not considered in the original facility approval by the City, shall be presented to the Director in writing before such modifications commence at the facility. The proposed modifications may, at the discretion of the Director, result in modification or revision of the land use application, or may require a new land use application.

C. Every facility shall have an emergency response contingency plan prepared pursuant to California Health and Safety Code Section 25503.5 and approved by the Los Angeles County Fire Department. A copy of the contingency plan shall be maintained at the facility and sent to the local police department, fire department, hospitals, and the Los Angeles County Department of Environmental Health. Proof of such distribution shall be provided to the Director prior to the issuance of a Certificate of Occupancy.

D. The applicant shall, prior to any City public hearing on a facility application, submit to the Department a written closure plan prepared pursuant to California Health and Safety Code Section 25246, and approved by the Department of Health Services. All revisions to such closure plan shall also be submitted to the Director within three working days of the approval of said revisions.

E. Prior to the issuance of a Certificate of Occupancy, the applicant shall provide proof to the satisfaction of the Director that it has met all of the financial responsibility requirements imposed by the Department of Health Services and any other federal or state agency.

F. The applicant shall agree to indemnify, defend, and hold harmless the City, the Planning Commission, the City Council, the LAC, and all officers, employees, and agents of the City against and from all claims, actions, or liabilities relating to the land use decision or arising out of its implementation at the facility location.

17.96.110 Findings

A. In addition to the findings required for the appropriate permit pursuant to Division 2 (Review Procedures) of this Ordinance, the following findings must be made prior to approval of a proposed facility by the Review Authority:

1. The proposed facility is consistent with the City's General Plan and PMC Title 17 (Zoning), and with the Los Angeles County Hazardous Waste Management Plan;

2. The proposed facility will not be detrimental to the health, safety, or general welfare of the community or to the environment. The Commission shall deny the requested Conditional Use Permit where the findings indicate, and the City Council determines, that the applicant has failed to show that the requested use will not jeopardize, adversely affect, endanger or otherwise constitute a menace to the public health, safety or general welfare or be materially detrimental to the property of other persons located in the vicinity of such use, and reasonable restrictions or conditions to permit the establishment of the proposed use will not prevent detriment or menace as indicated;
3. The conditions recommended by the LAC, including those not agreed to by the applicant, were considered by the Review Authority;
4. The past and present activities of the applicant have not resulted in any serious regulatory violations or contamination problems;
5. The proposed facility is or will be served by roads and all other necessary public and private service facilities and utilities. The circulation features serving the proposed facility are adequate in width and location, and are, or will be improved and located in such a manner as to provide for the safe transport of hazardous wastes to the proposed facility;
6. The proposed facility has met or exceeded each requirement of this Ordinance;
7. Health risk and environmental risk assessments have been conducted for the proposed facility based on well-defined and credible assumptions detailing the results of a "worst-case" scenario as well as all other possible or probable accidents or spills at the proposed facility, which address both the potential threat to public health, safety and the environment posed by the proposed facility;
8. Considering the nature, condition, and development of adjacent uses and structures; no proposed facility shall be allowed where such use will adversely affect or be materially detrimental to said adjacent uses or structures;
9. The parcel for a proposed facility shall be adequate in size and shape to accommodate the setbacks, walls, fences, parking and loading facilities, landscaping and other project features prescribed in this Ordinance, or as required by the Review Authority as a condition in order to integrate said use with surrounding uses; and,
10. All potentially significant environmental impacts identified in the environmental document have been fully analyzed in compliance with CEQA, and appropriate mitigation measures have been developed and applied where necessary and incorporated into a mitigation monitoring program.

17.96.120 Duration of Land Use Decision

A. The duration of the land use decision will be determined at the time of approval and must not exceed 10 years. The applicant will commence substantial construction of the facility within two years of the land use decision and such construction shall be pursued diligently to completion. For permit extension and expiration procedures see PMC Section 17.22.070 (Post Decision Procedures).
B. Failure to comply with the conditions of approval placed upon the facility, to implement the required CEQA mitigation strategies or provisions of this Ordinance, or to abide by the provisions of the facility agreement will be considered grounds for permit review and revocation

at the discretion of the Review Authority. Permit revocation will follow the procedures set out in PMC Section 17.22.070.C.

17.97 Recycling Facilities

17.97.010 Purpose

The purpose of this Chapter is to provide standards for Recycling Processing Facilities, Recycling Collection Facilities, and Reverse Vending Machines that will ensure adequate areas for collecting and loading recyclable materials that are compatible with surrounding land uses, in order to encourage the diversion of solid waste by facilitating source reduction, recycling, and composting activities.

17.97.020 ~~General~~ Development Standards

All recycling facilities, as defined in PMC Chapter~~Section~~ 17.16~~.180~~ (~~R~~Definitions), are subject to the following general requirements:

A. The Review Authority may specify the types and quantities of stored or processed materials.~~;~~

B. Material shall be stored inside containers or within indoor or outdoor storage areas properly screened from the public right-of-way pursuant to PMC Section 17.92.120 (Outdoor Storage (Primary and Accessory)).

C. Recycling areas or the bins or containers placed therein must provide protection against adverse environmental conditions, including, but not limited to, rain or wind, which might render the collected materials unmarketable.~~;~~

D. The design and construction of recycling areas shall not jeopardize security of any recyclable materials placed therein.~~;~~

E. The recycling facility shall be constructed and maintained of durable waterproof and rustproof material~~;~~

F. Collection containers, fencing, and signage shall be of such color and design which are compatible with the surrounding area.~~;~~

G. Driveways, and/or travel aisles shall provide unobstructed access for collection vehicles and personnel in conformance with building code standards for garbage collection access and clearance.~~;~~

H. A sign clearly identifying all recycling and solid waste collection and loading areas and the materials accepted therein shall be posted adjacent to all points of direct access to the recycling areas.~~;~~

I. The facility and/or containers shall be clearly marked to identify the type of material to be deposited, operating instructions and hours, and the identity and phone number of the facility operator to call if the machine is inoperative, and shall display a notice stating that no material shall be left outside the recycling facility outside of regular business hours.~~;~~

J. Facilities shall meet the sign standards of the underlying zone designation as set forth in PMC Chapter 17.88 (Signs) unless otherwise specified; directional signs may be installed subject to approval of the Director.~~;~~

K. The facility shall be maintained in a clean and sanitary manner free of litter and any other undesirable materials on a regular basis, including mobile facilities.~~;~~

L. The surrounding area and transportation corridors adjacent to recycling facilities shall be adequately protected from any adverse impacts including, but not limited to, noise, odor, vectors, or glare, through measures including, but not limited to, maintaining adequate separation, fencing, and landscaping.~~;~~

M. If the facility is located in or near an area designated, or planned for residential use, the Director may require additional restrictions on the hours of operation, type of machinery used, lighting, and truck routes.~~;~~

N. Noise generated by a facility shall not exceed maximum limits established by the Noise Element of the General Plan.~~; and,~~

O. The facility shall~~must~~ meet all applicable requirements of the Los Angeles County Fire Department, Health Department, and Building and Safety Division.

17.97.030 Recycling Collection Facility, Large

~~A~~ Large Recycling Collection Facilities~~y~~, as defined in PMC Chapter~~Section~~ 17.16~~.180~~ (~~R~~Definitions), shall comply with the ~~general~~ standards pursuant to PMC Section 17.97.020 (~~General~~ Development Standards) and the following ~~standards~~:

A. If the proposed facility shares a lot line with a residentially zoned property, the area used for the facility shall be separated by a minimum distance of 300 feet from the shared property line.~~;~~

B. The facility shall be enclosed within a structure and screened from view from the public right-of-way.~~;~~

C. Setback, landscape, screening, and lighting requirements shall be those required for the zone in which the facility is located,~~;~~

D. Containers shall be covered when the site is not attended, secured from unauthorized entry or removal of material, and shall be of a capacity sufficient to accommodate materials collected and collection schedule.~~; and,~~

E. Adequate refuse containers for the disposal of non-hazardous materials shall be permanently maintained on site.

17.97.040 Recycling Collection Facility, Small

Small Recycling Collection Facilities, as defined in PMC Chapter~~Section~~ 17.16~~.180~~ (Definitions~~R~~), shall comply with both the development~~general~~ standards pursuant to PMC Section 17.97.020 (~~General~~ Development Standards) and PMC Section 17.97.030~~.A~~ above and the following ~~standards~~:

A. Shall be installed as an accessory use to an existing use which is in full compliance with all applicable provisions of this Ordinance;

B. Shall be no larger than 500 square feet;

~~C. Shall be subject to setbacks, landscaping, lighting, and screening standards of the zone in which it is located, except as modified or increased by the Director;~~

~~D.~~C. Shall accept only glass, metal, plastic, and paper;

~~E.~~D. Shall use no power-driven processing equipment except for reverse vending machines;

~~F. Containers shall be covered when the facility is not attended, secured from unauthorized entry or removal of material, and of a capacity sufficient to accommodate materials collected and collection schedule;~~

~~G.~~E. If a mobile unit is used, all recyclable materials shall be stored in the mobile unit vehicle and shall not be left outside of the unit when the attendant is not present; mobile facilities at which truck or containers are removed at the end of each collection day, shall be cleaned of all debris at the end of each collection day;

~~H.~~F. Signs may be provided as follows:

1. Identification signs with a maximum sign area of 15 percent per side of a structure or 16 square feet, whichever is less. In the case of a wheeled facility, the side will be measured from the ground to the top of the container;
2. Signs shall be consistent with the character of the surrounding development; and,
3. Directional signs, consistent with this Ordinance, may be installed subject to approval by the Director if found necessary to facilitate traffic or if the facility is not visible from the public right-of-way.

~~I.~~G. No additional parking spaces shall be required for customers of a Small Recycling Collection Facility located within the established parking lot of a~~the~~ primary use;

~~J.~~H. Mobile recycling units shall have an area clearly marked to prohibit other vehicular parking during hours when the mobile unit is scheduled to be present;

~~K.~~I. In no event shall Small Recycling Collection Facilities reduce the parking requirements of the project;

~~L.~~J. Small Recycling Collection Facilities shall not be 24-hour operations; and,

~~M.~~K. The architecture of any facility shall~~must~~ be compatible with surrounding uses in form, materials, colors, scale, and other design elements.

17.97.050 Recycling Processing Facility, Heavy

Heavy Recycling Processing Facilities, as defined in PMC Chapter 17.16 (Definitions), shall comply with the ~~general~~development standards pursuant to PMC Section 17.97.020 (~~General~~ Development Standards) and the following ~~standards~~:

A. If the proposed facility shares a lot line with a residential zoned property, the area used for the facility shall be separated by a minimum distance of 300 feet from the shared property line;

B. Heavy Recycling Processing Facilities shall operate within a completely enclosed structure;

C. Power-driven processing shall be allowed provided all noise level standards are met as specified within the Noise Element of the General Plan;

D. Setbacks, screening, lighting, landscaping standards shall be those provided for the zone in which the facility is located; and,

E. Loose debris shall be collected on a daily basis and the site shall be secured from unauthorized entry and removal of materials when attendants are not present.

17.97.060 Recycling Processing Facility, Light

Light Recycling Processing Facilities, as defined in PMC Chapter~~Section~~ 17.16~~.180~~ (Definitions~~R~~), shall comply with the development~~general~~ standards pursuant to PMC Section 17.97.020 (~~General~~ Development Standards) and the following ~~standards~~:

A. If the proposed facility shares a lot line with a residential zoned property, the area used for the facility shall be separated by a minimum distance of 300 feet from the shared property line;

B. Light Recycling Processing Facilities shall operate within a completely enclosed structure;

C. Power-driven processing shall be allowed provided all noise level standards are met as required by the Noise Element of the General Plan. Light processing facilities shall be limited to baling,

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

D. A Light Recycling Processing Facility shall be no larger than 45,000 square feet; shall have no more than an average of two outbound truck shipments of material per day; and shall not shred, compact, or bale ferrous metals other than food and beverage containers;
E. Setbacks, landscaping, screening, and lighting standards shall be those provided for the zone in which the facility is located; and,
F. Loose debris shall be collected on a daily basis and the site shall be secured from unauthorized entry and removal of materials when attendants are not present.

17.97.070 Reverse Vending Machines

Reverse Vending Machine(s), as defined in PMC ~~Section~~Chapter 17.16~~.180~~ (~~R~~Definitions), shall be subject to compliance with the following standards:

A. Shall be installed as an accessory use to a Small or Large Recycling Collection Facility which is in full compliance with all applicable provisions of this Ordinance;
B. Shall be located a minimum of 10 feet and a maximum of 30 feet from the entrance to the structure and shall not obstruct pedestrian or vehicular circulation;
C. Shall not occupy parking spaces required by the primary use;
D. Shall occupy no more than 50 square feet of floor space per installation, including any protective enclosure, and shall be no more than eight feet in height;
E. Shall have a maximum sign area of four-square feet per machine, exclusive of operating instructions;
F. Operating hours shall be consistent with the operating hours of the primary use;
G. Shall be illuminated to ensure comfortable and safe operation if operating hours include hours between dusk and dawn; and,
H. No additional parking spaces shall be required for customers of a Reverse Vending Machine.

17.98 Other Uses

17.98.010 Sanitary Landfills

A. Purpose and Intent. It is the purpose of these standards to establish specific standards for Sanitary Landfills where allowed. The intent is to prevent adverse visual, health, safety, and other impacts on the surrounding properties and/or the community.

B. Development and Operational Standards. Sanitary Landfills where listed as allowed by the permissions tables specified for the underlying zone pursuant to Divisions 3 through 7 of this Ordinance, shall be constructed in the following manner:

1. Prior to the commencement of operations, the portion of the project to be used immediately for dumping purposes shall be enclosed with a fence constructed with the materials and to the height standards specified within PMC Section 17.86.040 (Walls and Fences) and capable of preventing access thereto by unauthorized persons. Access to the dump area shall be protected with gates and be kept closed during non-operating periods. The location of all entrances shall be subject to the approval of the Review Authority;
2. An earth dike shall be constructed within the property fence along and parallel with any street or highway. Such dike shall be not less than eight feet in height above the elevation of the centerline of the paralleling street or highway and shall be so treated as to remain dust and weed free;
3. In lieu of said fence and dike, the Review Authority may approve the substitution of an eight-foot solid fence or decorative wall where, in the opinion of said Review Authority, such fence or wall will adequately comply with the provisions of this Section;
4. Salvage operations shall be prohibited~~are not allowed~~ on the premises;
5. All access roads shall be paved a distance of not less than 200 feet from the nearest paved dedicated street or highway. Such paving shall be of asphalt or other hard surfacing in conformance with the standards set forth by the City Engineer; and,
6. All roads within the dumping area shall~~must~~ be oiled or hard-surfaced and maintained in order to prevent the creation of dust.

C. Review Process. Uses subject to this Section shall be subject to the approval~~permit~~ requirements as specified in the applicable zone pursuant to the permissions tables in Divisions 3 through 7 of this Ordinance.

17.98.020 Temporary Uses

A. Purpose and Intent. This Section establishes standards for uses that are intended to be of limited duration of time and that will not permanently alter the character or physical facilities of the site where they occur.

B. Applicability. This Section applies to the temporary uses that are allowed in the base zone pursuant to the land use permissions tables in Divisions 3 through 7 of this Ordinance.

C. Uses Not Requiring a Temporary Use Permit. As allowed in the base zone, the following uses do not require a Temporary Use or Special ~~Use~~Event Permit:

1. City events or ~~for~~ events in which City space is rented through the ~~Department of~~ Parks and Recreation Department for a third-party event.
2. Yard sales as a temporary use shall be allowed subject to the following standards:

a. ~~Yard Sales m~~May only be held in zones where ~~it is~~ specifically listed as an allowed accessory use;

b. ~~Yard Sales s~~Shall last no longer than three consecutive days;

c. ~~Yard Sales s~~Shall be held no more than twice annually;

d. ~~Yard Sales s~~Shall be conducted on the property where the seller resides. Multi-family sales are allowed if they are held on the property of one of the sellers;

e. The merchandise offered for sale shall be limited to the personal goods of the homeowner(s) holding the sale. The offering of merchandise acquired for the purpose of resale is prohibited; and,

f. Signs shall comply with the standards of PMC Chapter 17.88 (Signs).

3. Temporary Outdoor Storage for less than 72 hours.

D. Uses Requiring a Special Event Permit. A Special Event Permit issued pursuant to PMC Section 17.26.100 (Temporary Use and Special Event Permits) shall be required for the following temporary uses, pursuant to PMC Section 17.26.100.H:

1. Parking lot and sidewalk sales.
2. Outdoor art and craft shows and exhibits.
3. Bazaars, pony rides, festivals, and similar events.
4. Mobile health services.
5. Grand openings and anniversary events.
6. Parades, and other events conducted within the public right-of-way shall be subject to the provisions of PMC Title 12 (Streets, Sidewalks and Public Places).

E. Temporary Uses and Events Requiring a Temporary Use Permit. A Temporary Use Permit issued pursuant to PMC Section 17.26.100 (Temporary Use and Special Event Permits) shall be required for the following temporary uses:

1. Christmas tree lots, pumpkin lots, haunted houses, and firework stands, subject to the following guidelines and conditions:

a. Christmas tree sales, sale of pumpkins, and operation of haunted houses shall be located on commercially zoned and designated property. Fireworks stands may be located on property within any zone designations provided:

i. Such property is not residentially developed;

ii. ~~A stand must~~The temporary use shall be located a minimum of 200 feet from any residential use; and,

iii. ~~A stand may~~The temporary use shall not be located within any area subject to a very high fire hazard severity zone designation as defined by PMC Section 8.04.203 (Addition to the definitions in Chapter 7 of the Palmdale Building Code to include the local agency very high fire hazard severity zone maps).

b. Christmas tree sales shall be limited to the period of time between the Friday after Thanksgiving and December 25th, both dates inclusive. No structures, including but not limited to poles, fences, lights, spray booths, and sheds, shall be erected or maintained on the site, and no Christmas trees shall be delivered to the site sooner than the Monday before Thanksgiving or later than December 30th.

c. Sales of pumpkins from pumpkin lots shall be limited to the period of time between October 1st and October 31st, both dates inclusive. No structure, including but not limited to, poles, fences, lights, and sheds, shall be erected or maintained on the site, and no pumpkins shall be delivered to or left on the site sooner than September 20th or later than November 1st, unless a Temporary Use Permit has been requested for Christmas tree sales, subject to PMC Section 17.26.100 (Temporary Use and Special Event Permits)~~27.030.B.1.b~~.

d. Operation of haunted houses shall be limited to the period of time between October 1st and November 1st, both dates inclusive. Haunted houses shall only be allowed in permanent buildings with an appropriate occupancy rating, as determined by the Director. Any temporary interior modifications shall be subject to the requirements of the Building and Safety Division.

e. Firework stands (occupancy and/or sales) shall be limited to the period of time between noon on June 28th and noon on July 5th. No structure, including but not limited to, poles, fences, lights, and sheds, shall be erected or maintained on the site, and no fireworks shall be left on the site, before June 27th or after July 6th. Fireworks stands shall be separated from adjacent fireworks stands and other structures as required by the Los Angeles County Fire Department.

f. All lighting shall be directed away from and shielded from adjacent properties and streets.

g. Adequate provisions for traffic circulation, off-street parking, dust control, and pedestrian safety shall be provided as approved by the Director and City Engineer.

h. All requirements of the City shall be complied with throughout the duration of the use.

2. Circuses, carnivals, rodeos, concerts, shows, or similar enterprises, and any of the uses allowed with a Special Event Permit pursuant to PMC Section 17.98.020.~~C~~D, that operate for more than one day shall be subject to the following guidelines and conditions:

a. All such uses shall be located on non-residentially zoned property;

b. Circuses, carnivals, rodeos, concerts, shows, or similar enterprises, shall be limited to not more than 15 continuous days, or not more than three weekends, of operation in any 180-day period. Any request to exceed this time limitation shall be determined to be a permanent use and shall be subject to the location criteria within the ~~P~~permissions ~~T~~tables in Divisions 3 through 7 of this Ordinance, and all applicable development standards.

c. Any of the uses allowed with a Special Event Permit ~~that operate for more than one day~~ shall be limited to not more than 10 one-day events~~days of operation~~ in any ~~90~~180-day period;

d. All such activities shall have a minimum setback of 100 feet from any residential area. This standard may be waived or modified by the Director, if it is determined that no adverse impacts would result;

e. Adequate provisions for traffic circulation, off-street parking, dust control, and pedestrian safety shall be provided as approved by the Director and City Engineer;

f. Sanitary facilities shall be provided, the number and location of which shall be approved by the City and other applicable agencies;

g. Security personnel shall be provided as required by the Sheriff's Department for circuses, carnivals, rodeos, concerts, shows, or similar enterprises;

h. Circuses, carnivals, rodeos, concerts, shows, or similar enterprises shall provide designated parking accommodations for workers and support vehicles;

i. Noise attenuation for generators and carnival rides shall be provided as approved by the Director;

j. All lighting shall be directed away from and shielded from adjacent properties and streets; and,

k. The ~~A~~applicant shall obtain all applicable local, County, or State permits.

3. Trailer coaches, motorhomes, or manufactured homes, for use as temporary living quarters for security personnel, temporary residence of the subject applicant, or on active construction sites, where allowed by the zone. The following restrictions shall apply:

   a. The Director may approve a temporary vehicle for the duration of the construction project, or for a specified period, but in no event for more than three years. If exceptional circumstances exist, a one-year extension may be granted by the Director

   b. Vehicles allowed pursuant to this Ordinance shall not exceed a maximum gross square footage of 650 square feet in size (tongue not included) and shall have a minimum of 250 square feet for one or two persons, or a minimum of 600 square feet for occupancy by three or more persons. The unit must have a valid California vehicle license. Pickup campers shall not be allowed;

   c. The temporary vehicle installation must meet all applicable requirements of the Los Angeles County/Health Department and the City;

   d. Any permit issued pursuant to this Ordinance in conjunction with a construction project shall become invalid upon cancellation or completion of the Building Permit for which this use has been approved, or the expiration of the time for which the approval has been granted;

   e. The allowed vehicle shall be removed from the parcel within 30 days of the expiration of the Temporary Use Permit, the final clearance or the issuance of the Certificate of Occupancy, or the expiration of the Building Permit, whichever occurs first. A motor home, fifth-wheel trailer or other recreational vehicle allowed pursuant to this Ordinance shall be disconnected from all utilities at the time of final clearance or issuance of the Certificate of Occupancy;

   f. Any vehicle allowed pursuant to this Ordinance shall be connected to approved sewage, electrical, and water facilities at all times during which the vehicle is occupied on the parcel; and,

   g. A minimum parcel size of 40,000 square feet shall be required where a vehicle is proposed to be used as a temporary residence during construction of an individual single-family residence.

4. Temporary Office Modules. The use of temporary structures including, but not limited to trailers or prefabricated structures for use as interim offices on active construction sites may be allowed in any zone which allows the use, subject to the following requirements:

a. The Director may approve a temporary office module for the duration of the construction project, or for a specified period of time. If exceptional circumstances exist, one or more one-year extension(s) of time may be granted, provided that Building Permit(s) for permanent dwelling(s) or structure(s) on the same parcel remain valid; that project construction is being pursued; and that the location of the temporary office does not interfere unreasonably with the project's residents or users;
b. Installation of such structures may occur only after a valid Building Permit has been issued by the City;
c. Vehicles or modular structures allowed pursuant to this Section shall not exceed a maximum gross square footage of 650 square feet in size (tongue not included). Where applicable, a valid California vehicle license must be affixed to the vehicle;
d. The temporary office module installation must meet all applicable requirements of the Los Angeles County/Health Department and the City;
e. Any permit issued pursuant to this Ordinance in conjunction with a construction project shall become invalid upon cancellation or completion of the Building Permit for which this use has been approved, or the expiration of the time for which the approval has been granted;
f. The allowed office module shall be removed from the parcel within 60 days following the issuance of a final clearance, the issuance of the Certificate of Occupancy or, where such module is used for temporary sales, upon the occupancy of the permanent sales office; and,
g. No recreational vehicles shall be used for this purpose.

5. On-Site Temporary Real Estate Sales Office. A model home sales complex may be constructed within a subdivision pursuant to the approval of a Temporary Use Permit. One model within such subdivision may be used as an office solely for the sale of homes within the subdivision and/or complex. All such complexes shall be subject to the following conditions:
   a. The sales office shall be located within a garage or the main structure of one of the dwelling units within the subdivision;
   b. Model home sales complex approvals shall be valid for an initial period of three years, or as otherwise approved in the Temporary Use Permit. Upon expiration of the Temporary Use Permit, the sales office shall be terminated, the structure restored to a residential use and all appurtenant structures related to the model home complex removed. Extensions may be granted by the Director in one-year increments or until all units are sold;
   c. A cash deposit, letter of credit, or other security approved by the City, if applicable, shall be submitted to the City, in an amount to be established by the Director, to ensure the restoration of the sales office and the removal of parking facilities and other structures associated with the complex;
   d. The sales office shall be used only for transactions involving the sale, rent, or lease of parcels and/or structures within the subdivision in which the sales office is located, contiguous subdivisions, or a planned community;

e. Street improvements and temporary off-street parking at a rate of two spaces per model, or a minimum of six spaces, whichever is greater, shall be completed as approved by the City Engineer and Director, prior to commencement of sales activities or the display of model homes;

f. All fences proposed in conjunction with the model homes and sales office shall be located outside the public right-of-way, except as approved by the City Engineer. An Encroachment Permit shall be required for any fence or structure proposed to be located within a public right-of-way;

g. Flags, pennants, or other on-site and off-site advertising shall be allowed and regulated pursuant to the applicable sections of PMC Chapter 17.88 (Signs);

h. All model home parcels shall be fully landscaped, in conformance with this Ordinance, the City's Landscaping Design Standards, and City Ordinance No. 1475 for Water Efficient Landscaping to produce a pleasing aesthetic environment;

i. Adequate on-site lighting shall be provided to ensure a safe and secure environment, while at the same time being designed and placed so as to prevent stray light or glare from becoming a nuisance factor for adjacent properties. The lighting design shall be submitted for review and approval of the Director~~Department~~ prior to the issuance of Building Permits on the subject parcel;

j. Adequate paved access from a public right-of-way shall be provided to the model home complex and/or sales office; and,

k. Failure to terminate the sales office, restore the structure, and remove parking facilities and associated structures or failure to apply for an extension on or before the expiration date, may result in forfeiture of the cash deposit, a halt in further construction or inspection activity on the project parcel, and enforcement action to ensure restoration of the model complex parcel to single-family residences.

6. Stockpiling, subject to the following guidelines and conditions:

a. No stockpiling shall be allowed on undisturbed native desert vegetation without appropriate environmental review, pursuant to State law;

b. Stockpiled material shall not exceed a height of four feet, and should be evenly spread;

c. Location of stockpiled material shall not adversely impact adjacent properties or uses through creation of windblown dust, visual appearance, or other creation of an attractive nuisance;

d. During placement or removal of stockpiled material appropriate traffic control measures shall be taken, as determined by the City Engineer. Truck access to the stockpiling area from the adjacent right-of-way shall be approved by the City Engineer; A Haul Route permit shall be required to determine an acceptable traffic route to or from the project site;

e. Dust control measures shall be taken during stockpiling or removal operations as deemed necessary by the Director and City Engineer;

f. Erosion control measures on stockpiled material shall be implemented as determined necessary by the City Engineer; and,

g. Stockpiled material shall not contain green waste, trash, composted material, sludge, or biosolid material in any combinations or quantities.

7. Temporary Sales of Alcoholic Beverages

a. Any event sponsor or applicant that anticipates a temporary event with alcohol sales shall obtain a Temporary Use Permit. The application shall~~is to~~ be filed with the Planning Division~~Department~~ at least 60 days in advance of the event.

b. The Event Sponsor is the entity determined by the City to be liable for protecting public health and safety of event participants (those who attend the event), of event operators (those who create and execute the event), and of all others affected by the actions of event participants and event operators.

c. Conditions of Approval. In addition to the requirements in PMC Section 17.26.100.G (Approval Requirements and Conditions), a Temporary Use Permit for the temporary sales of alcoholic beverages shall also include the following additional conditions:

i. The applicant shall obtain authorization from the property owner;

ii. The applicant shall obtain a Business License and any other permits applicable for the event;

iii. The applicant shall submit a site plan showing the event and areas that alcohol is to be sold;

iv. The applicant shall have control over points of access to the location where alcoholic beverages are dispensed and consumed;

v. The applicant shall have control and containment of individuals who consume alcoholic beverages;

vi. Los Angeles Sheriff's Department liaison shall determine the number of deputies required for security of the event based on the type and size of the event;

vii. All alcoholic beverage servers shall have in their possession proof of completing "Responsible Beverage Service" training from the Department of Alcoholic Beverage Control;

viii. A Temporary Alcoholic Beverage Control license shall be required for the duration of the~~is~~ event. A copy of the temporary license shall be submitted to the Department prior to the start of the event;

ix. The applicant shall specify the hours of operation of the event and the hours of sale of alcoholic beverages;

x. The applicant shall provide commercial general liability and liquor legal liability insurance in an amount determined by the City Attorney, based on the size and type of event, and name the City, or any other agency as required by the City Attorney, and its officers, agents, employees, and volunteers as additional insureds;

xi. The applicant shall provide traffic and parking control as required to facilitate safe and orderly on-site and off-site traffic flow and circulation for the event including Americans with Disabilities~~handicapped~~ access and fire lanes. ~~Obtain approval of the site plan from~~ The submitted site plan indicating traffic flow shall be approved by the Los Angeles County Fire Department prior to submittal to the Planning

Division. The approved site plan shall be submitted to the Department along with the Temporary Use Permit application;

xii. The site shall be restored to its original condition after the event. The site shall be free of debris, all trash receptacles removed, temporary fencing removed, landscaping, and all disturbed asphalt shall be restored to the original condition. Disturbed landscape areas must also be restored to its original condition. The applicant shall be financially responsible for any damage to the parking lot surface and landscape areas resulting from the event;

xiii. All proposed signage shall comply with PMC Chapter 17.88 (Signs);

xiv. All tents and other temporary structures shall require Fire Department approval. A copy of the signed plans shall be provided to the Planning DivisionDepartment prior the event;

xv. The applicant shall comply with all Los Angeles County Fire Department requirements including, but not limited to fire lanes, access points, and may require on-site Los Angeles County Fire Department staff as determined by the Fire Department;

xvi. All uses involving electricity shall require an Electrical Permit from the Building and Safety Division;

xvii. The applicant shall provide sanitary facilities for the participants of the event;

xviii. All unimproved parking areas and main walk areas shall be kept damp or shall be covered with a material to prevent dust;

xix. The site shall be kept free of debris and windblown trash. The applicant shall provide an adequate number of trash receptacles based on the size of the event as determined by the Director;

xx. All temporary lighting shall be directed away from and shielded from adjacent parcels, streets, and public rights-of-way;

xxi. If live entertainment is proposed, noise generated from performances shall be directed away from residential uses and kept at an acceptable level;

xxii. All food vendors shall obtain a Los Angeles County Health Permit for the sale of food and drinks;

xxiii. A minimum deposit of $500 or more as determined by the Director shall be submitted to the Planning DivisionDepartment prior to the event to ensure timely compliance with Temporary Use Permit Requirements; and,

xxiv. The applicant shall comply with all other Conditions of Approval for the Temporary Use Permit.

8. Off-site Model Home Sales Complexes. A model homes sales complex, when not located within the subdivision in which the models are being constructed, is considered to be an off-site model home sales complex. Off-site model home sales complexes may be permitted where allowed by the zone and subject to Minor Site Plan Review approval pursuant to PMC Chapter Section 17.26.090 (Minor Site Plan Review), and a Temporary Use Permit by the Director pursuant to PMC Section 17.26.100 (Temporary Use and Special Use Event Permits) and in conformance with the following criteria:

a. The sales office associated with the model home complex may be located only within a dwelling unit itself, or within a garage. Trailers, modulars, manufactured units, or any similarly temporary structure shall ~~not be allowed~~be prohibited;

b. All structures shall be constructed pursuant to the minimum standards of the zone in which they are located;

c. A cash deposit, letter of credit, or other security approved by the City, if applicable, shall be submitted to the City, in an amount to be established by the Director, to ensure the restoration of the sales office and the removal of parking facilities and other structures associated with the complex;

d. Street improvements and temporary off-street parking at a rate of two spaces per model, or a minimum of six spaces, whichever is greater, shall be completed as approved by the Director, prior to commencement of sales activities or the display of model homes;

e. All fences proposed in conjunction with the use are to be located outside of the public right-of-way except as approved by the City Engineer pursuant to approval of an Encroachment Permit;

f. Adequate on-site lighting shall be provided to ensure a safe and secure environment, while at the same time being designed and placed in order to prevent stray light or glare from becoming a nuisance ~~factor~~ for adjacent properties. The lighting design shall be submitted for review and approval by the Director~~of the Department~~ prior to the issuance of Building Permits on the subject site;

g. Flags, pennants, or other on-site and off-site advertising shall be allowed and regulated pursuant to the applicable sections of PMC Chapter 17.88 (Signs);

h. The approval of this permit shall be for an initial period of 36 months, at which time the use shall be terminated. Time extensions may be granted by the Director subject to the provisions contained in PMC Chapter 17.26.090~~21~~ (Minor Site Plan Review);

i. Adequate paved access from a public right-of-way shall be provided to the use;~~.~~

j. The structure shall meet all requirements of the ~~City of Palmdale Department of~~ Building and Safety Division, including but not limited to the installation of Americans with Disabilities Act~~DA~~ compliant restroom facilities, and adequate utility facilities;

k. All model home parcels shall be fully landscaped~~,~~ pursuant to PMC Chapter 14.05 (Water Efficient Landscape)~~Ordinance U-992, with at least one model utilizing water efficient landscaping,~~ to produce a pleasing and aesthetic environment; and,

l. Failure to terminate the sales office, restore the structure, and remove parking facilities and associated structures or failure to apply for an extension on or before the expiration date may result in forfeiture of the cash deposit, a halt in further construction or inspection activity on the project site, and enforcement action to ensure restoration of the model complex site to single family residences.

9. Temporary Vehicle Sales. A Temporary Use Permit shall be required for any off-site display and sales of three or more vehicles or vessels, including but not limited to automobiles, light trucks, recreational vehicles, trailers, campers, commercial trucks, construction equipment, boats or other watercraft, motorcycles or all-terrain vehicles, or other similar forms of motorized vehicular transport. Off-site sales shall mean the display and sale of

three or more vehicles or vessels at a business location not open for the sales of said vehicles or vessels during regular business hours on a year-round basis.

a. Permit Application and Issuance:
   i. A complete Temporary Use Permit Application must be filed a minimum of 21 days prior to the date of the proposed event. Applications filed less than 21 days from the date of the proposed event, or incomplete applications, will not be accepted.
   ii. Applications will be processed in the order they are received.
   iii. Each application shall be submitted on the form provided by the City, and shall be accompanied by:
      a.) The fee as specified within the~~set forth in the City's adopted~~ f~~F~~ee r~~R~~esolution adopted by City Council;
      b.) Authorization from the underlying property owner; and,
      c.) A site plan which shows all proposed activities including tents, shade structures, temporary fencing or barricades, generators, temporary power lines, air conditioning equipment, inflatable devices, spotlights, stages or entertainment areas, portable restrooms, trash receptacles, signage and banners, food vending activities, portable lighting, and/or jump tents and other play equipment shall be provided. If an activity is not shown and specifically approved on the site plan, it shall not be permitted. The site plan shall be adequately detailed to show all proposed activities, shall be fully dimensioned and shall be at a scale adequate to depict the proposed site and the scope of the event.
   iv. Issuance of Temporary Use Permits shall be limited to a total of 10 permits in the City as a whole per calendar year.
   v. Each Temporary Vehicle Sales event shall be limited in duration to no more than five consecutive days, not including set up and strike down days which shall be approved by the Director.
   vi. There shall be a minimum 21 days between each Temporary Vehicle Sales Event.
   vii. The Temporary Vehicle Sale Event shall~~is~~ only be~~as~~ allowed in the base zone subject to the ~~P~~permissions ~~T~~tables specified within~~in~~ Divisions 3 through 7 of this Ordinance.

b. Activities Prior to the Event
   i. Each participating auto dealer shall have a current City business license prior to the commencement of vehicle sales. Each participating auto dealer must also obtain all other necessary state or local permits, including but not limited to permits issued by the Department of Motor Vehicles, and said permits are required to be available for inspection on site for the duration of the event. The applicant shall be responsible for ensuring that each dealer possesses the required permits as set forth above.
   ii. All other vendors or event participants, such as food vendors or entertainers, must possess or obtain all necessary state and local permits, including but not

limited to a City business license, sellers permit, or health permit, and copies of said permits are required to be available for inspection on-site for the duration of the event. The applicant shall be responsible for ensuring that each event participant possesses the required permits as set forth above.

iii. A site inspection by City Staff to satisfactorily determine compliance with the approved site plan and conditions of approval is required prior to commencement of vehicle sales. The application fee shall include only one inspection. If additional inspections are required to demonstrate compliance, subsequent inspections shall be subject to the fees as set forth in the City's fee resolution.

iv. No sales or on-site promotional activities are permitted prior to 10:00 a.m. the day of the event or prior to completion of a satisfactory site inspection, whichever occurs later.

c. Activities During the Event. During a Temporary Vehicle Sales Event, the subject property shall~~will~~ be maintained free of trash and debris and in compliance with the approved site plan and C~~c~~onditions of A~~a~~pproval. In addition, the following minimum standards shall apply:

i. Any overhead communication wires shall be installed no less than 14 feet above the underlying grade and shall be maintained at that height until they are removed. Any temporary power lines shall be extended to the site at ground level and shall be secured in such a manner through the use of temporary ramp covers and/or mat covers so as not to constitute a trip hazard.

ii. Any guy wire supports for tents shall be clearly marked or flagged so as to be visible to pedestrians and shall be surrounded by barricades to preclude pedestrian access.

iii. Up to 20 temporary signs between seven and 30 square feet may be displayed. ~~as long as their location is shown on the site plan. An unlimited number of temporary signs of up to six square feet may be displayed during the event and do not need to be shown on the site plan.~~ All temporary signs must be located within the area for the event designated on the site plan and may not be attached to landscaping.

iv. Any temporary lighting installed for the event shall be shielded and shall be located in such a manner so as not to shine directly toward~~s~~ adjacent streets, drive aisles or residential uses. Illumination levels from the combination of any permanent lighting, and any temporary lighting structures shall not exceed the ~~maximum average~~ illumination levels specified within~~permitted in~~ PMC Section 17.86.030 (Outdoor Lighting).

v. The maximum height of any temporary poles or structures erected for the event shall be 17 feet.

vi. Trash receptacles and restrooms, in adequate numbers as determined by the ~~Planning~~ Director, shall be ~~are~~ required and must be maintained in a sanitary condition for the duration of the event. Trash receptacles shall be emptied as needed but in no case any less frequently than twice per day. Any blowing trash or

debris emanating from the event shall be collected and removed as soon as possible. Temporary restrooms shall be serviced as necessary.

vii. At all times, surrounding drive aisles, sidewalks, and pedestrian paths shall~~must~~ be maintained free of obstructions, including but not limited to sales vehicles, temporary fencing, temporary structures and their supports, or any other activity or structure relating to the event. Within the event area, adequate separation between sales vehicles, temporary fencing, temporary structures, and their supports, or any other activity or structure relating to the event shall be provided to ensure adequate pedestrian circulation within the event perimeter. Event design shall avoid creating dead-end drive aisles.

viii. No signs, promotional devices, fences, guy wires or any other feature relating to the event shall be attached or affixed to on-site landscaping or parking lot light fixtures.

d. Activities Following the Event. All structures, fixtures, vehicles, and trash and debris shall be removed from the site and the surrounding area prior to the end of the approved strike-down period. Any damaged or broken curbs or asphalt shall be repaired, and any disturbed landscape areas shall be revegetated to their previous condition.

~~e.~~ Conditions of Approval.

e. In addition to the requirements in PMC Section 17.26.100.G (Approval Requirements and Conditions), a Temporary Use Permit for ~~the~~ temporary vehicle sales shall also include the following additional conditions:

i. P~~The p~~edestrian and vehicular access to the site shall not be adversely affected by the location and/or design of barricades, fencing, vehicles, or structures erected for the event. In addition, the design of the event site shall demonstrate adequate pedestrian and vehicular access, including required Americans with Disabilities Act access.

ii. The site for the proposed event shall accommodate:

a.) V~~The v~~ehicle sales and accessory uses proposed in the application;

b.) Vehicle parking necessary for patrons of the event; and,

c.) All required vehicle parking and access for any permanent uses occupying the subject property.

iii. At the conclusion of the event, the site shall be left in a clean condition, free of debris.

10. Temporary Outdoor Swap Meet~~Swap Meet, Outdoors~~. Temporary Outdoor Swap Meet uses shall conform to the following standards in addition to all other applicable standards and regulations:

a. The minimum lot area shall conform with the standards set forth in the applicable zone.

b. All signs shall comply with PMC Chapter 17.88 (Signs).

c. Retail sales shall not include the sale of adult-oriented merchandise, firearms, or off-sale alcohol.

d. Permanent sanitary facilities shall be provided on-site in accordance with City policies for commercial uses.

e. On-site lighting shall be installed pursuant to PMC Section 17.86.030 (Outdoor Lighting).

f. An adequate number of trash enclosures and receptacles shall be provided on-site, as deemed appropriate by the Review Authority.

g. Food areas shall be specifically designated and provided with an adequate number of trash receptacles and seating.

h. Outdoor swap meets shall conform with all local, State, and Federal requirements.

11. Outdoor Storage (Temporary). Outdoor Storage shall be subject to the following standards in addition to all other applicable standards and regulations:

a. All on-site storage areas for outdoor storage as a temporary use is~~as an accessory use are~~~~is~~ limited to those materials directly used or produced in relation to the functional primary on-site business activity, subject to all storage and screening requirements of this Section and the applicable zone.

b. Location. Outdoor storage shall not be located within any required front or street side setbacks, parking, circulation, or access areas, and required landscaped areas.

c. Screening. ~~Primary and accessory~~ O~~o~~utdoor storage areas shall be screened from view from any adjacent public street or freeway, existing or planned residential area/property, or publicly-accessible open space area.

d. Outdoor storage areas shall be paved, screened, landscaped, and lighted in accordance with the applicable sections of this Ordinance.

12. Farmers' Markets. Farmers' Markets are allowed with a Temporary Use Permit subject to the following standards:

a. All Farmers' Markets and their vendors shall comply with all federal, state, and local laws and regulations relating to the operation, use, and enjoyment of the market premises;

b. All Farmers' Markets and their vendors shall receive all required operating and health permits, and these permits (or copies) shall be in the possession of the Farmers' Market Manager or the vendor, as applicable, on the site of the Farmers' Market during all hours of operation;

c. All Farmers' Markets and their vendors shall accept forms of payment by participants of federal, state, or local food assistance programs, including but not limited to the Food Stamps/Supplemental Nutrition Assistance Program; the Women, Infants, and Children (WIC) Farmers' Market Nutrition Program; and the Senior Farmers' Market Nutrition Program. Such forms of payment include but are not limited to coupons, vouchers, and Electronic Benefit Transfer (EBT) cards;

d. All Farmers' Markets shall have an established set of operating rules addressing the governance structure of the farmers' market, hours of operation, maintenance and security requirements and responsibilities; and appointment of a Market Manager.

e. All Farmers' Markets shall have a Market Manager authorized to direct the operations of all vendors participating in the market on the site of the market during all hours of operation; and,

f. All Farmers' Markets shall provide for composting, recycling, and waste removal in accordance with all applicable local and State requirements.

17.99 Renewable Energy

17.99.010 Co-located Small Wind Energy Systems ~~(CSWES)~~

A. Purpose and Intent. It is the purpose of this Section to establish specific standards to ensure that alternative energy systems are available in the City, and that they are installed and co-located in a manner that avoids hazards to public health and safety, minimizes adverse aesthetic impacts, and ensures compatibility with the surrounding neighborhood.

B. Development Standards. Installation of Co-located Small Wind Energy Systems (CSWES) where allowed as an accessory use subject to administrative review by a Minor Modification application, shall be constructed in the following manner:

1. Minimum parcel size. A minimum of 20 acres with parking lot light fixtures at a minimum height of 25 feet.
2. Setbacks. CSWES shall meet the following setbacks:
    a. A distance equal to the tower height from any abutting private properties that are not part of the project site;
    b. A distance equal to the tower height from any overhead utility lines, unless written permission is granted by the affected utility; and,
    c. A distance equal to 150 feet from any property that is residentially used or designated.
3. Noise. CSWES shall meet the following criteria with respect to noise:
    a. A site-specific noise study and the manufacture's engineered sound studies shall be submitted for review and the decibel level shall comply with the Noise Element of the General Plan; and,
    b. Decibel levels for each unit shall not exceed 65 decibels (dBA) as measured at the property line for the subject site except during short-term events including, but not limited to, utility outages and severe windstorms.
4. Aesthetics. CSWES shall meet the following criteria with respect to aesthetics:
    a. All proposed replacement poles for a CSWES system shall be of the same design, shape, and color as the remaining light poles throughout the parking lot;
    b. The wind turbine housing and the blades of the CSWES system shall not be brightly colored. The turbine housing must be white, sky colored, and/or coordinate with the color palette approved for the primary structures on-site;
    c. The physical size of the turbine shall not extend beyond three feet from the center of the pole; and,
    d. The maximum diameter of the blades shall not exceed 16 feet.
5. Access
    a. All ground--mounted electrical and control equipment shall be labeled and secured to prevent unauthorized access; and,
    b. The pole shall be designed and installed so as to not provide step bolts or a ladder.
6. Lighting
    a. A CSWES shall not be illuminated unless such lighting is required by the Federal Aviation Administration. A light temporarily used to inspect a turbine, tower, and associated equipment is permissible, providing said light is only used for inspection

purposes and not left on for an extended period of time. All sites that are part of a CSWES shall comply with PMC Section 17.86.030 (Outdoor Lighting);

b. The height of the light fixture on the structure itself shall not be altered from its original height as previously allowed or as allowed by the Review Authority when co-locating a CSWES in a parking lot;

c. All light fixture poles, including collocated poles, shall be consistent in design and color throughout the project; and,

d. A revised photometric plan shall be submitted for review and must be prepared in compliance with PMC Section 17.86.030.~~K~~ B when modifications to existing site lighting is proposed.

7. Height. CSWES shall meet the following criteria with respect to height, measured as the vertical distance from ground level to the tip of the wind generator blade when it is at its highest point:

   a. The maximum CSWES h~~H~~eight shall be 60 feet at the highest point with one of the blades at its highest vertical point; and,

   b. The maximum height of the center of the turbine shall not exceed 53 feet.

8. Temporary meteorological (Met) towers shall be allowed pursuant to the same standards as those for a CSWES facility. Approval for a temporary Met tower shall be valid for a maximum of 30 days.

9. Signs. All signs, other than the manufacturers or installer's identification or appropriate warnings, shall be prohibited.

10. Building Permit. Applicable B~~b~~uilding ~~p~~Permits shall be required for a CSWES.

11. The system shall comply with all applicable Federal Aviation Administration requirements, including but not limited to Subpart B (commencing with Section 77.11) of Part 77 of Title 14 of the Code of Federal Regulations regarding installations close to airports. These standards apply to any installation within 20,000 feet of an airport and exceeding specific heights based on specific FAA and airport parameters.

12. If the CSWES has been determined by the Director ~~or their designee~~ to be inoperative or abandoned for a period of six months, the CSWES shall be removed, unless a new application to re-establish the use is filed with the City. The City may remove an abandoned facility, repair any and all damage to the premises caused by such removal, and otherwise restore the premises as appropriate to be in compliance with applicable code at any time:

    a. After 90 days following a notice of abandonment; or,

    b. Following a Notice of Decision by the Director, subject to the owner/operators right of appeal pursuant to the PMC. The City may, but shall not be required to, store the removed facility, or any part thereof. The owner of the premises upon which the abandoned facility was located, and all prior operators of the facility, shall be jointly liable for the entire cost of such removal, repair, restoration, and storage, and shall remit payment to the City promptly after demand therefore is made. The City may, in lieu of storing the removed facility, convert it to the City's use, sell it, or dispose of it in any manner deemed by the City to be appropriate.

C. Review Process. Uses subject to this Section shall be subject to ~~approval pursuant to PMC Section 17.26.040 (Minor Modifications to Approved Plans), and~~ the approval~~permit~~ requirements as specified in the applicable zone pursuant to the permissions tables in Divisions 3 through 7 of this Ordinance.~~, or as allowed by the Review Authority when co-locating a CSWES in a parking lot.~~

D. Submittal Requirements. The applicant shall submit the information required by the appropriate application form, including, but not limited to the following information. Applications for a CSWES shall include the following items:

1. Site Plan
    a. Property lines and physical dimensions of the subject property;
    b. Location, dimensions, and types of existing major structures on the property;
    c. Location of the proposed CSWES units including foundations and associated equipment;
    d. Proposed CSWES architectural elevation drawings,
    e. The right-of-way of any public road that is contiguous with the property;
    f. Any overhead utility lines;
    g. A site-specific noise study/manufacturer's engineered sound study; and,
    h. A photometric plan if existing lighting is proposed to be modified.
2. A perspective rendering from any abutting public way if the CSWES is visible from said public right-of-way.
3. Specifications of the CSWES including manufacturer and model, rotor diameter, and proposed pole height.
4. Typical pole foundation specifications or drawings from the wind turbine manufacturer.

17.99.020 Small Residential Wind Generator Systems ~~(SRWGS)~~

A. Purpose and Intent. It is the intent of this Section to establish specific standards for Small Residential Wind Generator Systems (SRWGS). It is the purpose of these standards to ensure that alternative energy systems are available in the City, and that they are installed in a manner that avoids hazards to public health and safety, minimizes adverse aesthetic impacts, and ensures compatibility with the surrounding neighborhood.

B. Development Standards. Installation of SRWGS where allowed as an accessory use ~~subject to administrative review by Minor Modification application,~~ shall be constructed in the following manner:

1. Cage Width. The maximum cage or diameter of the system shall not exceed five feet.
2. The height of free-standing SRWGS shall be determined by the zoning designation as illustrated on the following table:

PMC Table 17.99.020-12. Development Standards for Zoning Designations

Zoning Designation	Minimum Lot Size (sf)	Maximum SRWGS Height* (ft)
LDR	1 Acre	100
SFR1	20,000	45
SFR2	10,000	40
SFR3	7,000	35

Note:

* *All proposed SRWGS shall maintain all required clearances from overhead utility lines.*

3. Roof mounted SRWGS shall comply with applicable provisions of the California State Building Code and adopted City Building Codes. Certification of compliance by a State registered professional engineer is required.
4. Number of SRWGS allowed. The number of SRWGS is limited to one per parcel.
5. Noise. SRWGS shall meet the following criteria with respect to noise:
   a. A site-specific noise study and the manufacturer's engineered sound report shall be submitted with the required application for review. The decibel level shall comply with the Noise Element of the General Plan and the SRWGS shall not exceed 50 decibels (dBA) as measured at the property line.
6. Aesthetics. SRWGS shall meet the following criteria with respect to aesthetics:
   a. The cage and the pole for the SRWGS system shall not be brightly colored. The cage and pole should be sky colored, and should coordinate with the color palette approved for the associated residence; and,
   b. The maximum diameter of the cage shall not exceed five feet.
7. Access. The pole shall be designed and installed so as to not provide step bolts or a ladder.
8. Lighting. A SRWGS shall not be illuminated unless required by the Federal Aviation Administration. A light temporarily used to inspect a turbine, tower, and associated equipment is permissible, providing said light is only used for inspection purposes and not left on for an extended period of time.
9. Signs. All signs, other than the manufacturers or installer's identification, and appropriate warnings, shall be prohibited.
10. Building Permit. Applicable Bbuilding pPermits shall be required for a SRWGS.
11. The system shall comply with all applicable Federal Aviation Administration standards, including but not limited to Subpart B (commencing with Section 77.11) of Part 77 of Title 14 of the Code of Federal Regulations regarding installations close to airports. These standards apply to any installation within 20,000 feet of an airport and exceeding specific heights based on specific FAA and airport parameters.
12. If the SRWGS use has been determined by the Director or his or her designee to be inoperative or abandoned for a period of six months, the SRWGS shall be removed, unless a new application to re-establish the use is filed with the City. The property owner shall remove an abandoned facility, repair any and all damage to the premises caused by such

removal, and restore the premises as in appropriate to be in compliance with applicable code at any time:

a. After 90 days following notice of abandonment, or,

b. Following a notice of decision by the Director, subject to the owner/operators right of appeal pursuant to this Ordinance. The owner of the premises upon which the abandoned facility was located shall be liable for the entire cost of such removal, repair, restoration, and storage.

C. Review Process. Uses subject to this Section shall be subject to ~~Minor Site Plan Review approval pursuant to PMC Section 17.26.090 (Minor Site Plan Review) and~~ the approval~~permit~~ requirements as specified in the applicable zone pursuant to the permissions tables in Divisions 3 through 7 of this Ordinance.

D. Submittal Requirements. The applicant shall submit the information required by the appropriate application form, including but not limited to the following information. Applications for a SRWGS shall include the following items:

1. Site Plan
   a. Property lines and physical dimensions of the subject property;
   b. Location, dimensions, and types of existing structures on the property;
   c. Location of the proposed SRWGS including foundations and associated equipment;
   d. Proposed SRWGS architectural elevation drawings;
   e. Any overhead utility lines; and,
   f. A SRWGS site specific noise analysis and the manufacturer's engineered sound report.
2. A perspective rendering from any abutting public rights-of-way if the SRWGS is visible from said public rights-of-way.
3. Specifications of the SRWGS including manufacturer and model, rotor diameter, and proposed pole height.
4. Typical pole foundation specifications or drawings from the wind turbine manufacturer.

17.99.030 Solar Energy System (Primary)

A. Purpose and Intent. It is the intent of these standards to allow utility-scale Solar Energy System facilities as a primary use pursuant to the permissions tables specified within Divisions 3~~2~~ through 7 of this Ordinance. It is the purpose of these standards to ensure that alternative energy systems are available in the City, and that they are sited and installed in a manner that avoids hazards to the public health and safety while minimizing adverse aesthetic impacts to the maximum extent possible.

B. Supplemental Information Required. Permit application for all utility-scale Solar Energy System facilities shall be accompanied by the following supplemental materials, unless waived by the Review Authority:

1. A plan for the on-going security and inspection of the facility as applicable, which may include but is not limited to provisions for fencing, anti-climb devices, and monitoring, to prevent unauthorized access and vandalism; and,
2. A plan for permanent dust control of the site.

C. Development Standards. In addition to compliance with all other applicable statutes, ordinances, standards and policies, the following standards shall apply to all utility-scale Solar Energy System facilities as allowed pursuant to this Chapter:

1. Setbacks
    a. Setbacks shall be those specified for primary structures within the respective zone;
    b. Solar support structures shall not be allowed in any front or street side setback;
    c. No minimum landscape setback along any public or private street frontage shall be required;
    d. No transition zone setback pursuant to PMC Section 17.83.030.A shall be required;
    e. Transition zone landscaping shall be required pursuant to PMC Section 17.83.030.C; and,
    f. Where transition zone landscaping is required pursuant to PMC Section 17.83.030.C, the number and types of trees required may be modified at the discretion of the Director and the City Engineer where there is the potential for shading of solar panels.
2. Height. The maximum height of any structure shall be that as specified for the primary structure within the respective zone.
3. Glare. Solar panels shall be placed such that concentrated solar radiation or glare is not directed onto nearby properties, including U.S. Air Force Plant 42, other airport related, or roadways.
4. Security Fencing. Utility-scale Solar Energy System facilities shall be enclosed by an eight-foot-high fence for security purposes. Vinyl-coated chain link or wrought iron fencing may be allowed by the Review Authority based upon a finding that no adverse visual or aesthetic impacts will occur, and the material is compatible with the surrounding area. This determination shall be made as part of the project review process. Under no circumstances shall razor, barbed, concertina wire, or electrified fencing be allowed.
5. Lighting. Security lighting shall be consistent with the standards of PMC Section 17.86.030 (Outdoor Lighting), including shielding from adjacent properties, requiring lighting to be directed downward with full cut-off features to reduce light pollution.
6. Signage. One project identification sign, located at each point of project ingress and egress, not to exceed 50 square feet in area and five feet in height, may be erected on the project site. No other signs shall be installed other than required safety and warning signs.
7. Conformance with PMC Chapter 12.04 (Underground Utilities). All utility-scale Solar Energy System facilities, including any new off-site transmission lines, are subject to the provisions of PMC Chapter 12.04 (Underground Utilities), pertaining to underground utilities and encroachment into public rights-of-way.

D. Operational Standards

1. Time Limits. The maximum duration of the approval period for a utility-scale Solar Energy System facility shall be 25 years. An extension of the approval may be granted by the Review Authority. New conditions of approval may also be applied to an approval for extension, as may be deemed necessary based upon changing conditions or development in the surrounding area.

2. Discontinued Use. The operator of a lawfully erected facility, and the owner of the property upon which it is located, shall promptly notify the Director in writing in the event that use of the facility is discontinued for any reason. In the event that the discontinued use is permanent, the owner(s) and/or operator(s) shall promptly remove the facility and repair any damage to the property caused by such removal, including revegetation and road repair. All such removal and repair shall be completed within 90 days after the use is discontinued and shall be performed pursuant to all applicable zoning and health and safety code standards. For purposes of this paragraph, a discontinued use shall be permanent unless the facility is reasonably likely to be operative and used within the immediately following three-month period.
3. Abandonment. Structures associated with Solar Energy System facilities that have been determined to be inoperative or abandoned for a period of six months shall be removed, unless a new application to re-establish the use are filed with the City.
4. Removal by City. The City may remove an abandoned facility, repair any and all damage to the property caused by such removal, and otherwise restore the property as is appropriate pursuant to the applicable code at the following times:
    a. After 30 days following a notice of abandonment, or,
    b. Following a notice of decision by the Director, subject to the owner/operators right of appeal pursuant to this Ordinance. The City may, but shall not be required to, store the removed facility (or any part thereof). The owner of the premises upon which the abandoned facility was located, and all prior operators of the facility, shall be jointly liable for the entire cost of such removal, repair, restoration, and storage, and shall remit payment to the City promptly after demand therefore is made. The City may, in lieu of storing the removed facility, convert it to the City's use, sell it, or dispose of it in any manner deemed by the City to be appropriate.
5. City Lien on Property. When the City removes an abandoned facility pursuant to PMC Section 17.99.030.D.4, the cost for the removal, repair and restoration of the site, and storage of the materials shall be recouped through the placement of a lien on the real property on which the facility was located, for the full amount of the cost of removal, repair, restoration, and storage. The Director shall cause the lien to be recorded in the County of Los Angeles Recorder's Office.

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Division 10. ENVIRONMENTAL MANAGEMENT

17.100 Hillside Management

17.100.010 Intent and Purpose

The intent and purpose of this Chapter is to implement the goals and policies of the General Plan and the various elements contained therein as they relate to development and resource management in hillside areas within the City. The provisions contained herein will allow for orderly and sensitive development in hillside areas in conjunction with the preservation of natural open space on steeper terrain. The following specific goals and policies reflect those contained in the General Plan and provide the purpose and intent for this Chapter.

A. To allow for development patterns in hillside areas that minimize erosion and geologic hazards and that provide for the protection of the public health, safety, and welfare.
B. To provide for density of development that respects and is reflective of the natural terrain.
C. To encourage grading techniques that blend with the natural terrain, minimize earth moving activity, minimize visual impacts of large cut and fill slopes and provide for the preservation of unique and significant natural landforms.
D. To promote development in hillside areas be concentrated in areas with the least environmental impact and be designed to fit existing landforms and features.
E. To encourage retention of natural drainage patterns and the preservation of significant riparian areas, both of which are commonly located in hillside areas.
F. To reduce water use in slope replanting and retention by encouraging grading design that minimizes manufactured slopes.
G. To allow density transfers where appropriate to facilitate development in more developable locations while retaining significant natural slopes and areas of environmental sensitivity.

H. To substantially retain the integrity and natural grade elevations of the significant natural ridgelines and prominent landforms that, in aggregate, form the City's skyline backdrop. Natural landforms and features forming this backdrop include Ritter Ridge, Portal Ridge, Verde Ridge, the Ana Verde Hills, the Sierra Pelona mountains, and secondary ridges associated with the San Andreas Rift Zone and the lower foothills of the San Gabriel mountains.

I. To encourage the design of development of hillside areas provide safety with respect to fire hazards, geological and geotechnical hazards, drainage, erosion, and materials of construction; to provide the best use of natural terrain; and to prohibit development that will create or increase fire, flood, or other safety hazards to public welfare, and safety.

17.100.020 Applicability

This Chapter establishes specific submittal requirements, review standards, and processing procedures for projects within hillside areas as defined herein. Development applications proposed on a parcel or parcels containing slope areas that fall within the definition of a hillside area shall comply with all procedures, standards, and findings contained in this Chapter. Because this Chapter contains provisions that address a variety of site and project characteristics, the extent that a specific section will impact a project will vary.

Although directed primarily toward minimizing the impacts of residential development, specific provisions of this Chapter, which address grading and slope revegetation, will apply to all types of development in hillside areas, including, but not limited to, commercial, industrial, and civic uses.

17.100.030 Definition of Hillside Area and Slope Steepness

A. A hillside area is defined as any property in the City that contains slope areas of 10 percent or greater.

B. The steepness of a slope is defined as the ratio of the change in elevation (rise) to the horizontal distance (run) over which that change in elevation occurs. The percentage of steepness of any given slope is determined by dividing the rise by the run on the natural slope of land, multiplied by 100.

17.100.040 Exemptions From Hillside Area Definition

Parcels containing only individual minor topographic features or drainage courses that contain slopes greater than 10 percent may not be considered a hillside area and will not be required to follow procedures set forth in this Chapter if said feature, or features, fall under one of the following categories:

A. The feature or features contain a vertical height no greater than 50 feet and a horizontal dimension no greater than 200 feet in any direction as measured from the 10 percent slope line. In the case of multiple isolated landforms on the same property, said isolated landforms shall be physically separate topographic features that are clearly not a component of a significant ridgeline or any other prominent landform that contains slopes greater than 10 percent;

B. Properties only containing slopes of 10 percent or greater associated with minor drainage courses not indicated on the United States Geological Survey (U.S.G.S.) maps as intermittent or perennial (blue-line) streams; and,

C. Previously created manufactured slopes.

17.100.050 Definitions

Refer to PMC Chapter 17.16 (Definitions).

17.100.060 Exclusions

This Chapter shall not be applicable to the following activities and types of projects:

A. Construction of a single dwelling unit on a parcel of land legally established prior to the adoption of this Chapter regardless of the slope steepness on the property.

B. Any application for a Tentative Tract or Parcel Map, Planned Development, Minor Site Plan Review, Site Plan Review, or Conditional Use Permit which was submitted and deemed complete prior to adoption of this Chapter, or any time extension to a previously approved project, shall be exempt from the provisions of this Chapter unless the Review Authority finds that changes to the project constitute a Major Modification to the original project approval. Modifications considered major would include, but not be limited to, the following:

   1. An increase in the number of developable lots;
   2. A reduction of lot sizes below the minimum lot size established for the zone or below a size previously approved by the Review Authority;
   3. An increase to the vertical height or horizontal width of manufactured slopes that, in the opinion of the Director, alters the plan to a level that may be inconsistent with the original Review Authority approval;
   4. An increase to building bulk or site/lot coverage that, in the opinion of the Director, alters the approved plan to a level that may be inconsistent with the original approval; and,
   5. A combination of minor alterations that represent substantive, cumulative changes to the project, or other similar modifications to the previously approved project that significantly change the design or character of the project as determined by the Director.

C. Modification of or addition to an existing single-family dwelling and accessory buildings on an existing parcel created prior to the date of adoption of this Chapter. This exemption shall not include an increase in the number of units/lots or change in use.

D. Any parcel involving a sanitary landfill operation, landfill related gas recovery, and collection systems and ancillary electrical power generating and transfer station facilities as well as equipment storage, administrative facilities, and ancillary improvements related to a landfill.

E. Fire breaks and fire roads required by the Los Angeles County Fire Department.

F. Recreation trails for pedestrian, equestrian, or multi-use purposes.

G. The construction of public improvements initiated by a public or quasi-public agency including, but not limited to, drainage channels, retention basins, water tanks and pumping stations, provided that such facilities are landscaped and bermed to minimize visual impacts.

H. Lot line adjustments or lot mergers.

I. Specific Plans conditionally approved prior to the effective date of adoption of this Chapter.

17.100.070 Required Approval for Projects in Hillside Areas

No Tentative Map, Conditional Use Permit, Site Plan Review, or other discretionary approval shall be granted for a project in a hillside area unless the person or entity authorized to grant approval therefor affirmatively finds, in addition to the required findings for the underlying discretionary approval, that

the project satisfies the findings set forth in PMC Section 17.100.190 (Hillside Development Findings) and otherwise complies with the provisions of this Chapter.

17.100.080 Processing Procedures and Submittal Requirements for Projects in Hillside Areas

A. At the time an applicant applies for a Tentative Map, Conditional Use Permit, Site Plan Review, or other discretionary approval of a project in a hillside area, the applicant shall submit the items and information listed in PMC S~~ubs~~ection 17.100.080.C to the Planning Division. This list is not exclusive and additional information or studies may be required for review of the project pursuant to the California Environmental Quality Act (CEQA) Guidelines and other laws. The Director, at their discretion, may modify or eliminate one or several of the submittal requirements listed in PMC S~~ubs~~ection 17.100.080.C upon review of specific projects.

B. In the event it is uncertain whether or not a parcel or parcels of land falls within a hillside area, as defined in this Chapter, the applicant shall submit a slope map and related topographic information to determine the applicability of this Chapter to the project area. The decision as to the applicability of this Chapter to a parcel or parcels of land shall be made by the Director.

C. Application submittals for development projects in hillside areas may include, but are not limited to, the items listed below. Additional information or studies may be required if deemed necessary under CEQA review procedures.

1. Slope Map and Analysis which shall be prepared as set forth below.
    a. Slope Map. The slope map shall be prepared by a registered civil engineer or land surveyor. Said map shall provide the following information:
        i. The map shall be based on contour intervals no greater than 10 feet except where steep terrain warrants contour intervals greater than 10 feet;
        ii. Slope bands in the ranges of 0 to 10 percent, 10 to 25 percent, 25 to 50 percent, and over 50 percent shall be identified in clearly distinguishable graphic representations (i.e., shading, pattern, numerical highlighting within clearly defined slope category boundaries, etc.) on the slope map; and,
        iii. Individual contours shall be clearly indicated on the slope map. The slope and topographic overlay maps shall extend off-site a sufficient distance to incorporate the topography of all abutting properties as it relates to the proposed site.
    b. Slope Analysis
        i. The slope analysis shall specifically identify and calculate the slope percentages for each individual topographic feature. Horizontal runs used to calculate slopes shall be limited to each individual feature.
        ii. Total land area within each category shall be indicated on a table provided on the map.
2. Preliminary Grading Plan
    a. A preliminary grading plan prepared by a registered civil engineer indicating the height and width of all manufactured slopes, proposed drainage patterns, methods of stormwater detention/retention, and identification of areas to remain in a natural state shall be clearly shown. Off-site contours for adjacent, unimproved areas within 50 feet of the site boundaries shall be provided. When an adjacent property is improved; pad

elevations, street grades, wall sections, and any approved or existing improvements immediately adjacent to the subject property, shall also be shown.

b. One colored copy of said preliminary grading plan showing all proposed cut and fill areas.

3. Cross Sections/Preliminary Cut and Fill. No less than two cross sections which completely traverse the property at appropriately spaced intervals in locations where topographic variation is greatest shall be provided. Said exhibits shall be prepared by a registered civil engineer. The cross sections shall clearly depict the vertical variation between natural and finished grade.
4. Visual Impact Analysis. The purpose of these exhibits is to replicate how the project would appear if it were to be constructed as conceptually proposed. The study shall include, but not be limited to, panoramic photographs of the project site with an overlay of scaled rendering(s) of the conceptual project designed to depict project appearance when viewed from the valley floor within the sphere of influence of the City or adjacent valleys as determined by the Director. In addition to guidelines for the preparation of visual studies required by the Planning Division, specific requirements for the visual study shall be established by the City during preliminary or formal application review.
5. Building Envelopes. Horizontal and vertical building envelopes or plot plans/building elevations may be required for subdivisions where visual impacts are being evaluated.
6. Pedestrian Circulation/Trails Plan. For projects in which hillside street sections as specified in PMC Section 17.100.160 (Hillside Street Standards) are proposed, the necessity for sidewalks or alternative pedestrian circulation systems shall be considered during project review. A pedestrian circulation and trail plan may be required if alternatives to standard sidewalks are proposed.
7. Required Technical Reports. In any area proposed for development subject to the standards and procedures of this Chapter, certain technical reports are required. Such reports will be used to determine the suitability of the subject site for development and suggest special construction and design measures necessary to mitigate identified problems which may endanger the public health, safety, or welfare. These reports shall be submitted at the time that the application is submitted.
   a. Geotechnical Report. A geotechnical report shall be submitted with each application for development under the requirements of this chapter. The geotechnical report shall comply with City's Engineering Design Standards and City manual, titled "Guidelines For Preparation of Geotechnical Reports".
   b. Geologic Report. A geology report shall be prepared by a registered geologist with the state of California. Such a report shall include, but not be limited to, the surface and subsurface geology of the site, conclusions, and recommendations regarding the effect of geological conditions on the proposed development, opinions and recommendations covering the adequacy of sites to be developed and design criteria to mitigate any identified geologic hazards consistent with this Chapter.
   c. Hydrology Report. A hydrology report shall be prepared by a registered civil engineering. Such a report shall include, but not be limited to, the hydrologic conditions on the site, the location of any above or below ground springs, the location of all wells, possible on-

site flood inundation, downstream flood hazards, identification of natural drainage courses, conclusions recommendations regarding the effect of hydrologic conditions on the proposed development, opinions and recommendations covering the adequacy of the sites to be developed and design criteria to mitigate any identified hydrologic hazards consistent with these regulations. This report shall also account for runoff and debris from tributary areas and shall provide consideration for each lot or dwelling unit site in a development. Runoff and debris volumes shall be computed in accordance with the City's Engineering Standards.

D. Standards for Exhibits. The completeness and accuracy of the above-specified plans, studies, and other submittal requirements will be determined by the Director, City Engineer, or their designees pursuant to Section 65943 of the California Government Code. All studies shall be in conformance with the current City guidelines for each individual study or report.

17.100.090 Development Standards

A. Single-Family Residential

1. Side Setback

a. Maintenance and revegetation of downslopes to property lines shall be ensured through use of slopes no greater than a 3:1 ratio, which may be used in combination with retaining walls. Where necessary, additional lot width may be required to meet this requirement.

b. A minimum five-foot-wide flat surface shall be provided between any slope break and the primary structure.

2. Rear Setback

a. Maintenance and revegetation of downslopes to property lines shall be ensured through use of slopes no greater than a 3:1 ratio, which may be used in combination with retaining walls.

b. Where manufactured slopes exceed 20 feet in height, lot depth shall be increased to create additional flat lot area and minimize the visual effect of these slopes. For every foot of slope height over 20 feet, the flat portion of the rear setback area shall be increased by five percent.

c. Manufactured slopes ~~in~~ may be used to calculate no more than 25 percent of the required rear setback.

d. Manufactured slopes shall~~may~~ not exceed 30 feet in height.

e. A minimum 15-foot setback from rear dwelling wall to any slope break in excess of a 3:1 ratio shall be provided.

17.100.100 Slope Density Standards

A. Slope Density Table. Except as otherwise provided in other portions of this Chapter, no project shall be approved unless the density of the proposed project complies with the following slope density standards~~ratios~~, as interpreted and applied by succeeding subsections of this Section:

PMC Table 17.100.100-1. Slope Density Standards

Slope Category	Allowable Density	Equivalent Number of Units Per Acre
0-10%	Upper Limit of the Applicable General Plan Density Range	Same
10-25%	.57 du/ac	1 unit/1-3/4 acres
25-50%	.40 du/ac	1 unit/2-1/2 acres
Greater than 50%	.025 du/ac	1 unit/40 acres

B. The overall number of units allowed on a property shall be based on the summation of the total number of units allowed within each slope category. All areas within the project boundary shall be included in one of the established categories.

C. Should slope density calculations allow more units than the underlying General Plan designation, the General Plan designation shall take precedence and is the basis for determining the allowed number of units on a property. In all other cases, the slope density table shall be utilized for calculating allowable density and represents implementation of General Plan policies pertaining to hillside development.

D. The slope density standards are intended to establish the maximum number of units allowed on a specific property. How and where those units will be placed on the property shall be based on standards and criteria contained in this Chapter. It is not required that units be allocated within a property based on the location of individual slope categories, although the underlying premise of this Chapter is to encourage development on flatter, more developable areas.

E. Fractional remainders resulting from area calculations multiplied by slope density ratios for individual slope categories shall be included when determining the total number of units possible in a particular category. Any fractional remainders resulting from the summation of allowable density from all categories shall be rounded down when determining the total number of units allowed on a property.

F. No industrial development shall be allowed on natural slopes of 15 percent or greater.

17.100.110 Construction on Slopes Greater than 50 Percent

No construction or grading shall be allowed in areas containing slopes of 50 percent or greater except under the following circumstances:

A. Development is proposed on isolated peninsula shaped fingers of 50 percent slope within an otherwise developable area of lesser slopes;

B. The grading involves the filling of small ravines or drainage courses not shown on the U.S.G.S. maps as intermittent or perennial (blue-line) streams which contain ancillary slopes of 50 percent or greater if said ravine or drainage course is not deemed a significant biological area, (as determined by the biological study for the project) and if measures to convey surface water, are proposed to the satisfaction of the City Engineer; or,

C. The grading involves the construction of roads if the 50 percent slope area is an isolated landform as defined in PMC Section 17.100.040 (Exemption From Hillside Area Definition), or if no other reasonable alternatives are available and all hillside street design criteria are met as specified in PMC Section 17.100.160 (Hillside Street Standards).

17.100.120 Density Transfers

Density transfers, wherein permissible densities on steeper portions of a property are transferred to portions of the property that require less grading and are less steeply sloped, less ecologically sensitive, and less visually prominent, may be allowed if the proposed transfer complies with the provisions of this Section and Chapter. The purpose of this Section is to establish criteria that address the positive benefits and potential negative impacts created by density transfers. Primary consideration shall be given to established neighborhoods that may be negatively impacted if a project proposing density transfer creates an incompatible interface caused by land uses of significantly different densities and physical characteristics typically associated with those densities. Buffering techniques and physical location are critical factors in minimizing potential impacts.

A. Density Transfer Procedures. Any proposal to transfer density shall be in full compliance with this Chapter and any other provisions contained in this Ordinance.

B. Density Transfer Review Criteria. A transfer of density shall be found suitable for a particular site only if the proposed density transfer complies with the following standards:

1. Design of the density transfer minimizes impacts on adjacent areas;
2. The physical location is suitable for a project proposing density transfer. If available, natural physical features shall be utilized to visually and physically separate higher density housing from nearby areas that are developed at lower densities;
3. On sites where physical separation utilizing natural features is not feasible, buffering techniques shall be utilized to ensure that density transfer does not result in negative impacts upon existing neighborhoods of a lower density or rural development pattern. Appropriate buffering techniques may include, but are not limited to:
    a. Incorporation of larger lot sizes/patterns which are consistent with the immediately adjacent neighborhoods;
    b. Utilization of architectural styling, fence details, landscape and lot patterns, or similar features that are compatible with those found in adjacent areas; and,
    c. Establishment of buffer areas of appropriate size to ensure that transition of densities is gradual to minimize incompatible mixing of development types associated with various intensities of development.

17.100.130 Development Proposed on Significant Ridgelines and Prominent Landforms Forming the City's Skyline Backdrop

A. Purpose and Intent. This Section is intended to assure that the physical characteristics of the significant natural ridgelines and prominent landforms on the perimeter of the City, as defined in PMC Section 17.100.050 (Definitions), are retained as a skyline backdrop to the City, and that any development on physical features encompassing these landforms will integrate with, rather than significantly modify existing topography. The goal of this Section is to encourage site planning techniques that ensure integration of development with physical features including, but are not limited to natural bowls, broad plateaus, valleys, and similar natural landforms.

Implementation of this Section will ensure that the natural form and elevations of the City's skyline backdrop will be retained.

B. Requirements. All applications for development proposed in these areas shall be subject to the standards and procedures set forth below.

1. Visual Impact Study

a. A visual impact study shall be required for projects located on the crest or slope face of prominent landforms and ridgelines that are physical components of the topographic features generally described in PMC Section 17.100.050 (Definitions) and which form an integral part of the City's natural skyline backdrop. Applicability of this Section may be determined by the Director during preliminary conceptual review or during application review. In cases of dispute, the decision-making body for the appropriate application type shall have final decision-making authority on applicability of this Section.

b. The above criteria for requiring a visual impact study are not all inclusive and do not preclude the requirement of alternative visual studies for unique circumstances as determined necessary by the Director.

2. Review Standards. The criteria listed below shall be utilized in evaluating projects located on the crest or slope face of significant ridgelines or prominent landforms forming the City's skyline backdrop.

a. All development proposed on prominent landforms or significant ridgelines as defined in PMC Section 17.100.050 (Definitions) shall be designed to substantially retain the natural contour elevations of these features as viewed from vantage points on the valley floor within the sphere of influence of the City or from smaller adjacent valleys.

b. Grading to substantially re-shape prominent landforms and ridgelines that form a component of the City's skyline backdrop shall be prohibited.

c. Dwellings constructed near the crest of a ridgeline or prominent landform shall utilize architectural, grading, and landscaping elements that serve to integrate the structure with the landform upon which it is constructed. In determining whether a project complies with this requirement, a project shall be found consistent with the following criteria:

i. On steep natural grades, foundation and floor plans shall be designed with multiple levels to change elevations with natural contours;

ii. Roof planes shall be angled in the direction of the natural slope. The main building mass, including gabled sections of roof structures, shall face away from lower lying areas;

iii. Roof lines shall undulate to replicate the natural contours of the land;

iv. Building colors shall emphasize blending with the surrounding natural terrain;

v. Daylight grading techniques shall be utilized where appropriate to reduce disruption of natural topography and vegetation;

vi. Structural setbacks from the edge of natural slopes shall be utilized to reduce visual prominence of structures; and,

vii. Berming and tree massing near the landform crest shall be utilized to blend in with the natural landforms and to screen view of the structure from lower lying areas.

17.100.140 Grading Standards

A. Purpose and Intent. The standards contained in this Section are established to ensure that grading techniques are utilized which reduce potential erosion, minimize visual impacts, promote the use of development patterns and street designs that follow natural contours, and minimize the length and width of manufactured slopes. These regulations shall be pursuant to Chapter 70 (Excavation and Grading), Section 8.04.265 of the Palmdale Building Code.

B. Grading Standards. Except as otherwise allowed pursuant to PMC Section 17.100.150 (Landform Grading), no project in a hillside area shall be allowed unless the project, or the project as modified with conditions, complies with the following standards.

1. The maximum height for manufactured slopes shall be 30 feet except as specified in PMC Section 17.100.150 (Landform Grading).
2. Manufactured fill slopes adjacent to Regional, Crosstown, or Connector shall be no steeper than a 3:1 ratio within landscape ~~assessment~~ easement areas and public rights-of-way, and shall not exceed 10 feet in height unless the slope is lower in elevation than the roadway.
3. Where a proposed subdivision containing average net lot sizes exceeding 20,000 square feet, lot grading shall be limited to building pad and related functional setback area. Flat pad grading of the entire lot shall be prohibited. The grading plan submitted for the project shall clearly delineate the graded and natural portions of proposed lots.
4. Grading on the perimeter of the site shall not be designed with perimeter downslopes to property lines unless a homeowner's association, slope maintenance district, or similar entity is established for maintenance of said downslopes. Exemptions to this requirement may be made for downslopes to property lines that are a ratio of 4:1 or less. For interior slopes between lots, manufactured building pads shall be designed with up-slopes to property lines.
5. Subdivision development plans shall indicate a minimum 20-foot setback from the rear dwelling wall to the top or toe of a manufactured slope or retaining wall. The only exception to this standard would be in the case of a terraced rear setback where multiple levels of functional setback space are provided.
6. Manufactured slopes greater than eight feet in height shall be rounded at the top and at the toe of slope to simulate natural topography. The radius of the rounded slope shall be calculated by dividing the overall height of the slope by three (i.e., Height/3).
7. Manufactured slopes in excess of 200 feet in length and greater than eight feet in height shall be designed with horizontal curvature that simulates the horizontal surface variations of natural contours.
8. Dwellings proposed on ungraded lots with natural grades of 10 percent and greater shall follow natural contours, utilizing such techniques as stepped foundations and split-level floor plans.
9. For projects on property defined in PMC Section 17.100.030 (Definition of Hillside Area and Slope Steepness) as a hillside area, and where it can be clearly established that reduced setbacks will enhance preservation of natural terrain and reduced grading, front setbacks may be reduced to a minimum of 10 feet as applied to the main portion of the dwelling. The garage setbacks shall remain at 20 feet except for a side loaded garage where a minimum driveway depth of 20 feet from right-of-way edge is provided.

10. Cross lot drainage may be utilized to reduce grading if an overall design and method of maintenance is established to the satisfaction of the City Engineer and Director. Terrace drains shall be subject to maintenance by private homeowner's associations or individual property owners.
11. Any continuous manufactured slope within a subdivision with a slope steepness of a 3:1 ratio or steeper, a vertical height of 30 feet or greater where so allowed under PMC Section 17.100.150 (Landform Grading), and which abuts five or more lots, shall require the creation of a homeowner's association or other maintenance entity with provision for the collection of fees or assessments designated specifically to pay costs associated with the maintenance of these slopes, as well as to create easements or homeowner's association lots for maintenance of all slopes falling under this category. The slope maintenance entity, rather than individual property owners, will be responsible for the maintenance of said slopes. The Tentative Tract Map shall be designed in a manner that provides access to said slopes by accessible easements and which avoids the necessity of gaining access to the slopes through individual lots. No fences shall be allowed between lots within the slope easement areas. Slope easement areas may be included as lot area for the purposes of calculating lot size. Habitable structures shall not be allowed within common slope easement areas.

17.100.150 Landform Grading

A. Purpose and Intent. Landform grading, as defined in PMC Section 17.100.050 (Definitions), provides an alternative grading technique that may be utilized where unique topographic conditions exist that warrant a non-traditional and creative approach to grading a site.

B. Authorization for Landform Grading. The height and slope steepness limitations and other applicable standards for manufactured slopes established under PMC Section 17.100.140 (Grading Standards) may be modified under an approved landform grading plan, if the proposed project is found to incorporate the following design elements:

1. Variation to slope gradients utilizing compound slopes and state of the art grading techniques with maximum slope steepness to be determined by the City Engineer as specified in the Uniform Building Code. An example of this technique would be slope transitions varying from 4:1 to 1:1 punctuated by slopes of varying steepness.
2. Variation to pad sizes and shapes that correspond to variable topography.
3. The artful utilization of contour and daylight grading to achieve a subtle transition between natural landforms and man-made slopes.
4. Use of drainage and landscape elements including, but are not limited to clustering of trees and shrubs typical of concentrations found in nature, incorporation of rock elements into man-made culverts and down-drains, and angling and naturalized coloration of concrete drainage elements to reduce visibility.
5. The preservation of natural open spaces as part of the overall grading concept.

C. Determination of Compliance with Landform Grading. Conformance with landform grading provisions shall be determined during project review. It shall be the responsibility of the applicant to provide the City with exhibits necessary to establish compliance with mandated design characteristics of landform grading. No modification to the grading standards may be granted unless this determination has been made.

17.100.160 Hillside Street Standards

A. Except as otherwise provided in PMC Section 17.100.160.B, streets within any project proposed in a hillside area as defined in PMC Section 17.100.050 (Definitions) shall be designed and constructed pursuant to the standards listed below:

1. Proposed streets in hillside areas shall be aligned parallel to the natural contours of the land where feasible.
2. Bridges and oversized culverts, if recommended as a biological mitigation measure, shall be required when streets cross drainage ways and ravines that serve as important wildlife corridors.
3. Streets oriented along the top of a significant ridgeline shall be avoided.
4. Standard street sections may be modified in hillside areas where streets are proposed on natural grades of 14 percent or greater, if approved by the City Engineer. Said modifications may include the following:
    a. Connectors in hillside areas: Right-of-way width may be reduced to 44 feet and curb to curb width reduced to 36 feet;
    b. Neighborhood ~~s~~Streets in hillside areas: Right-of-way width may be reduced to 40 feet and curb to curb width reduced to 32 feet. A six foot wide public utilities easement shall be provided outside of the right-of-way;
    c. Neighborhood Cul-de-sacs in hillside areas: Right-of-way width may be reduced to 34 feet and curb to curb width to 28 feet. The cul-de-sac radius for hillside streets may be reduced to 32 feet; and,
    d. Any street with a curb to curb width of less than 36 feet, may have parking prohibited on one side. Any cul-de-sac with a radius of less than 40 feet may result in restricted on-street parking as determined by the City Engineer.
5. Split level, one-way streets may be permissible in areas of steep terrain when deemed acceptable by the City during project review.
6. Street lighting shall be designed to minimize visual impacts and retain rural character while conforming to acceptable safety standards.
7. Street grades shall not exceed the following except as may be modified by the appropriate decision-making body:
    a. Crosstown. Eight percent;
    b. Connectors. Eight percent; and,
    c. Neighborhood Streets. 14 percent, except for limited distance that may exceed 14 percent if approved by the City Engineer and the Los Angeles County Fire Department.

B. Modifications to these standards may be made by the appropriate decision-making body if it can be found that such modifications further the purpose and intent of this Ordinance by reducing grading and overall visual impacts while retaining acceptable traffic safety and street design characteristics as determined by the City Engineer.

17.100.170 Landscape and Erosion Control Standards

A. The grading plan shall preserve natural terrain and vegetation to the maximum extent feasible by utilizing creative design concepts as allowed by standards established in this Chapter. However, it is recognized that grading in some areas may involve considerable surface

disruption and removal of natural vegetation. Where this occurs, and manufactured slopes are created, the following standards and submittal requirements shall apply:

1. With formal application: Conceptual landscape plans indicating both temporary and permanent slope plantings shall be submitted to the Engineering Division. Plans shall include a conceptual plant palette and description of the irrigation system to be utilized; Conceptual landscaping design and planting palette shall comply with the City's Landscaping Standards, City's Approved Planting List, and County of Los Angeles Fire Department Fuel Modification Standards (if the project site is located in a Fire Hazard Severity Zone); and,
2. Prior to Grading Permit issuance: A manufactured slope re-vegetation report analyzing existing soil conditions, proposed soil amendments, and plant suitability for review and approval by the City Engineer.

17.100.180 Slope Maintenance

A. Developer Maintained Slope Areas. The developer shall be responsible for slope re-vegetation including compliance with all provisions of Chapter 70 (Excavation and Grading), PMC Section 8.04.265 of the Palmdale Building Code, prior to the transfer of perpetual maintenance responsibilities of said slopes to individual property owners, a homeowner's association, or other slope maintenance entity. A performance bond for an amount to be established by the Public Works Department shall be posted with the City in order to ensure that the ultimate establishment of all re-vegetation is completed.

B. Commonly Maintained Slopes. Projects containing slopes requiring homeowner's association maintenance shall be subject to comprehensive Conditions, Covenants, and Restrictions (CC&R's) which shall include slope maintenance provisions. Said CC&R's shall be subject to review and approval by the Director, City Engineer and City Attorney prior to recordation of a final map for the project.

C. Erosion Control Standards. Erosion control measures meeting the current specifications of the City Engineering Design Standards and the Palmdale Building Code that are in effect on the date when the formal application for the project is submitted shall be provided.

17.100.190 Hillside Development Findings

No project in a hillside development area shall be approved by the appropriate decision-making body unless it is found to conform to all of the following findings based on criteria and standards set forth in this Chapter:

A. The density, grading, and design standards contained in this Chapter have been complied with in the overall design of the project;

B. The project design and site layout retains and utilizes natural contours of the site to the maximum extent feasible;

C. The project design incorporates drought tolerant landscape materials, water conserving irrigation techniques and erosion control measures in a manner that eliminates both short- and long-term erosion hazards while providing for aesthetic and effective re-vegetation of these slope areas;

D. Development is designed in a manner that substantially retains the visual qualities and natural elevations of the significant ridgelines and prominent landforms forming the City's skyline

backdrop and preserves those portions of the ridgelines visible from the valley floor, or adjacent valleys, as a scenic skyline backdrop to the City; and,

E. The impacts on adjacent neighborhoods of an established character are minimized when density transfer is proposed by employing design elements and locational characteristics consistent with criteria contained in PMC Section 17.100.120 (Density Transfers).

17.100.200 Variances

No variance from the provisions of this Chapter shall be allowed unless it is approved pursuant to the provisions of PMC Chapter 17.23 (Variances and Minor Exceptions).

17.101 Transportation Demand Management

17.101.010 Applicability of Requirements

A. This Chapter shall not apply to:

1. Projects for which a Certificate of Occupancy/final inspection has been issued prior to the effective date of this ~~Section~~Ordinance.
2. Projects for which a Building Permit has been issued and which were approved prior to the effective date of this ~~Section~~ Ordinance without a condition that they comply with the requirements of the Congestion Management Plan (CMP) and any local implementing ordinance.
3. Projects which are specifically exempt from these requirements by the provisions of an approved vesting Tentative Map, Specific Plan, or Development Agreement.

B. The gross square footage of all additions made to an existing building after the effective date of this Section shall be aggregated for purposes of determining whether the thresholds contained in PMC Section 17.101.020 (Definitions) have been met; however, existing square footage shall be exempt from these requirements.

17.101.020 Definitions

Refer to PMC Chapter 17.16 (Definitions).

17.101.030 Development Standards

A. Prior to approval of any project, the applicant shall make provision for, at a minimum, all of the following applicable transportation demand management and trip reduction measures. All facilities and improvements constructed or otherwise required shall be maintained in a state of good repair. The applicant shall be responsible for complying with the provisions of this Chapter either directly or by delegating such responsibility as may be appropriate to a tenant or to an agent.

B. All development shall provide the following to the satisfaction of the City:

1. Sidewalks or other designated pathways following direct and safe routes from the external pedestrian circulation system to each building in the development. Projects with fewer than four dwellings are exempt from this provision; and,
2. If determined necessary by the City, bus stop improvements shall be provided. The City will consult with the Transit Operator in determining appropriate improvements.

C. Non-residential development of 25,000 square feet or more shall comply with PMC Section 17.~~116~~101.0~~32~~0.~~2~~ B and shall provide a bulletin board, display case, or kiosk displaying transportation information located where the greatest number of employees are likely to see it, to the satisfaction of the City. In the event that such structure is placed outdoors, the design and location shall be subject to review and approval by the Director. Information in or on such structure shall include, but is not limited to, the following:

1. Current maps, routes, and schedules for public transportation serving the site;
2. Telephone numbers for transportation information, including numbers for the regional ridesharing agency and local transit operators;
3. Ridesharing promotional material supplied by commuter-oriented organizations;

4. Bicycle route and facility information, including regional/local bicycle maps and bicycle safety information;
5. A listing of facilities available at the site for carpoolers, vanpoolers, bicyclists, transit riders, and pedestrians; and,
6. For non-residential developments of 50,000 square feet or more, a statement that preferential carpool/vanpool spaces for employees are available and a description of the procedures for obtaining such spaces.

D. Non-residential development of 50,000 square feet or more shall comply with PMC Section 17.101.030.B and PMC Section 17.101.030.C and shall comply with all of the following measures to the satisfaction of the City:

1. Not less than ~~ten~~ 10 percent of the employee parking area shall be identified as a preferential carpool/vanpool parking area on the site plan submitted with an application for a Building Permit. This preferential carpool/vanpool parking area shall be located as close as is practical to the employee entrance(s), and shall be reserved for use by potential carpool/vanpool vehicles, without displacing handicapped and customer parking needs. A statement that preferential carpool/vanpool spaces for employees are available and a description of the procedures for obtaining such spaces shall be included on the required transportation information board. To the extent possible, spaces will be signed or striped as demand warrants, even if demand exceeds the 10 percent of the employee parking area designated on the site plan. At least one space for projects of 50,000 square feet to 100,000 square feet, and two spaces for projects over 100,000 square feet, shall be signed or striped for carpool/vanpool vehicles.
   a. Employee parking shall be calculated as follows:

Table 17.101.030-1. Employee Parking Standards

Type of Use	Percent of Total Required Parking Devoted to Employees
Commercial	30
Office/Professional	85
Industrial/Manufacturing	90

2. Preferential parking spaces reserved for vanpools shall be accessible to vanpool vehicles. When located within a parking structure, a minimum vertical interior clearance of seven feet two inches, with appropriate adjustments for slope changes, shall be provided for those accessways and spaces to be used by such vehicles. Adequate turning radii and parking space dimensions shall also be included in vanpool parking areas. No more than 10 percent of the employee parking area shall be required to provide access to vanpool vehicles.

17.102 Surface Mining and Reclamation

17.102.010 Incorporation of SMARA and State Regulations

The provisions of the California Surface Mining and Reclamation Act of 1975 (P.R.C. Sec. 2710 et seq.), P.R.C. Section 2207, and Title 14, Division 8, Section 3500 et seq. of the California Code of Regulations implementing the Act, hereinafter referred to as the State Regulations, as either may be amended from time to time, are made a part of this Chapter by reference with the same force and effect as if the provisions therein were specifically and fully set out herein, excepting that when the provisions of this Chapter are more restrictive than conflicting State provisions, this Chapter shall prevail.

17.102.020 Definitions

For the purposes of this Chapter, the following words and phrases are defined as follows. Any word, phrase or term which is not defined in this Chapter but which is defined in PMC Chapter 17.16 (Definitions) shall mean the same as the definition contained in PMC Chapter 17.16 (Definitions).

A. **Exploration** or **Prospecting** shall mean the search for minerals by geological, geophysical, geochemical, or other techniques, including, but not limited to, sampling, assaying, drilling, or any surface or underground works needed to determine the type, extent, or quantity of minerals present.

B. **Haul Road** shall mean a road along which material is transported from the area of excavation to the processing plant or stock pile area of the Surface Mining Operation.

C. **Idle** shall mean to curtail for a period of one year or more Surface Mining Operations by more than 90 percent of the operation's previous maximum annual mineral production, with the intent to resume those Surface Mining Operations at a future date. (SMARA, Sec. 2727.1)

D. **Mined Lands** shall include the surface, subsurface, and groundwater of an area in which Surface Mining Operations will be, are being, or have been conducted, including private ways and roads appurtenant to any such area, land excavations, workings, mining waste, and areas in which structures, facilities, equipment, machines, tools, or other materials or property which result from, or are used in, Surface Mining Operations are located.

E. **Minerals** shall mean any naturally occurring chemical element or compound, or groups of elements and compounds, formed from inorganic processes and organic substances including, but not limited to, coal, peat, bituminous rock, but excluding geothermal resources, natural gas, and petroleum. For the purpose of this Chapter, minerals shall also include but not be limited to sand, gravel, cinders, diatomaceous earth, shale, limestone, flagstone, decorative stone, and rip-rap.

F. **Mining Waste** shall include the residual of soil, rock, mineral, liquid, vegetation, equipment, machines, tools, or other materials or property directly resulting from, or displaced by, Surface Mining Operations.

G. **Operator** shall mean any person who is engaged in Surface Mining Operations or who contracts with others to conduct operations on his behalf, except a person who is engaged in Surface Mining Operations as an employee with wages as his sole compensation.

H. **Overburden** shall mean soil, rock, or other materials that lie above a natural mineral deposit or in between deposits, before or after their removal, by Surface Mining Operations.

I. **Permit** shall mean any formal authorization from, or approved by, the City, the absence of which would preclude Surface Mining Operations.

J. **Person** shall mean any individual, firm, association, corporation, organization, or partnership, or any city, county, district, or the state or any department or agency thereof.

K. **Reclamation** shall mean the process of land treatment that minimizes water degradation, air pollution, damage to aquatic or wildlife habitat, flooding, erosion, and other adverse effects from Surface Mining Operations, including adverse surface effects incidental to underground mines, so that mined lands are reclaimed to a usable condition which is readily adaptable for alternate land uses and create no danger to public health or safety. The process may extend to affected lands surrounding mined lands, and may require backfilling, grading, resoiling, revegetation, soil compaction, stabilization, or other measures.

L. **State Board** shall mean the State Mining and Geology Board, in the Department of Conservation, State of California.

M. **State Geologist** shall mean the individual holding office as structured in Section 677 of Article 3, Division 2 of Division 1 of the Public Resources Code.

N. **Surface Mining Operations** shall mean all or any part of the process involved in the mining of minerals on mined lands by removing overburden and mining directly from the mineral deposits, open pit mining of minerals naturally exposed, mining by the auger method, dredging and quarrying, or surface work incident to an underground mine. Surface Mining Operations shall include, but are not limited to:

1. In-place distillation, retorting or leaching;
2. The production and disposal of mining waste;
3. Prospecting and exploratory activities;
4. Borrow pitting;
5. Streambed skimming; and,
6. Segregation and stockpiling of mined materials (and recovery of the same).

17.102.030 Applicability of Requirements

A. Requirements for Conditional Use Permits. Unless exempted by provisions of this Chapter, an approved Conditional Use Permit as provided in PMC Chapter 17.22 (Conditional Use Permits) shall be required for all Surface Mining Operations in all zones in which surface mining is allowed; and shall be required for the expansion or substantial change of operation of any surface mine for which such expansion or changes have not been thereby approved, including any operation which meets the definition of a “non-conforming use” pursuant to PMC Chapter 17.28 (Non-Conforming Uses and Structures).

B. Requirements for Reclamation Plans. A Reclamation Plan shall be required for all Surface Mining Operations in all zones in which surface mining is allowed, as well as for those portions of existing Surface Mining Operations conducted after January 1, 1976, unless a Reclamation Plan was approved by the City prior to that date and the person submitting that plan has accepted responsibility for carrying out the plan. Nothing in this Chapter shall be construed as requiring the filing of a Reclamation Plan for, or the reclamation of, mined lands on which Surface Mining Operations were conducted legally and pursuant to all applicable City regulations prior to January 1, 1976.

C. Exemptions. A Reclamation Plan shall not be required for any of the following activities:

1. Excavations or grading conducted for farming or onsite construction or for the purpose of restoring land following a flood or natural disaster. (SMARA, Sec. 2714(a));
2. Prospecting for, or the extraction of, minerals for commercial purposes and the removal of overburden in total amounts of less than 1,000 cubic yards in any one location of one acre or less. (SMARA, Sec. 2714(b));
3. Surface Mining Operations that are required by federal law in order to protect a mining claim, if such operations are conducted solely for that purpose. (SMARA, Sec. 2714(c));
4. Emergency excavations or grading conducted by the Department of Water Resources (DWR) or the Reclamation Board for flood control purposes; and,
5. Such other Surface Mining Operations which the State Mining and Geology Board determines to be of an infrequent nature and which involve only minor surface disturbances (SMARA, Section 2714(d)).

17.102.040 Contents of Applications for Conditional Use Permits for Surface Mining Operations and Reclamation Plans

A. In addition to the Conditional Use Permit application required in PMC Chapter 17.22 (Conditional Use Permits),~~all applications for a Conditional Use Permit for Surface Mining Operations shall contain the Surface Mining and Reclamation application supplement required by the Planning Department. As many copies of the Conditional Use Permit and Surface Mining and Reclamation application supplement as may be required shall be submitted to the Planning Department.~~ a~~A~~s many copies of a Reclamation Plan application as may be required shall be submitted~~ to the Planning Division~~in conjunction with all applications for Conditional Use Permits for Surface Mining Operations~~. For Surface Mining Operations that are exempt from a Conditional Use Permit pursuant to this Chapter, the Reclamation Plan application shall include information concerning the mining operation that is required for processing the Reclamation Plan.

B. Applications shall include the necessary environmental review information prescribed by the Planning ~~Department~~Division.

17.102.050 Processing

A. The Planning ~~Department~~ Division will review the application package for completeness and shall, within 30 days after receipt, either accept the application as complete for the purpose of initiating permit processing or return the application as incomplete with an explanation of where the application is deficient. Resubmittal of the revised application shall start a new review timeframe.

B. Within 30 days of acceptance of an application for a Conditional Use Permit for Surface Mining Operations and/or a Reclamation Plan as complete, the Planning ~~Department~~ Division shall notify the Director of the Department of Conservation of the filing of the application(s) (SMARA, Sec. 2774(e)). Whenever mining operations are proposed in the 100-year flood plain of any stream, as shown in Zone A of the Flood Insurance Rate Maps issued by the Federal Emergency Management Agency, and within one mile, upstream or downstream, of any state highway bridge, the Planning ~~Department~~ Division shall also notify the State Department of Transportation that an application has been received (SMARA, Sec. 2770.5).

C. The Planning ~~Department~~ Division shall process the application(s) through environmental review pursuant to the CEQA and the City's Local CEQA Guidelines.

D. Subsequent to the appropriate environmental review, the Planning ~~Department~~ Division shall prepare a staff report with recommendations for consideration by the Review Authority, which incorporates input from any other affected department or agency.

~~E. The Review Authority shall hold at least one noticed public hearing on the Conditional Use Permit and/or Reclamation Plan.~~

~~F.~~E. Prior to final approval of a Reclamation Plan, financial assurance (as provided in this Chapter), or any amendments to a Reclamation Plan, the Review Authority shall certify to the Director of the Department of Conservation that the Reclamation Plan complies with the applicable requirements of the state regulations and submit the plan, assurances, or amendment to said Director for review (SMARA, Sec. 2774(c)). The Review Authority may conceptually approve the Reclamation Plan before submittal to the Director of the Department of Conservation.

~~G.~~F. If a Conditional Use Permit is being processed concurrently with the Reclamation Plan, the Review Authority may also conceptually approve the Conditional Use Permit ~~at this time~~. However, the Review Authority may defer action on the Conditional Use Permit until taking final action on the Reclamation Plan. If necessary to comply with permit processing deadlines, the Review Authority may conditionally approve the Conditional Use Permit with the condition that the Planning ~~Department~~ Division shall not release the mining operation for occupancy until financial assurances have been reviewed by the Director of the Department of Conservation and final action has been taken on the Reclamation Plan.

~~H.~~G. The Director of the Department of Conservation shall have 45 days to prepare written comments on the Reclamation Plan (SMARA, Sec. 2774(d)). The Review Authority shall evaluate written comments received from the State during the 45-day comment period. Staff shall prepare a written response describing the disposition of the major issues raised by the State for the Review Authority's approval. In particular, when the City's position is at variance with the recommendations and objections raised in the State's comments, the written response shall address, in detail, why specific comments and suggestions were not accepted (SMARA, Sec. 2774(d)). Copies of any written comments received and responses prepared by the Review Authority shall be promptly forwarded to the operator.

~~I.~~H. The Review Authority shall then take final action to approve, conditionally approve, or deny the Conditional Use Permit and/or Reclamation Plan. The Review Authority's action shall be final, subject to appeal as provided in PMC Section 17.20.110 (Appeal Procedures).

~~J.~~I. The Planning ~~Department~~ Division shall forward a copy of each approved Conditional Use Permit for mining operations and/or approved Reclamation Plan to the Director of the Department of Conservation.

~~K.~~J. Annual Reports. Surface mining operators shall forward an annual status report to the Director of the Department of Conservation and the ~~City~~ Planning ~~Department~~ Division on a date established by the Director of the Department of Conservation upon forms furnished by the State Mining and Geology Board (P.R.C. Sec. 2207 (a)-(g)).

~~L.~~K. A copy of the final approved Reclamation Plan shall be kept on-site at all times.

17.102.060 Performance Standards for Reclamation Plans

A. All new or revised Reclamation Plans shall conform to minimum statewide performance standards required pursuant to California Code of Regulations 3700 et. seq. (Reclamation Standards) and SMARA Sec. 2773, as adopted by the State Mining and Geology Board, including but not limited to wildlife habitat, backfilling, regrading, slope stability, recontouring, erosion control, revegetation, drainage, agricultural land reclamation, equipment removal, stream protection, topsoil salvage, tailing, and mine waste management and maintenance.

B. The City may impose additional performance standards developed either in review of individual projects, as warranted, or through the formulation and adoption of City-wide performance standards on any new Reclamation Plan or modification to a previously approved Reclamation Plan.

17.102.070 Phasing of Reclamation

A. Phasing of Reclamation. Reclamation activities shall be phased with respect to the phasing of the mining operation and shall be initiated at the earliest possible time on those portions of the mined lands that will not be subject to further disturbance (SMARA, Sec. 2772(f)); (see also, Sec. 77.07.022. Interim Management Plans).

B. Interim reclamation may also be required for mined lands that have been disturbed and will be disturbed again in future operations if it is determined to be necessary to ensure the success of final reclamation or for health and safety purposes. Reclamation may be done on an annual basis, or in stages compatible with continuing operations, or on completion of all excavation, removal, or fill as approved by the City. Each phase of reclamation shall be specifically described in the Reclamation Plan and shall include: the approximate length of time for completion of each phase; all reclamation activities required; criteria for measuring completion of specific reclamation activities; and estimated costs as provided in Sec. 77.07.020 (Financial Assurances For Reclamation Plans). The City shall approve the reclamation schedule.

17.102.080 Findings for Approval

In addition to the findings for approval Conditional Use Permits contained in PMC Chapter 17.22 (Conditional Use Permits), approval for Surface Mining Operations shall include a finding that the project complies with the provisions of State law and regulation.

A. For Reclamation Plans, the following findings shall be made by the reviewing authority prior to approval:

1. The Reclamation Plan complies with Sections 2772, 2773, and 2773.1 of SMARA and any other applicable provisions;
2. The Reclamation Plan complies with applicable requirements of Title 14, Division 8, Section 3500 et seq. of the California Code of Regulations;
3. The Reclamation Plan and potential use of reclaimed land pursuant to the Plan are consistent with this Chapter and the City's General Plan;
4. Through implementation of the Reclamation Plan, all significant adverse impacts on lands to be reclaimed as a result of the Surface Mining Operations are mitigated to the maximum extent feasible;
5. The land and/or resources to be reclaimed will be restored to a condition that is compatible with the surrounding environment;

6. That the Reclamation Plan and potential use of reclaimed land pursuant to the Plan are consistent with any applicable air quality and/or water quality resource plan and/or that suitable off-site development will compensate for related disturbances to resource values existing after reclamation is completed;
7. The Reclamation Plan will restore the mined lands to a usable condition which is adaptable for alternative land uses consistent with the General Plan and any other applicable plan or element; and,
8. A written response to the Director of the Department of Conservation has been prepared, describing the disposition of major issues raised by the Director. Where the City's position is at variance with the recommendations and objections raised by the Director, said response shall address, in detail, why specific comments and suggestions were not accepted. (SMARA, Sec. 2772(d)).

17.102.090 Financial Assurances for Reclamation Plans

A. In order to ensure that reclamation will proceed in accordance with the approved Reclamation Plan, the City shall require as a condition of approval one or more forms of security which will be released upon satisfactory performance. The applicant shall post security in the form of a corporate surety bond, trust fund, irrevocable letter of credit from an accredited financial institution, a certificate of time deposit as part of an approved trust fund, or other method acceptable to the City and the Department of Conservation as specified in statewide regulations adopted by the Mining and Geology Board. Financial assurances shall be made payable to the City and the Department of Conservation (SMARA, Sec. 2773.1(a)(4)).

B. Financial assurances shall be required to ensure compliance with elements of the Reclamation Plan including but not limited to revegetation and landscaping requirements; restoration of wildlife habitat; protection of archaeological sites; restoration of water bodies and water quality; slope stability and erosion and drainage control, disposal of hazardous materials; and other mitigation measures. Financial assurances for such elements of the Reclamation Plan shall be monitored by the Planning Department.

C. Financial assurances shall not be released until written notification has been made by the Director to the mining operator and the Director of the Department of Conservation that reclamation has been completed in accordance with the approved Reclamation Plan (SMARA, Sec. 2773.1(c).

D. The amount of financial assurances shall be based upon the estimated costs of reclamation for each year or phase stipulated in the Reclamation Plan, including any irrigation and maintenance of reclaimed areas as may be required. Cost estimates shall be prepared by a licensed engineer and/or other qualified professionals retained by the operator; such estimates shall be approved by the Director. Financial assurances may be based upon estimates including but not necessarily limited to the volume of earth moved (cubic yards) for each year or phase of reclamation. Financial assurances to ensure compliance with revegetation, restoration of wildlife habitat, and any other applicable element of the Reclamation Plan shall be based upon cost estimates that include but may not be limited to labor, equipment, materials, mobilization of equipment, administration, and reasonable profit by a commercial operator other than the permittee.

E. In projecting the costs of financial assurances, it shall be assumed without prejudice or insinuation that the Surface Mining Operation could be abandoned by an operator and,

consequently, the City or State may need to contract with a third-party commercial company for mobilization and reclamation of the site.

F. Where reclamation is accomplished in annual increments, the amount of financial assurances required for any one year shall be adjusted annually and shall be adequate to cover the full estimated costs for reclamation of any land projected to be in a disturbed condition from mining operations by the end of the following year. The estimated costs shall be the amount required to complete the reclamation on all areas that will not be subject to further disturbance, and to provide interim reclamation, as necessary, for any partially excavated areas in accordance with the Reclamation Plan. Financial assurances for each year shall be released upon successful completion of reclamation (including any maintenance required) of all areas that will not be subject to further disturbance and upon the operator filing additional financial assurances for the succeeding year. Financial assurances for all subsequent years of the operation shall be handled in the same manner.

G. Financial assurances for reclamation that is accomplished in multiple-year phases shall be handled in the same manner as described for annual reclamation.

H. If a change of ownership occurs, the existing financial assurance remains in force until a replacement financial assurance is approved by the lead agency.

17.102.100 Inspections

A. The Planning ~~Department~~ Division shall arrange for inspection of a Surface Mining Operation within six months of receipt of the annual report required in PMC Section 17.101.050.K (Annual Reports) ~~Sec. 77.07.016(h),~~ to determine whether the Surface Mining Operation is pursuant to the Reclamation Plan and the state regulations (SMARA, Sec. 2774(b)).

B. In no event shall less than one inspection be conducted in any calendar year. Said inspections may be made by a state-registered geologist, state-registered civil engineer, state-licensed landscape architect, state-registered forester, or other qualified specialist who has not been employed by the mining operation in any capacity during the previous 12 months, as selected by the Planning ~~Department~~Division. All inspections shall be conducted using a form provided by the State Mining and Geology Board. The Planning ~~Department~~ Division shall notify the Director of the Department of Conservation within 30 days of completion of the inspection that the inspection has been conducted and shall forward a copy of said inspection notice and any supporting documentation to the mining operator. The operator shall be solely responsible for the reasonable cost of such inspection.

17.102.110 Interim Management Plans

(See also, PMC Section 17.102.070 (Phasing of Reclamation).)

A. Within 90 days of a Surface Mining Operation becoming idle, as defined in this Chapter, the operator shall submit to the Planning ~~Department~~ Division an Interim Management Plan (SMARA, Sec. 2770(h)). The Interim Management Plan shall fully comply with the requirements of SMARA, Sec. 2770(h) and shall provide measures the operator will implement to maintain the site in compliance with SMARA, including, but not limited to, all conditions of the Conditional Use Permit and/or Reclamation Plan approval. The Interim Management Plan shall be processed as a minor amendment to the Reclamation Plan and shall not be considered a project for the purposes of environmental review (SMARA, Sec. 2770(h)).

B. The Director of the Department of Conservation shall have 45 days to prepare written comments on the Interim Management Plan, if they so choose.

C. Financial assurances for idle operations shall be continued as addressed in the Reclamation Plan or as otherwise approved through the idle mine's Interim Management Plan.

D. Within 60 days of receipt of the Interim Management Plan, or a longer period mutually agreed upon by the Planning ~~Department~~ Division and the operator, the Director shall review and approve or deny the plan in accordance with this Chapter. The operator shall have 30 days or a longer period mutually agreed upon by the operator and the Director to submit a revised plan. The Director shall approve or deny the revised Interim Management Plan within 60 days of receipt. If the Director denies the revised Interim Management Plan, the operator may appeal that action to the Review Authority.

E. The Interim Management Plan may remain in effect for a period not to exceed five years, at which time the Review Authority may renew the plan for another period not to exceed five years or require the surface mining operator to commence reclamation in accordance with its approved Reclamation Plan.

17.102.120 Time Limit for Commencement of a Conditional Use Permit for Surface Mining Operations

The time limit for commencing a Surface Mining Operation that is allowed pursuant to this Section shall be as specified in the conditions of approval for the approved Conditional Use Permit.

17.102.130 Modifications to Reclamation Plans

A. Requests for modifications of approved Reclamation Plans shall be processed in the same manner as original applications for Reclamation Plan reviews unless they are determined to be Minor Modifications (see PMC Section 17.26.040 (Minor Modifications to Approved Plans)). Applications for Minor Modifications may be submitted in connection with the following, as long as ~~it is~~they are not incompatible with existing conditions and/or plans.

B. To allow the minor recontouring of final topography, providing slope stability is maintained and substantiated; effecting no more than 10 percent of the site.

C. To allow ~~Minor Modification~~modification or addition of site access.

D. To allow a minor substitution in the Reclamation Plan, provided it does not substantially alter the intended end use described in the approved Reclamation Plan.

E. To allow minor technological and/or administrative changes in methods used to achieve reclamation.

F. To allow measures to be taken which will ensure and/or maintain public safety (e.g., fences, gates, signs, or hazard removal) provided it does not substantially alter the intended end use described in the approved Reclamation Plan.

G. To allow ~~Minor Modifications~~minor revisions to a previously approved phasing plan.

H. To allow Interim Management Plans.

17.102.140 Violations and Penalties

If the Planning ~~Department~~Division, based upon an annual inspection or otherwise confirmed by an inspection of the mining operation, determines that a Surface Mining Operation is not in pursuant to this Chapter, the applicable permit and/or the Reclamation Plan, the City may follow the administrative procedures set forth in SMARA, Sections 2774.1 and 2774.2 concerning violations and penalties,

including penalties assessed for late reporting pursuant to P.R.C. Section 2207; however, such remedy is in addition to all of the provisions and remedies of this Code, State law, and any law cognizable at common law or in equity, and nothing in this Chapter shall be interpreted or construed to supersede or limit any and all other remedies, whether administrative, civil, or criminal.

17.102.150 Fees

The City shall establish such fees as it deems necessary to cover the reasonable costs incurred in implementing this Chapter and the State Regulations, including but not limited to processing of applications, annual reports, inspections, monitoring, enforcement, and compliance.

EXHIBIT IB

Title 16 Subdivisions

Chapter 16.03 Urban Lot Splits

~~**16.03.050 Urban lot split – Approval process.**~~

~~The City shall ministerially approve a parcel map for the split of a single-family residential lot into two parcels if the following requirements are met, in addition to the requirements of PMC 16.03.060:~~

~~(A) Zoned Single-Family. The property is located within a single-family residential zone.~~

~~(B) Two Parcels Maximum. The parcel map divides an existing parcel to create no more than two new parcels of approximately equal lot area; provided, that one parcel shall not be smaller than 40 percent of the lot area of the original parcel.~~

~~(C) Lots at Least 1,200 Square Feet. Both newly created parcels shall be no smaller than 1,200 square feet.~~

~~(D) Not on Prohibited Land. The property shall not be located in any of the following areas and shall not fall within any of the following categories:~~

~~(1) Historic. An historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a City landmark or historic property or district pursuant to a City ordinance.~~

~~(2) Farmland. Prime farmland or farmland of statewide importance as further defined in Government Code Section 65913.4(a)(6)(B).~~

~~(3) Wetlands. Wetlands as defined in the Unites States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).~~

~~(4) Fire Zone. A very high fire hazard severity zone as further defined in Government Code Section 65913.4(a)(6)(D). This shall not apply to sites excluded from the specified hazard zones by a local agency, pursuant to subdivision (b) of Section 51179 of the Government Code, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.~~

~~(5) Hazardous Waste Site. A hazardous waste site that is listed pursuant to Section 65962.5 of the Health and Safety Code or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless the State Department of Public Health, State Water Resources Control Board, or Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.~~

~~(6) Flood Zone. A special flood hazard area subject to inundation by the one percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency (FEMA) in any official maps published by FEMA. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subsection (D)(6) and is otherwise eligible for streamlined approval under this section, the City shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the City that is applicable to that site. A development may be located on a site described in this subsection (D)(6) if either of the following are met:~~

~~(a) The site has been subject to a letter of map revision prepared by FEMA and issued to the City; or~~

~~(b) The site meets FEMA requirements necessary to meet minimum floodplain management criteria of the National Flood Insurance Program as further spelled out in Government Code Section 65913.4(a)(6)(G)(ii).~~

~~(7) Floodway. A regulatory floodway as determined by FEMA in any of its official maps, published by FEMA, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subsection (D)(7) and is otherwise eligible for streamlined approval under this section, the City shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the City that is applicable to that site.~~

~~(8) Planned for Habitat Conservation. Lands identified for conservation in an adopted natural community conservation plan, habitat conservation plan, or other adopted natural resource protection plan as further spelled out in Government Code Section 65913.4(a)(6)(I).~~

~~(9) Habitat for Protected Species. Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the Federal Endangered Species Act of 1973 (16 U.S.C. Section 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).~~

~~(10) Conservation Easement. Lands under a conservation easement.~~

~~(E) Prohibitions. The proposed lot split shall not:~~

~~(1) Affordable Housing. Require demolition or alteration of any housing that is subject to a recorded covenant, ordinance or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.~~

~~(2) Rental Units. Require demolition or alteration of any housing that has been occupied by a tenant in the last three years.~~

~~(3) Two Units. Create more than two units on a parcel, including any accessory dwelling units or junior accessory dwelling units. (Ord. U-1575 § 1, 2021)~~

~~16.03.060 Urban lot split – Standards and requirements.~~
~~An urban lot split pursuant to PMC 16.03.050 shall comply with the following requirements:~~

~~(A) Map Compliance. The lot split shall conform to all applicable objective requirements of the Subdivision Map Act and this title, except as modified by this section.~~

~~(B) Easements. The applicant shall provide easements for the provision of public services and facilities as required. The City shall not require dedications of rights-of-way or the construction of off-site improvements for the parcels being created as a condition of issuing a parcel map.~~

~~(C) Street Access. All lots shall have existing access, provide new access, or adjoin the public right-of-way. Access drives shall have a minimum width of 10 feet.~~

~~(D) The City may deny the lot split if the Building Official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in Government Code Section 65589.5(d)(2), upon the public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. (Ord. U-1575 § 2, 2021)~~

~~16.03.070 Urban lot split – Exceptions.~~
~~No urban lot split shall be approved if either of the following apply:~~

~~(A) The parcel in question contains any parcel which has been established pursuant to a previous urban lot split in accordance with PMC 16.03.050; or~~

~~(B) Any parcel where the owner of the parcel being subdivided or any person acting in concert with the owner has previously subdivided an adjacent parcel pursuant to PMC 16.03.050. For purposes of this section, it shall be assumed that where a lot owner purchased the property from an adjacent owner who subdivided their property pursuant to this title within five years of the lot split, the owner is acting in concert with the prior owner of the adjacent lot. (Ord. U-1575 § 3, 2021)~~

Replaced Chapter 16.03
16.03.010 Purpose
The purpose of this Chapter is to provide objective subdivision standards for Two-Unit Developments and Urban Lot Splits within single-family residential zones, to implement the provisions of State law as reflected in Government Code Section 66411.7 et seq., to facilitate the development of new residential housing units consistent with the City's General Plan, and ensure sound standards of public health and safety.

16.03.020 Approval Process
The City shall ministerially approve a parcel map for the split of a single-family residential lot into two parcels if the following requirements are met, in addition to the requirements of PMC Section 16.03.030 (Standards and Requirements).

A. Zoned Single-Family. The property is located within single-family residential zones (ER, LDR, SFR1, SFR2, and SFR3) except as noted in PMC Section 16.03.020.B (Not on Prohibited Land) below.

B. Not on Prohibited Land. The property shall not be located in any of the following areas and shall not fall within any of the following categories:

1. Historic. An historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city landmark or historic property or district pursuant to a City ordinance.

2. Farmland. Prime farmland or farmland of statewide importance as further defined in Government Code section 65913.4(a)(6)(B).

3. Wetlands. Wetlands as defined in the Unites States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).

4. Fire Zone. A very high fire hazard severity zone as further defined in Government Code Section 65913.4(a)(6)(D). This shall not apply to sites excluded from the specified hazard zones by a local agency, pursuant to subdivision (b) of Government Code Section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.

5. Hazardous Waste Site. A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless the State Department of Public Health, State Water Resources Control Board, or Department of Toxic Substances Control has cleared the site for residential use or residential mixed-use.

6. Flood Zone. A special flood hazard area subject to inundation by the one percent annual chance flood (100-yearflood) as determined by the Federal Emergency Management Agency (FEMA) in any official maps published by FEMA. If an applicant is able to satisfy all applicable Federal qualifying criteria in order to provide that the site satisfies this Section and is otherwise eligible for streamlined approval under this section, the City shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the City that is applicable to that site. A development may be located on a site described in this Section if either of the following are met:

a. The site has been subject to a Letter of Map Revision prepared by FEMA and issued to the City; or,

b. The site meets FEMA requirements necessary to meet minimum flood plain management criteria of the Nation Flood Insurance Program as further spelled out in Government Code Section 65913.4(a)(6)(G)(ii).

7. Floodway. A regulatory floodway as determined by FEMA in any of its official maps, published by FEMA unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If an applicant is able to satisfy all applicable Federal qualifying criteria in order to provide that the site satisfies this Section and is otherwise eligible for streamlined approval under this Section, the City shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the City that is applicable to that site.

8. Planned for Habitat Conservation. Lands identified for conservation in an adopted natural community conservation plan, habitat conservation plan, or other adopted natural resource protection plan as further spelled out in Government Code Section 65913.4(a)(6)(I).

9. Habitat for Protected Species. Habitat for protected species identified as candidate, sensitive, or species of special status by State or Federal agencies, fully protected species, or species protected by the Federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).

10. Conservation Easement. Lands under a conservation easement.

C. Prohibitions. The proposed lot split shall not require demolition or alteration of any of the following types of housing:

1. Affordable Housing. Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate-, low-, or very low income.

2. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.

3. Rental Units. Housing that has been occupied by a tenant in the last three years.

4. Ellis Act Housing. A parcel or parcels on which an owner of residential real property has exercised the owner's rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 of the Government Code to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.

5. The parcel being subdivided was not created by an Urban Lot Split as provided in this Chapter.

D. Two Parcels Maximum. The parcel map divides an existing parcel to create no more than two new parcels of approximately equal lot area, provided that one parcel shall not be smaller than 40 percent of the lot area of the original parcel.

E. Minimum Lot Size. Lots at Least 1,200 square feet. Both newly created parcels shall be no smaller than 1,200 square feet.

F. Adjacent Parcels. Neither the owner of the parcel being subdivided nor any person acting in concert with the owner has previously subdivided an adjacent parcel using an Urban Lot Split as provided in this Chapter. For purposes of this section, it shall be assumed that where a lot owner purchased the property from an adjacent owner who subdivided their property pursuant to this Chapter within five years of the lot split, the owner is acting in concert with the prior owner of the adjacent lot.

G. Two Units per Parcel. A maximum of no more than two units on a parcel, including any accessory dwelling units or junior accessory dwelling units, or as otherwise allowed pursuant to a density bonus.

H. Objective Standards. Comply with all objective subdivision standards in this Chapter, and objective zoning and design standards in PMC Title 17 Zoning, Division 3 (Residential Zones).

16.03.030 Standards and Requirements
An Urban Lot Split pursuant to PMC Section 16.03.020 (Approval Process) shall comply with the following requirements:

A. Map Compliance. The lot split shall conform to all applicable objective requirements of the Subdivision Map Act and PMC Title 16 (Subdivisions), except as modified by this Section.

B. Easements. The applicant shall provide easements for the provision of public services and facilities as required. The City shall not require dedications of rights-of-way or the construction of off-site improvements for the parcels being created as a condition of issuing a parcel map.

C. Street Access. All lots shall have existing access, provide new access, or adjoin the public right-of-way. Access drives shall have a minimum width of 12 feet.

16.03.040 Specific Adverse Impacts
In addition to the criteria listed in this Chapter, the City may deny the lot split if the Building Official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in Government Code Section 65589.5(d)(2), upon the public health and safety or the physical environment and for which there is no feasible method to

satisfactorily mitigate or avoid the specific, adverse impact. A “specific adverse impact” is a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete. Inconsistency with PMC Title 17 (Zoning) or the General Plan land use designation and eligibility to claim a welfare exemption are not specific health or safety impacts.

16.03.050 Recorded Covenant
A. Prior to the approval and recordation of the parcel map, the applicant shall record a restrictive covenant and agreement in the form prescribed by the City Attorney, which shall run with the land and provide for the following:

1. A prohibition against further subdivision of the parcel using the Urban Lot Split procedures as provided for in this Chapter;

2. A limitation restricting the property to residential uses only; and,

3. A requirement that any dwelling units on the property may be rented or leased only for a period longer than 30 days.

B. The City Manager or designee is authorized to enter into the covenant and agreement on behalf of the City and to deliver any approvals or consents required by the covenant.

16.03.060 Enforcement
A. The City Attorney shall be authorized to abate violations of this Chapter and to enforce the provisions of this Chapter and all implementing agreements and affidavits by civil action, injunctive relief, and any other proceeding or method permitted by law. Remedies provided for in this Chapter shall not preclude the City from any other remedy or relief to which it otherwise would be entitled under law or equity.

Title 12 (Streets, Sidewalks, and Public Places)

New Chapter 12.34 (previously PMC Section 17.95.050)

12.34.010 ~~17.95.050.010~~ Purpose and Intent
The purpose and intent of this Division is to provide a uniform and comprehensive set of regulations and standards for the permitting, development, siting, installation, aesthetics, design, operation and maintenance of wireless telecommunications facilities in the City's public right-of-way. These regulations are intended to establish and enforce aesthetic standards consistent with the City's authority to do so under Article XI, Section 7 of the California Constitution and Public Utilities Code, Sections 7901 and 7901.1. This Section is also intended to prescribe clear and reasonable criteria to assess and process applications in a consistent and expeditious manner, while reducing the impacts associated with wireless telecommunications facilities. This Division provides standards necessary (A) for the preservation of the public right-of-way in the City for the maximum benefit and use of the public, (B) to promote and protect public health and safety, community welfare, visual resources and the aesthetic quality of the City consistent with the goals, objectives and policies of the General Plan, and (C) to provide for the orderly, managed and efficient development of wireless telecommunications facilities in accordance with the State and Federal laws, rules and regulations.

12.34.020 ~~17.95.050.020~~ Definitions
Refer to Chapter 17.16 PMC.

12.34.030 ~~17.95.050.030~~ Applicability
A. Applicability. This Division applies to the siting, construction or modification of any and all wireless telecommunications facilities proposed to be located in the public right-of-way as follows:

1. All facilities for which applications were not approved prior to May 6, 2021, shall be subject to and comply with all provisions of this Division.

2. All facilities for which applications were approved by the City prior to May 6, 2021, shall not be required to obtain a new or amended permit until such time as a provision of this Code so requires. Any communication facility that was lawfully constructed prior to May 6, 2021, that does not comply with the standards, regulations and/or requirements of this Division shall be deemed a nonconforming use.

3. All facilities, notwithstanding the date approved, shall be subject immediately to the provisions of this Division governing the operation and maintenance (PMC 12.34.130

~~17.95.050.130~~, Operation and Maintenance Standards), cessation of use and abandonment (PMC 12.34.170 ~~17.95.050.170~~, Cessation of Use or Abandonment), removal and restoration (PMC 12.34.180 ~~17.95.050.180~~, Removal and Restoration – Permit Expiration, Revocation or Abandonment) of wireless telecommunications facilities and the prohibition of dangerous conditions or obstructions by such facilities (PMC 12.34.150 ~~17.95.050.150~~, No Dangerous Condition or Obstructions Allowed); provided, however, that if a condition of approval conflicts with a provision of this Division, the condition of approval shall control until the permit is amended or revoked.

B. Exclusions. This Division does not apply to the following:

1. Amateur radio facilities;

2. Over the air reception devices ("OTARD") antennas;

3. Facilities owned and operated by the City for its use;

4. Any entity legally entitled to an exemption pursuant to State or Federal law or City-issued franchise agreement.

12.34.040 ~~17.95.050.040~~ Communication Facility Permit Requirements (Discretionary and Ministerial)

A. General Rule – Major Wireless Telecommunications Facilities Permit Required. All new wireless facilities or collocations or modifications to existing wireless facilities shall require a major wireless telecommunications facilities permit subject to Planning Commission approval unless otherwise provided for in this Division.

B. Discretionary Administrative Wireless Telecommunications Facilities Permit.

1. Discretionary Permit. The Director may issue a discretionary administrative wireless telecommunications facilities permit for new small wireless facilities or collocations or modifications to existing small wireless facilities which meet all the following criteria:

a. The proposal complies with PMC 12.34.200 ~~17.95.050.200~~, Location and Structure Preference;

b. The proposal complies with PMC 12.34.205 ~~17.95.050.205~~, Setback Requirements;

c. The proposal complies with all applicable provisions in this Division without need for an exception pursuant to PMC 12.34.190 ~~17.95.050.190~~, Exceptions;

d. The Director makes the findings required by PMC 12.34.090 ~~17.95.050.090~~, Findings for Discretionary Permits; and

e. The facility would have qualified for a ministerial wireless telecommunications facilities permit but for the design of the facility itself.

2. Referral to Commission. The Director may, in the Director's discretion, refer any application for a discretionary administrative wireless telecommunications facilities permit to the Planning Commission for approval, which approval shall be granted if the commission makes the findings required in PMC 12.34.090 ~~17.95.050.090~~.

C. Ministerial Wireless Telecommunications Facilities Permit. Notwithstanding PMC 12.34.220 ~~17.95.050.220~~, State or Federal Law – Ministerial Requirements, the Director shall approve a ministerial wireless telecommunications permit for a small wireless facility if all of the following apply:

1. The facility will comply with all applicable laws including, but not limited to:

a. The Americans with Disabilities Act;

b. All building and safety requirements, including those within the California Building Standards Code, as amended by the City of Palmdale;

c. All requirements of the Federal Communications Commission (FCC), including requirements relating to radio-frequency (RF) emissions and limits on interference.

2. The proposed facility is a small wireless facility that will be installed on either:

a. An existing pole that meets all of the following requirements:

i. The pole does not support a traffic control device (i.e., stop signs and traffic signals are prohibited); and

ii. The facility will match the design of the pole to the extent feasible given the weight requirements; and

iii. If feasible, all equipment installed on the pole will be the same color as the pole; or

b. A new light pole that meets all of the following requirements:

i. The pole meets the City's design requirements for its own light poles;

ii. The pole is at least ninety (90) feet away from any existing light pole; and

iii. Unless requested otherwise by the City in writing, the light on the pole will be illuminated, operated, and maintained consistent with the operation of the other light poles in the City, and the full costs of illumination shall be fully borne by the applicant.

3. The City has issued all required encroachment permits and entered into any required franchise agreement(s).

4. All accessory equipment is housed in a container which is either (a) installed underground; or (b) attached to the pole such that it does not protrude from the pole by more than twenty-two (22) inches; is attached more than ten (10) feet above the ground; and is camouflaged to the extent feasible; or (c) otherwise limits the aesthetic impact of such accessory equipment in a manner approved by the Director.

5. Antennas must be:

a. Mounted symmetrically on top of the pole;

b. No more than four (4) inches wider in diameter than the top of the pole;

c. The same color as the pole; and

d. The same shape as the pole (which shape is typically cylindrical).

6. The small wireless facility complies with PMC 12.34.200 ~~17.95.050.200~~ (Location and Structure Preference).

7. The small wireless facility complies with PMC 12.34.205 ~~17.95.050.205~~ (Setback Requirements).

D. Eligible Facilities Requests. No wireless telecommunications permit is required for any modification of an existing wireless tower or base station for the collocation of new transmission equipment or removal or replacement of existing transmission equipment if such modification does not substantially change the physical dimensions of such tower or base station from the dimensions approved as part of the original discretionary permit for the tower or base station. If, however, any modification to a wireless tower or base

station will substantially change the physical dimensions of either the tower or base station, and any other modification to a wireless telecommunications facility that does not qualify as a wireless tower or base station shall obtain any required wireless telecommunications permit. All terms used in this subsection D shall have the same meaning as defined in 14 U.S.C. 1455 and any related Federal regulations as they may be amended from time to time.

1. Other Permits Still Required. Notwithstanding the foregoing, any eligible facilities request must obtain any other required permit(s) (e.g., encroachment permit, building permit). Encroachment permits for any eligible facility shall not be issued unless the applicant provides all application materials required by the Director in addition to the information listed in PMC 12.34.050(B)(1) ~~17.95.050.050(B)(1)~~ ("Contact Information"), (2) ("Owner Authorization"), (3) ("Engineering Plans"), and (7) ("Proof of RF Emission Compliance").

2. Application. Each request for an exemption submitted under this subsection D shall be accompanied by:

a. Application Form. A complete, duly executed eligible facilities exemption request application on the then-current form prepared by the Director.

b. Application Fee. The applicable eligible facilities exemption request application fee established by City Council resolution. Batched applications must include the applicable eligible facilities exemption request application fee for each wireless facility in the batch. If no application fee has been established, then the applicant shall provide to the City deposit against which the City will charge its actual and reasonable costs incurred in connection with the application; if the deposit amount is insufficient, applicant shall provide all additional required funds; if the deposit amount is in excess of the City's actual and reasonable costs, the City shall refund the difference.

c. Description. A detailed description of the proposed modification to the existing facilities.

d. Visual Depictions. A photograph, description, and as-built plans of the wireless tower and/or base station as originally constructed, and a photo-simulation, description and construction drawings of the wireless tower and/or base station after modification, showing all relevant dimensions.

3. Encroachment Permits. Any encroachment permit issued for a facility determined to be an eligible facility under this subsection D will be subject to all conditions required by

the Director. Additionally, such encroachment permit shall include all standard conditions for wireless telecommunications facilities (see PMC 12.34.080 ~~17.95.050.080~~ (Conditions of Approval)).

a. The granting of an eligible facilities request shall not extend the remaining term for the underlying wireless telecommunications facility described in PMC 12.34.160 ~~17.95.050.160~~ (Permit Expiration).

b. Notwithstanding PMC 12.34.070(R) ~~17.95.050.070(R)~~ (One Year to Build), the encroachment permit build-out period will automatically expire six (6) months after the approval date unless the permittee commences construction within that period, and diligently pursues construction thereafter.

c. In addition to the ability to revoke the permit pursuant to PMC 12.34.180 ~~17.95.050.180~~ (Removal and Restoration – Permit Expiration, Revocation or Abandonment), the encroachment permit may be revoked in accordance with its conditions or other provisions of the Code applicable to encroachment permits.

E. Master Deployment Plan Permit.

1. Notwithstanding any other provision of the Municipal Code to the contrary, any applicant that seeks approval for five (5) or more wireless telecommunications facilities in the right-of-way (including new facilities and collocations to existing facilities) may elect to submit an application for a master deployment plan permit subject to Planning Commission approval. Any master deployment plan shall expire thirty-six (36) months after the effective date of the approval unless the Planning Commission establishes a shorter time period. The proposed facilities in a master deployment plan shall be reviewed together at the same time and shall be otherwise subject to the same requirements and procedures applicable to a major communication facility permit. Only facilities in the right-of-way may be covered by a master deployment plan.

2. A master deployment plan permit shall be deemed an approval for all wireless telecommunications facilities within the plan; provided, however, that an individual encroachment permit shall be required for each communication facility built pursuant to the plan.

3. Each facility proposed to be constructed pursuant to a master deployment plan permit shall be built in strict compliance with the approved plan. Any deviations or alterations from the approved master deployment plan for an individual communication facility shall be considered as though no master deployment plan permit had been issued and shall

require either a major wireless telecommunications facilities permit or an administrative wireless telecommunications facilities permit, as applicable.

4. An applicant that proposes to amend a master deployment plan permit shall apply to the City and follow the same procedures as would otherwise be required to obtain a new master deployment plan permit.

F. Other Permits Required. In addition to any permit that may be required under this Division, the applicant must obtain all other required prior permits or other approvals from other City departments, or State or Federal agencies. Any permit granted under this Division is subject to the conditions and/or requirements of other required prior permits or other approvals from other City departments, State or Federal agencies.

G. Eligible Applicants. Only applicants who have been granted the right to enter the public right-of-way pursuant to State or Federal law, or who have entered into a franchise agreement with the City permitting them to use the public right-of-way, shall be eligible for a permit to install or modify a communication facility or a communication collocation facility in the public right-of-way.

H. Speculative Equipment Prohibited. The City finds that the practice of "pre-approving" wireless equipment or other improvements that the applicant does not presently intend to install but may wish to install at some undetermined future time does not serve the public's best interest. The City shall not approve any equipment or other improvements in connection with a communication facility permit when the applicant does not actually and presently intend to install such equipment or construct such improvements.

12.34.050 ~~17.95.050.050~~ Application for Communication Facility Permit

A. Application.

1. In addition to the information required of an applicant for an encroachment permit or any other permit required by this Code, each applicant requesting approval of the installation or modification of a communication facility in the public right-of-way shall fully and completely submit to the City a written application on a form prepared by the Director.

2. No applicant seeking to install wireless antennas shall seek an encroachment permit for fiber or coaxial cable only. Applicants shall simultaneously request fiber installation or other cable installation when seeking to install antennas in the right-of-way.

B. Application Contents – All Permits. The Director shall develop an application form and make it available to applicants upon request. The supplemental application form for

any new communication facility installation in the public right-of-way (regardless of whether it is ministerial or discretionary) shall require the following information, in addition to any information required by subsection C of this Section (for discretionary permits) and all other information determined necessary by the Director:

1. Contact Information. The name, address, email address, and telephone number of the applicant, owner and the operator of the proposed facility, and the date the application was received by the City.

2. Owner Authorization. If the facility will be located on or in the property of someone other than the owner of the facility (such as a street light pole, utility pole, utility cabinet, vault, or cable conduit), the applicant shall provide a duly executed written authorization from the property owner(s) authorizing the placement of the facility on or in the property owner's property.

3. Engineering Plans. Detailed engineering plans of the proposed facility and related report prepared by a professional engineer registered in the State documenting the following:

a. Height, diameter and design of the facility, including technical engineering specifications, economic and other pertinent factors governing selection of the proposed design, together with evidence that demonstrates that the proposed facility has been designed to be the least visible equipment within the particular technology the carrier chooses to deploy. A layout plan, section and elevation of the tower structure shall be included.

b. A photograph and model name and number of each piece of equipment included.

c. Power output and operating frequency for the proposed antenna.

d. Total anticipated capacity of the structure, indicating the number and types of antennas and power and frequency ranges which can be accommodated.

e. Sufficient evidence of the structural integrity of the pole or other supporting structure as required by the City.

4. Justification for Facility. Unless the Director waives the requirement, a study which provides all relevant evidence of whether a denial of the proposed facility would materially inhibit the applicant's provision of personal wireless services in violation of Federal law.

5. Environmental. A completed environmental assessment application.

6. Request for Exception. If the applicant requests an exception to the requirements of this Division (in accordance with PMC 12.34.190 ~~17.95.050.190~~, Exceptions), the applicant shall provide all information and studies necessary for the City to evaluate that request.

7. Proof of RF Emission Compliance. For a facility that is not categorically excluded under the FCC regulations for RF emissions, the applicant shall submit an RF exposure compliance report prepared and certified by an RF engineer acceptable to the City that certifies that the proposed facility, as well as any facilities that contribute to the cumulative exposure in the subject area, will comply with applicable Federal RF exposure standards and exposure limits. The RF report must include the actual frequency and power levels (in watts effective radio power "ERP") for all existing and proposed antennas at the site and exhibits that show the location and orientation of all transmitting antennas and the boundaries of areas with RF exposures in excess of the uncontrolled/general population limit (as that term is defined by the FCC) and also the boundaries of areas with RF exposures in excess of the controlled/occupational limit (as that term is defined by the FCC). Each such boundary shall be clearly marked and identified for every transmitting antenna at the project site.

8. FAA Documents. Copies of any documents that the applicant is required to file pursuant to Federal Aviation Administration regulations for the facility.

9. Fee. An application fee, and a deposit for a consultant's review as set forth in subsection F of this Section in an amount set by resolution by the City Council and in accordance with applicable law (e.g., California Government Code Section 50030).

10. RF Exposure Checklist. Completion of the radio frequency (RF) emissions exposure guidelines checklist contained in Appendix A to the Federal Communications Commission's (FCC) "Local Government Official's Guide to Transmitting Antenna RF Emission Safety," as it may be amended from time to time, to determine whether the facility will be "categorically excluded" as that term is used by the FCC.

11. Site Plans. Site plan(s) to scale, specifying and depicting the exact proposed location of the pole, pole diameter, antennas, accessory equipment, access or utility easements, landscaped areas, existing utilities, adjacent land uses, and showing compliance with PMC 12.34.070 ~~17.95.050.070~~, Design and Development Standards.

12. Traffic Control. If an encroachment permit is required, then the encroachment permit procedures shall control whether (or not) a traffic control plan is required. If no encroachment permit is required, then a traffic control plan is required if either (a) the proposed installation is on any street in a nonresidential zone or (b) the applicant seeks to use large equipment (e.g., crane) and the Director decides to require a traffic control plan.

13. Other Information. Any other information and/or studies determined necessary by the Director may be required.

C. Additional Application Contents – Discretionary Permits. In addition to providing all materials required in subsection B of this Section, applications for discretionary permits shall also provide the following:

1. Owner Authorization. If the applicant is an agent, the applicant shall provide a duly executed letter of authorization from the owner of the facility. If the owner will not directly provide wireless telecommunications services, the applicant shall provide a duly executed letter of authorization from the person(s) or entity(ies) that will provide those services.

2. Written Description. A full written description of the proposed facility and its purpose.

3. Mock-Up and Sign. Proof that a temporary mock-up of the facility and sign have been installed at the proposed location for a period of at least thirty (30) calendar days which facility roughly replicates for the public the proposed height and bulk of the proposed structure. If the Director finds the applicant's cost of complying with this requirement would greatly outweigh the value of such compliance, then the Director may waive the requirement that the applicant install the mock-up (but not the installation of the sign, which still requires an encroachment permit).

a. Applicant shall obtain an encroachment permit before installing a temporary mock-up and a sign, and must remove the temporary mock-up and sign within five (5) calendar days of receiving a written notice to remove from the Director.

b. The mock-up and sign shall demonstrate the height and mass of the facility, including all interconnecting cables. The applicant shall not be entitled to install the facility it intends to install permanently. The mock-up may consist of story poles or the like.

c. The mock-up shall be accompanied by a sign that displays photo simulations depicting before and after images, including any accessory equipment cabinet, and the telephone number of the Public Works Department.

d. The applicant shall be required to follow any other City practices or processes relevant to the installation of a mock-up and sign as may be provided in a publicly accessible form or document.

e. After installation of the mock-up, the applicant shall certify that the mock-up accurately represents the height and width of the proposed installation and has been installed consistent with this Code.

4. Elevations. Scaled elevation plans of proposed poles, antennas, accessory equipment, and related landscaping, and camouflage.

5. Noise Study. A noise study prepared by a qualified acoustic engineer documenting that the level of noise to be emitted by the proposed communication facility will comply with this Code including PMC 12.34.070(O)(2) ~~17.95.050.070(O)(2)~~. The Director may waive the requirement for a noise study if the Director finds the cost of creating the study would greatly outweigh the value of receipt of such study.

6. Propagation Maps. Upon written request of the applicant, the Director at his or her discretion may waive some or all of the following: a written description identifying the geographic service area for the subject installation including geographic and propagation maps, that identifies the location of the proposed facility in relation to all existing and planned facilities maintained within the City by each of the applicant, operator, and owner, if different entities, as well as the estimated number of potentially affected uses in the geographic service area. Regardless of whether a master deployment plan permit is sought, the applicant shall depict all locations anticipated for new construction and/or modifications to existing facilities, including collocation, within two (2) years of submittal of the application. Longer range conceptual plans for a period of five (5) years shall also be provided, if available.

a. In the event the applicant seeks to install a communication facility to address service coverage concerns, full-color signal propagation maps with objective units of signal strength measurement that show the applicant's current service coverage levels from all adjacent sites without the proposed site, predicted service coverage levels from all adjacent sites with the proposed site, and predicted service coverage levels from the proposed site without all adjacent sites.

b. If applicant seeks to address service capacity concerns, a written explanation identifying the existing facilities with service capacity issues together with competent evidence to demonstrate the inability of those facilities to meet capacity demands.

7. CPCN. Certification that applicant is a telephone corporation or a statement providing the basis for its claimed right to enter the right-of-way. If the applicant has a certificate of public convenience and necessity (CPCN) issued by the California Public Utilities Commission, it shall provide a copy of its CPCN.

8. Visual Depiction. Accurate visual impact analysis showing the maximum silhouette, color and finish palette and proposed camouflage for the facility, including scaled photo simulations from at least three (3) different angles.

D. Application Contents – Modification of Existing Facility. The content of the application form for a modification to an existing facility shall be determined by the Director, and shall include but not be limited to the requirements listed in subsections B and C of this Section unless prohibited by State or Federal law.

E. Effect of State or Federal Law Change. If a subsequent State or Federal law prohibits the collection of any information required by subsection B or C of this Section, the Director is authorized to omit, modify or add to that request from the City's application form with the written approval of the City Attorney, which approval shall be a public record.

F. Independent Expert. The Director is authorized to retain on behalf of the City an independent, qualified consultant to review any application for a permit for a communication facility. The review is intended to be a review of technical aspects of the proposed communication facility and shall address any or all of the following:

1. Compliance with applicable radio frequency emission standards;

2. Whether any requested exception is necessary to close a significant gap in coverage and is the least intrusive means of doing so;

3. The accuracy and completeness of submissions;

4. Technical demonstration of the unavailability of alternative sites or configurations and/or coverage analysis;

5. The applicability of analysis techniques and methodologies;

6. The validity of conclusions reached or claims made by applicant;

7. The viability of alternative sites and alternative designs; and

8. Any other specific technical issues identified by the consultant or designated by the City.

The cost of this review shall be paid by the applicant through a deposit pursuant to an adopted fee schedule resolution. No permit shall be issued to any applicant which has not fully reimbursed the City for the consultant's cost.

12.34.060 ~~17.95.050.060~~ Review Procedure

A. Pre-submittal Conference. Prior to application submittal, the City strongly encourages all applicants to schedule and attend a pre-submittal conference with Public Works Department staff to receive informal feedback on the proposed location, design and application materials. The pre-submittal conference is intended to identify potential concerns and streamline the formal application review process after submittal. Public Works Department staff will endeavor to provide applicants with an appointment within approximately five (5) business days after receipt of a written request.

B. Application Submittal Appointment. All applications must be submitted to the City at a pre-scheduled appointment. Applicants may submit one (1) application per appointment but may schedule successive appointments for multiple applications whenever feasible as determined by the City. City staff will endeavor to provide applicants with an appointment within five (5) business days after receipt of a written request.

C. Notice and Decisions. The provisions in this Section describe the procedures for approval and any required notice and public hearings for an application.

1. When Hearings Required.

a. Discretionary Decisions. Any permit application under this Division subject to Planning Commission or the Director's discretionary approval requires notice and a public hearing in accordance with PMC 17.20.020, Notification Procedures.

b. Ministerial Decisions. The Director may approve or conditionally approve an application for a ministerial application without a public hearing and without issuing prior notice of the decision. For denials see subsection (C)(3) of this Section.

2. Notice of Decisions.

a. Planning Commission Decision of Approval. The Planning Commission may approve, or conditionally approve, an application only after the commission makes the findings required in PMC 12.34.090 ~~17.95.050.090~~, Findings for Discretionary Permits.

b. Administrative Approvals. The Director may approve, or conditionally approve, an application only after it makes the findings required in PMC 12.34.090 ~~17.95.050.090~~, Findings for Discretionary Permits. Within five (5) days after the Director approves an application under this Division, the Director is directed to place notice of the decision in the U.S. mail, consistent with PMC 17.20.090(C), Effective Date of Land Use Decisions.

3. Denials.

a. All final decisions made pursuant to this Division shall be in writing and based on substantial evidence in the written administrative record. The written decision shall include the reasons for the decision.

b. Administrative Denials. If the Director determines that any application submitted for a ministerial or discretionary administrative wireless telecommunications facilities permit does not meet code requirements, the Director shall notify the applicant of said finding in writing, and the application shall be denied effective on the date of issuance of said notice, unless, within ten (10) days of the issuance of the written notice, the applicant requests the application be converted to an application for a major wireless facilities permit application. The Planning Commission shall thereafter hear the application only after a complete application for the major wireless permit has been submitted.

4. Notice of Shot Clock Expiration.

a. Notification by Applicant. The City acknowledges there are Federal and State shot clocks which may be applicable to a proposed communication facility. That is, Federal and State law provides time periods in which the City must approve or deny a proposed communication facility. As such, the applicant is required to provide the City written notice of the expiration of any shot clock, which the applicant shall ensure is received by the City (e.g., overnight mail) no later than twenty (20) days prior to the expiration, and until the applicant has provided such notice, the City shall be entitled to conclude that the applicant has consented to the delay, and that the delay is reasonable.

b. Tolling Agreements. The Director is authorized to enter into an agreement to toll the relevant shot clock requirements, if the form of the agreement meets the approval of the City Attorney.

D. Appeals. Any aggrieved person or entity may appeal a decision by the Director or the Planning Commission as provided in accordance with the provisions in PMC 17.20.010 et seq.

12.34.070 ~~17.95.050.070~~ Design and Development Standards

All wireless telecommunications facilities that are located within the public right-of-way shall be designed and maintained as to minimize visual, noise and other impacts on the surrounding community and shall be planned, designed, located, and erected in accordance with the following:

A. General Guidelines.

1. The applicant shall employ stealthing/camouflage design techniques in the design and placement of wireless telecommunications facilities to prevent the facility from dominating the surroundings.

2. To the maximum extent feasible, stealthing/camouflage designs shall be used in an effort to eliminate the need to screen such facilities such that landscaping would need to be removed. If screening is nevertheless required, the screening shall be designed to be architecturally compatible with surrounding structures using appropriate techniques to camouflage, disguise, and/or blend into the environment, including landscaping, color, and other techniques to minimize the facility's visual impact as well as be compatible with the architectural character of the surrounding buildings or structures in terms of color, size, proportion, style, and quality.

3. To the extent feasible, facilities shall be located such that views from a residential structure are not significantly impaired.

B. Traffic Safety. All facilities shall be designed and located in such a manner to avoid adverse impacts on traffic safety. Among other things, when determining traffic safety impacts, the City will consider the views of the Manual for Uniform Traffic Control Devices (MUTCD) and whether the proposed installation location is high enough and far enough away from the street to minimize the risk of high profile vehicles colliding with the installation.

C. Blending Methods. All facilities shall have subdued colors and nonreflective materials that blend with the materials and colors of the surrounding area and structures.

D. Equipment. The applicant shall use the least visible equipment possible. Antenna elements shall be flush-mounted, to the extent feasible. All antenna mounts shall be

designed so as not to preclude possible future collocation by the same or other operators or carriers. Unless otherwise provided in this Section, antennas shall be situated as close to the ground as possible.

E. Poles.

1. Facilities shall be located consistent with PMC 12.34.200 ~~17.95.050.200~~, Location and Structure Preference, unless an exception pursuant to PMC 12.34.190 ~~17.95.050.190~~, Exceptions, is granted.

2. Only pole-mounted antennas shall be permitted in the right-of-way. All other telecommunications towers are prohibited. (For exceptions see subsection (E)(8) of this Section, PMC 12.34.190 ~~17.95.050.190~~, Exceptions, and 12.34.220 ~~17.95.050.220~~, State or Federal Law – Ministerial Requirements.)

3. Utility Poles. The maximum height of any antenna shall not exceed seventy-two (72) inches above the height of any electricity supply lines on a utility pole, nor shall any portion of the antenna or equipment mounted on a pole be less than eighteen (18) feet above any drivable road surface. All installations on utility poles shall fully comply with the California Public Utilities Commission general orders, including, but not limited to, General Order 95, as may be revised or superseded.

4. Light Poles. The maximum height of any antenna shall not exceed six (6) feet above the existing height of a light pole. Any portion of the antenna or equipment mounted on a pole shall be on the pole, and not on any mast arm.

5. Replacement Poles. If an applicant proposes to replace a pole in order to accommodate a proposed facility, the pole shall be designed to resemble the appearance and dimensions of existing poles near the proposed location, including size, height, color, materials and style, to the maximum extent feasible.

6. Pole-mounted equipment, exclusive of antennas, shall be restricted to the smallest possible dimensions and shall not exceed six (6) cubic feet in dimension.

7. Reserved.

8. An exception, pursuant to PMC 12.34.190 ~~17.95.050.190~~, shall be required to place a new pole in the public right-of-way. No permit for a new pole shall be granted unless other alternatives are infeasible. If an exception is granted for placement of new poles in the right-of-way:

a. Appearance. Such new poles shall be designed to resemble existing poles in the right-of-way near that location, including size, height, color, materials and style, with the exception of any existing pole designs that are scheduled to be removed and not replaced.

b. Ninety (90) feet. Such new poles that are not replacement poles shall be located at least ninety (90) feet from any existing pole to the extent feasible.

c. Analysis. A new pole justification analysis shall be submitted to demonstrate why other preferred methods are infeasible including a demonstration that the new pole is designed to be the minimum functional height and width required to support the proposed facility.

9. All cables, including, but not limited to, electrical and utility cables, shall be run within the interior of the pole and shall be camouflaged or hidden to the fullest extent feasible. For all wooden poles wherein interior installation is infeasible, conduit and cables attached to the exterior of poles shall be mounted flush thereto and painted to match the pole.

F. Space. Each facility shall be designed to occupy the least amount of space in the right-of-way that is technically feasible.

G. Wind Loads. Each facility shall be properly engineered to withstand wind loads as required by this Code or any duly adopted or incorporated code. An evaluation of high wind load capacity shall include the impact of modification of an existing facility.

H. Obstructions. Each component part of a facility shall be located so as not to cause any physical or visual obstruction to pedestrian or vehicular traffic, incommode the public's use of the right-of-way, or safety hazards to pedestrians and motorists so as not to obstruct the intersection sight distance.

I. Public Facilities. A facility shall not be located within any portion of the public right-of-way interfering with access to a fire hydrant, fire station, fire escape, water valve, underground vault, valve housing structure, or any other public health or safety facility.

J. Screening. All ground-mounted facility, pole-mounted equipment, or walls, fences, landscaping or other screening methods shall be installed at least eighteen (18) inches from the curb and gutter flow line.

K. Accessory Equipment.

1. In general, all accessory equipment (except meters) shall be located underground or be pole mounted.

2. In general, meters shall be a part of the wireless facility or be placed within the landscaped portion of the right-of-way.

3. When the requirements of subsections (K)(1) and (2) of this Section are technically infeasible, such accessory equipment shall be enclosed within a structure which shall not exceed a height of five (5) feet and a total footprint of fifteen (15) square feet. Such structure shall be fully screened and/or camouflaged, including the use of landscaping, architectural treatment, or acceptable alternate screening.

4. In locations where homes are only along one (1) side of a street, above-ground accessory equipment shall not be installed directly in front of a residence. Such above-ground accessory equipment shall be installed along the side of the street with no homes facing it.

L. Landscaping. Where appropriate, each facility shall be installed so as to maintain and enhance existing landscaping on the site, including trees, foliage and shrubs. Additional landscaping shall be planted, irrigated and maintained by applicant where such landscaping is deemed necessary by the City to provide screening or to conceal the facility.

M. Signage. No facility shall bear any signs or advertising devices other than certification, warning or other signage required by law or permitted by the City.

N. Lighting.

1. No facility may be illuminated unless specifically required by the Federal Aviation Administration or other government agency. Beacon lights are not permitted unless required by the Federal Aviation Administration or other government agency.

2. Legally required lightning arresters and beacons shall be included when calculating the height of facilities such as towers, lattice towers and monopoles.

3. Any required lighting shall be shielded to eliminate, to the maximum extent possible, impacts on the surrounding neighborhoods.

4. Unless otherwise required under FAA or FCC regulations, applicants may install only timed or motion-sensitive light controllers and lights, and must install such lights so as to avoid illumination impacts to adjacent properties to the maximum extent feasible. The City may, in its discretion, exempt an applicant from the foregoing requirement when the applicant demonstrates a substantial public safety need.

5. The applicant shall submit a lighting study which shall be prepared by a qualified lighting professional to evaluate potential impacts to adjacent properties. Should no lighting be proposed, no lighting study shall be required.

6. Nothing in this subsection N is intended to prevent the installation of wireless facilities camouflaged on or within light poles if the light poles meet the City's design requirements for its own light poles.

O. Noise.

1. Backup generators shall only be operated during periods of power outages, and shall not be tested on weekends or holidays, or between the hours of 7:00 p.m. and 7:00 a.m.

2. At no time shall equipment noise from any facility exceed an exterior noise level of fifty-five (55) dBA three (3) feet from the source of the noise if the facility is located in the public right-of-way adjacent to a business, commercial, manufacturing, utility or school zone; provided, however, that for any such facility located within five hundred (500) feet of any property zoned residential or improved with a residential use, such equipment noise shall not exceed forty-five (45) dBA three (3) feet from the source of the noise.

P. Security. Each facility shall be designed to be resistant to, and minimize opportunities for, unauthorized access, climbing, vandalism, graffiti and other conditions that would result in hazardous situations, visual blight or attractive nuisances. The Director may require the provision of warning signs, fencing, anti-climbing devices, or other techniques to prevent unauthorized access and vandalism when, because of their location and/or accessibility, a facility has the potential to become an attractive nuisance. Additionally, no lethal devices or elements shall be installed as a security device.

Q. Modification. Consistent with current State and Federal laws and if permissible under the same, at the time of modification of a communication facility, existing equipment shall, to the extent feasible, be replaced with equipment that reduces visual, noise and other impacts, including, but not limited to, undergrounding the equipment and replacing larger, more visually intrusive facilities with smaller, less visually intrusive facilities.

R. One Year to Build. The installation and construction approved by a communication facility permit shall begin within one (1) year after its approval or it will expire without further action by the City.

12.34.080 ~~17.95.050.080~~ Conditions of Approval

In addition to compliance with the design and development standards outlined in this Section, all facilities shall be subject to the following conditions of approval (approval may be by operation of law), as well as any modification of these conditions or additional conditions of approval deemed necessary by the approving party:

A. As-Built Drawings. The permittee shall submit an as-built drawing within ninety (90) days after installation of the facility. As-builts shall be in an electronic format acceptable to the City which can be linked to the City's GIS.

B. Contact Information. The permittee shall submit and maintain current at all times basic contact and site information on a form to be supplied by the City. The permittee shall notify the City of any changes to the information submitted within thirty (30) days of any change, including change of the name or legal status of the owner or operator. This information shall include, but is not limited to, the following:

1. Identity, including the name, address and twenty-four (24) hour local or toll free contact phone number of the permittee, the owner, the operator, and the agent or person responsible for the maintenance of the facility.

2. The legal status of the owner of the communication facility.

C. Assignment. The permittee shall notify the City in writing within ten (10) days after transfer or assignment of the permit. The written notice must include: (1) the transferee's legal name; (2) the transferee's full contact information, including a primary contact person, mailing address, telephone number and email address; and (3) a statement signed by the transferee that the transferee shall accept all permit terms and conditions. The Director may require the transferor and/or the transferee to submit any materials or documentation necessary to determine that the proposed transfer complies with the existing permit and all its conditions of approval, if any. Such materials or documentation may include, but shall not be limited to: Federal, State and/or local approvals, licenses, certificates or franchise agreements; statements; photographs; site plans and/or as-built drawings; and/or an analysis by a qualified radio frequency engineer demonstrating compliance with all applicable regulations and standards of the Federal Communications Commission.

D. Signs. At all times, all required notices and/or signs shall be posted on the site as required by the Federal Communications Commission, California Public Utilities Commission, any applicable licenses or laws, and as approved by the City. The location and dimensions of a sign bearing the emergency contact name and telephone number shall be posted pursuant to the approved plans.

E. Security. Permittee shall pay for and provide a performance bond or other form of security approved by the City Attorney's office, which shall be in effect until the facilities are fully and completely removed and the site reasonably returned to its original condition, to cover permittee's obligations under these conditions of approval and this Code. The security instrument coverage shall include, but not be limited to, removal of the facility. (The amount of the security instrument shall be calculated by the applicant in its submittal documents in an amount rationally related to the obligations covered by the bond and shall be specified in the conditions of approval.) Before issuance of any building permit, permittee must submit said security instrument.

F. Noise Complaints. If a nearby property owner or occupant registers a noise complaint and City forwards the same to the permittee (personally identifiable information may be redacted), the permittee shall have ten (10) business days to file a written response regarding the complaint which includes any applicable remedial measures. If the City determines the complaint is valid and the applicant has not taken any steps to minimize the noise, the City may hire a consultant to study, examine and evaluate the noise complaint and the permittee shall pay the fee for the consultant if the site is found in violation of this Division. The matter shall be reviewed by the Director. If the Director determines sound proofing or other sound attenuation measures should be required to bring the project into compliance with the Code, the Director may impose conditions on the project to achieve said objective.

G. Permit Expiration. A condition setting forth the permit expiration date in accordance with PMC 12.34.160 ~~17.95.050.160~~, Permit Expiration, shall be included in the conditions of approval.

H. Additional Conditions. The communication facility shall be subject to such conditions, changes or limitations as are from time to time deemed necessary by the Director for the purpose of: (1) protecting the public health, safety, and welfare; (2) preventing interference with pedestrian and vehicular traffic; and/or (3) preventing damage to the public right-of-way or any adjacent property. The City may modify the permit to reflect such conditions, changes or limitations by following the same notice and public hearing procedures as are applicable to the underlying permit for similarly located facilities, except

the permittee shall be given notice by personal service or by registered or certified mail at the last address provided to the City by the permittee.

I. No Permit Transfer. The permittee shall not transfer the permit to any person prior to the completion of the construction of the facility covered by the permit, unless and until the transferee of the permit has submitted the security instrument required by subsection E of this Section (Security).

J. Property Rights. The permittee shall not move, alter, temporarily relocate, change, or interfere with any existing structure, improvement or property without the prior consent of the owner of that structure, improvement or property. No structure, improvement or property owned by the City shall be moved to accommodate a communication facility unless the City determines that such movement will not adversely affect the City or any surrounding businesses or residents, and the permittee pays all costs and expenses related to the relocation of the City's structure, improvement or property. Prior to commencement of any work pursuant to an encroachment permit issued for any facility within the public right-of-way, the permittee shall provide the City with documentation establishing to the City's satisfaction that the permittee has the legal right to use or interfere with any other structure, improvement or property within the public right-of-way to be affected by applicant's facilities.

K. Liability. The permittee shall assume full liability for damage or injury caused to any property or person by the facility.

L. Repair Obligations. The permittee shall repair, at its sole cost and expense, any damage including, but not limited to, subsidence, cracking, erosion, collapse, weakening, or loss of lateral support to City streets, sidewalks, walks, curbs, gutters, trees, parkways, street lights, traffic signals, improvements of any kind or nature, or utility lines and systems, underground utility lines and systems, or sewer systems and sewer lines that result from any activities performed in connection with the installation, use, and/or maintenance of a communication facility in the public right-of-way. The permittee shall, at a minimum, restore such areas, structures and systems to the condition in which they existed prior to the installation or maintenance that necessitated the repairs. Such time period for correction shall be based on the facts and circumstances, danger to the community and severity of the disrepair. Should the permittee not make said correction within the time period allotted the City Engineer shall cause such repair to be completed at permittee's sole cost and expense.

M. Drip Line. No facility shall be permitted to be installed in the drip line of any tree in the right-of-way.

N. Insurance. The permittee shall obtain, pay for and maintain, in full force and effect until the facility approved by the permit is removed in its entirety from the public right-of-way, an insurance policy or policies of public liability insurance, with minimum limits of two million dollars ($2,000,000) for each occurrence and five million dollars ($5,000,000) in the aggregate, that fully protects the City from claims and suits for bodily injury and property damage. The insurance must name the City and its elected and appointed Council members, boards, commissions, officers, officials, agents, employees and volunteers as additional named insureds, be issued by an insurer admitted in the State of California with a rating of at least a A:VII in the latest edition of A.M. Best's Insurance Guide, and include an endorsement providing that the policies cannot be canceled or reduced except with thirty (30) days' prior written notice to the City, except for cancellation due to nonpayment of premium. The insurance provided by permittee shall be primary to any coverage available to the City, and any insurance or self-insurance maintained by the City and its elected and appointed Council members, boards, commissions, officers, officials, agents, employees and volunteers shall be excess of permittee's insurance and shall not contribute with it. The policies of insurance required by the permit shall include provisions for waiver of subrogation. In accepting the benefits of the permit, permittee hereby waives all rights of subrogation against the City and its elected and appointed Council members, boards, commissions, officers, officials, agents, employees and volunteers. The insurance must afford coverage for the permittee's and the wireless provider's use, operation and activity, vehicles, equipment, facility, representatives, agents and employees, as determined by the City's Risk Manager. Before issuance of any building permit for the facility, the permittee shall furnish the City Risk Manager certificates of insurance and endorsements, in the form satisfactory to the City Attorney or the Risk Manager, evidencing the coverage required by the City.

O. Indemnification. To the fullest extent permitted by law, permittee and any contractors or subcontractors working on its behalf agree to indemnify the City of Palmdale, its officers, employees, agents and elected and appointed boards (hereinafter "City indemnitees") for any loss, claim, demand, cause of action, cost, expense, damage, obligation or liability which arises out of or is in any way connected with the installation, use, and maintenance of the communication facility, including any acts or omissions, willful misconduct or negligent conduct, whether active or passive, on the part of permittee, its contractors or subcontractors, except to the extent directly caused by the gross negligence or willful misconduct of any person or entity indemnified hereunder. At their own expense, permittee and, as applicable, any contractors or subcontractors working on its behalf, shall defend any suit, claim or action against the City indemnitees founded upon such loss, claim, demand, cause of action, cost, expense, damage, obligation or liability. Permittee shall ensure that the contract of any contractor or

subcontractor working under the permit contains an indemnity agreement, requiring the contractor or subcontractor to indemnify and defend the City indemnitees pursuant to the terms set forth above. Permittee shall indemnify the City indemnitees, and save them harmless from any and all loss, damage, costs, expenses and attorney's fees suffered or incurred on account of any breach of the aforesaid obligations and covenants, and any other provision or covenant of this Section.

P. Hold Harmless. Additionally, to the fullest extent permitted by law, the permittee, and every permittee and person in a shared permit, jointly and severally, shall defend, indemnify, protect and hold the City and its elected and appointed Council members, boards, commissions, officers, officials, agents, consultants, employees and volunteers harmless from and against all claims, suits, demands, actions, losses, liabilities, judgments, settlements, costs (including, but not limited to, attorney's fees, interest and expert witness fees), or damages claimed by third parties against the City for any injury claim, and for property damage sustained by any person, arising out of, resulting from, or in any way related to the communication facility, or to any work done by or use of the public right-of-way by the permittee, owner or operator of the communication facility, or their agents, excepting only liability to the extent directly caused by gross negligence or willful misconduct of the City and its elected and appointed Council members, boards, commissions, officers, officials, agents, consultants, employees and volunteers.

Q. Cabinet Removal. Should the utility company servicing the facility with electrical service not require the use of an above-ground meter cabinet, the permittee shall at its sole cost and expense remove the meter cabinet and any related foundation within ninety (90) days of such service being offered and reasonably restore the area to its prior condition. An extension may be granted if circumstances arise outside of the control of the permittee.

R. Relocation. The permittee shall modify, remove, or relocate its facility, or portion thereof, without cost or expense to City, if and when made necessary by (1) any public improvement project, including, but not limited to, the construction, maintenance, or operation of any underground or above-ground facilities including but not limited to sewers, storm drains, conduits, gas, water, electric or other utility systems, or pipes owned by City or any other public agency, (2) any abandonment of any street, sidewalk or other public facility, (3) any change of grade, alignment or width of any street, sidewalk or other public facility, or (4) a determination by the Director that the communication facility has become incompatible with public health, safety or welfare or the public's use of the public right-of-way. Such modification, removal, or relocation of the facility shall be completed within ninety (90) days of notification by City unless exigencies dictate a shorter period for removal or relocation. Modification or relocation of the facility shall

require submittal, review and approval of a modified permit pursuant to the Code including applicable notice and hearing procedures. The permittee shall be entitled, on permittee's election, to either a pro rata refund of fees paid for the original permit or to a new permit, without additional fee, at a location as close to the original location as the standards set forth in the Code allow. If the facility is not modified, removed, or relocated within said period of time, City may cause the same to be done at the sole cost and expense of permittee. Further, due to exigent circumstances including those of immediate or imminent threat to the public's health and safety, the City may modify, remove, or relocate wireless telecommunications facilities without prior notice to permittee provided permittee is notified within a reasonable period thereafter.

S. Written Approval of Conditions. Permittee shall agree in writing that the permittee is aware of, and agrees to abide by, all conditions of approval imposed by the communication facility permit within thirty (30) days of permit issuance. The permit shall be void and of no force or effect unless such written consent is received by the City within said thirty (30) day period.

T. Right-of-Way Agreement. Prior to the issuance of any encroachment permit, permittee may be required to enter into a right-of-way agreement with the City in accordance with the City's past practice.

U. "Permittee" shall have the meaning of owner(s) or lessee(s) of property or their agent(s), or person(s) who have contracted to purchase property contingent upon their ability to acquire the necessary permits under this Ordinance, or the agent(s) of such persons who have been issued a permit and all successors in interest.

12.34.090 ~~17.95.050.090~~ Findings for Discretionary Permits

No discretionary permit shall be granted for a communication facility unless the approving party makes all of the following findings:

A. The proposed facility has been designed and located in compliance with all applicable provisions of the Municipal Code, including this Division.

B. The proposed location for the facility is reasonable when considering both (1) the Federal mandate to not regulate personal wireless service facilities in a manner that would "prohibit or have the effect of prohibiting the provision of personal wireless services"; and (2) the City's legitimate related policy objectives relating to the location of wireless facilities.

C. The proposed facility is substantially compatible with existing or planned developments and uses in the same general area and would not be substantially detrimental to existing or planned developments or uses within the general area.

D. The proposed facility will not be materially detrimental to the health, safety and general welfare of the public (excluding any environmental effects of radio frequency emissions to the extent that such facilities comply with the Federal Communication Commission's regulations concerning such emissions).

E. All antennas, poles, equipment, and other structures erected to support antennas are visually compatible with their surroundings.

12.34.100 ~~17.95.050.100~~ Reserved

12.34.110 ~~17.95.050.110~~ Nonexclusive Grant
No permit or approval granted under this Division shall confer any exclusive right, privilege, license or franchise to occupy or use the public right-of-way of the City for any purpose whatsoever. Further, no approval shall be construed as any warranty of title.

12.34.120 ~~17.95.050.120~~ Emergency Deployment
A COW shall be permitted for the duration of an emergency declared by the City or at the discretion of the Director.

12.34.130 ~~17.95.050.130~~ Operation and Maintenance Standards
All wireless telecommunications facilities must comply at all times with the following operation and maintenance standards:

A. Repairs. Unless otherwise provided herein, all necessary repairs and restoration shall be completed by the permittee, owner, operator or any designated maintenance agent within forty-eight (48) hours:

1. After discovery of the need by the permittee, owner, operator or any designated maintenance agent; or

2. After permittee, owner, operator or any designated maintenance agent receives notification from the City.

B. Contact Information. Each permittee of a communication facility shall provide the Director with the name, address and twenty-four (24) hour local or toll free contact phone number of the permittee, the owner, the operator and the agent responsible for the

maintenance of the facility ("contact information"). Contact information shall be updated within seven (7) days of any change.

C. Good Condition. All facilities, including, but not limited to, telecommunication towers, poles, accessory equipment, lighting, fences, walls, shields, cabinets, artificial foliage or camouflage, and the facility site shall be maintained in good condition, including ensuring the facilities are reasonably free of:

1. General dirt and grease;

2. Chipped, faded, peeling, and cracked paint;

3. Rust and corrosion;

4. Cracks, dents, and discoloration;

5. Missing, discolored or damaged artificial foliage or other camouflage;

6. Graffiti, bills, stickers, advertisements, litter and debris;

7. Broken and misshapen structural parts; and

8. Any damage from any cause.

D. Landscaping. All trees, foliage or other landscaping elements approved as part of the facility shall be maintained in good condition at all times, and the permittee, owner and operator of the facility shall be responsible for replacing any damaged, dead or decayed landscaping. No amendment to any approved landscaping plan may be made until it is submitted to and approved by the Director.

E. Replacement. The permittee shall replace its facilities, after obtaining all required permits, if maintenance or repair is not sufficient to return the facility to the condition it was in at the time of installation.

F. Routine Inspections. Each facility shall be operated and maintained to comply with all conditions of approval. Each owner or operator of a facility shall routinely inspect each site to ensure compliance with the same and the standards set forth in this Division.

12.34.140 ~~17.95.050.140~~ Reserved

12.34.150 ~~17.95.050.150~~ No Dangerous Condition or Obstructions Allowed
No person shall install, use or maintain any facility which in whole or in part rests upon, in or over any public right-of-way, when such installation, use or maintenance endangers or is reasonably likely to endanger the safety of persons or property, or when such site or location is used for public utility purposes, public transportation purposes or other governmental use, or when such facility unreasonably interferes with or unreasonably impedes the flow of pedestrian or vehicular traffic including any legally parked or stopped vehicle, the ingress into or egress from any residence or place of business, the use of poles, posts, traffic signs or signals, hydrants, mailboxes, permitted sidewalk dining, permitted street furniture or other objects permitted at or near said location.

12.34.160 ~~17.95.050.160~~ Permit Expiration
A. Ten (10) Year Expiration. Unless Government Code Section 65964, as it may be amended, authorizes the City to issue a permit with a shorter term, a permit for any communication facility shall be valid for a period of ten (10) years, unless pursuant to another provision of this Code it lapses sooner or is revoked. At the end of ten (10) years from the date of issuance, such permit shall automatically expire.

B. Renewal. A permittee may apply for a new permit within one hundred eighty (180) days prior to expiration. Said application and proposal shall comply with the City's current code requirements for wireless telecommunications facilities.

12.34.170 ~~17.95.050.170~~ Cessation of Use or Abandonment
A. Abandonment. A communication facility is considered abandoned and shall be promptly removed as provided herein if it ceases to provide wireless telecommunications services for ninety (90) or more consecutive days unless the permittee has obtained prior written approval from the Director which shall not be unreasonably denied. If there are two (2) or more users of a single facility, then this provision shall not become effective until all users cease using the facility.

B. Notice of Abandonment. The operator of a facility shall notify the City in writing of its intent to abandon or cease use of a permitted site or a nonconforming site (including unpermitted sites) within ten (10) days of ceasing or abandoning use. Notwithstanding any other provision herein, the operator of the facility shall provide written notice to the Director of any discontinuation of operations of thirty (30) days or more.

C. Remedies. Failure to inform the Director of cessation or discontinuation of operations of any existing facility as required by this Section shall constitute a violation of any approvals and be grounds for:

1. Litigation;

2. Revocation or modification of the permit;

3. Acting on any bond or other assurance required by this Division or conditions of approval of the permit;

4. Removal of the facilities by the City in accordance with the procedures established under this Code for abatement of a public nuisance at the owner's expense; and/or

5. Any other remedies permitted under this Code.

12.34.180 ~~17.95.050.180~~ Removal and Restoration – Permit Expiration, Revocation or Abandonment

A. Removal at Permit Termination. Upon the expiration date of the permit, including any extensions, earlier termination or revocation of the permit or abandonment of the facility, the permittee, owner or operator shall remove its communication facility and restore the site to its natural condition except for retaining the landscaping improvements and any other improvements at the discretion of the City. Removal shall be in accordance with proper health and safety requirements and all ordinances, rules, and regulations of the City. The facility shall be removed from the property, at no cost or expense to the City.

B. Failure to Remove. Failure of the permittee, owner or operator to promptly remove its facility and restore the property within ninety (90) days after expiration, earlier termination or revocation of the permit, or abandonment of the facility, shall be a violation of this Code. Upon a showing of good cause, an extension may be granted by the Director where circumstances are beyond the control of the permittee after expiration. Further failure to abide by the timeline provided in this Section shall be grounds for:

1. Prosecution;

2. Acting on any security instrument required by this Division or conditions of approval of permit;

3. Removal of the facilities by the City in accordance with the procedures established under this Code for abatement of a public nuisance at the owner's expense; and/or

4. Any other remedies permitted under this Code.

C. Summary Removal. If the Director or City Engineer determines that the condition or placement of a communication facility located in the public right-of-way constitutes a dangerous condition, obstruction of the public right-of-way, or an imminent threat to public safety, or determines other exigent circumstances require immediate corrective action (collectively, "exigent circumstances"), the Director or City Engineer may cause the facility to be removed summarily and immediately without advance notice or a hearing. Written notice of the removal shall include the basis for the removal and shall be served upon the permittee and person who owns the facility within five (5) business days of removal and all property removed shall be preserved for the owner's pick-up as feasible. If the owner cannot be identified following reasonable effort or if the owner fails to pick up the property within sixty (60) days, the facility shall be treated as abandoned property.

D. Removal of Facilities by City. If the City removes a facility in accordance with nuisance abatement procedures or summary removal, any such removal shall be without any liability to the City for any damage to such facility that may result from reasonable efforts of removal. In addition to the procedures for recovering costs of nuisance abatement, the City may collect such costs from the performance bond posted and to the extent such costs exceed the amount of the performance bond, collect those excess costs in accordance with this Code. Unless otherwise provided herein, the City has no obligation to store such facility. Neither the permittee, owner nor operator shall have any claim if the City destroys any such facility not timely removed by the permittee, owner or operator after notice, or removed by the City due to exigent circumstances.

12.34.190 ~~17.95.050.190~~ Exceptions

A. Federal Law – Planning Commission Exception. The City Council recognizes that Federal law prohibits a permit denial when it would effectively prohibit the provision of personal wireless services. The City Council finds that, due to wide variation among wireless facilities, technical service objectives and changed circumstances over time, it is appropriate to allow a limited exemption for proposals in which strict compliance with this Division would effectively prohibit personal wireless services serves the public interest. The City Council further finds that circumstances in which an effective prohibition may occur are extremely difficult to discern, and that specified findings to guide the analysis promotes clarity and the City's legitimate interest in well-planned wireless facilities deployment. Therefore, if any applicant demonstrates that strict compliance with any provision in this Division, as applied to a specific proposed personal wireless services facility, would effectively prohibit the provision of personal wireless services, the Planning Commission may grant a limited, one (1) time exemption from strict compliance with the requirements of this Code subject to the provisions in this Section.

B. Required Findings. The Planning Commission shall not grant any exception unless the applicant demonstrates by a preponderance of the evidence all the following:

1. The applicant has provided the City with a clearly defined technical service objective and a clearly defined potential site search area;

2. The applicant has provided the City with a meaningful comparative analysis that includes the factual reasons why denial of the application would materially inhibit the deployment of personal wireless services. Such analysis shall include analysis of any alternative location(s) or design(s) suggested by the City or otherwise identified in the administrative record, including but not limited to potential alternatives identified at any public meeting or hearing, and an indication of whether such alternatives are technically feasible; and

3. The applicant has provided the City with a meaningful comparative analysis that includes the factual reasons why the proposed location and design deviations are the least noncompliant location and design necessary to reasonably achieve the applicant's reasonable technical service objectives.

C. Scope. The Planning Commission shall limit its exemption to the extent to which the applicant demonstrates such exemption is necessary to reasonably achieve its reasonable technical service objectives. The Planning Commission may adopt conditions of approval as reasonably necessary to promote the purposes in this Division and protect the public health, safety and welfare.

D. Independent Consultant. The City shall have the right to hire, at the applicant's expense, an independent consultant to evaluate issues raised by the exception and to submit recommendations and evidence in response to the application.

12.34.200 ~~17.95.050.200~~ Location and Structure Preference

Compliance with this section will occur if the applicant has demonstrated that each more-preferred location and structure within five hundred (500) feet of the proposed installation is "technically infeasible" as the term is defined in PMC 17.16.200(T). If there is conflict between obtaining a higher priority in subsection A (Location Preference Hierarchy) versus subsection B (Support Structure Hierarchy) of this Section, satisfying the location preferences in subsection A (Location Preference Hierarchy) of this Section shall be preferred. The Director shall not consider claims of an "effective prohibition" when making this determination of whether a structure or location is "feasible."

A. Location Preference Hierarchy. The following are the City's preferences for locations for small wireless facilities in the public rights-of-way, ordered from most preferred to least preferred:

1. Non-Residential Districts.

a. Locations within, or immediately adjacent to, zones where residential uses are not permitted uses (e.g., industrial, commercial and industrial districts with no residential overlay) on or along freeways, expressways, and arterials;

b. Locations within, or immediately adjacent to, zones where residential uses are not permitted on or along collector streets; or

c. Locations within, or immediately adjacent to, zones where residential uses are not permitted uses on or along local streets.

2. Residential Overlay Districts.

a. Locations within, or immediately adjacent to, zones where residential uses would be prohibited but for an overlay district, on or along freeways, expressways and arterials;

b. Locations within, or immediately adjacent to, zones where residential uses would be prohibited but for an overlay district, on or along collector streets; or

c. Locations within, or immediately adjacent to, zones where residential uses would be prohibited but for an overlay district, on or along local streets.

3. Residential Districts and Schools.

a. Locations (i) within, or immediately adjacent to, zones where residential uses are permitted uses on or along major, primary or secondary arterials and (ii) within or immediately adjacent to primary or secondary schools which are located on or along freeways, expressways and arterials;

b. Locations (i) within, or immediately adjacent to, zones where residential uses are permitted uses on or along divided collector arterials or collector arterials and (ii) within or immediately adjacent to primary or secondary schools which are located on or along collector streets; or

c. Locations (i) within, or immediately adjacent to, zones where residential uses are permitted uses on or along local streets and (ii) within or immediately adjacent to a primary or secondary school located on or along local streets.

B. Support Structure Hierarchy. The following are the City's preferences for support structures for small wireless facilities in the public rights-of-way, ordered from most preferred to least preferred:

1. New replacement light standards (i.e., removing a light standard entirely and replacing it with a new light standard);

2. Existing light standards;

3. Existing or new replacement third party utility poles;

4. Existing or new replacement City traffic signal poles;

5. New camouflaged standalone poles;

6. Any other types of poles the Director determines meet the purposes of this Division.

12.34.205 ~~17.95.050.205~~ Setback Requirements
Wireless facilities shall meet the following requirements:

A. Setback from Dwellings. Small wireless facilities, regardless of zone, shall not be within fifteen (15) feet of any lawful dwelling unit.

B. Sight Distance Triangles. New or new replacement poles (excluding street traffic signal poles) shall not be placed within any sight distance triangles at any intersections.

C. Setbacks from Driveways. New or new replacement poles, regardless of zone, must be placed at least ten (10) feet away from any driveway, and at least fifty (50) feet from any driveways for K-12 schools, police stations, fire stations or other public or private emergency responder facilities.

D. Near Property Lines. New or new replacement poles, regardless of zone, shall be placed as close as feasible and in no event more than five (5) feet of a property line between two (2) parcels that abut the public right-of-way.

E. Historic Structures or Public Art. New poles (including replacement poles) shall not be installed within one hundred (100) feet of designated historic structures or local landmarks or public art.

F. Facility Distance. Facilities of the same company shall not be located within five hundred (500) feet of each other.

12.34.210 ~~17.95.050.210~~ Effect on Other Ordinances

Compliance with the provisions of this Division shall not relieve a person from complying with any other applicable provision of this Code. In the event of a conflict between any provision of this Division and other sections of this Code, this Division shall control.

12.34.220 ~~17.95.050.220~~ State or Federal Law – Ministerial Requirements

A. Ministerial Permitting.

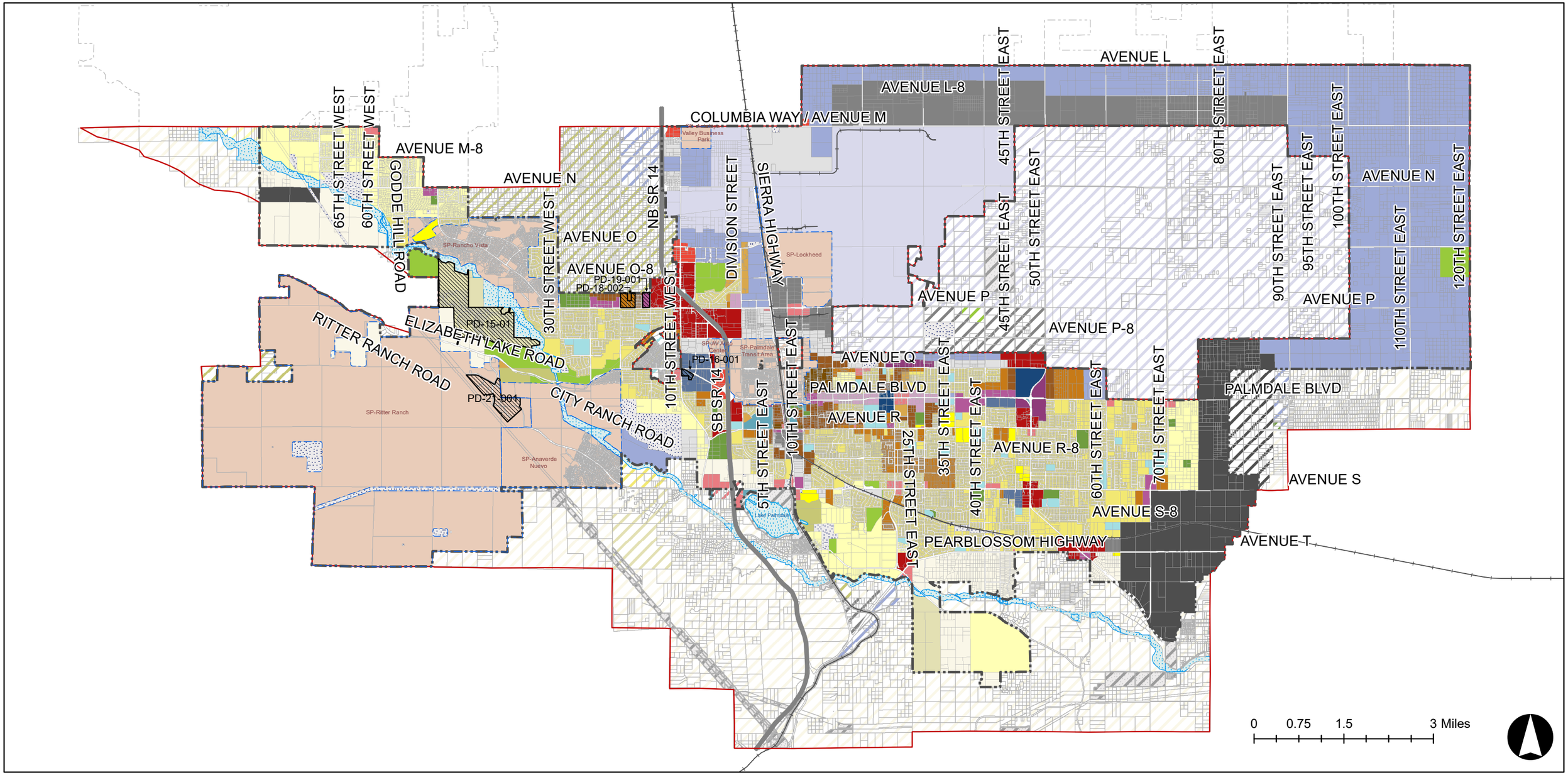
1. If it is determined by the City Attorney that the Municipal Code requires a discretionary permit, but State or Federal law prohibits discretionary permitting requirements for certain wireless telecommunications facilities, such requirement shall be deemed severable and all remaining regulations shall remain in full force and effect. Such a determination by the City Attorney shall be in writing with citations to legal authority and shall be a public record. For those facilities, in lieu of a site plan review or a conditional use permit, a ministerial administrative permit shall be required prior to installation or modification of a communication facility, and all provisions of this Division that would otherwise apply to the discretionary permit shall be applicable to any such facility with the exception that the required permit shall be reviewed and administered as a ministerial permit by the Director rather than as a discretionary permit. Any conditions of approval set forth in this provision or deemed necessary by the Director shall be imposed and administered as reasonable time, place and manner rules.

2. Notwithstanding subsection (A)(1) of this Section, the determination that would otherwise be made by the City Attorney may be made by the Director if the Director's determination is made upon a form approved by the City Attorney which form is designed to ensure compliance with the requirements of subsection (A)(1) of this Section.

B. Changed Law. If, subsequent to the issuance of the written determination pursuant to subsection A of this Section, and before the issuance of a wireless telecommunications permit, the City Attorney determines that the law has changed and that discretionary permitting is permissible, the City Attorney shall issue such determination in writing with citations to legal authority and all discretionary permitting requirements shall be reinstated. The City Attorney's written determination shall be a public record.

C. Enforceable Laws. All installations permitted pursuant to this Division shall comply with all Federal and State laws including but not limited to the Americans with Disabilities Act and the California Building Standards Code.

EXHIBIT II



12/22/2022

Draft Palmdale Zoning Map

- Equestrian Residential (ER)
- Low Density Residential (LDR)
- Single Family Residential 1 (SFR 1)
- Single Family Residential 2 (SFR 2)
- Single Family Residential 3 (SFR 3)
- Mobile Home (MH)
- Residential Neighborhood 1 (RN 1)
- Residential Neighborhood 2 (RN 2)
- Residential Neighborhood 3 (RN 3)
- Residential Neighborhood 4 (RN 4)
- Mixed Use 1 (MU 1)
- Mixed Use 2 (MU 2)
- Mixed Use 3 (MU 3)
- Neighborhood Commercial (NC)
- Visitor Commercial (VC)
- Regional Commercial (RC)
- Office Flex (OFX)
- Aerospace Industrial (AI)
- Light Industrial (LI)
- Heavy Industrial (HI)
- Mineral Resource Extraction (MRE)
- Medical Flex (MEDFX)
- Educational Flex (EF)
- Specific Plan (SP)
- Open Space (OS)
- Public Facility-Park (PF-P)
- Public Facility-School (PF-S)
- Public Facility-Civic (PF-C)
- Utilities (U)
- Water Body/Aqueduct
- Prezone Equestrian Residential
- Prezone Low Density Residential
- Prezone Single Family Residential 1
- Prezone Single Family Residential 2
- Prezone Single Family Residential 3
- Prezone Mobile Home
- Prezone Residential Neighborhood 2
- Prezone Neighborhood Commercial
- Prezone Aerospace Industrial
- Prezone Light Industrial
- Prezone Heavy Industrial
- Prezone Mineral Resource Extraction
- Prezone Specific Plan
- Prezone Open Space
- Prezone Public Facility-Park
- Prezone Public Facility-School
- Prezone Public Facility-Civic
- Prezone Utilities
- Planned Developments
- City Boundary
- Sphere of Influence
- Major Highway/Arterial
- Railroad

PALMDALE
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City Council Staff Report

DATE: **MARCH 15, 2023**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT PLANNING DIVISION**

DISTRICTS: **ALL**

SUBJECT: **ADOPT RESOLUTION NO. CC 2023-019, A RESOLUTION OF THE CITY COUNCIL OF THE CITY COUNCIL APPROVING GENERAL PLAN AMENDMENT 23-001**

ISSUE

Adopt Resolution No. CC 2023-019 approving General Plan Amendment (GPA) 23-001.

RECOMMENDATION

The Planning Commission recommends that the City Council:

1. Receive public testimony regarding Resolution No. CC 2023-019;
2. Adopt Resolution No. CC 2023-019 approving GPA 23-001; and,
3. Find that the project is consistent with Program Environmental Impact Report (PEIR) 22-002 prepared and certified in conjunction with the City's General Plan (Palmdale 2045).

BACKGROUND

The City Council adopted Palmdale 2045 on September 21, 2022. Palmdale 2045 replaced the previously adopted General Plan (1993) and was a comprehensive update to the City's long-term vision of future growth and development. State law requires that the regulations governing the use and development of lands within the municipal limits of a city be consistent with the adopted General Plan for that city. Therefore, following the adoption of Palmdale 2045, a comprehensive update to Title 17 of the Palmdale Municipal Code (PMC) and the associated zoning map was required (Zoning Ordinance Amendment [ZOA] 21-007).

Through preparation of ZOA 21-007, minor amendments to Palmdale 2045 were identified, which are necessary to address inconsistencies, correct typographical errors, and update the associated Land Use Map.

On February 9, 2023, the Planning Commission adopted Resolution No. PC-2023-004 recommending City Council approval of GPA 23-001.

PROJECT DESCRIPTION

The proposed project is a request to modify Palmdale 2045 to ensure consistency with ZOA 21-007, address inconsistencies, correct typographical errors, and update the associated Land Use Map.

DISCUSSION

GPA 23-001 will amend Chapter 12, Public Facilities, Services, and Infrastructure (PFSI) Policy PFSI-3.9, to allow alternative on-site wastewater treatment options to encourage industrial development within an area of the City located between Avenue L and M between 40th Street East and 120th Street East that has been historically difficult to develop. Incentivizing development by removing the requirement to connect to the public sewer system in this area will attract new businesses and generate additional jobs. This amendment will also correct minor typographic errors and update the associated General Plan Land Use Map, as follows:

- Update to the boundary for the Palmdale Transit Area Specific Plan; to accurately reflect the adoption of Specific Plan Amendment 21-003;
- Correct the land use designation for several parcels, which should have been designated as Utilities; and,
- Update the land use designation for the Yellen Learning Center, located immediately west of Buena Vista Elementary School from SFR-3 (Single Family Residential 3) to PF-School.

FISCAL IMPACT

GPA 23-001 will accelerate the entitlement process, streamline new development, and facilitate opportunities for housing and jobs, which will increase property and sales tax revenues for the City.

STRATEGIC PLAN

Goal IV: Maintain a desirable community where everyone wants to live, work and play.

B. Provide inclusive access to a variety of supportive services that build a resilient and healthy community.

Prepared by: Brenda Magaña, Acting Planning Manager
Certified as to availability of Funds: Janelle Samson, Director of Finance

Approved by: Ronda Perez, City Manager
Approved as to form: William P. Curley III, Interim City Attorney

ATTACHMENT

1. Resolution No. CC 2023-019

CITY OF PALMDALE
COUNTY OF LOS ANGELES, CALIFORNIA
RESOLUTION NO. CC 2023-019

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE APPROVING GENERAL PLAN AMENDMENT 23-001; A REQUEST TO MODIFY THE CITY'S GENERAL PLAN (PALMDALE 2045) TO ADDRESS INCONSISTENCIES, CORRECT TYPOGRAPHICAL ERRORS, UPDATE THE ASSOCIATED PALMDALE 2045 LAND USE MAP AND FIND THAT THE AMENDMENT IS CONSISTENT WITH PROGRAM ENVIRONMENTAL IMPACT REPORT 22-002 PREPARED AND CERTIFIED FOR PALMDALE 2045

A. RECITALS

WHEREAS, the City has filed an application that applies to the City and the City's sphere of influence, requesting approval of General Plan Amendment (GPA) 23-001, to address inconsistencies and correct typographical errors as indicated in Exhibit I, and update the associated Land Use Map as indicated within Exhibit II (herein referred to as "Application");

WHEREAS, California State law requires that the regulations governing the use and development of lands within the municipal limits of a city be consistent with the adopted General Plan for that city. On September 21, 2022, the City Council adopted a comprehensive update to the General Plan (Palmdale 2045), which required a comprehensive update to Title 17 of the Palmdale Municipal Code (PMC);

WHEREAS, on February 9, 2023, the Planning Commission of the City of Palmdale adopted Resolution No. PC-2023-004 recommending City Council approval of GPA 23-001 by the City Council; and,

WHEREAS, on March 15, 2023, the City Council of the City of Palmdale conducted a duly noticed public hearing on the Application and concluded said hearing on that date. Evidence, both written and oral, was duly presented and considered by the City Council at the aforesaid public hearing, including but not limited to, the staff report dated March 15, 2023.

B. ORDINANCE

THE CITY COUNCIL OF THE CITY OF PALMDALE DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council hereby specifically finds that all of the facts set forth in the Recitals, Part A of this Ordinance, are true and correct.

SECTION 2. The City Council hereby finds as follows with respect to the environmental documentation:

(a) The project is consistent with Program Environmental Impact Report (PEIR) 22-002 prepared and certified in conjunction with the Palmdale 2045. Following the close of the public comment period, the City prepared a Final PEIR, including comments submitted by agencies and other interested parties and responses to those comments. PEIR 22-002 (State Clearinghouse # 2021060494) was certified by the City Council (Resolution No. CC 2022 096) on September 21, 2022, for approval of Palmdale 2045. The Final PEIR is available on the City's website at: https://palmdale2045gp.org/. As part of the environmental analysis, PEIR 22-002 also considered the adoption and implementation of the comprehensive zoning code and map update. Staff review has determined that a subsequent or supplemental PEIR as described in California Environmental Quality Act (CEQA) Guidelines Sections 15162, 15163, or 15164, is not required because the proposed Application modifies language in the PMC to ensure compliance with the recently adopted General Plan and applicable laws, and would not require major revisions of the PEIR, there are no significant changes in circumstances and there is no new information of substantial importance that will involve new significant environmental effects or increase the severity of previously identified significant effects. As such, staff concluded that the request is consistent with the previous PEIR in accordance with CEQA Guidelines and has determined that no additional environmental analysis is required.

(b) The custodian of records for the environmental document, and all other materials which constitute the record of proceedings upon which the City Council's decision is based, is the Planning Manager of the City of Palmdale. These documents are available for public review in the Planning Division of the City of Palmdale located at 38250 Sierra Highway, Palmdale, California 93550, telephone (661) 267-5200. In addition, the Final PEIR is available at: https://palmdale2045gp.org/wp-content/uploads/2022/10/PalmdaleGP_FinalEIRAppendicesResponsetoCommentsFindingofFactandStatementofOverridingConsiderations.pdf.

SECTION 3. Based upon substantial evidence presented to the City Council during the March 15, 2023, public hearing, including public testimony and written and oral staff reports, the City Council specifically finds as follows:

(a) The proposed change in land use is consistent with State law.

The Application will provide flexibility for industrial development between Avenue L and M between 40th Street East and 120th Street East, which has been historically difficult to develop, address inconsistencies, correct typographical errors, and update the associated land use map to reflect the modifications included as necessary. This Application will also ensure consistency with the comprehensive update to Title 17 of the PMC as required by California Government Code Section 65300. In addition, as required by California Government Code Section 65358, the General Plan may only be amended four times per year and this amendment constitutes the first amendment for 2023. As a result, this proposed comprehensive update of the General Plan is consistent with State law.

(b) The amendment is suitable and beneficial for the uses permitted within the associated zone districts.

Palmdale 2045 introduced new land use designations in order to accommodate State law, allow flexibility and encourage best practices. The land use designations are intended to enhance flexibility and allow a wide range of supportive uses in order to meet the vision of the City, while still accommodating the development and business community. During the subsequent comprehensive update to Title 17 of the PMC staff discovered the need for minor amendments that will encourage development for industrial uses, address typographical errors, and update the land use map to correct inconsistencies. Therefore, this Application is necessary and beneficial in implementing the City's vision for land use and zoning for the next two decades.

SECTION 4. Based on the findings and conclusions set forth in the above Sections, and based on all other evidence in the record, the City Council hereby approves GPA 23-001 modifying the City's zoning code and map to be consistent with Palmdale 2045 as shown in Exhibits I and II of this Resolution.

SECTION 5. The City Clerk shall certify to the adoption of this ordinance and shall cause this ordinance to be published or posted as required by law.

PASSED, APPROVED and **ADOPTED** this 15th day of March, 2023.

Approved as to form:

_____
Laura Bettencourt, Mayor

ATTEST:

_____
William P. Curley III,
Interim City Attorney

_____
Rochelle Scott, Acting City Clerk

I, Rochelle Scott, Acting City Clerk of Palmdale, California, do hereby certify that the foregoing resolution was duly passed, approved, and adopted by the City Council of the City of Palmdale at a regular meeting of said Council held on the 15th day of March, 2023 by the following roll call vote:

AYES: _____

NOES: _____

ABSTAIN: _____ ABSENT: _____

Date: _____ _____
Rochelle Scott, Acting City Clerk

EXHIBIT I

Chapter 2 History and Profile- page 17

Source: ESRI and its Licensors © 2021 Additional data provided by Los Angeles County LAFCO, 2014.

Chapter 2 History and Profile- page 20

Antelope Valley Mall

Chapter 5 Land Use and Community Design- page 111

Single Family Residential 1 (SFR1)
Primary Land Uses

- Parks and recreation ~~use~~

Chapter 5 Land Use and Community Design- page 112

Single Family Residential 3 (SFR3)
Primary Land Uses

- Parks and recreation ~~use~~

Chapter 5 Land Use and Community Design- page 115

Residential Neighborhood 2 (RN2)
Primary Land Uses

- Manufactured housing~~,~~ (as permitted by zoning)

Chapter 5 Land Use and Community Design- page 119

Mixed Use 1 (MU1)

Description and Intended Physical Character

MU1 is intended to create a low-intensity concentration of commercial businesses and civic amenities mixed with single and multifamily housing. This place type is located along Palmdale Boulevard ~~b~~between 10th Street East and 35th Street East and is intended to foster a pedestrian friendly environment in a walkable, Main Street format. This character encourages people to shop, dine, and socialize in downtown Palmdale. The pedestrian environment in this area should be attractive and visually interesting to encourage visitors to explore and circulate in and around the retail venues. Ground floors are primarily retail and service-oriented to provide a comfortable, walkable

environment for shoppers and diners. This designation permits both horizontal and vertical mixed-use developments. This designation also carries forward the intent of the City's Downtown Revitalization Plan.

Allowed Density and Intensity
Maximum Commercial FAR: 0.35 ~~(no limit for certain zero-lot line developments)~~

Chapter 5 Land Use and Community Design- page 123

Regional Commercial (RC)
Allowed Height
55 feet (85 feet for hotels/lodging)

Chapter 6 Mobility- page 144

Antelope Valley Line Study

Chapter 6 Mobility- page 174

CM-8.3 Right-of-way. Ensure that right-of-way is reserved wherever possible to implement the mobility network illustrated in_Figure 6.2.

Chapter 7 Economic Development- page 182

Palmdale EIFD Infrastructure Financing Plan (November 2021):
The City of Palmdale, in partnership with the County of Los Angeles, has established an Enhanced Infrastructure Financing District (EIFD) in boundaries of the City of Palmdale and unincorporated Los Angeles County. The purpose of this district is to create a funding mechanism that can facilitate the construction of public infrastructure improvements in this area. A portion of the property tax increment that the City of Palmdale and the County of Los Angeles receive would be specifically restricted to pay for the infrastructure projects listed in the Infrastructure Financing Plan (IFP) at an estimated $177 million. These investments will spur new job creation, unlock new housing development, and support regional and local transportation projects benefiting Palmdale residents and businesses alike.

Chapter 9 Equitable and Healthy Communities- Implementation Actions, page 248

EHC-13 Smoking product retailers. Update the zoning code to prohibit new tobacco/smoking product retailers, including the sale of vape products, within ~~1,000 feet~~ close proximity of child-sensitive areas (e.g., schools, parks, libraries, and recreation centers) and 1,000 feet of another tobacco/smoking product retailer.

EHC-14 Drive-through restaurants. Update the zoning code to limit new drive-through restaurants within ~~1,000 feet~~ close proximity of child-sensitive areas (e.g., schools, parks, libraries, and childcare facilities) and within ~~1,000 feet~~ close proximity of another drive-through restaurant.

EHC-14 Off-sale alcohol beverage establishments. Update the zoning code to prohibit new off-sale alcohol beverage establishments, which sell alcohol for off-site consumption,~~–~~within ~~1,000 feet~~ close proximity of child-sensitive areas (e.g., schools, parks, libraries, and childcare facilities), and within ~~1,000 feet~~ close proximity of another off-sale alcohol beverage establishment.

Chapter 11 Conservation- page 281, Table 11.2

A perennial stem succulent which blooms, April through June, is characteristic of the Juniper woodland, western Joshua tree woodland and Mojave~~an~~ Desert Scrub natural communities within the city.

Chapter 12 Public Facilities, Services, and Infrastructure- page 320

PFSI-3.9 Renewable Energy and Industrial Project Disposal Systems. Allow the use of private sewage disposal systems on nonresidential renewable energy and industrial projects with domestic discharge only on property with an IND (Industrial) General Plan Land Use designation located between Avenue L and M between 40th ~~50th~~ Street East and 120th Street East, and on property with an IND (Industrial) General Plan Land Use designation on property located south of Avenue M, north of Avenue P-8, between 90th Street East and 120th Street East. The maximum daily estimated discharge shall not exceed 500 gallons/acre/day wastewater flow with a maximum discharge of 5,000 gallons per day.

Chapter 14 Sustainability, Climate Action, and Resilience – page 354

Developmen~~m~~t Services Building

Chapter 16 Noise- page 409

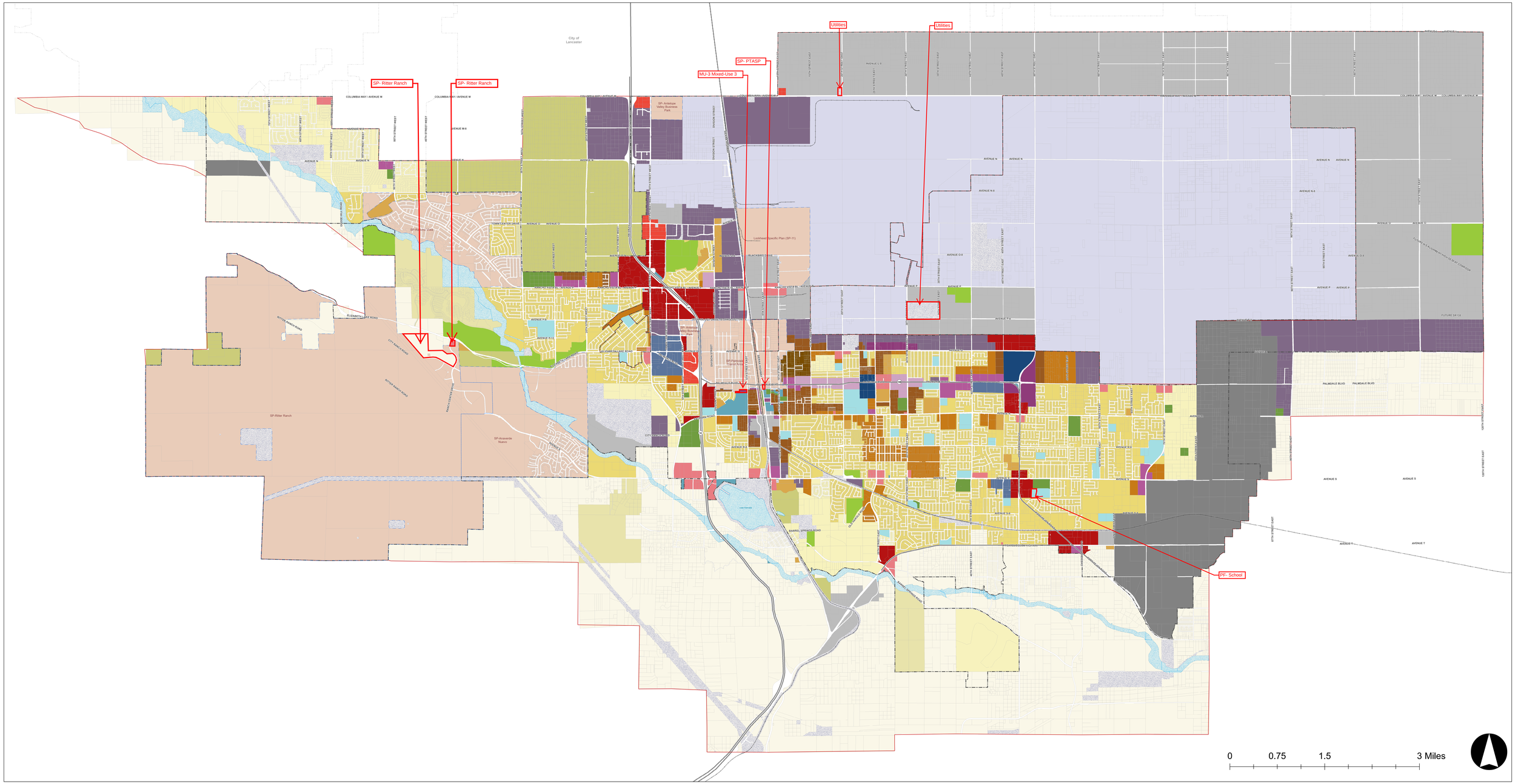
Sensitive Land Uses

Noise sensitive land uses are considered sensitive to noise impacts. Noise exposure goals for various types of land uses reflect the varying noise sensitivities associated with each of these uses. Noise sensitive land uses include residences, schools, libraries, hospitals/medical facilities, and assisted living facilities. These uses are considered the most sensitive to noise intrusion and, therefore have more stringent noise exposure standards than manufacturing or agricultural uses that are not subject

to impacts such as sleep disturbance. The sensitive noise land uses in Palmdale are shown in Figure ~~Figure~~ 16.3.

EXHIBIT II
GENERAL PLAN LAND USE MAP

EXHIBIT II



Palmdale General Plan Land Use

- Equestrian Residential
- Low Density Residential
- Single Family Residential 1
- Single Family Residential 2
- Single Family Residential 3
- Residential Neighborhood 1
- Residential Neighborhood 2
- Residential Neighborhood 3
- Residential Neighborhood 4
- Mixed Use 1
- Mixed Use 2
- Mixed Use 3
- Employment Flex
- Neighborhood Commercial
- Visitor Commercial
- Regional Commercial
- Health and Wellness
- Educational Flex
- Industrial
- Aerospace Industrial
- Mineral Resource Extraction
- Specific Plan
- Open Space
- Public Facility-Park
- Public Facility-School
- Public Facility-Civic
- Utilities
- Water Body/Aqueduct
- City Boundary
- Sphere of Influence
- Major Highway/Arterial
- Railroad

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Data Sources: City of Palmdale GIS data; World Terrain Base, 2015 ESRI, USGS, NOAA.

Adopted by the City Council
9/21/2022

City Council Staff Report

DATE: **MARCH 15, 2023**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **NEIGHBORHOOD SERVICES,**
COMMUNITY COMPLIANCE DIVISION

DISTRICT: **ALL**

SUBJECT: **INTRODUCTION AND ADOPTION OF ORDINANCE NO. 1606, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMDALE REVISING, DELETING, ADDING, AND STREAMLINING SELECTED PROVISIONS OF THE PALMDALE MUNICIPAL CODE TO PROMOTE PUBLIC HEALTH, SAFETY AND WELFARE RELATED TO SIDEWALK VENDING, MOBILE FOOD VENDING, AND FOOD FACILITY REGULATIONS TO STREAMLINE AND ENSURE CONSISTENCY WITH STATE LAW (AMENDING PMC SECTIONS 5.04.590, 5.04.150, 5.04.190, 8.24.210, 3.44.230; ADDING PMC SECTION 5.04.600; ADDING PMC CHAPTER 8.46; REPEALING AND DELETING PMC SECTIONS 8.04.105, 10.04.120); AND**

INTRODUCTION AND ADOPTION OF RESOLUTION NO. CC 2023-014, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE APPROVING PERMIT FEES FOR SIDEWALK VENDING AND MOBILE VENDING

ISSUES

Introduction and adoption of Ordinance No. 1606, an Ordinance of the City Council of the City of Palmdale revising, deleting, adding, and streamlining selected provisions of the Palmdale Municipal Code to promote public health, safety and welfare related to sidewalk vending, mobile food vending, and food facility regulations to streamline and ensure consistency with state law (amending PMC sections 5.04.590, 5.04.150, 5.04.190, 8.24.210, 3.44.230; adding PMC section 5.04.600; adding PMC chapter 8.46; repealing and deleting PMC sections 8.04.105, 10.04.120); and

Introduction and adoption of Resolution No. CC 2023-014, a Resolution of the City Council of the City of Palmdale approving permit fees for Sidewalk Vending and Mobile Vending.

RECOMMENDATION

Staff recommends that the City Council:

1. Receive public testimony; and
2. Adopt Ordinance No. 1606 and Resolution No. CC 2023-014.

BACKGROUND

In recent years state law enactments and decisions have provided guidance on public vending and safety standards for food facilities, which require updating the Palmdale Municipal Code ("PMC") to ensure consistency and compliance with state law.

Additionally, Palmdale has experienced an influx of public vending related concerns such as vendors operating under conditions posing imminent health and safety hazards to the public, noise and disturbance complaints in residential areas attributable to amplified sound produced by mobile vendors, and an increase in littering associated with lack of proper trash receptacles for vendors. These are just some of the vending concerns addressed in Ordinance No. 1606.

As such, this ordinance will revise, delete, add, and streamline PMC provisions related to sidewalk vending, mobile food vending, and food facility regulations to ensure that the PMC comports with recent state law enactments and to achieve more efficient enforcement of related violations to promote public health, safety, and welfare. The proposed ordinance addresses 3 kinds of regulations:

- Regulations for sidewalk vending consistent with Government Code section 51036 et seq.;
- Regulations of mobile vending including both vehicular and pedestrian solicitor vending; and
- Regulations of food facilities consistent with California Health and Safety Code section 113700, et seq.

The outcome of this ordinance will be to provide greater efficiency for the City of Palmdale's ("City") code enforcement efforts related to vending and food facilities, enhanced transparency, clarity, and ease of reference for the public concerning regulations related to vending and food facilities, and continued compliance with state laws to avoid any conflict between state and local law.

The concurrent resolution ensures that the City sets reasonable fees for the associated new business permits that are created through Ordinance No. 1606.

DISCUSSION

Ordinance No. 1606 makes the following key proposals:

The proposed repeal and deletion of Section 8.04.105 ensures regulation of sidewalk vending in the City is in compliance and consistent with California Senate Bill 946—codified in Government Code section 51036 et seq. and streamlines the City's vending procedures and processes as regulated in Section 5.04.590 and Chapter 8.46.

The proposed addition of Section 5.04.590 regulates sidewalk vending in the City in compliance with and consistent with California Senate Bill 946—codified in Government Code section 51036 et seq.—to ensure clear guidance, include constitutionally reasonable time, place, and manner restrictions to promote health, safety, and welfare concerns, and provide for enforcement remedies. Of note:

- PMC section 5.04.590(C), (D) requires a City business permit and special City business permit for operations;
- PMC section 5.04.590(E) allows for the use of California driver's license or identification card, taxpayer identification number or a municipal identification number in lieu of a Social Security Number for licensing;
- PMC section 5.04.590(F) establishes operational standards, including size limitations of carts, times of operation, areas of operation, and requiring vendors to provide adequate trash receptacles;
- PMC section 5.04.590(G) prohibits vending from carts in certain locations due to health, safety, and welfare concerns;
- PMC section 5.04.590(H) requires that food preparation comply with all State and local licensing requirements; and
- PMC section 5.04.590(I) specifies the penalties for violations of the section, including fines. It allows for any person who receives a fine to request an ability-to-pay determination for a fine reduction and offers the City Manager the discretion to allow community service, waive, or offer an alternative approach.

The proposed amendments to Sections 5.04.150 and 5.04.190 account for additional businesses, sidewalk vending and mobile vending, that require permits before business operation and removal of the pre-hearing requirement for issuance of certain business permits. Removal of the pre-hearing requirement for certain business permits reduces City costs and expenditure of City staff time on such review given that the PMC already has existing built-in procedures for any grievance if a permit is denied including availability of appeal, hearings, and related relief.

The proposed addition of Section 5.04.600 regulates mobile vending (vehicular vending and pedestrian solicitor vending) to ensure clear guidelines, streamline vending provisions, and include constitutionally reasonable time, place, and manner restrictions

to promote health, safety, and welfare concerns, and provide for enforcement remedies. Specifically:

- PMC section 5.04.600(D) requires vehicle operators and pedestrian solicitors to obtain business permits and sets forth requirements for permit applications, reasons for City denial of a permit, and streamlines appeal procedure for business permit denial with other business license appeals;
- PMC section 5.04.600(E) sets forth reasons for City suspension and revocation of permits, and streamlines appeal procedure for business permit suspension and revocation with other business license appeals; and
- PMC section 5.04.600(F) establishes conditions and prohibitions for vending such as restricted sales, information required to be made available to the public and City, permitted and restricted locations for vending, sanitation and trash requirements, operational requirements – hours of operation, use of amplified sounds, equipment prohibited, and prohibited sales, and additional regulations on ice cream truck vending to be consistent with safety requirements mandated in California Vehicle Code Section 22456.

The proposed addition of Chapter 8.46 places regulations on food facilities (restaurants, markets, delis, cafeterias, vending machines, certified farmers' markets and notably mobile food facilities) to protect the public health, safety, and general welfare by providing authority for enforcement officers to inspect food facilities for imminent health hazards and greater enforcement options via closure of food facilities presenting imminent health hazards or impounding specific equipment and food presenting imminent health hazard. The Chapter provides for dual enforcement; Los Angeles County maintains primary enforcement authority while allowing Palmdale a limited enforcement role as it pertains to taking action to address imminent health hazards. The proposed Chapter provides clear guidelines for inspections of food facilities, closure of food facilities presenting imminent health hazards, impounding food and equipment presenting an imminent health hazard, and storage, reclamation, and disposition process for impounded food and equipment, violations and penalties for operating a food facility with imminent health hazards, and administrative hearings for permit suspensions. This Chapter references its source of authority, the California Health and Safety Code, throughout and heavily relies on the Code citing it in the definitions, as the authority to inspect, and for all procedures.

The proposed repeal and deletion of Section 10.04.120 ensures regulation of sidewalk vending and mobile vending are streamlined, and the PMC is in compliance and consistent with all applicable State law.

The proposed amendments to Section 3.44.230(A) allow for the use of a California driver's license or identification card, taxpayer identification number or a municipal identification number in lieu of providing a Social Security Number for business license applications.

Resolution No. CC 2023-014 accordingly sets sidewalk vendor business permits and the related business permit fee amounts, vehicle operator business permits and the related business permit fee amount, pedestrian solicitor business permits and the related business permit fee amounts, and temporary use permits for food truck mobile vending in residential zones and the related temporary use permit fee amount.

FISCAL IMPACT

There is no fiscal impact associated with this action.

STRATEGIC PLAN

Maintain effective public safety and promote health, safety, and welfare concerns relating to public vending.

Prepared by:	Sara Gallagher, Community Compliance Manager
Certified as to availability of Funds:	Janelle Samson, Director of Finance
Approved by:	Ronda Perez, City Manager
Approved as to form:	William P. Curley, III, Interim City Attorney

ATTACHMENTS

1. Ordinance No. 1606
2. Resolution No. CC 2023-014

CITY OF PALMDALE
ORDINANCE NO. 1606

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMDALE TO PROMOTE PUBLIC HEALTH, SAFETY AND WELFARE BY DELETING, AMENDING, AND ADDING SELECT PROVISIONS OF THE PALMDALE MUNICIPAL CODE RELATED TO SIDEWALK VENDING, MOBILE FOOD VENDING, AND FOOD FACILITY REGULATIONS TO STREAMLINE AND ENSURE CONSISTENCY WITH STATE LAW

WHEREAS, Section VII of Article XI of the California Constitution provides that a City may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws;

WHEREAS, the City Council finds it necessary to update, consolidate, and streamline the Palmdale Municipal Code ("PMC") periodically to comply with recent state law enactments and decisions and to achieve more efficient enforcement of code violations to promote public health, safety, and welfare;

WHEREAS, in light of recent state law enactments and decisions as well as recent efforts to ensure more efficient enforcement of the Palmdale Municipal and other laws which the City is empowered to enforce, the City Council has identified amendments, adoptions, and/or deletions to be made to the Palmdale Municipal code relating to regulations on street vendors; and other related provisions;

WHEREAS, recent California Senate Bill 946—codified in Government Code sections 51036 to 51039—limited local authorities' ability to regulate street vendors, including methods of enforcement, and as a result, the City Council has identified key changes to its current enforcement scheme in the PMC to comply with the new law;

WHEREAS, the City wishes to ensure that the PMC's provisions for sidewalk vending, other forms of mobile vending including food truck and ice cream truck vending, and regulation of food facilities are consistent with State law for accuracy of enforcement and transparency for the public; and

WHEREAS, said amendments, adoptions, and/or deletions of the Palmdale Municipal Code are permitted by law, including the California Constitution, Government Code, and Civil Code.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PALMDALE HEREBY ORDAINS AS FOLLOWS:

SECTION 1: Section 8.04.105 of Title 8 of the Palmdale Municipal Code is hereby repealed and deleted in its entirety; however such repeal shall not affect or excuse any violation of said Section that occurred prior to the effective date of this Ordinance, nor shall such repeal impede, deter, impact, or negate any administrative, civil, or criminal enforcement of any violation of said Section that occurred prior to the effective date of this Ordinance.

SECTION 2: Section 5.04.590 of Title 5 of the Palmdale Municipal Code is hereby amended to read as follows:

5.04.590 Sidewalk Vending.

(A) Definitions. As used in this Section, the terms listed below shall have the following meaning assigned to them:

(1) "Cart" means a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other nonmotorized conveyance.

(2) “Certified Farmers’ Market” means a location operated in accordance with Chapter 10.5 (commencing with Section 47000) of Division 17 of the Food and Agricultural Code and any regulations adopted pursuant to that chapter.

(3) “Roaming Sidewalk Vendor” means a sidewalk vendor who moves from place to place and stops only to complete a transaction.

(4) “Sidewalk Vendor” means a person who sells food or merchandise from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other nonmotorized conveyance, or from one's person, upon a public sidewalk or other pedestrian path. Sidewalk vendors include roaming sidewalk vendors and stationary sidewalk vendors.

(5) “Stationary Sidewalk Vendor” means a sidewalk vendor who vends from a fixed location.

(6) “Swap Meet” means a location operated in accordance with Article 6 (commencing with Section 21660) of Chapter 9 of Division 8 of the Business and Professions Code, and any regulations adopted pursuant to that article.

(7) “Vend” or “Vending” means operating as a sidewalk vendor.

(B) Applicability. The requirements of this chapter shall not apply to the following persons:

(1) Persons delivering goods, wares, merchandise, or food upon order of, or by agreement with, a customer from a store or other fixed place of business or distribution.

(2) Persons selling goods, wares, merchandise, or food from a motorized vehicle, including food trucks and ice cream trucks.

(C) Business License and Special Business Permit Required.

(1) No person shall operate as a sidewalk vendor without first obtaining, and at all times maintaining, a valid City business license in accordance with Section 5.04.050 and related sections of Chapter 5.04 of Title V, and complying with all requirements of the business license, unless such person qualifies for an exemption under Chapter 5.04 of Title V of this code.

(2) No person shall operate as a sidewalk vendor without first obtaining, and all times maintaining, a special business permit in accordance with this Section 5.04.590 of Title V, and complying with all requirements of the permit.

(3) The special business permit shall be valid for one year unless revoked or suspended prior to expiration. An application to renew a special business permit under this section shall be made not less than thirty days prior to the expiration of the current permit. A valid business license shall be applied for or renewed concurrently with the special business permit each year.

(4) A separate business license and special business permit shall be required for each cart.

(D) Requirements for Permit Application. An application for a special business permit for sidewalk vending shall include all of the following, to the extent applicable:

(1) The name, address, and telephone number of the applicant and each person who will operate the cart.

(2) A photo identification of the applicant and each person who will operate the cart.

(3) A description of the cart, including the dimensions of the cart, and a photograph of the cart.

(4) A complete list of the food or merchandise to be sold.

(5) If the sidewalk vendor is an agent of an individual, company, partnership, or corporation, the name and business address of the principal.

(6) The vendor's California seller's permit number (California Department of Tax and Fee Administration sales tax number).

(7) A City of Palmdale business license.

(8) A copy of any license or permit required from any other state or local agency that is required by law, including, but not limited to, a copy of any required permit from the county health department, if required.

(9) A certification by the applicant that to his or her knowledge and belief, the information contained in the application is true.

(E) Identification Numbers; Confidentiality. Notwithstanding any other requirement in this code, an applicant for a business license or special business permit to operate as a sidewalk vendor shall not be required to submit a social security number for the issuance of such license or permit. In lieu of an otherwise required social security number, the City shall accept a California driver's license or identification number, an individual taxpayer identification number, or a municipal identification number along with the permit application, which must be provided at the time of application. Identification numbers submitted under this Section shall not be made available to the public for inspection, shall be treated as confidential, and shall not be disclosed except as required to administer the license or permit program or to comply with a state law or state or federal court order.

(F) Operational Standards.

(1) Each cart used by a sidewalk vendor must display a valid special business permit sticker at all times, which shall be issued by the City.

(2) All sidewalk vendors shall comply with the terms and conditions of the special business permit and shall not sell any food or merchandise that was not listed in the special business permit application.

(3) No stationary sidewalk vendor may operate in any residential zone; however, roaming sidewalk vendors shall not be prohibited from operating in such zones.

(4) In order to preserve the peace, safety, and tranquility of residential neighborhoods, no roaming sidewalk vendor may operate in any residential zone earlier than sunrise or later than sunset.

(5) In order to prevent obstructions of the public right-of-way, the total display area footprint of the cart, including the cart itself and any accompanying display, signage, or related items, shall not exceed a length of 72 inches, a width of 54 inches, or a height, including roof, awning, or canopy, of 78 inches.

(6) In order to prevent obstructions of the public right-of-way, no sidewalk vendor may set up or allow the use of an additional structure, including a table, crate, carton, or rack, to increase the

selling or display capacity of the cart unless such items are explicitly allowed in the special business permit obtained by the sidewalk vendor.

(7) In order to preserve sanitary conditions in all public rights-of-way, all sidewalk vendors shall provide a trash receptacle for customers and must ensure proper disposal of customer and vendor trash. The trash receptacle must be large enough to accommodate customer trash without resort to existing trash receptacles located on any block for use by the general public. A sidewalk vendor may not dispose of customer trash in existing trash receptacles on sidewalks.

(8) In order to preserve sanitary conditions in all public rights-of-way, all sidewalk vendors shall maintain a clean and trash-free area, including a sanitized and neat appearing cart, within a 10-foot radius around the vendor's cart during hours of operation and shall ensure that such area is clean and trash-free before relocating or closing.

(9) In order to prevent damage to public property and prevent obstructions of the public right-of-way, no cart may be chained or fastened to any pole, sign, tree, or other object in the public right-of-way.

(10) In order to preserve the safety of the public, and prevent misuse of carts, no cart may be left unattended at any time.

(11) In order to preserve the safety of the public, to prevent misuse of carts, and to prevent obstructions of the public right-of-way, no cart may be stored, parked, or left overnight on any public street or right-of-way, or in any public park or other public property.

(12) In order to preserve the safety of vehicular travelers, no sidewalk vendor may solicit business from or conduct business with persons in motor vehicles.

(13) In order to preserve the safety of vehicular travelers and pedestrians, and to preserve public peace and welfare, no cart may be outfitted with any equipment, signage, or mechanism that endangers or detracts from the health, safety, or welfare of the public by causing an excessive distraction to motorists or interfering with nearby residences, business, or pedestrians, including but not limited to, sound amplification, flashing lights, smoke, steam, bubbles, gas-powered generators, or excessive fumes.

(14) In order to preserve the safety of vehicular travelers and pedestrians, any cart operated before sunrise or after sunset, or in location with insufficient lighting, shall be equipped with sufficient lighting or reflectors to alert pedestrians and vehicular travelers to the presence of the cart.

(15) In order to prevent obstructions of the public right-of-way, all signage related to the vending operation shall be affixed to the cart, or otherwise, shall be in compliance with the zoning code.

(G) Location of Carts. In order to ensure access to public rights-of-way by pedestrians and emergency personnel, and avoid interference with vehicular traffic, certified farmers' markets, swap meets, and City-permitted special events, sidewalk vendors shall not operate in the following areas of the public right-of-way:

(1) Any area other than a public sidewalk or pedestrian path.

(2) Within 15 feet of a fire hydrant, fire call box, or other emergency facility.

(3) Within 10 feet of an entrance to or emergency exit of any building or business during the hours that the building or business is open to the public.

(4) Within 15 feet of the outer edge of a driveway or driveway apron.

(5) Within 15 feet of a transit stop.

(6) Adjacent to any marked loading zone or bus zone.

(7) Within 5 feet of a curb return.

(8) Any location that would impede entering or exiting a parked vehicle.

(9) Any location that impedes the flow of pedestrian traffic by reducing the clear space to less than 4 feet or impedes access to or the use of abutting property, including, but not limited to, residences and places of business.

(10) Within 100 feet in any direction of the nearest vendor or concessionaire participating in a certified farmers' market or swap meet during the operating hours of the certified farmers' market or swap meet.

(11) Within 100 feet of a City-permitted special event, including but not limited to, parades, concerts, and movie filmings, unless vendor has received a permit to vend as part of the event. For moving events, vending shall be prohibited within 100 feet of any portion of the approved event route. For stationary events, vending shall be prohibited within 100 feet of the parcel boundary for the location of the event.

(12) Within 200 feet of any public or private school grounds between 7:00 a.m. and 4:00 p.m. on school days, and during any other time when in use and creating high vehicular traffic, such as uses for major sporting events.

(13) Upon or within any roadway, median strip, or dividing section.

(14) Any public sidewalk location when the straight path would not allow for 48 inches, or as the law updates, of clear width walking space of any sidewalk to be in compliance with Americans with Disabilities Act (ADA) regulations.

(15) Any public sidewalk where there is a 180 degree turn path for sidewalk ramps and corner curbs when the location would not allow for 42 inches approaching the turn, 48 inches at the turn, and 42 inches leaving the turn, or as the law updates, of clear width walking space of any sidewalk to be in compliance with ADA regulations.

(H) Special Requirements for the Sale of Food. All sidewalk vendors that prepare or sell food must be in compliance with all county and State permitting and licensing requirements for the preparation or sale of food.

(I) Penalties. For purposes of this Section, "sidewalk vending program" refers to the provisions of Sections 5.04.590(F) through 5.04.590(H) and Section 8.24.210, inclusive, and the requirement to obtain a special business permit pursuant to Section 5.04.590(C)(2).

(1) A violation of any provision in Sections 5.04.590(F) through 5.04.590(H) and Section 8.24.210, inclusive, may only be punished by the following:

(a) An administrative fine not exceeding one hundred dollars ($100) for a first violation.

(b) An administrative fine not exceeding two hundred dollars ($200) for a second violation within one year of the first violation.

(c) An administrative fine not exceeding five hundred dollars ($500) for each additional violation within one year of the first violation.

(d) Rescission of the sidewalk vendor's special business permit for the term of that permit upon the fourth violation or subsequent violations.

(2) Vending without a special business permit may be punished by the following:

(a) An administrative fine not exceeding two hundred fifty dollars ($250) for a first violation.

(b) An administrative fine not exceeding five hundred dollars ($500) for a second violation within one year of the first violation.

(c) An administrative fine not exceeding one thousand dollars ($1,000) for each additional violation within one year of the first violation.

(3) Upon proof of a valid special business permit, an administrative fine imposed under Section 5.04.590(I)(2) shall be reduced to the respective administrative fine set forth in Section 5.04.590(I)(1).

(4) No other fines, fees, assessments, or financial conditions shall be imposed for violation of the sidewalk vending program other than those imposed by Section 5.04.590(I)(1) and (2).

(5) Notwithstanding any other provision of this code, neither a violation of the sidewalk vending program as codified in Sections 5.04.590(F) through 5.04.590(H) and Section 8.24.210, inclusive, nor a failure to pay an administrative fine, imposed by Section 5.04.590(I)(1) or (2) shall be punishable as an infraction or misdemeanor.

(6) Any person who receives an administrative fine under Section 5.04.590(I)(1) or (2) shall have the right to request an ability-to-pay determination.

(a) The City shall give any such person written notice of his or her right to request an ability-to-pay determination as well as instructions and other materials for requesting an ability-to-pay determination at the time that the administrative fine citation is issued.

(b) A right-to-pay determination may be requested at any time following the issuance of the administrative fine citation until the fine is paid, including when payment of the fine is delinquent or has been referred to a collection program.

(c) Upon receipt of a request for an ability-to-pay determination, the City manager or his or her designee shall determine whether such person meets the criteria described in subdivision (a) or (b) of Section 68632 of the Government Code. The determination of the City manager or his or her designee shall be final.

(d) If the person meets the criteria described in subdivision (a) or (b) of Section 68632 of the Government Code, the City shall reduce the fine to twenty percent (20%) of the amount of the fine originally imposed.

(7) The City manager may, in his or her discretion, allow a person who receives an administrative fine under Section 5.04.590(I)(1) or (2) to complete community service in lieu of paying the total administrative fine, may waive the administrative fine, or may offer an alternative disposition.

(8) Nothing in the chapter shall be construed to limit the City's ability to enforce, or remedies for enforcing, laws of general applicability or other provisions of this code against sidewalk vendors, or to take any other enforcement actions against sidewalk vendors that are not prohibited by state or federal law, or which are allowed by this code.

SECTION 3: Section 5.04.150 of Title 5 of the Palmdale Municipal Code is hereby amended to read as follows:

(A) No person shall commence, conduct or purport to commence or conduct the following business activities without a valid business permit:

(1) Adult-oriented businesses^{o};
(2) Ambulances and ambulance drivers+;
(3) Billiards;
(4) Bingo;
(5) Carnivals and concessions^{o}+;
(6) Dance halls and dances^{o};
(7) Entertainment^{o};
(8) Introductory services^{o};
(9) Fortunetelling;
(10) Game arcades;
(11) Gun dealers;
(12) Health clubs;
(13) House and street numbering;
(14) Hypnotist+;
(15) Locksmith;
(16) Massage establishments and massage technicians^{o};
(17) Motion picture theater+;
(18) Pawnbrokers and secondhand dealers;
(19) Sidewalk vending;
(20) *Reserved*;
(21) Private patrol service;
(22) Family entertainment center+^{o};
(23) Swap meet;
(24) Taxicabs and taxicab drivers+;
(25) Tobacco/smoking product retailer;
(26) Tow trucks+;
(27) Mobile vending.

\+ Indicates that such business activity is subject to insurance or bond requirements.

^{o} Indicates that such business activity requires a permitted manager pursuant to PMC 5.04.050.

(B) The regulations pertaining to specified businesses or business activities requiring a business permit are set forth in Article II of this chapter commencing with PMC 5.04.400.

SECTION 4: Section 5.04.190 of Title 5 of the Palmdale Municipal Code is hereby amended to read as follows:

5.04.190 *Reserved*

SECTION 5: Section 5.04.600 is hereby added to Title 5 of the Palmdale Municipal Code, and is to read in its entirety as follows:

5.04.600 MOBILE VENDING

(A) Purpose and intent.
It is the City's responsibility to promote the health, peace, safety, welfare and convenience of all persons in regards to their use and enjoyment of public lands. The City Council finds it necessary to regulate mobile vending for this purpose while ensuring that all such regulations comport with applicable law.

Reasonable regulations are necessary to ensure that mobile vending is operated in accordance with health, safety and traffic laws of the state and the parking ordinances of the City; do not cause public safety problems by contributing to traffic congestion or by creating pedestrian and vehicular conflicts; and do not disturb the quiet use and peaceful enjoyment of residential neighborhoods. The regulations in this Section are enacted to ensure consistency with State law, including Section 22455 of the California Vehicle Code related to ice cream truck vending and California Health and Safety Code Section 114315 et seq. (the "California Retail Food Code") for food handling, as each may be amended.

(B) Definitions. As used in this Section, the terms listed below shall have the following meaning assigned to them:

(1) "Food establishment" means any restaurant or grocery store with a permanent store front location.

(2) "Goods or merchandise" means and includes items and tangible things and products of every kind and description, including any food, produce, and/or beverage items.

(3) "Human powered device" means any device moved by human power, including, but not limited to, any pushcart, wagon, bicycle, tricycle, or other wheeled device or conveyance.

(4) "Ice cream truck" means any motor vehicle requiring license from the California Department of Motor Vehicles which is used to vend at retail:

(a) Prepackaged frozen dairy or water-based food products; or

(b) Soft-serve or hand-dipped frozen dairy or water-based products; irrespective of whether or not the ice cream truck carries other prepackaged food products.

(5) "Mobile food truck" means a motorized vehicle or mobile food unit that should be licensed by the Department of California Department of Motor Vehicles (whether licensed or not), designed and equipped to prepare, or serve, and sell food, and temporarily stored in a location where food items are sold to the general public.

(6) "Pedestrian Solicitor" means a person vending goods or merchandise from their person without the use of a vehicle.

(7) "Person" means any natural person, firm, partnership, association, corporation, or other entity of any kind or nature.

(8) "Public property" means any real property, or interest therein, owned, leased, operated, or otherwise controlled by the City other than a street, alley, parkway, or sidewalk.

(9) "Vehicle" means a motorized vehicle or mobile food unit that should be licensed by the Department of California Department of Motor Vehicles (whether licensed or not), designed and

equipped to prepare, or serve, and sell food, and temporarily stored in a location where food items are sold to the general public as well as any trailer or other similar apparatus that can be attached to a motorized vehicle whether attached at the time of vending or not, and shall not include any human powered device and shall include an ice cream truck and mobile food truck.

(10) “Vehicle Operator” means any person or entity owning a ten percent or greater interest in, or operating or otherwise controlling, any business involving the vending of goods or merchandise from a vehicle.

(11) “Vend” or “Vending” means the sale or offering for sale of any goods or merchandise to the public by a vehicle operator or pedestrian solicitor on a public street, private street open to the public, or other public property.

(12) “Vendor” means any pedestrian solicitor or any vehicle operator, and/or any employee, independent contractor, or other person acting on behalf of or for the benefit of a pedestrian solicitor or vehicle operator, who engages in the act of vending.

(C) Applicability. This Section is intended to apply to all vending at any locations within the City. However, it does not apply in the following circumstances:

(1) Sidewalk vending described in Section 5.04.590 of Title 5 of the Palmdale Municipal Code if all legal requirements therein are met.

(2) Contractual or other private arrangement between a vendor and an individual or entity that wishes to have food catered to a specific location on private land and which is not open to the public subject to the following: the vendor shall possess and at all times display in conspicuous view upon their vehicle in connection with a vehicle operator or upon their person in connection with a pedestrian solicitor, a copy of the contractual document or other private arrangement detailing the terms of the agreement along with the name and contact information of the individual or entity that agreed to have food catered on private lands.

(3) Any person delivering any goods or merchandise by vehicle where such goods or merchandise have been ordered in advance for such delivery from any business located at a permanent location.

(4) Any person vending where such person has been authorized to engage in such activity by a permit, lease, real property license, agreement, or other entitlement issued by the City, state or federal government for such purpose.

(5) Any person exempted from the provisions of this chapter by any local, state or federal law, regulation or statute.

(D) Vehicle operator and pedestrian solicitor permits.

Any person desiring to obtain a vehicle operator’s permit to conduct or otherwise operate the business of vending goods or merchandise from a vehicle pursuant to this chapter shall file an application with the business license division of the finance department. Such application shall be accompanied by a nonrefundable application fee in such amount as established by resolution of the City Council. Any such permit shall be valid for one year from date of issuance. The permit may be renewed annually, subject to filing of a new application and payment of a new application fee.

(1) Vehicle Operator. Each permit applicant for a vehicle operator permit shall furnish the following information and documentation in the application:

(a) The street address where the office of the business is or will be located;

(b) The full, true name under which the business will be conducted;

(c) The full, true name and any other names used by the applicant along with a copy of a corresponding California driver's license or identification number, an individual taxpayer identification number, or a municipal identification number. Identification numbers submitted under this Section shall not be made available to the public for inspection, shall be treated as confidential, and shall not be disclosed except as required to administer the permit program or to comply with a state law or state or federal court order;

(d) The present residence and business addresses and telephone numbers of the applicant, each ten percent or greater owner of the business, and all persons who will act as a vendor for the applicant, whether as an employee, contractor, or otherwise;

(e) A detailed description of the goods or merchandise which the applicant will vend;

(f) The make, body style, year, VIN number, state license plate number, names and addresses of each registered and legal owner of each vehicle and a copy of a valid vehicle registration for the subject vehicles;

(g) A description of the logo, color scheme, insignia, and any other distinguishing characteristics identifying applicant's business that will appear on each vehicle;

(h) The name, residential address, and telephone number of the applicant and individuals primarily responsible for managing the day to day operation of the vending business and/or performing any vending on behalf of the operator along with an email and cellular number for such individuals;

(i) Evidence of compliance with the insurance requirements of the Vehicle Code as to each vehicle; and

(j) The details of any known contractual or other private arrangement between a mobile food truck and an individual or entity that wishes to have food catered to a specific location on private land and which is open to the public. If this Section is applicable, the permit application shall include the name and contact information of the individual or entity that wishes to have food catered on private lands as well as a copy of the contractual document or other private arrangement detailing the terms of the agreement.

(2) Pedestrian Solicitor. Each permit applicant for a pedestrian solicitor permit shall furnish the following information and documentation in the application:

(a) The street address where the office of the business is or will be located;

(b) The full, true name under which the business will be conducted;

(c) The full, true name and any other names used by the applicant along with a copy of a corresponding California driver's license or identification number, an individual taxpayer identification number, or a municipal identification number. Identification numbers submitted under this Section shall not be made available to the public for inspection, shall

be treated as confidential, and shall not be disclosed except as required to administer the permit program or to comply with a state law or state or federal court order;

(d) The present residence and business addresses and telephone numbers of the applicant, each ten percent or greater owner of the business, and all persons who will act as a vendor for the applicant, whether as an employee, contractor, or otherwise;

(e) A detailed description of the goods, merchandise, or services which the applicant will vend; and

(f) The name, residential address, and telephone number of the applicant and individuals primarily responsible for managing the day to day operation of the vending business and/or performing any vending on behalf of the pedestrian solicitor along with an email and cellular number for such individuals.

(j) The details of any known contractual or other private arrangement between a pedestrian solicitor and an individual or entity that wishes to have food catered to a specific location on private land and which is open to the public. If this Section is applicable, the permit application shall include the name and contact information of the individual or entity that wishes to have food catered on private lands as well as a copy of the contractual document or other private arrangement detailing the terms of the agreement.

(3) The business license division shall be authorized to investigate the truth of the facts set forth in the application. Each application shall be approved or denied within a reasonable amount of time.

(4) Permit Denial. Any permit applied for under the provisions of this chapter may be denied for any of the following causes:

(a) One of the departments or officers performing a review of the permit renewal application has recommended denial of, or the imposition of additional conditions upon, such permit.

(b) If the City finds that the applicant knowingly made any false, misleading or fraudulent statements of material fact in the application for the permit.

(c) The applicant has been convicted of any violation of this code, any code adopted and incorporated by the City into this code, the California Penal Code, the Health and Safety Code, the Business and Professions Code, or any other State or Federal law.

(d) Failure to comply with the requirements of this Section or other provisions of the code by the applicant and/or the vehicle operator or pedestrian solicitor in connection with any property, business, or other dealing with the City.

(e) Fees, fines, or other penalties owing the City that are due and payable by the applicant and/or the vehicle operator or pedestrian solicitor in connection with any property, business, or other dealing with the City.

(5) Appeal Procedure. Written notice of denial, setting forth the grounds for denial, shall be served on the applicant. Any person aggrieved by a denial of a permit pursuant to this Section may appeal such denial to the City manager or designee pursuant to the procedures set forth in Section 5.04.340. To seek an appeal, said person must submit a written request for an administrative hearing with a statement of why the denial did not merit any of the grounds for denial under subdivision (D)(4) of this Section to the City clerk within ten days after service of notice of the City

manager's decision or designee. Upon receipt of a timely appeal, the aggrieved party shall be given notice of a hearing and a hearing shall be held pursuant to Sections 5.04.340–360.

(6) Each permittee shall notify the business license division, in writing, within 10 business days of any change in the required application information under subdivision (D)(1) and (D)(2) of this Section.

(E) Suspension and revocation of permit.

(1) Any vehicle operator's permit or pedestrian solicitor's permit may be temporarily suspended or revoked by the business license division for any of the following reasons:

(a) Provision of false information on the permit application.

(b) Failure of the permittee to notify the business license division within ten business days of any change in the information supplied by the permittee upon which issuance of the permit was based, occurring subsequent to the issuance of the permit.

(c) There is substantial evidence of a violation by the permittee, any employee, subcontractor of the permittee, or any other person acting on the permittee's behalf, of this chapter or any other local, state, or federal law constituting a misdemeanor or felony while in the course of conducting vending operations pursuant to the permit.

(d) While in the course of vending, driving of a vehicle by a vendor not possessing a valid driver's license, or operation of a vehicle found by police inspection to be unsafe and in violation of the Vehicle Code.

(e) The permittee no longer operates in accordance with the information and documentation supplied in connection with the vehicle operator permit application set forth in Section 5.04.600(D)(1).

(f) The permittee no longer operates in accordance with the information and documentation supplied in connection with the pedestrian solicitor permit application set forth in Section 5.04.600(D)(2).

(g) The permittee has been convicted of any violation of this code, any code adopted and incorporated by the City into this code, the California Penal Code, the Health and Safety Code, the Business and Professions Code, or any other State law.

(h) Fees, fines, or other penalties owing the City that are due and payable by the applicant and/or the vehicle operator or pedestrian solicitor in connection with any property, business, or other dealing with the City.

(2) Appeal Procedure. Written notice of suspension or revocation, setting forth the grounds for suspension or revocation, shall be served on the offending permittee. The notice shall advise the permittee of the right to file a written appeal. Any person aggrieved by a suspension or revocation of a permit pursuant to this Section may appeal such denial to the City manager or designee pursuant to the procedures set forth in Section 5.04.340. To seek an appeal, said person must submit a written request for an administrative hearing with a statement of why the suspension or revocation did not merit any of the grounds for suspension or revocation under subdivision (E)(1) of this Section to the City clerk within ten days after service of notice of the City manager's or designee's decision. Upon receipt of a timely appeal, the aggrieved party shall be given notice of a hearing and a hearing shall be held pursuant to Sections 5.04.340–360.

(3) No person whose permit is revoked shall be eligible to apply for a new permit for a period of one year following such revocation.

(4) Notices required or permitted to be served pursuant to this Section may be served personally, or by mailing by certified or registered mail with proof of delivery at the residential address of record, or by licensed courier or delivery service with proof of personal delivery, or in any other manner provided by law.

(F) Conditions and prohibitions. It is unlawful for any pedestrian solicitor or vehicle operator to sell or offer for sale any goods, merchandise, or services upon any public street or private street open to the public, except in accordance with all applicable provisions of this Code, all state and federal laws and regulations, the terms of their city-issued permit, and in compliance with each of the following requirements:

(1) Information Made Available to the Public and City.

(a) Each vendor shall possess and at all times display in conspicuous view upon their person or upon each vehicle, as the case may be, the actual business name and telephone number, and a City business certificate issued pursuant to Title 5.

(b) Each vendor shall possess and display upon request by any potential customer or City representative, a vehicle operator's permit or pedestrian solicitor's permit issued pursuant to this chapter, or a full, true and correct copy thereof.

(c) Each vendor causing the sale of or offering for sale any produce or other food item for which a food handling permit or other health permit from the county health department required by law shall possess and present such required permits. Vendors must at all times display such required permits in conspicuous view upon such vehicle or have on their immediate person ready to present at all times.

(d) Each vendor who enters into a contractual or other private arrangement with an individual or entity that agrees to have food catered to a specific location on private land and which is open to the public shall possess and at all times display in conspicuous view upon their person or vehicle a copy of the contractual document or other private arrangement detailing the terms of the agreement along with the name and contact information of the individual or entity that agreed to have food catered on private lands.

(e) Each vendor shall possess and wear upon their person a City-issued badge, issued in connection with this Chapter.

(2) Location.

(a) Vending is permitted only on public streets or private streets open to the public, and is not permitted in or upon any alley, parkway, sidewalk, or other kind of public property. Further, vending with a vehicle is not permitted in residential zones unless said vending is approved by the City in such zone in connection with a validly issued special event permit or temporary use permit, pursuant to Section 17.27.030, prior to engaging in any residential vending.

(b) No vending shall be permitted within 50 feet of any intersection of two or more streets or any location that may impede a sidewalk or pedestrian traffic.

(c) No vending shall be permitted within 1,000 feet of the front entrance of any public or private elementary, junior high, or high school.

(d) No vending shall be permitted within 1,000 feet of the front entrance of any food establishment.

(e) No vending shall be permitted on City streets with a speed limit at or above 45 miles per hour.

(f) No vending shall be permitted at any public park unless the vending occurs as part of a City-sponsored function and the vendor has applied for and received a written endorsement on the operator permit expressly authorizing such vending.

(g) No vehicle shall be parked, stopped, or left standing in any manner which blocks or impedes vehicular access to any driveway or restricts the free movement of other vehicles upon the public street.

(h) No vending shall be permitted until the vehicle has been brought to a complete stop and lawfully parked adjacent to the curb.

(i) No vendor shall operate in any manner which blocks or impedes vehicular access to any driveway or restricts the free movement of other vehicles upon the public street.

(j) Vehicle vending shall be only by means of a vehicle duly registered and licensed by the state with an unladen weight of less than 6,000 pounds.

(k) All vending must ensure the safe and proper disposals of fats, oils, and greases ("FOGs") and be in compliance with applicable disposal regulations, including Los Angeles County Code (LACC), Title 20, Division 2, other laws, regulations, and ordinances concerning proper disposal of FOGs and other industrial wastes and health and safety State, local, and Federal laws.

(3) Sanitation and Trash.

(a) Each vehicle shall be equipped with a trash receptacle of a size adequate to accommodate all trash and refuse generated by vending therefrom.

(b) Each vendor shall pick up and deposit in the trash receptacle on the vehicle all paper, cups, wrapper, litter, or other refuse of any kind that was a part of the goods or merchandise supplied from the vehicle and which has been left or abandoned within 50 feet of such vehicle on any public property, other than in a trash receptacle provided for such purposes. No person shall dispose of any trash or refuse from vending operations in any such public or private trash receptacle other than a trash receptacle owned, operated, or otherwise provided by and under the control of the vendor or operator.

(c) Each pedestrian solicitor shall operate within 100 feet of a trash receptacle.

(4) Operation – Hours, Amplified Sounds, Equipment, Prohibited Sales.

(a) Vending is permitted only between sunrise and sunset in residential zones.

(b) Any use of amplified sound-making devices, to advertise, draw attention to, or announce the presence of a vendor, shall also comply with all applicable noise and sound regulations effective within the City.

(c) No vending under this Section may utilize chairs, tables, or other equipment unless City approval is given through an issued permit under this Section.

(d) It is unlawful for any vendor to sell any item or thing which is otherwise prohibited from being sold within the City, including, but not limited to, any goods or products not identified in the application for a vehicle operator's permit or pedestrian solicitor's permit.

(5) Additional Regulations on Ice Cream Truck Vending.

(a) Safety and Sanitation.

(i) Each vendor shall ensure that the standard warning flashers shall be in operation immediately upon the vehicle stopping to vend and cease operation as the vehicle begins to move after vending.

(ii) Each vendor shall have signs painted or mounted on the front and back of each vehicle using black four-inch tall letters on a yellow background with a black one-inch border around each sign. The sign on the front and back of each vehicle shall read "CHILDREN CROSSING" and be eight inches high by forty-eight inches wide. An additional sign or signs shall be painted or mounted on the rear of each vehicle above the first sign and shall read "WARNING" in English, Spanish, and Vietnamese, using the same size letter and paint requirements.

(iii) Each ice cream truck vendor shall pick up and deposit in the trash receptacle on the ice cream truck all paper, cups, wrapper, litter, or other refuse of any kind that was a part of the goods or merchandise supplied from the vehicle and which has been left or abandoned within 50 feet of such vehicle on any public property, other than in a trash receptacle provided for such purposes. No person shall dispose of any trash or refuse from vending operations in any such public or private trash receptacle other than a trash receptacle owned, operated, or otherwise provided by and under the control of the vendor or operator.

(iv) Each vendor shall have any other safety equipment and follow any other requirements mandated by the California Vehicle Code.

(b) Operation – Hours, Amplified Sounds, Location, Required Sales.

(i) Hours. Ice cream truck vending is permitted only between sunrise and sunset.

(ii) Amplified sound use by ice cream truck vendors. Any use of amplified sound-making devices, to advertise, draw attention to, or announce the presence of such vendor, shall also comply with all applicable noise and sound regulations effective within the City in addition to the following:

(1) No person shall use, play or employ any sound, outcry, amplifier, loudspeaker, or any other instrument or device for the production of sound from an ice cream truck when the ice cream truck is stationary.

(2) No person shall use, play or employ any sound, outcry, amplifier, loudspeaker, or any other instrument or device for the production of sound from an ice cream truck after sunset, whichever occurs first.

(3) No person shall use, play or employ any sound, outcry, amplifier, production loudspeaker, or any other instrument or device for the of sound from an ice cream truck in such a manner to create a disturbance of the peace.

(c) Location.

(i) No vending from such vehicle shall be permitted on City streets with a speed limit above 25 miles per hour.

(ii) No person shall stop to vend from an ice cream truck within 200 feet of another ice cream truck that has already stopped to vend.

(d) Prohibited sales. Ice cream truck vendors shall only sell frozen or refrigerated desserts, confections, or novelties commonly known as ice cream, or prepackaged candies, prepackaged snack foods, or soft drinks.

(G) Special Events. Nothing in this Section shall affect the city's ability to host, sponsor, allow, or authorize special events approved for vending purposes or with vending components.

SECTION 6: Section 8.24.210 of Title 8 of the Palmdale Municipal Code is hereby amended to read as follows:

(B) No stationary sidewalk vendor may operate in a City-owned or City-operated park if the operator of the park has signed an agreement for concessions that exclusively permits the sale of food or merchandise by the concessionaire.

SECTION 7: Chapter 8.46 is hereby added to Title 8 of the Palmdale Municipal Code, and is to read in its entirety as follows:

Chapter 8.46
REGULATION OF FOOD FACILITIES

Sections:
8.46.010 Purpose and intent.
8.46.020 Definitions.
8.46.030 Right of inspection.
8.46.040 City inspection to identify immediate public health or safety hazards.
8.46.050 Storage and reclamation process.
8.46.060 Violations and penalties.
8.46.070 Public nuisance declared.
8.46.080 Right to administrative hearing.
8.46.090 Severability.

8.46.010 Purpose and intent.
The purpose of this chapter is to protect the public health, safety, and general welfare by regulating food facilities.

8.46.020 Definitions.
As used in this chapter, the terms listed below shall have the meaning assigned them:

(A) “Enforcement Officer” means the Los Angeles County Director of the Department of Environmental Health or the City of Palmdale Senior Code Enforcement Officer, and their respective designees.

(B) “Equipment” means any utensil, tool, pot, vessel, container, or other implements used in a hawking or vending operation or activity and any cart, pushcart, display, pedal-driven cart, wagon, showcase, rack, or other nonmotorized conveyance.

(C) “Food” means any substance intended for human consumption sold or otherwise provided by a food facility.

(D) “Food Facilities” means a food facility as defined in Section 113789 of the California Health and Safety Code. These are commonly referred to as restaurants, markets, delis, cafeterias, mobile food facilities, mobile support units, vending machines, and certified farmers' markets. This definition also includes commercial food establishments.

(E) “Food Preparation” means food preparation as defined in Section 113791 of the California Health and Safety Code.

(F) “Imminent Health Hazard” means significant threat or danger to health that is considered to exist when there is evidence sufficient to show that a product, practice, circumstance, or event creates a situation that can cause food infection, food intoxication, disease transmission, vermin infestation, or hazardous condition that requires immediate correction or cessation of operation to prevent injury, illness, or death as defined in Section 113810 of the California Health and Safety Code.

(G) “Permit” means the document issued by the Los Angeles County Department of Health that authorizes a person to operate a food facility as defined in Section 113851 of the California Health and Safety Code.

(H) “Responsible Party” means the legal owner or the person from whose possession equipment or food was impounded.

8.46.030 Right of inspection.
Pursuant to California Health and Safety Code Section 114390, the enforcement officer shall have the right to inspect any food facility, or any facility suspected of being a food facility, during the food facility’s hours of operation or at any other reasonable time.

8.46.040 City inspection to identify imminent health hazards.
(A) The enforcement officer through the City may inspect each food facility at regular intervals to ensure no facility or establishment presents an imminent health hazard. All food facilities shall comply with those requirements set forth in the California Retail Food Code, as amended and appearing in California Health and Safety Code Sections 113700, et seq.

(B) In the event the enforcement officer through the City identifies conditions presenting an imminent health hazard, the enforcement officer may:

(1) Temporarily suspend the permit and order immediate closure of a food facility pursuant to Health and Safety Code Section 114409 whenever the enforcement officer reasonably believes the facility or establishment presents an imminent health hazard; and/or

(2) An enforcement officer may impound equipment or food found to be, or suspected of being, unsanitary or in such disrepair that food or equipment may become contaminated or adulterated pursuant to Health and Safety Code Section 114393 or otherwise presents an imminent health hazard.

(C) Whenever a permit is suspended pursuant to Section 8.46.040(B)(1) as the result of an imminent health hazard, the enforcement officer shall issue to the permitholder a notice setting forth the acts or omissions with which the permitholder is charged, specifying the pertinent code section, and informing the permitholder of the right to a hearing.

(D) Whenever equipment is impounded pursuant to Section 8.46.040(B)(2) as a result of an imminent health hazard, the enforcement officer shall tag the equipment and shall issue a receipt for impound setting forth the imminent health hazard and providing details for reclamation.

(E) Whenever food is impounded pursuant to Section 8.46.040(B)(2) as a result of an imminent health hazard, the enforcement officer may destroy the food upon determination that storage would be unsanitary. If the enforcement officer determines that storage of the food is feasible, the enforcement officer may tag the food and shall issue a receipt for impound setting forth the imminent health hazard and providing details for reclamation.

8.46.050 Storage, reclamation, and disposition process.

(A) Whenever equipment or food is impounded pursuant to Section 8.46.040(B)(2), the enforcement officer shall move the impounded equipment or food to a designated place of storage at the City through the Code Enforcement Division. The City shall maintain a record of the date and manner of coming into possession of the impounded equipment or food, adequate description of the same, and the dates of storage and disposition of the equipment or food.

(B) The impounded equipment or food will be stored and made available for release for a period of 30 days from the date the equipment or food was impounded, after which time, if not claimed, it may be subject to disposition as provided in this chapter or as otherwise provided by law. Upon expiration of that initial 30 day period, the City shall provide one final notice if the responsible party does not seek reclamation pursuant to subdivision (1) of this Section.

(1) Reclamation. During the 30 day holding period pursuant to Subdivision (B) of this Section, the responsible party may repossess the equipment or food provided he or she presents to the City's Code Enforcement Division the receipt of impoundment and provides proof of ownership or otherwise provides proof of ownership by, among other methods, describing the location and date when the equipment or food was impounded from public area, and providing reasonably specific and detailed description of the personal property as well as photographic identification, as defined in Section 1.04.100. If ownership cannot be determined to the satisfaction of the Code Enforcement Division, the City may refuse to return the equipment or food until ordered to do so by a court of competent jurisdiction; however, the impounding agency shall continue to hold the equipment or food until such determination is made.

(2) Disposition other than reclamation. If no responsible party seeks reclamation during the 30 day holding period pursuant to Subdivision (B) of this Section, the City may determine how to dispose of the impounded equipment or food pursuant to the following process:

(a) 60 Day Final Notice. Upon expiration of the 30 day holding period pursuant to Subdivision (B) of this Section, the Code Enforcement Division will issue a 60 Day Final Notice to the responsible party providing details for reclamation and notice of disposition after expiration of the 60 day final notice period.

(b) City Disposition After Expiration of 60 Day Final Notice. Upon expiration of the 60 day final notice period, any remaining equipment or food not claimed may be appropriated to the City upon order from the City manager or designee that the equipment or food can be used for a public use. Any equipment or food not appropriated to the City may be sold at

a public auction or disposed of in such a manner as deemed appropriate by the City manager or designee.

(C) The City shall not be required to undertake any search for, or return, any impounded equipment or food stored other than provided in this Section.

8.46.060 Violations and penalties.
It is unlawful to have any immediate health hazard upon any food facilities within the City and is punishable as set forth in PMC Chapter 1.12 as a misdemeanor, consistent with Health and Safety Code Section 114395.

8.46.070 Public nuisance declared.
In addition to other penalties provided by law, any condition caused or permitted to exist in violation of any provision of this code shall be deemed a public nuisance and may be abated as such by the City enforcement officers as provided in PMC Chapter 8.36, irrespective of any other remedy hereinabove provided. Each day such condition continues shall constitute a new and separate offense.

8.46.080 Administrative hearing.
(A) Request for hearing.

(1) The owner or other responsible person who was issued a notice pursuant to Section 8.46.040(C) may contest the enforcement officer's permit suspension by filing a timely and complete request for an administrative hearing on a City-approved form with the Office of the City Clerk, 38300 Sierra Highway, Palmdale, CA 93550, within 15 calendar days from the issuance date of the notice. Failure to file a request for a hearing in the office of the City Clerk within the required period shall have waived the right to a hearing and admitted that the permit suspension was reasonable and justified. In that event, the permit suspension by the enforcement officer is final.

(2) A request for a hearing shall state: the date and number of the notice; the address or location of the business; the name, address, telephone and any facsimile numbers, where the person requesting the hearing may be contacted; a statement explaining why he or she believes that the permit suspension was unwarranted.

(B) Timing of hearing.

(1) The hearing will be conducted within 15 days of the date a timely and complete request is received by the office of the City Clerk. The City Clerk or his or her designee will notify the persons requesting the hearing in writing by first class mail of the date, time and place set for the hearing at least 5 calendar days prior to the date of the hearing. Service of this notice is deemed complete at time of mailing. The failure to receive a properly addressed notice of hearing shall not invalidate any hearing, City action or proceeding conducted pursuant to this chapter.; and the date and signature of the person requesting the hearing.

(C) Hearing procedures.

(1) At least 3 City business days prior to the date set for the hearing, the enforcement officer and the persons requesting the hearing (or their representatives) shall ensure that a copy of all reports, statements or pictures or other evidence they wish to be considered in connection with the hearing is exchanged so that such information may be considered by the Hearing Officer and all parties to the hearing (by the enforcement officer to each person requesting the hearing and by each person requesting the hearing to the City Clerk). Such exchange is to occur by first class mail. However, if the parties agree, the enforcement officer and the person requesting a hearing may exchange copies of their evidence via email

in addition to or in lieu of first class mail. Failure to receive such documents shall not invalidate any hearing, City action or proceeding conducted pursuant to this Chapter.

(2) The Hearing Officer designated or appointed by the City Manager or his or her designee shall hear all requests for hearings pursuant to this Chapter in accordance with the procedures established herein.

(3) The person requesting a hearing may appear at the hearing in person or by written declaration executed under penalty of perjury. Said declaration and any documents in support thereof shall be tendered to and received by the office of the City Clerk at least three City business days prior to the hearing. If such person fails to attend the scheduled hearing and does not submit a written declaration in a timely manner, he or she shall be deemed to have waived the right to a hearing. In such an instance, the Hearing Officer shall issue an order and judgment in favor of the City.

(4) At the hearing, the hearing officer shall accept reliable evidence from any person if such evidence bears on the issue of whether suspension of the permit was proper as stated in the notice. The hearing officer is authorized to take testimony and is authorized to administer oaths or affirmations pursuant to California Code of Civil Procedure Section 2093(a). The City may issue subpoenas requiring attendance of witnesses or production of books or other documents for evidence or testimony at the hearing.

(5) Administrative hearings are informal and formal rules of evidence and discovery do not apply. The City bears the burden of proof to establish, by competent evidence, the existence of circumstances warranting permit suspension, by a preponderance of evidence. The person requesting the hearing and the enforcement officer (or their representatives) shall have an opportunity to present evidence and witnesses and to cross-examine witnesses. A person requesting the hearing may bring an interpreter to the hearing, provided there is no expense to the City therefor. The Hearing Officer may question any person who presents evidence or who testifies at any hearing.

(6) Hearings may be continued once at the request of a person requesting the hearing or the enforcement officer who issued the notice and order to abate. The Hearing Officer may also continue the hearing for cause.

(D) Hearing decision.

(1) Based upon the evidence regarding the suspension of the permit submitted in connection with the hearing, the Hearing Officer shall determine whether the permit suspension was warranted. As soon as is practicable following the close of such hearing, and no later than 14 business days following the close of the hearing unless cause exists therefor, the Hearing Officer shall render a written decision on the matter. If the permit suspension is upheld, the Hearing Officer shall issue an order. The Hearing Officer shall promptly give written notice to the person requesting the hearing and any other interested person who requests, in writing, notice of such decision, including a copy of the order. The order issued by the Hearing Officer shall be deemed a final order and may be judicially reviewed pursuant to California Code of Civil Procedure Section 1094.6. There is no right to an appeal to the City Council.

8.46.090 Severability.
In any provision, clause, sentence or paragraph of this chapter, or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of the provisions of this chapter which can be given effect without the invalid provision or application and, to this end, the provisions of this chapter are hereby declared to be severable.

SECTION 8: Section 10.04.120 of Title 10 of the Palmdale Municipal Code is hereby repealed and deleted in its entirety.

SECTION 9: Section 3.44.230, subdivision A, of Title 3 of the Palmdale Municipal Code is hereby amended to read as follows:

(A) The name, home address, telephone number, and Social Security number of the applicant. In lieu of providing a Social Security number, the applicant can provide any of the following: a California driver's license or identification number, an individual taxpayer identification number, or a municipal identification number of the applicant. If the applicant is a corporation, the name shall be exactly as set forth in its articles of incorporation. Additionally, there shall be included the names, addresses and telephone numbers of all directors, any stockholder holding 10 percent or more of the shares of the corporation, and the name, home address and telephone number of an officer who is duly authorized to accept service of legal process. If the applicant is a partnership, the names, home addresses and telephone numbers of each general partner shall be stated. If one or more of the partners is a corporation, the provisions of this subsection pertaining to a corporate applicant shall apply to that partner;

SECTION 10: Nothing in this Ordinance shall be construed to affect any suit in any court and related liabilities, nor shall anything in this Ordinance be construed to affect or excuse any violation of or criminal, civil, or administrative process, proceeding, or agreement concerning the codes repealed in existence prior to the effective date of this Ordinance.

SECTION 11: If any section, subsection, paragraph, sentence, clause or phrase of these provisions of the Palmdale Municipal Code is declared by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of the provisions of the Palmdale Municipal Code. The City Council declares that it would have adopted these provisions of the Palmdale Municipal Code, and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, phrases, or portions be declared invalid or unconstitutional.

SECTION 12: This Ordinance shall take effect thirty (30) days after its adoption.

SECTION 13: The City Clerk, or her duly appointed deputy, shall attest to the adoption of this Ordinance. Not later than fifteen (15) days following the passage of this ordinance, the ordinance, or a summary of the ordinance, along with the names of the City Council members voting for and against the ordinance, shall be published in a newspaper of general circulation in the City of Palmdale.
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SECTION 14: The City Council finds that this ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

SIGNED AND APPROVED THIS ____ day of _____, 2023.

_____
Laura Bettencourt, Mayor

APPROVED AS TO FORM:

_____
William P. Curley, III, Interim City Attorney

ATTEST:

_____
Rochelle Scott, Acting City Clerk

I HEREBY CERTIFY that the above and foregoing ordinance was duly passed and adopted by the Palmdale City Council at its regular meeting held on the _____ day of _____, 2023, by the following vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Rochelle Scott, Acting City Clerk

CITY COUNCIL
CITY OF PALMDALE, CALIFORNIA
RESOLUTION NO. CC 2023-014

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE APPROVING ADOPTION OF PERMIT FEES FOR SIDEWALK VENDING AND MOBILE FOOD VENDING

WHEREAS, the City Council has determined that City Staff provides business permitting services to the public; and

WHEREAS*,* the City Council may adopt the concurrently proposed Ordinance No. 1606 adding Section 5.04.590 (Sidewalk Vending) and Section 5.05.600 (Mobile Vending) to Title 5 the Palmdale Municipal Code, which will add new forms of business permits needed in connection with Sidewalk Vending and Mobile Vending; and

WHEREAS*,* the City Council desires to ensure it can properly and effectively serve the public in processing and issuing the new forms of business permits needed in connection with Sidewalk Vending and Mobile Vending should Ordinance No. 1606 be adopted and wishes to set reasonable fees for such efforts in compliance with State Law, including Government Code section 66014; and

WHEREAS*,* the City Council conducted a duly noticed public hearing on March 15, 2023 at which time the public was invited to make oral and written presentations as part of the City Council's meeting prior to the adoption of this Resolution and concurrently proposed Ordinance No. 1606; and

WHEREAS*,* at least ten (10) days prior to the public hearing referenced above, the City made available for public inspection information required under Government Code Section 66000, et seq., and

WHEREAS*,* the City published notice of the public hearing as described above in accordance with Government Code Sections 6062(a), 66014, 66016, 66017 and 66018 for the various fees.

NOW THEREFORE, BE IT RESOLVED, THE CITY COUNCIL OF THE CITY OF PALMDALE DOES HEREBY FIND, DETERMINE, RESOLVE AND ORDER AS FOLLOWS:

SECTION 1. Adopt Resolution No. CC 2023-014 to authorize the proposed permit fees for sidewalk vending and mobile vending.

SECTION 2. The City Council hereby finds and determines that the existing, new or increased fees, rates, and charges established in this Resolution are in an amount reasonably necessary to recover the costs of providing the service, review, document, facility, or commodity for which such fee, rate, or charge is levied or authorized to be levied.

SECTION 3. Adoption of Resolution No. 2023-014 establishes sidewalk vendor business permits and the related business permit fee amount as follows:

BUSINESS PERMITS		
Description	FY 2023 Fee	Comments
Business Permit Required: Sidewalk Vendor		
Sidewalk Vendor		
a. Application for permit	$77.70	Plus $5.18 Id badge
b. Annual renewal of permit	$77.70	Plus $5.18 Id badge

SECTION 4. Adoption of Resolution No. 2023-014 establishes vehicle operator business permits and the related business permit fee amount as follows:

BUSINESS PERMITS		
Description	FY 2023 Fee	Comments
Business Permit Required: Mobile Vending: Vehicle Operator		
Mobile Vending: Vehicle Operator		
a. Application for permit	$77.70	Plus $5.18 Id badge
b. Annual renewal of permit	$77.70	Plus $5.18 Id badge

SECTION 5. Adoption of Resolution No. 2023-014 establishes pedestrian solicitor business permits and the related business permit fee amount as follows:

BUSINESS PERMITS		
Description	FY 2023 Fee	Comments
Business Permit Required: Mobile Vending: Pedestrian Solicitor		

Mobile Vending: Pedestrian Solicitor		
a. Application for permit	$77.70	Plus $5.18 Id badge
b. Annual renewal of permit	$77.70	Plus $5.18 Id badge

SECTION 6. Adoption of Resolution No. 2023-014 establishes temporary use permits for food truck mobile vending in residential zones and the related temporary use permit fee amount as follows:

PLANNING		
Description	FY 2023 Fee	Comments
Temporary Use Permit		
Food Truck Vending in Residential Zone	$250.00	flat fee

SECTION 7. If Ordinance No. 1606 is adopted, the new rates, fees, and charges set forth in this Resolution shall become effective on the first date that the amounts can legally be enforced. If Ordinance No. 1606 is not adopted, this Resolution shall not become effective.

SECTION 8. The City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED and **ADOPTED** this ____ day of March 2023.

_____

Approved as to form: Laura Bettencourt, Mayor

ATTEST:

_____ _____

William P. Curley, III, Interim City Attorney Rochelle Scott, Acting City Clerk

I, Rochelle Scott, Acting City Clerk of Palmdale, California, do hereby certify that the foregoing resolution was duly passed, approved, and adopted by the City Council of the City of Palmdale at a regular meeting of said Council held on the _____ day of _____, 2023 by the following roll call vote:

AYES: _____

NOES:_____

ABSTAIN:_____ABSENT:_____

Date: _____ _____

Rochelle Scott, Acting City Clerk

City Council Staff Report

DATE: **MARCH 15, 2023**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **OFFICE OF THE CITY MANAGER**
CITY CLERK DIVISION

DISTRICT **ALL**

SUBJECT: **APPROVE APPOINTMENT TO THE ANTELOPE VALLEY MOSQUITO ABATEMENT AND VECTOR CONTROL DISTRICT**

ISSUE

Approve appointment to the Antelope Valley Mosquito Abatement and Vector Control District.

RECOMMENDATION

Approve appointment to the Antelope Valley Mosquito Abatement and Vector Control.

1. Appoint Bal Dhinsa to serve as Committee Member on the Antelope Valley Mosquito Abatement and Vector Control District

BACKGROUND

The Antelope Valley Mosquito Abatement and Vector Control District was formed on August 21, 1958, through action taken by the Los Angeles County Board of Supervisors, as a result of a petition submitted by the residents of the Antelope Valley.

The Antelope Valley Mosquito Abatement and Vector Control District is a five-member Board of Trustees whose members represent the citizens of Palmdale, Lancaster, and Los Angeles County. The District works under the authority of the California Health and Safety Code Section 2000-2093. Historically, Council has appointed a citizen who lives within the district boundaries.

The meetings are held on the 4th Thursday of each month at 4:00 p.m. at 42624 6th Street East, Lancaster, CA.

DISCUSSION

At the January 11, 2023 meeting, Council directed staff to advertise for the Antelope Valley Mosquito Abatement and Vector Control District vacant position. A Notice of Vacancy was placed in the AV Press as required for interested citizens to apply. The

Communications division also provided a press release to the public, including the application submittal deadline. The Classified Ad and the application were made available on the City's website as well as in the Office of the City Clerk. Staff received one (1) application.

This item is brought forth to determine if the City Council desires to appoint a delegate to the Antelope Valley Mosquito Abatement and Vector Control District.

FISCAL IMPACT

There is no fiscal impact associated with this item.

STRATEGIC PLAN

Goal I: Maintain effective public safety and protection for life, property, and the environment.

D. Strengthen regional, state, and national partnerships to enhance our legislative presence.

Goal II: Ensure long-term fiscal health of the City and maintain funding for services.

C. Involve and expand engagement to enhance public oversight and transparency.

Prepared by:	Rochelle Scott, Acting City Clerk
Certified as to availability of Funds:	Janelle Samson, Director of Finance
Approved by:	Ronda Perez, City Manager
Approved as to form:	William P. Curley, III, Interim City Attorney

ATTACHMENT

Application

Rochelle Scott

From: noreply@civicplus.com
Sent: Friday, March 3, 2023 11:23 AM
To: City Clerk Department
Subject: Online Form Submittal: Antelope Valley Mosquito Abatement & Vector Control Appointment Application

CAUTION: This email originated from outside of the organization.

Antelope Valley Mosquito Abatement & Vector Control Appointment Application

Name	Bal Dhinsa District 5
Address	[redacted]
City	palmdale
State	ca
Zip Code	[redacted]
Home Phone	[redacted]
Business Phone	*Field not completed.*
District you reside in	Palmdale
Why are you interested in this position?	I have an interest to Health of this community. I believe that Av Mosquito and Vector Control also a pathway to ensure the health of this community and I wish to add any to grow and achieve our mutual interest.
Have you had previous public service experience on a board, commission, or public body? If so, indicate the public agency, title, position, and duties.	I have half a position in design for living as a treasure. I was in charge of oversight of all monies affairs within the company.
The AV Mosquito & Vector Control Board meets on the 4th Thursday of each month at 4:00 p.m. are you available to attend these monthly meetings?	Yes

Considering your previous experience indicate what you feel are the most important experiences and abilities that qualify you for this position.	As a business leader in the community for the past 20 plus years I encountered numerous experiences that has made me very well rounded to handle any circumstance ahead. I am a prime candidate for this position and I am honored to apply!
If you wish, you may attach a copy of your resume to this application.	*Field not completed.*

Applications may be mailed (postmarked the date of the deadline), e-mailed to cityclerkdepartment@cityofpalmdale.org or hand delivered to the office of the City Clerk at 38300 Sierra Hwy., Ste. C, Palmdale, CA 93550 For additional information, please contact the City Clerk at 661/267-5151

Email not displaying correctly? View it in your browser.

City Council Staff Report

DATE: **MARCH 15, 2023**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **OFFICE OF THE CITY MANAGER**
CITY CLERK DIVISION

DISTRICT: **ALL**

SUBJECT: **CITY COUNCIL NOMINATION AND APPOINTMENT OF ONE (1) PUBLIC MEMBER TO THE PALMDALE ENHANCED INFRASTRUCTURE FINANCING DISTRICT**

ISSUE

City Council Nomination and Appointment of one (1) Public Member to the Palmdale Enhanced Infrastructure Financing District (EIFD).

RECOMMENDATION

City Council Nomination and Appointment of one (1) Public Member to the Palmdale (EIFD) from the applicants below:

1. Laura Gordon
2. Jason Zink

BACKGROUND

At the June 1, 2021 City Council meeting, the City Council approved Resolution CC 2021-044 to establish the Palmdale EIFD and a Public Financing Authority. The primary goal of the Palmdale EIFD is to attract new private investment and accelerate development in key areas of the city, helping create new jobs, housing opportunities and local and regional transportation options for the region.

Under Enhanced Infrastructure Financing District (EIFD) law, the Palmdale EIFD Public Financing Authority is the governing board of the Palmdale EIFD. Initially and pursuant to EIFD law, the Palmdale EIFD Public Financing Authority (PFA) membership shall include two City Councilmembers and one public member. All members of the Board serve at the pleasure of the City Council, and any member may be removed, with or without cause, by a majority vote of the City Council. Public members serve a two-year term.

The PFA membership is comprised of two members of the City Council, a public member selected by the Council, one member of the County, and a member of the public selected by the County. Members shall serve at the pleasure of their respective appointing legislative bodies.

Meetings are held on as needed in the Council Chamber, 38300 Sierra Highway, Suite B, Palmdale, CA.

DISCUSSION

At the January 11, 2023, meeting, Council directed staff to advertise for the Palmdale Enhanced Infrastructure Financing District vacant position. A Notice of Vacancy was placed in the AV Press as required for interested citizens to apply. The Communications division also provided a press release to the public, including the application submittal deadline. The Classified Ad and the application were made available on the City's website as well as in the Office of the City Clerk. Staff received two (2) applications by the February 28, 2023, application submittal deadline.

This item is brought forth to determine if the City Council desires to appoint a Public Member to the Palmdale Enhanced Infrastructure Financing District.

Applicant will be required to pass a Livescan fingerprint scan submission via the California Department of Justice.

FISCAL IMPACT

There is no fiscal impact associated with this item, as member positions do not receive compensation for service.

STRATEGIC PLAN

Goal II: Ensure long-term fiscal health of the City and maintain funding for services.

> C. Involve and expand engagement to enhance public oversight and transparency.

Prepared by:	Rochelle Scott, Acting City Clerk
Certified as to availability of Funds:	Janelle Samson, Director of Finance
Approved by:	Ronda Perez, City Manager
Approved as to form:	William P. Curley, III, Interim City Attorney

ATTACHMENTS

Applications

PALMDALE
a place to call home

Office of the City Clerk
38300 Sierra Highway, Suite C
Palmdale, CA 93550
(661) 267-5151

Palmdale Enhanced Infrastructure Financing District (EIFD)/Volunteer Application

The City of Palmdale is an equal opportunity employer and does not discriminate in hiring or employment upon any basis prohibited by law, including race, color, creed, religion, age, sex (including pregnancy, childbirth and related medical conditions), cancer, national origin, genetic characteristics, genetic information, ancestry, sexual orientation, gender, gender identity, gender expression, marital status, veteran status, disability, or any other basis protected by applicable law. None of the questions or information sought in this application are intended to discriminate based upon any status protected by law. If you need reasonable accommodation in completing this application, or in any other part of the application process, please contact the City Clerk's Office at 661/267-5151.

Palmdale Enhanced Infrastructure Financing District Information:

Date 2/27/23

Please Print

Name Gordon, Laura Elaine
Last First Middle

Business Telephone (____) _____ Home Telephone (____) _____

Cell Phone ([redacted]) [redacted]

Possession of a valid California driver's license and the ability to be insured with the City's insurance carrier is required.

Present Address [redacted] [redacted]
No. Street City State Zip

Permanent Address if different from present address

_____
No. Street City State Zip

Personal Information
(Please attach additional sheets, if necessary.)

1. Yes ☐ No ☑ Are you currently serving as an elected city or county official? If yes, please explain. If no, type N/A

2. Yes ☑ No ☐ Do you or any members of your immediate family own any interest in any enterprise which does or might do business with the City and/or the Board/Commission?

3. Yes ☐ No ☑ Do you or any members of your immediate family have any interests or associations which might present a conflict of interest?

5. Yes ☐ No ☑ Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by a board, committee, or other professional group? If yes, please explain.

6. Yes ☑ No ☐ Do you have any previous experience serving on a board or commission? If yes, Board or Commission served, purpose of board or organization, length of time, and if currently serving on Board. GPAC

7. Describe the strengths you would bring to the Palmdale EIFD Public Financing Authority.

I have been a resident of Palmdale since 1985 and have served in our community for over 20 years. I was the Board Chair of the Palmdale Chamber of Commerce. I have worked on many budgets for organizations and work. My strength is in the housing industry.

Education, Training and Experience:

School	Name & Address	No. of Years Completed	Did you Graduate?	Degree or Diploma	GPA (i.e., A=4.0)
High School	JFK - in Granada Hills, CA	12th grade	Yes ☑ No ☐	Diploma	
College / University	SDSU	3	Yes ☐ No ☑	NO	
Vocational			Yes ☐ No ☑		
Other					

Employment History

List below all present and past employment for the last ten (10) years starting with your most recent employer. Account for all periods of unemployment. You must complete this section even if attaching a resume.

Name of Employer: Eugene Burger Management Corporation

Address: 6600 Hunter Dr, Rohnert Park, CA 94928
No. Street City State Zip

Type of Business: Property Management

Telephone No. (770) 584-5123 Your Supervisor's Name: Teresa Pegler

Your Position and Duties: Property Supervisor

Major Accomplishments: _____

Dates of Employment: From 4/30/12 To 2/27/23

Reason for Leaving: currently employed

Upon leaving, were you eligible for rehire? Yes ☑ No ☐

Name of Employer: _____

Address: _____
No. Street City State Zip

Type of Business: _____

Telephone No. (____) _____ Your Supervisor's Name: _____

Your Position and Duties: _____

Major Accomplishments: _____

Dates of Employment: From_____ To_____

Reason for Leaving: _____

Upon leaving, were you eligible for rehire? Yes ☐ No ☑

Name of Employer: _____

Address:_____
No. Street City State Zip

Type of Business: _____

Telephone No. (____) Ronda Perez Your Supervisor's Name:

Your Position and Duties:

Major Accomplishments: _____

Dates of Employment: From_____ To_____

Reason for Leaving: _____

Upon leaving, were you eligible for rehire? Yes ☑ No ☐

References

List below three persons not related to you who have knowledge of your civic activity within the last three years.

Name: Laura Bettencourt
Address: [redacted]
No. Street City State Zip
Occupation: [redacted]
Telephone No. ([redacted]) [redacted] Number of Years Acquainted: 15

Name: Ronda Perez
Address: [redacted]
No. Street City State Zip
Occupation: [redacted]
Telephone No. ([redacted]) [redacted] Number of Years Acquainted: 8

Name: Don Ryan
Address: [redacted]
No. Street City State Zip
Occupation [redacted]
Telephone No. ([redacted]) [redacted] Number of Years Acquainted: 15

Please read carefully, initial each paragraph and sign below:

I hereby certify that the answers given by me on this application are true and correct to the best of my knowledge, and that I have not withheld any information that might adversely affect my chances for appointment. I understand that any misstatement or omission of fact on this application or any documents used to obtain an appointment may result in rejection of this application or immediate discharge if I am appointed, regardless of the time elapsed before discovery of the misstatement or omission. I further
certify that I, the applicant, have personally completed this application. lg (**Initials**)

I hereby authorize the City of Palmdale to investigate my references, prior employers, work record, education, and other matters related to my suitability for appointment and further, authorize the references I have listed, all prior employers, and all educational institutions attended, to disclose to the City of Palmdale any and all letters, reports, and other information related to my records, including, but not limited to, my performance reviews and evaluations, discipline, commendations, awards, and all other employment information, without giving me prior notice of such disclosure. By providing this page of the application to the references, prior employers, and educational institutions attended, I release them, to the fullest extent permitted by law, from any and all claims, demands, fees, and liabilities for providing the City of Palmdale with all information. I release the City of Palmdale, its agents, employees, and representatives, to the fullest extent permitted by law, from any and all claims, demands, fees, and liabilities that may result from any use or disclosure of such information by the City of Palmdale, or any of its agents, employees, and representatives. lg (**Initials**)

I further understand and agree that as a condition to being appointed to the EIFD, I will be required to agree to conduct myself in accordance with the City of Palmdale's personnel practices and policies as set forth in the Human Resources Rules, the Brown Act, the Public Records Act, and the EIFD Rules of Procedures, copies of which I will be provided and will review prior to accepting an appointment to the EIFD. To the fullest extent permitted by law, I expressly consent to, and I waive any rights of privacy I might otherwise have in connection with the City's Human Resources Rules in general and the above-described sections in particular. lg (**Initials**)

I understand that as part of the final selection process, I will be required to pass a livescan fingerprint scan submission via the California Department of Justice. I understand that information collected during this background check will be limited to that appropriate to determining my suitability for this EIFD position and that such information collected during the check will be kept confidential. lg **(Initials)**

Volunteer Information:
REASONABLE ACCOMMODATIONS: Based on your understanding of the Volunteer Program, will you require any special accommodations to apply and/or participate as a volunteer? ☐ Yes ☑ No
If yes, what reasonable accommodations would be necessary to assist you in this area?

Foreign Languages: _____ ☐ Speak ☐ Read ☐ Write
_____ ☐ Speak ☐ Read ☐ Write

Specialized training/skills: _____

Computer Skills:

☐ Word	☐ Photoshop	☑ Excel	☐ Adobe Creator
☐ Access	☑ PowerPoint	☑ Publisher	☐ Other: _____

In Case of Emergency:

Whom should we notify? [redacted] [redacted] _____
Name Relationship to Applicant

Home Phone: [redacted] _____ Work Phone: _____

Physician's Name: [redacted] _____ Phone: _____

Do you have any medical history that we should be aware of in the event of an emergency? (Allergies, medications, etc.)

AUTHORIZATION AND RELEASE

I voluntarily agree to participate in this program. I hereby waive, release, and hold harmless from any liability or claims for damages for personal injury, including death, as well as from claims for property damage which may arise in connection with the above-named activity, against the supervisor, the City of Palmdale and its elected and appointed officials, agents, and employees.

I hereby agree to the Authorization and Release set forth on this 27 day of February, 2027

Applicant's Signature : [redacted] _____

Applicants are encouraged to attach a resume.
Applications may be mailed (postmarked the date of the deadline), e-mailed to cityclerkdepartment@cityofpalmdale.org or hand delivered to the office of the City Clerk at 38300 Sierra Hwy., Ste. C, Palmdale, CA 93550. For additional information, please contact the City Clerk at 661-267-5151.

Rochelle Scott

From: noreply@civicplus.com
Sent: Tuesday, February 28, 2023 12:01 PM
To: Rochelle Scott; Roxanne Faber
Subject: Online Form Submittal: Palmdale Enhanced Infrastructure Financing District (EIFD)/Volunteer Application

CAUTION: This email originated from outside of the organization.

Palmdale Enhanced Infrastructure Financing District (EIFD)/Volunteer Application

Office of the City Clerk
38300 Sierra Highway, Suite C
Palmdale, CA 93550
(661) 267-5151

Palmdale Enhanced Infrastructure Financing District (EIFD)/Volunteer Application

The City of Palmdale is an equal opportunity employer and does not discriminate in hiring or employment upon any basis prohibited by law, including race, color, creed, religion, age, sex (including pregnancy, childbirth and related medical conditions), cancer, national origin, genetic characteristics, genetic information, ancestry, sexual orientation, gender, gender identity, gender expression, marital status, veteran status, disability, or any other basis protected by applicable law. None of the questions or information sought in this application are intended to discriminate based upon any status protected by law. If you need reasonable accommodation in completing this application, or in any other part of the application process, please contact the City Clerk's Office at 661/267-5151.

Palmdale Enhanced Infrastructure Financing District Information:

Name	Jason Zink
Business Telephone	[redacted]
Home Telephone	*Field not completed.*
Cell Phone	[redacted]

Possession of a valid California driver's license and the ability to be insured with the City's insurance carrier is required.

Present Address	[redacted]

City	Palmdale
State	CA
Zip Code	[redacted]
Permanent Address if different from present address	[redacted]
City	[redacted]
State	[redacted]
Zip Code	[redacted]

(Section Break)

Personal Information

(Please attach additional sheets, if necessary.)

Are you currently serving as an elected city or county official? If yes, please explain.	No
Do you or any members of your immediate family own any interest in any enterprise which does or might do business with the City and/or the Board/Commission?	No
Do you or any members of your immediate family have any interests or associations which might present a conflict of interest?	No
Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by a board, committee, or other professional group? If yes, please explain.	No

Do you have any previous experience serving on a board or commission? If yes, Board or Commission served, purpose of board or organization, length of time, and if currently serving on Board.	Yes
Describe the strengths you would bring to the Palmdale EIFD Public Financing Authority.	35+ years in Real Estate, Development, Construction and Consulting in Antelope Valley.

Education, Training and Experience

High School

Name	Palmdale High School
Address	Ave R Palmdale CA
Number of Years Completed	4
Did you Graduate?	Yes
Degree or Diploma	Diploma
GPA (i.e., A=4.0)	3.0

College/University

Name	*Field not completed.*
Address	*Field not completed.*
Number of Years Completed	*Field not completed.*
Did you graduate?	*Field not completed.*

Degree or Diploma	*Field not completed.*
GPA (i.e., A=4.0)	*Field not completed.*

Vocational

Name	*Field not completed.*
Address	*Field not completed.*
Number of Years Completed	*Field not completed.*
Did you graduate?	*Field not completed.*
Degree or Diploma	*Field not completed.*
GPA (i.e., A=4.0)	*Field not completed.*
Other	CA Real Estate License

(Section Break)

Employment History

List below all present and past employment for the last ten (10) years starting with your most recent employer. Account for all periods of unemployment. You must complete this section even if attaching a resume.

Name of Employer	AV Land Guy - Zinkland; self-employed
Address	P.O. Box 902376
Type of Business	Real Estate Consulting
Telephone Number	661-810-9931
Your Supervisor's Name	*Field not completed.*
Your Position and Duties	Owner
Major Accomplishments	Helping to build AV
Dates of Employment	
From	*Field not completed.*

To	*Field not completed.*
Reason for Leaving	*Field not completed.*
Upon leaving, were you eligible for rehire?	*Field not completed.*
	(Section Break)
Name of Employer	*Field not completed.*
Address	*Field not completed.*
Type of Business	*Field not completed.*
Telephone Number	*Field not completed.*
Your Supervisor's Name	*Field not completed.*
Your Position and Duties	Owner
Major Accomplishments	*Field not completed.*
Dates of Employment	
From	*Field not completed.*
To	*Field not completed.*
Reason for Leaving	*Field not completed.*
Upon leaving, were you eligible for rehire?	*Field not completed.*
	(Section Break)
Name of Employer	*Field not completed.*
Address	*Field not completed.*
Type of Business	*Field not completed.*
Telephone Number	*Field not completed.*
Your Supervisor's Name	*Field not completed.*
Your Position and Duties	*Field not completed.*
Major Accomplishments	*Field not completed.*
Dates of Employment	

From	*Field not completed.*
To	*Field not completed.*
Reason for Leaving	*Field not completed.*
Upon leaving, were you eligible for rehire?	*Field not completed.*

(Section Break)

References

List below three persons not related to you who have knowledge of your civic activity within the last three years.

Name	*Field not completed.*
Address	*Field not completed.*
City	*Field not completed.*
State	*Field not completed.*
Zip Code	*Field not completed.*
Occupation	*Field not completed.*
Telephone Number	*Field not completed.*
Number of Years Acquainted	*Field not completed.*

(Section Break)

Name	*Field not completed.*
Address	*Field not completed.*
City	*Field not completed.*
State	*Field not completed.*
Zip Code	*Field not completed.*
Occupation	*Field not completed.*
Telephone Number	*Field not completed.*

Number of Years Acquainted	*Field not completed.*

(Section Break)

Name	*Field not completed.*
Address	*Field not completed.*
City	*Field not completed.*
State	*Field not completed.*
Zip Code	*Field not completed.*
Occupation	*Field not completed.*
Telephone Number	*Field not completed.*
Number of Years Acquainted	*Field not completed.*

(Section Break)

Please read carefully, initial each paragraph and sign below:

I hereby certify that the answers given by me on this application are true and correct to the best of my knowledge, and that I have not withheld any information that might adversely affect my chances for appointment. I understand that any misstatement or omission of fact on this application or any documents used to obtain an appointment may result in rejection of this application or immediate discharge if I am appointed, regardless of the time elapsed before discovery of the misstatement or omission. I further certify that I, the applicant, have personally completed this application.

Initials	JZ

I hereby authorize the City of Palmdale to investigate my references, prior employers, work record, education, and other matters related to my suitability for appointment and further, authorize the references I have listed, all prior employers, and all educational institutions attended, to disclose to the City of Palmdale any and all letters, reports, and other information related to my records, including, but not limited to, my performance reviews and evaluations, discipline, commendations,

awards, and all other employment information, without giving me prior notice of such disclosure. By providing this page of the application to the references, prior employers, and educational institutions attended, I release them, to the fullest extent permitted by law, from any and all claims, demands, fees, and liabilities for providing the City of Palmdale with all information. I release the City of Palmdale, its agents, employees, and representatives, to the fullest extent permitted by law, from any and all claims, demands, fees, and liabilities that may result from any use or disclosure of such information by the City of Palmdale, or any of its agents, employees, and representatives.

Initials	JZ

I further understand and agree that as a condition to being appointed to the Planning Commission, I will be required to agree to conduct myself in accordance with the City of Palmdale's personnel practices and policies as set forth in the Human Resources Rules, the Brown Act, the Public Records Act, and the EIFD Rules of Procedures, copies of which I will be provided and will review prior to accepting an appointment to the EIFD. To the fullest extent permitted by law, I expressly consent to and I waive any rights of privacy I might otherwise have in connection with the City's Human Resources Rules in general and the above-described sections in particular.

Initials	JZ

I understand that as part of the final selection process, I will be required to pass a livescan fingerprint scan submission via the California Department of Justice. I understand that information collected during this background check will be limited to that appropriate to determining my suitability for this EIFD position and that such information collected during the check will be kept confidential.

Initials	JZ

(Section Break)

Volunteer Information

REASONABLE ACCOMMODATIONS	No
Foreign Language	*Field not completed.*
Do you?	*Field not completed.*

Foreign Language	*Field not completed.*
Do you?	*Field not completed.*
Specialized training/skills:	*Field not completed.*
Computer Skills	*Field not completed.*

In Case of Emergency

Whom should we notify?

Name	[redacted]
Relationship	[redacted]
Home Phone	[redacted]
Work Phone	*Field not completed.*
Do you have any medical history that we should be aware of in the event of an emergency? (Allergies, medications, etc.)	None

AUTHORIZATION AND RELEASE

I voluntarily agree to participate in this program. I hereby waive, release, and hold harmless from any liability or claims for damages for personal injury, including death, as well as from claims for property damage which may arise in connection with the above-named activity, against the supervisor, the City of Palmdale and its elected and appointed officials, agents, and employees.

I hereby agree to the Authorization and Release set forth on this day	2/28/2023
Electronic Signature Agreement	I agree.

Electronic Signature	Jason Zink
Applicants are encouraged to attach a resume.	*Field not completed.*

Email not displaying correctly? View it in your browser.

City Council Staff Report

DATE: **MARCH 15, 2023**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **CITY MANAGER'S OFFICE – CITY CLERK DIVISION**

DISTRICT: **ALL**

SUBJECT: **CITY COUNCIL NOMINATION AND APPOINTMENT OF PLANNING COMMISSIONERS - DISTRICTS 1 through 5.**

ISSUE

City Council nomination and appointment of Planning Commissioners, Districts 1 through 5.

RECOMMENDATION

Staff recommends that each City Council member nominate an applicant from their District for appointment to the Planning Commission and that City Council vote to approve the nomination and appointment.

BACKGROUND

City Council directed staff to open a recruitment for Planning Commissioners for all Districts. The recruitment was opened on January 12, 2023, and closed on February 28, 2023. The City Clerk's office received sixteen (16) applications. In accordance with Palmdale Municipal Code (PMC) Section 2.46.040 (B) (2) All applications were provided to the City Council for their review. The applicants and their District Information is listed below:

DISTRICT 1 Councilmember Bishop	DISTRICT 2 Councilmember Loa	DISTRICT 3 Mayor Bettencourt	DISTRICT 4 Councilmember Ohlsen	DISTRICT 5 Mayor Pro Tem Alarcón
Denise Thompson	Karen Dhillon	Marcos Alvarez	Raymond Cunneff	Christian C. Martinez
David Lujan	Dean Henderson	Mateo Olivarez	Getro Elize	Luqman Y. Watkins
Barbara Smart	Richard Poston			
Oswaldo Serafin	Darlene Trevino			
	Judy Vaccaro-Fry			
	Maritza Pedro			

Pursuant to PMC 2.46.030 "The Planning Commission shall consist of five commissioners, each of whom shall be appointed from Planning Commission districts. All Commissioners shall be voting members of the Planning Commission. No Commissioner shall be a member of the City Council. To be appointed, each Commissioner must be a

resident of the district from which they are appointed. In general, if a district Commissioner ceases to be a resident of the district from which he or she is appointed, that Commissioner's appointment will automatically terminate. However, if a Commissioner ceases to be a resident of the district from which he or she is appointed because the district boundaries changed to a new district, such Commissioner may continue in office until any new Commissioners are appointed, at which time all Commissioners shall be required to reside in the district for which they have been appointed. Commissioners serve at the pleasure of the City Council and may be removed prior to the expiration of their term by a vote of a majority of the members of the City Council.

DISCUSSION

In the recruitment advertisement, terms were listed as "to be determined" as they would not necessarily be for the full two-year term. PMC Section 2.46.040 The terms for districts 1, 3 and 4 expire on June 30th of every even-numbered year (June 30, 2024). The terms for districts 2 and 5 expire on June 30th of every odd-numbered year (June 30, 2025). Notwithstanding the foregoing, all Commissioners will hold office until their successors are qualified and take office.

A Livescan fingerprint submission via the California Department of Justice. The State of California requires a Statement of Economic Interest Form 700 be filed with 30-days of the appointment.

FISCAL IMPACT

Approximately $3,296 in advertising cost. Commissioner compensation of $150 per meeting, a maximum of $300 per month for the Chair, and $100 per meeting, a maximum of $200 per month for all other Commissioners.

STRATEGIC PLAN

Goal II: Ensure long-term fiscal health of the City and maintain funding for services.

C. Involve and expand engagement to enhance public oversight and transparency.

Prepared by:	Roxanne Faber, Acting City Clerk
Certified as to availability of Funds:	Janelle Samson, Director of Finance
Approved by:	Ronda Perez, City Manager
Approved as to form:	William P. Curley, III Interim City Attorney

ATTACHMENTS

Redacted Applications

From: noreply@civicplus.com
To: Rochelle Scott; Roxanne Faber
Subject: Online Form Submittal: Planning Commission/Volunteer Application
Date: Sunday, January 22, 2023 11:55:40 AM

CAUTION: This email originated from outside of the organization.

Planning Commission/Volunteer Application

Planning Commission/Volunteer Application
The City of Palmdale is an equal opportunity employer and does not discriminate in hiring or employment upon any basis prohibited by law, including race, color, creed, religion, age, sex (including pregnancy, childbirth and related medical conditions), cancer, national origin, genetic characteristics, genetic information, ancestry, sexual orientation, gender, gender identity, gender expression, marital status, veteran status, disability, or any other basis protected by applicable law. None of the questions or information sought in this application are intended to discriminate based upon any status protected by law. If you need reasonable accommodation in completing this application, or in any other part of the application process, please contact the City Clerk's Office at 661/267-5151.

Planning Commission Information	
Name	Denise Thompson District 1
Date	1/22/2023
Business Telephone	*Field not completed.*
Home Telephone	*Field not completed.*
Cell Phone	[redacted]

*Possession of a valid California driver's license and the ability to be insured with the City's insurance carrier is required.

Present Address	[redacted]
City	Palmdale
State	California
Zip Code	[redacted]
Permanent Address if different from present address	*Field not completed.*

City	*Field not completed.*
State	*Field not completed.*
Zip Code	*Field not completed.*
Are you a current Planning Commissioner?	No
	(Section Break)
Personal Information	
Have you ever applied to or worked for the City before?	No
Do you have any relatives working for the City?	No
Do you own real property, personal property, financial holdings or receive income from any source which might present a potential conflict of interest or appearance of conflict of interest with your requested appointment?	No
Do you own real property, personal property, financial holdings or receive income from any source which might present a potential conflict of interest or appearance of conflict of interest with your requested appointment?	No
Have you ever been	No

disciplined or cited for a breach of ethics or unprofessional conduct by a board, committee, or other professional group?	
Do you or any members of your immediate family own any interest in any enterprise which does or might do business with the City and/or the Planning Commission?	No
Do you or any members of your immediate family own any interest in any real property adjacent to or within the City of Palmdale?	No
Do you or any members of your immediate family have any interests or associations which might present a conflict of interest?	No
Do you or any members of your immediate family currently serve as an elected city or county official?	No
What is your vision for Palmdale?	To see Palmdale grow as a community
How do you feel you would add value to the Planning Commission? What unique characteristics, qualifications,	I have worked with people in the community on other projects

perceptions, and experiences would you bring to the Commission?	
What additional information would you like us to know to better assess your suitability for the Planning Commission?	I am a member of SEIU 2015 and The Anetlope Valley Julietts
What are your long term goals as a Planning Commission member?	To see Palmdae grow as a community
In your opinion, what is the goal of the Planning Commission and what benefit does it provide to the City of Palmdale?	To ensure that all of the needs of the people of Palmdae are considered
Have you had previous public service experience on a commission or public body? If so, indicate the public agency, title of position, and duties.	No
	{Section Break}
Education, Training and Experience	
High School	
Name & Address	John F. Kennedy High
Number of Years Completed	3
Did you Graduate?	Yes
Degree or Diploma	Diploma
GPA (i.e., A=4.0)	3.5
College / University	

Name and Address	*Field not completed.*
Number of Years Completed	*Field not completed.*
Did you Graduate?	*Field not completed.*
Degree or Diploma	*Field not completed.*
GPA (i.e., A=4.0)	*Field not completed.*
Vocational	
Name and Address	*Field not completed.*
Number of Years Completed	*Field not completed.*
Did you Graduate?	*Field not completed.*
Degree or Diploma	*Field not completed.*
GPA (i.e., A=4.0)	*Field not completed.*
Other	
Name and Address	*Field not completed.*
Number of Years Completed	*Field not completed.*
Did you Graduate?	*Field not completed.*
Degree or Diploma	*Field not completed.*
GPA (i.e, A=4.0)	*Field not completed.*
Please list professional licenses and certificates pertinent to a position on the Planning Commission.	*Field not completed.*
List all current organizations and societies of which you are a member.	SEIU 2015 Antelope Valley Juliettes

(Section Break)

Employment History

List below all present and past employment for the last ten (10) years starting with your most recent employer. Account for all periods of unemployment. You must complete this section even if attaching a resume.

Name of Employer	IHSS
Address	335 East Ave K4
City	Lancaster
State	CA
Zip Code	93534
Type of Business	In Home Supportive Services
Telephone Number	*Field not completed.*
Your Supervisor's Name	Irene Cuevas
Your Position and Duties	Caregiver cook clean run errands
Major Accomplishments	*Field not completed.*
Dates of Employment	
From	11/1/2015
To	*Field not completed.*
Reason for Leaving	still working
Upon leaving, were you eligible for rehire?	*Field not completed.*

(Section Break)

Name of Employer	IHSS
Address	335 East Ave K4
City	Lancaster
State	CA

Zip Code	93534
Type of Business	Cargiver
Telephone Number	*Field not completed.*
Your Supervisor's Name	Beverly Ludemann
Your Position and Duties	cook clean run errans
Major Accomplishments	*Field not completed.*
Dates of Employment	
From	2/22/2022
To	*Field not completed.*
Reason for Leaving	still working
Upon leaving, were you eligible for rehire?	*Field not completed.*

(Section Break)

References

List below three persons not related to you who have knowledge of your civic activity within the last three years.

Name	Joyce Madien
Address	[redacted]
City	[redacted]
State	[redacted]
Zip	[redacted]
Occupation	[redacted]
Telephone Number	[redacted]
Number of Years Acquainted	7

(Section Break)

Name	Marlene White
Address	[redacted]
City	[redacted]
State	[redacted]
Zip	[redacted]
Occupation	[redacted]
Telephone Number	[redacted]
Number of Years Acquainted	40

(Section Break)

Name	Irma Johnson
Address	[redacted]
City	[redacted]
State	[redacted]
Zip	[redacted]
Occupation	[redacted]
Telephone Number	[redacted]
Number of Years Acquainted	43

(Section Break)

Please read carefully, initial each paragraph and sign below

I hereby certify that the answers given by me on this application are true and correct to the best of my knowledge, and that I have not withheld any information that might adversely affect my chances for appointment. I understand that any misstatement or omission of fact on this application or any documents used to obtain an appointment may result in rejection of this application or immediate discharge if I am appointed, regardless of the time elapsed before discovery of the misstatement or omission. I further certify that I, the applicant, have personally

completed this application.

Initials	drt

I hereby authorize the City of Palmdale to investigate my references, prior employers, work record, education, and other matters related to my suitability for appointment and further, authorize the references I have listed, all prior employers, and all educational institutions attended, to disclose to the City of Palmdale any and all letters, reports, and other information related to my records, including, but not limited to, my performance reviews and evaluations, discipline, commendations, awards, and all other employment information, without giving me prior notice of such disclosure. By providing this page of the application to the references, prior employers, and educational institutions attended, I release them, to the fullest extent permitted by law, from any and all claims, demands, fees, and liabilities for providing the City of Palmdale with all information. I release the City of Palmdale, its agents, employees, and representatives, to the fullest extent permitted by law, from any and all claims, demands, fees, and liabilities that may result from any use or disclosure of such information by the City of Palmdale, or any of its agents, employees, and representatives.

Initials	drt

I further understand and agree that as a condition to being appointed to the Planning Commission, I will be required to agree to conduct myself in accordance with the City of Palmdale's personnel practices and policies as set forth in the Human Resources Rules, the Brown Act, the Public Records Act, and the Planning Commission Rules of Procedures, copies of which I will be provided and will review prior to accepting an appointment to the Planning Commission. To the fullest extent permitted by law, I expressly consent to, and I waive any rights of privacy I might otherwise have in connection with the City's Human Resources Rules in general and the above-described sections in particular.

Initials	drt

(Section Break)

Volunteer Information	
Reasonable Accommodations	No

Foreign Languages

Language	*Field not completed.*
You can	*Field not completed.*
Language	*Field not completed.*
You can	*Field not completed.*

(Section Break)

In Case of Emergency
Whom should we notify?

Name	[redacted]
Relationship to Applicant	[redacted]
Home phone	[redacted]
Work Phone	*Field not completed.*
Physician's Name	[redacted]
Phone	[redacted]
Do you have any medical history that we should be aware of in the event of an emergency? (Allergies, medications, etc.)	[redacted]

(Section Break)

AUTHORIZATION AND RELEASE

I voluntarily agree to participate in this program. I hereby waive, release, and hold harmless from any liability or claims for damages for personal injury, including death, as well as from claims for property damage which may arise in connection with the above-named activity, against the supervisor, the City of Palmdale and its elected and appointed officials, agents, and employees.

I hereby agree to the Authorization and Release set forth on this date

Date and Time	1/22/2023

Electronic Signature Agreement	I agree.
Electronic Signature	Denise Renne Thompson

Email not displaying correctly? View it in your browser.

From: noreply@civicplus.com
To: Rochelle Scott; Roxanne Faber
Subject: Online Form Submittal: Planning Commission/Volunteer Application
Date: Monday, February 6, 2023 10:48:52 AM

CAUTION: This email originated from outside of the organization.

Planning Commission/Volunteer Application

Planning Commission/Volunteer Application
The City of Palmdale is an equal opportunity employer and does not discriminate in hiring or employment upon any basis prohibited by law, including race, color, creed, religion, age, sex (including pregnancy, childbirth and related medical conditions), cancer, national origin, genetic characteristics, genetic information, ancestry, sexual orientation, gender, gender identity, gender expression, marital status, veteran status, disability, or any other basis protected by applicable law. None of the questions or information sought in this application are intended to discriminate based upon any status protected by law. If you need reasonable accommodation in completing this application, or in any other part of the application process, please contact the City Clerk's Office at 661/267-5151.

Planning Commission Information	District 1
Name	David Lujan
Date	2/6/2023
Business Telephone	*Field not completed.*
Home Telephone	*Field not completed.*
Cell Phone	[redacted]

*Possession of a valid California driver's license and the ability to be insured with the City's insurance carrier is required.

Present Address	[redacted]
City	Palmdale
State	CA
Zip Code	[redacted]
Permanent Address if different from present address	*Field not completed.*

City	*Field not completed.*
State	*Field not completed.*
Zip Code	*Field not completed.*
Are you a current Planning Commissioner?	No
	(Section Break)
Personal Information	
Have you ever applied to or worked for the City before?	Yes
When?	June 2022
Do you have any relatives working for the City?	No
Do you own real property, personal property, financial holdings or receive income from any source which might present a potential conflict of interest or appearance of conflict of interest with your requested appointment?	No
Do you own real property, personal property, financial holdings or receive income from any source which might present a potential conflict of interest or appearance of conflict of interest with your requested appointment?	No

Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by a board, committee, or other professional group?	No
Do you or any members of your immediate family own any interest in any enterprise which does or might do business with the City and/or the Planning Commission?	No
Do you or any members of your immediate family own any interest in any real property adjacent to or within the City of Palmdale?	No
Do you or any members of your immediate family have any interests or associations which might present a conflict of interest?	No
Do you or any members of your immediate family currently serve as an elected city or county official?	No
What is your vision for Palmdale?	I honestly believe that Palmdale is such an amazing to live, I moved out here because family friendly neighborhoods and a safe place to raise my family. My vision for Palmdale is to live in a community that is safe, thriving economically and socially. .A city that offers affordable living, high quality jobs and have premier schools for our kids.
How do you feel you would add value to the	I went to Boys State, served in the Navy for 13 years as a Navy Corpsman and now working at the Department of Veterans

Planning Commission? What unique characteristics, qualifications, perceptions, and experiences would you bring to the Commission?	Affairs. All of these experiences in service has taught me to be able to listen to people, to lead people and to get the job done.
What additional information would you like us to know to better assess your suitability for the Planning Commission?	*Field not completed.*
What are your long term goals as a Planning Commission member?	To help make Palmdale the premier city to live.
In your opinion, what is the goal of the Planning Commission and what benefit does it provide to the City of Palmdale?	The Planning Commission approves or makes recommendations on land development proposals and environmental findings; ensures the Capital Improvement Program is consistent with the General Plan; and makes recommendations to the City Council on land use and environmental policies and programs.
Have you had previous public service experience on a commission or public body? If so, indicate the public agency, title of position, and duties.	Palmdale Aerospace Academy Board of Directors
(Section Break)	
Education, Training and Experience	
High School	
Name & Address	Hollywood High School
Number of Years Completed	3
Did you Graduate?	Yes
	Diploma

Degree or Diploma	
GPA (i.e., A=4.0)	3.5
College / University	
Name and Address	University of Phoenix
Number of Years Completed	4
Did you Graduate?	Yes
Degree or Diploma	Degree
GPA (i.e., A=4.0)	3.5
Vocational	
Name and Address	*Field not completed.*
Number of Years Completed	*Field not completed.*
Did you Graduate?	*Field not completed.*
Degree or Diploma	*Field not completed.*
GPA (i.e., A=4.0)	*Field not completed.*
Other	
Name and Address	Southern New Hampshire University (MBA)
Number of Years Completed	1
Did you Graduate?	No
Degree or Diploma	Current
GPA (i.e, A=4.0)	3.5
Please list professional licenses and certificates pertinent to a position on the Planning Commission.	No
List all current organizations and	Anaverde HOA Board President, Palmdale Aerospace Academy Executive Board Member

societies of which you are a member.

(Section Break)

Employment History

List below all present and past employment for the last ten (10) years starting with your most recent employer. Account for all periods of unemployment. You must complete this section even if attaching a resume.

Name of Employer	Department of Veterans Affairs
Address	11301 Wilshire Blvd
City	Los Angeles
State	CA
Zip Code	90073
Type of Business	Medical Center
Telephone Number	(626) 620-8440
Your Supervisor's Name	Daniel Gamboa
Your Position and Duties	Supervisor, Medical Support Assistant - Supervises all Health Administration Services for Medical Procedures at West Los Angeles VA Medical Center which includes Cardio, Cardio Procedures, Pulmonary, Sleep Clinic and GI Procedures and the Procedure Center.
Major Accomplishments	*Field not completed.*
Dates of Employment	
From	6/1/2010
To	2/6/2023
Reason for Leaving	Current Job
Upon leaving, were you eligible for rehire?	Yes

(Section Break)

Name of Employer	*Field not completed.*
Address	*Field not completed.*
City	*Field not completed.*
State	*Field not completed.*
Zip Code	*Field not completed.*
Type of Business	*Field not completed.*
Telephone Number	*Field not completed.*
Your Supervisor's Name	*Field not completed.*
Your Position and Duties	*Field not completed.*
Major Accomplishments	*Field not completed.*
Dates of Employment	
From	*Field not completed.*
To	*Field not completed.*
Reason for Leaving	*Field not completed.*
Upon leaving, were you eligible for rehire?	*Field not completed.*

(Section Break)

References

List below three persons not related to you who have knowledge of your civic activity within the last three years.

Name	Alejandro Abea
Address	[redacted]
City	[redacted]
State	[redacted]
Zip	[redacted]

Occupation	[redacted]
Telephone Number	[redacted]
Number of Years Acquainted	*Field not completed.*

(Section Break)

Name	Alie Walmsley
Address	*Field not completed.*
City	*Field not completed.*
State	*Field not completed.*
Zip	*Field not completed.*
Occupation	[redacted]
Telephone Number	[redacted]
Number of Years Acquainted	3

(Section Break)

Name	Herman Linares
Address	[redacted]
City	[redacted]
State	[redacted]
Zip	[redacted]
Occupation	*Field not completed.*
Telephone Number	[redacted]
Number of Years Acquainted	48

(Section Break)

Please read carefully, initial each paragraph and sign below

I hereby certify that the answers given by me on this application are true and

correct to the best of my knowledge, and that I have not withheld any information that might adversely affect my chances for appointment. I understand that any misstatement or omission of fact on this application or any documents used to obtain an appointment may result in rejection of this application or immediate discharge if I am appointed, regardless of the time elapsed before discovery of the misstatement or omission. I further certify that I, the applicant, have personally completed this application.

Initials DFL

I hereby authorize the City of Palmdale to investigate my references, prior employers, work record, education, and other matters related to my suitability for appointment and further, authorize the references I have listed, all prior employers, and all educational institutions attended, to disclose to the City of Palmdale any and all letters, reports, and other information related to my records, including, but not limited to, my performance reviews and evaluations, discipline, commendations, awards, and all other employment information, without giving me prior notice of such disclosure. By providing this page of the application to the references, prior employers, and educational institutions attended, I release them, to the fullest extent permitted by law, from any and all claims, demands, fees, and liabilities for providing the City of Palmdale with all information. I release the City of Palmdale, its agents, employees, and representatives, to the fullest extent permitted by law, from any and all claims, demands, fees, and liabilities that may result from any use or disclosure of such information by the City of Palmdale, or any of its agents, employees, and representatives.

Initials DFL

I further understand and agree that as a condition to being appointed to the Planning Commission, I will be required to agree to conduct myself in accordance with the City of Palmdale's personnel practices and policies as set forth in the Human Resources Rules, the Brown Act, the Public Records Act, and the Planning Commission Rules of Procedures, copies of which I will be provided and will review prior to accepting an appointment to the Planning Commission. To the fullest extent permitted by law, I expressly consent to, and I waive any rights of privacy I might otherwise have in connection with the City's Human Resources Rules in general and the above-described sections in particular.

Initials DFL

(Section Break)

Volunteer Information	
Reasonable Accommodations	No
Foreign Languages	
Language	Spanish
You can	Speak , Read
Language	*Field not completed.*
You can	*Field not completed.*

(Section Break)

In Case of Emergency Whom should we notify?

Name	[redacted]
Relationship to Applicant	[redacted]
Home phone	*Field not completed.*
Work Phone	*Field not completed.*
Physician's Name	[redacted]
Phone	[redacted]
Do you have any medical history that we should be aware of in the event of an emergency? (Allergies, medications, etc.)	[redacted]

(Section Break)

AUTHORIZATION AND RELEASE

I voluntarily agree to participate in this program. I hereby waive, release, and hold harmless from any liability or claims for damages for personal injury, including death, as well as from claims for property damage which may arise in connection with the above-named activity, against the supervisor, the City of Palmdale and its

elected and appointed officials, agents, and employees.

I hereby agree to the Authorization and Release set forth on this date	
Date and Time	*Field not completed.*
Electronic Signature Agreement	I agree.
Electronic Signature	DAVID F. LUJAN

Email not displaying correctly? View it in your browser.

From: noreply@civicplus.com
To: Rochelle Scott; Roxanne Faber
Subject: Online Form Submittal: Planning Commission/Volunteer Application
Date: Monday, February 6, 2023 4:23:40 PM

CAUTION: This email originated from outside of the organization.

Planning Commission/Volunteer Application

Planning Commission/Volunteer Application
The City of Palmdale is an equal opportunity employer and does not discriminate in hiring or employment upon any basis prohibited by law, including race, color, creed, religion, age, sex (including pregnancy, childbirth and related medical conditions), cancer, national origin, genetic characteristics, genetic information, ancestry, sexual orientation, gender, gender identity, gender expression, marital status, veteran status, disability, or any other basis protected by applicable law. None of the questions or information sought in this application are intended to discriminate based upon any status protected by law. If you need reasonable accommodation in completing this application, or in any other part of the application process, please contact the City Clerk's Office at 661/267-5151.

Planning Commission Information	District 1
Name	Barbara Smart
Date	[redacted]
Business Telephone	*Field not completed.*
Home Telephone	[redacted]
Cell Phone	[redacted]

*Possession of a valid California driver's license and the ability to be insured with the City's insurance carrier is required.

Present Address	[redacted]
City	Palmdale
State	CA
Zip Code	[redacted]
Permanent Address if different from present address	*Field not completed.*

City	*Field not completed.*
State	*Field not completed.*
Zip Code	*Field not completed.*
Are you a current Planning Commissioner?	No
	(Section Break)
Personal Information	
Have you ever applied to or worked for the City before?	Yes
When?	Recently MeasureAV Oversite Committee
Do you have any relatives working for the City?	No
Do you own real property, personal property, financial holdings or receive income from any source which might present a potential conflict of interest or appearance of conflict of interest with your requested appointment?	No
Do you own real property, personal property, financial holdings or receive income from any source which might present a potential conflict of interest or appearance of conflict of interest with your requested appointment?	No

Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by a board, committee, or other professional group?	No
Do you or any members of your immediate family own any interest in any enterprise which does or might do business with the City and/or the Planning Commission?	No
Do you or any members of your immediate family own any interest in any real property adjacent to or within the City of Palmdale?	Yes
Please explain	Our residential home
Do you or any members of your immediate family have any interests or associations which might present a conflict of interest?	No
Do you or any members of your immediate family currently serve as an elected city or county official?	No
What is your vision for Palmdale?	Palmdale has many wonderful things going for it. We, meaning our residents and businesses have the opportunity and responsibility to see our City continue to grow. We need safe and clean parks and areas of recreation. We need businesses to come to Palmdale. We need to have more things for families and singles to do. We lost Mulligans, what is left for kids? We need both renter and owner occupied affordable housing. We need to

	see a balance between the "east" and "west" sides of Palmdale. I see a city with a bright future. Palmdale can be the jewel of the Antelope Valley with careful planning and sustainable growth
How do you feel you would add value to the Planning Commission? What unique characteristics, qualifications, perceptions, and experiences would you bring to the Commission?	I have been a resident of Palmdale almost 23 years. I have the privilege to be a past full-time commuter, homeowner, a senior citizen, and am still raising a 14 year old high schooler. I bring the unique presective from several areas of experience. Over time, I have been able to see the ebb and flow of business and residential changes and the profit and deficits these changes bring. I bring a keen eye for detail, the ability to dig deep into a proposal, and an inquisitive mind. I have never been one to accept things at face value. Working with the public and as both a supervisor and customer service representative i found it necessary to investigate many situations to find a reasonable solution. I found sometimes you have to say no, but you should always look for another way to find an acceptable solution.
What additional information would you like us to know to better assess your suitability for the Planning Commission?	I firmly believe in growth. However, with growth comes a great responsibility. Along with encouraging growth and attaining mutual gains, we must protect our residents, businesses, and our environment. Planning for any city is not a cookie cutter process. I believe proposals deserve a thorough vetting review.
What are your long term goals as a Planning Commission member?	If I am selected to serve on this commission, I will be charged with helping make decisions for our City. I believe, as any member would, our legacy should be a community who knows the residents and businesses were protected by having well thought out growth. They should feel I/we did the best job possible for them.
In your opinion, what is the goal of the Planning Commission and what benefit does it provide to the City of Palmdale?	The goal of the Planning Commission is to make decisions on land development. The Commission must review any request with respect to zoning law, environmental impact, and resident benefit. With new State mandates regarding zoning and lot/land use the Commission has increased challenges. I think the Commission will meet these challenges head-on and keep continued growth while preserving the core values of the Commission.
Have you had previous public service experience on a commission or public body? If so, indicate the public agency, title of position, and duties.	I worked for the City of Los Angeles, Department of Water and Power (DWP) for almost 33 years. Almost all of my career I worked directly with the City's rate payers. I had the responsibility to be fiscally responsible to the City while serving the community. I have served on School Site Council for two schools (PSD elementary and middle), again working within an established budget to serve our students and teachers. In the absence of a permanent Parent Liaison I volunteered at the middle school to help with telephone coverage and greeting visitors, primarily parents when necessary. I also help prepare

	and maintain all records for the School Site Council. I was an alternate committee member for MeasureAVOversite, however I was never called to serve.
	(Section Break)
Education, Training and Experience	
High School	
Name & Address	Verdugo Hills High School, Plainview Av, Tujunga. CA
Number of Years Completed	3
Did you Graduate?	Yes
Degree or Diploma	Diploma
GPA (i.e., A=4.0)	*Field not completed.*
College / University	
Name and Address	University of Phoenix
Number of Years Completed	1
Did you Graduate?	No
Degree or Diploma	*Field not completed.*
GPA (i.e., A=4.0)	*Field not completed.*
Vocational	
Name and Address	*Field not completed.*
Number of Years Completed	*Field not completed.*
Did you Graduate?	*Field not completed.*
Degree or Diploma	*Field not completed.*
GPA (i.e., A=4.0)	*Field not completed.*
Other	
Name and Address	*Field not completed.*
Number of Years	*Field not completed.*

Completed	
Did you Graduate?	*Field not completed.*
Degree or Diploma	*Field not completed.*
GPA (i.e, A=4.0)	*Field not completed.*
Please list professional licenses and certificates pertinent to a position on the Planning Commission.	*Field not completed.*
List all current organizations and societies of which you are a member.	*Field not completed.*

(Section Break)

Employment History

List below all present and past employment for the last ten (10) years starting with your most recent employer. Account for all periods of unemployment. You must complete this section even if attaching a resume.

Name of Employer	City of Los Angeles, Department of Water and Power
Address	111 N. Hope Dt
City	Los Angeles
State	CA
Zip Code	90011
Type of Business	Public Utility
Telephone Number	*Field not completed.*
Your Supervisor's Name	Melani Chacon - retired
Your Position and Duties	I worked for the City of Los Angeles, Department of Water and Power (DWP) for almost 33 years. Most of my career I was directly involved with rate payers/customers either in person, by telephone, or written correspondence. I worked with rate payers answering questions, resolving problems, and handled escalated

	customer service situations. I also supervised a large group of customer service representatives engaged in all aspects of rate payers billing. I was responsible for hiring new representatives, vacation/time off scheduling, employee mentoring/training, daily, weekly, and monthly reports, sensitive employee issues, and employee discipline when necessary. I also worked on department budgets
Major Accomplishments	Training and helping to implement a new $11millon customer information system, streamlined the computer installation of new services, and helping 1000s of rate payers through the years. I believe sometimes you have to say no, but this is your opportunity for search for something you to which you can say yes.
Dates of Employment	
From	4/22/1982
To	2/1/2014
Reason for Leaving	Retired - retirees are not eligible for rehire. They are eligible only for contract work
Upon leaving, were you eligible for rehire?	No
	(Section Break)
Name of Employer	*Field not completed.*
Address	*Field not completed.*
City	*Field not completed.*
State	*Field not completed.*
Zip Code	*Field not completed.*
Type of Business	*Field not completed.*
Telephone Number	*Field not completed.*
Your Supervisor's Name	*Field not completed.*
Your Position and Duties	*Field not completed.*
Major Accomplishments	*Field not completed.*

Dates of Employment

From	*Field not completed.*
To	*Field not completed.*
Reason for Leaving	*Field not completed.*
Upon leaving, were you eligible for rehire?	*Field not completed.*

(Section Break)

References

List below three persons not related to you who have knowledge of your civic activity within the last three years.

Name	Melani Chacon
Address	*Field not completed.*
City	*Field not completed.*
State	[redacted]
Zip	*Field not completed.*
Occupation	[redacted]
Telephone Number	[redacted]
Number of Years Acquainted	32

(Section Break)

Name	Jason Deaville
Address	[redacted]
City	[redacted]
State	[redacted]
Zip	*Field not completed.*
Occupation	[redacted]
Telephone Number	[redacted]

Number of Years Acquainted	4

(Section Break)

Name	Laura Park
Address	[redacted]
City	[redacted]
State	[redacted]
Zip	[redacted]
Occupation	[redacted]
Telephone Number	[redacted]
Number of Years Acquainted	10

(Section Break)

Please read carefully, initial each paragraph and sign below

I hereby certify that the answers given by me on this application are true and correct to the best of my knowledge, and that I have not withheld any information that might adversely affect my chances for appointment. I understand that any misstatement or omission of fact on this application or any documents used to obtain an appointment may result in rejection of this application or immediate discharge if I am appointed, regardless of the time elapsed before discovery of the misstatement or omission. I further certify that I, the applicant, have personally completed this application.

Initials	Bas

I hereby authorize the City of Palmdale to investigate my references, prior employers, work record, education, and other matters related to my suitability for appointment and further, authorize the references I have listed, all prior employers, and all educational institutions attended, to disclose to the City of Palmdale any and all letters, reports, and other information related to my records, including, but not limited to, my performance reviews and evaluations, discipline, commendations, awards, and all other employment information, without giving me prior notice of such disclosure. By providing this page of the application to the

references, prior employers, and educational institutions attended, I release them, to the fullest extent permitted by law, from any and all claims, demands, fees, and liabilities for providing the City of Palmdale with all information. I release the City of Palmdale, its agents, employees, and representatives, to the fullest extent permitted by law, from any and all claims, demands, fees, and liabilities that may result from any use or disclosure of such information by the City of Palmdale, or any of its agents, employees, and representatives.

Initials	Bas

I further understand and agree that as a condition to being appointed to the Planning Commission, I will be required to agree to conduct myself in accordance with the City of Palmdale's personnel practices and policies as set forth in the Human Resources Rules, the Brown Act, the Public Records Act, and the Planning Commission Rules of Procedures, copies of which I will be provided and will review prior to accepting an appointment to the Planning Commission. To the fullest extent permitted by law, I expressly consent to, and I waive any rights of privacy I might otherwise have in connection with the City's Human Resources Rules in general and the above-described sections in particular.

Initials	Bas

(Section Break)

Volunteer Information	
Reasonable Accommodations	No
Foreign Languages	
Language	*Field not completed.*
You can	*Field not completed.*
Language	*Field not completed.*
You can	*Field not completed.*

(Section Break)

In Case of Emergency Whom should we notify?	

Name	[redacted]
Relationship to Applicant	[redacted]
Home phone	[redacted]
Work Phone	[redacted]
Physician's Name	[redacted]
Phone	[redacted]
Do you have any medical history that we should be aware of in the event of an emergency? (Allergies, medications, etc.)	*Field not completed.*

AUTHORIZATION AND RELEASE

I voluntarily agree to participate in this program. I hereby waive, release, and hold harmless from any liability or claims for damages for personal injury, including death, as well as from claims for property damage which may arise in connection with the above-named activity, against the supervisor, the City of Palmdale and its elected and appointed officials, agents, and employees.

I hereby agree to the Authorization and Release set forth on this date	
Date and Time	2/6/2023 12:00 AM
Electronic Signature Agreement	I agree.
Electronic Signature	Barbara Smart

Email not displaying correctly? View it in your browser.

From: noreply@civicplus.com
To: Rochelle Scott; Roxanne Faber
Subject: Online Form Submittal: Planning Commission/Volunteer Application
Date: Tuesday, February 28, 2023 5:38:38 PM

CAUTION: This email originated from outside of the organization.

Planning Commission/Volunteer Application

Planning Commission/Volunteer Application
The City of Palmdale is an equal opportunity employer and does not discriminate in hiring or employment upon any basis prohibited by law, including race, color, creed, religion, age, sex (including pregnancy, childbirth and related medical conditions), cancer, national origin, genetic characteristics, genetic information, ancestry, sexual orientation, gender, gender identity, gender expression, marital status, veteran status, disability, or any other basis protected by applicable law. None of the questions or information sought in this application are intended to discriminate based upon any status protected by law. If you need reasonable accommodation in completing this application, or in any other part of the application process, please contact the City Clerk's Office at 661/267-5151.

Planning Commission Information	District 1
Name	Oswaldo Serafin
Date	[redacted]
Business Telephone	*Field not completed.*
Home Telephone	*Field not completed.*
Cell Phone	[redacted]

*Possession of a valid California driver's license and the ability to be insured with the City's insurance carrier is required.

Present Address	[redacted]
City	Palmdale
State	CA
Zip Code	[redacted]
Permanent Address if different from present address	[redacted]

City	Palmdale
State	CA
Zip Code	[redacted]
Are you a current Planning Commissioner?	No
	(Section Break)
Personal Information	
Have you ever applied to or worked for the City before?	No
Do you have any relatives working for the City?	No
Do you own real property, personal property, financial holdings or receive income from any source which might present a potential conflict of interest or appearance of conflict of interest with your requested appointment?	No
Do you own real property, personal property, financial holdings or receive income from any source which might present a potential conflict of interest or appearance of conflict of interest with your requested appointment?	No
Have you ever been	No

disciplined or cited for a breach of ethics or unprofessional conduct by a board, committee, or other professional group?	
Do you or any members of your immediate family own any interest in any enterprise which does or might do business with the City and/or the Planning Commission?	No
Do you or any members of your immediate family own any interest in any real property adjacent to or within the City of Palmdale?	No
Do you or any members of your immediate family have any interests or associations which might present a conflict of interest?	No
Do you or any members of your immediate family currently serve as an elected city or county official?	No
What is your vision for Palmdale?	Make Palmdale better and have more things for the kids in our community.
How do you feel you would add value to the Planning Commission? What unique characteristics, qualifications,	I have in charge of the Palmdale AYSO, Young Marines, Part of the Knights of Columbus

perceptions, and experiences would you bring to the Commission?	
What additional information would you like us to know to better assess your suitability for the Planning Commission?	I am a Veteran. I want to better the community for our kids
What are your long term goals as a Planning Commission member?	Helping making Palmdale a better place
In your opinion, what is the goal of the Planning Commission and what benefit does it provide to the City of Palmdale?	Helps the city with community and what is needed
Have you had previous public service experience on a commission or public body? If so, indicate the public agency, title of position, and duties.	No
(Section Break)	
Education, Training and Experience	
High School	
Name & Address	Quartz Hill High School
Number of Years Completed	4
Did you Graduate?	Yes
Degree or Diploma	Diploma
GPA (i.e., A=4.0)	3.0
College / University	

Name and Address	AVC
Number of Years Completed	2
Did you Graduate?	No
Degree or Diploma	*Field not completed.*
GPA (i.e., A=4.0)	*Field not completed.*
Vocational	
Name and Address	*Field not completed.*
Number of Years Completed	*Field not completed.*
Did you Graduate?	*Field not completed.*
Degree or Diploma	*Field not completed.*
GPA (i.e., A=4.0)	*Field not completed.*
Other	
Name and Address	*Field not completed.*
Number of Years Completed	*Field not completed.*
Did you Graduate?	*Field not completed.*
Degree or Diploma	*Field not completed.*
GPA (i.e, A=4.0)	*Field not completed.*
Please list professional licenses and certificates pertinent to a position on the Planning Commission.	*Field not completed.*
List all current organizations and societies of which you are a member.	Marine Corps league, Knights of Columbus, AYSO Palmdale Board

(Section Break)

Employment History

List below all present and past employment for the last ten (10) years starting with your most recent employer. Account for all periods of unemployment. You must complete this section even if attaching a resume.

Name of Employer	Charter
Address	41551 10th street west
City	Palmdale
State	CA
Zip Code	93551
Type of Business	Cable Company
Telephone Number	*Field not completed.*
Your Supervisor's Name	Nancy Monahan
Your Position and Duties	Senior Warehouse technician
Major Accomplishments	Have received employee of the year
Dates of Employment	
From	1/3/2000
To	*Field not completed.*
Reason for Leaving	Still working there
Upon leaving, were you eligible for rehire?	*Field not completed.*

(Section Break)

Name of Employer	*Field not completed.*
Address	*Field not completed.*
City	*Field not completed.*
State	*Field not completed.*

Zip Code	*Field not completed.*
Type of Business	*Field not completed.*
Telephone Number	*Field not completed.*
Your Supervisor's Name	*Field not completed.*
Your Position and Duties	*Field not completed.*
Major Accomplishments	*Field not completed.*
Dates of Employment	
From	*Field not completed.*
To	*Field not completed.*
Reason for Leaving	*Field not completed.*
Upon leaving, were you eligible for rehire?	*Field not completed.*

(Section Break)

References

List below three persons not related to you who have knowledge of your civic activity within the last three years.

Name	Miguel Sanchez
Address	*Field not completed.*
City	*Field not completed.*
State	*Field not completed.*
Zip	*Field not completed.*
Occupation	[redacted]
Telephone Number	[redacted]
Number of Years Acquainted	7

(Section Break)

Name	Kenneth Arguelles
Address	*Field not completed.*
City	*Field not completed.*
State	*Field not completed.*
Zip	*Field not completed.*
Occupation	*Field not completed.*
Telephone Number	[redacted]
Number of Years Acquainted	7

(Section Break)

Name	Chris Chandler
Address	*Field not completed.*
City	*Field not completed.*
State	*Field not completed.*
Zip	*Field not completed.*
Occupation	*Field not completed.*
Telephone Number	[redacted]
Number of Years Acquainted	9

(Section Break)

Please read carefully, initial each paragraph and sign below

I hereby certify that the answers given by me on this application are true and correct to the best of my knowledge, and that I have not withheld any information that might adversely affect my chances for appointment. I understand that any misstatement or omission of fact on this application or any documents used to obtain an appointment may result in rejection of this application or immediate discharge if I am appointed, regardless of the time elapsed before discovery of the misstatement or omission. I further certify that I, the applicant, have personally

completed this application.

Initials	Os

I hereby authorize the City of Palmdale to investigate my references, prior employers, work record, education, and other matters related to my suitability for appointment and further, authorize the references I have listed, all prior employers, and all educational institutions attended, to disclose to the City of Palmdale any and all letters, reports, and other information related to my records, including, but not limited to, my performance reviews and evaluations, discipline, commendations, awards, and all other employment information, without giving me prior notice of such disclosure. By providing this page of the application to the references, prior employers, and educational institutions attended, I release them, to the fullest extent permitted by law, from any and all claims, demands, fees, and liabilities for providing the City of Palmdale with all information. I release the City of Palmdale, its agents, employees, and representatives, to the fullest extent permitted by law, from any and all claims, demands, fees, and liabilities that may result from any use or disclosure of such information by the City of Palmdale, or any of its agents, employees, and representatives.

Initials	Os

I further understand and agree that as a condition to being appointed to the Planning Commission, I will be required to agree to conduct myself in accordance with the City of Palmdale's personnel practices and policies as set forth in the Human Resources Rules, the Brown Act, the Public Records Act, and the Planning Commission Rules of Procedures, copies of which I will be provided and will review prior to accepting an appointment to the Planning Commission. To the fullest extent permitted by law, I expressly consent to, and I waive any rights of privacy I might otherwise have in connection with the City's Human Resources Rules in general and the above-described sections in particular.

Initials	Os

(Section Break)

Volunteer Information	
Reasonable Accommodations	No

Foreign Languages

Language	Spanish
You can	Speak , Read, Write
Language	*Field not completed.*
You can	*Field not completed.*

(Section Break)

In Case of Emergency
Whom should we notify?

Name	[redacted]
Relationship to Applicant	[redacted]
Home phone	[redacted]
Work Phone	*Field not completed.*
Physician's Name	[redacted]
Phone	*Field not completed.*
Do you have any medical history that we should be aware of in the event of an emergency? (Allergies, medications, etc.)	[redacted]

(Section Break)

AUTHORIZATION AND RELEASE

I voluntarily agree to participate in this program. I hereby waive, release, and hold harmless from any liability or claims for damages for personal injury, including death, as well as from claims for property damage which may arise in connection with the above-named activity, against the supervisor, the City of Palmdale and its elected and appointed officials, agents, and employees.

I hereby agree to the Authorization and Release set forth on this date

Date and Time	1/31/2023 5:30 PM

Electronic Signature Agreement	I agree.
Electronic Signature	Oswaldo Serafin

Email not displaying correctly? View it in your browser.

From: noreply@civicplus.com
To: Rochelle Scott; Roxanne Faber
Subject: Online Form Submittal: Planning Commission/Volunteer Application
Date: Tuesday, January 17, 2023 4:31:25 PM

CAUTION: This email originated from outside of the organization.

Planning Commission/Volunteer Application

Planning Commission/Volunteer Application
The City of Palmdale is an equal opportunity employer and does not discriminate in hiring or employment upon any basis prohibited by law, including race, color, creed, religion, age, sex (including pregnancy, childbirth and related medical conditions), cancer, national origin, genetic characteristics, genetic information, ancestry, sexual orientation, gender, gender identity, gender expression, marital status, veteran status, disability, or any other basis protected by applicable law. None of the questions or information sought in this application are intended to discriminate based upon any status protected by law. If you need reasonable accommodation in completing this application, or in any other part of the application process, please contact the City Clerk's Office at 661/267-5151.

Planning Commission Information		
Name	Karen Dhillon	District 2
Date	1/17/2023	
Business Telephone	[redacted]	
Home Telephone	[redacted]	
Cell Phone	[redacted]	

*Possession of a valid California driver's license and the ability to be insured with the City's insurance carrier is required.

Present Address	[redacted]
City	Palmdale
State	CA
Zip Code	[redacted]
Permanent Address if different from present address	same

City	*Field not completed.*
State	*Field not completed.*
Zip Code	*Field not completed.*
Are you a current Planning Commissioner?	No
	(Section Break)
Personal Information	
Have you ever applied to or worked for the City before?	No
Do you have any relatives working for the City?	No
Do you own real property, personal property, financial holdings or receive income from any source which might present a potential conflict of interest or appearance of conflict of interest with your requested appointment?	No
Do you own real property, personal property, financial holdings or receive income from any source which might present a potential conflict of interest or appearance of conflict of interest with your requested appointment?	No
Have you ever been	No

disciplined or cited for a breach of ethics or unprofessional conduct by a board, committee, or other professional group?	
Do you or any members of your immediate family own any interest in any enterprise which does or might do business with the City and/or the Planning Commission?	No
Do you or any members of your immediate family own any interest in any real property adjacent to or within the City of Palmdale?	Yes
Please explain	a home
Do you or any members of your immediate family have any interests or associations which might present a conflict of interest?	No
Do you or any members of your immediate family currently serve as an elected city or county official?	No
What is your vision for Palmdale?	To keep it in the forefront of people's mind, when they think about a safe and popular place to live. I would like to make it a safe place for families and retirees. Give people options for their k-12 children on things to do. For the people of Palmdale to thrive in their home city.
How do you feel you would add value to the	I have 10 + years in Real Estate, and know that it is important to sell the city, I want to show that Palmdale loves its residence and

Planning Commission? What unique characteristics, qualifications, perceptions, and experiences would you bring to the Commission?	is willing to make this city a great place to live. I have a good civic mind, and have volunteered on the Planning Commission in Sitka Alaska and in many other positions, like elder homes, and PTA. I care about our city and its planning of. I have also volunteered for our voting polls for 4 years.
What additional information would you like us to know to better assess your suitability for the Planning Commission?	As a Realtor, you have to be a good listener, and that is what I am. I am very community focused, so that will help me in this position as well. I am dedicated as I have a business once in Palmdale but has moved to Lancaster, since 2006. I am a very fair person, and very open minded.
What are your long term goals as a Planning Commission member?	To work in the two year position and attend all the meetings, and help to advise on city ordinance and planning of residence zoning and questions. To keep Palmdale in the forward moving city one that cares about the safety and inclusiveness of the residence and one to make the residence proud of their city.
In your opinion, what is the goal of the Planning Commission and what benefit does it provide to the City of Palmdale?	It is a local group of people that receive applications perhaps to extend or build on to homes or add a building or change zones, and we have to verify that application is in correct alignment to the city plans. We decide whether an infraction was made or not, and if we want to accept an application or not.
Have you had previous public service experience on a commission or public body? If so, indicate the public agency, title of position, and duties.	Yes, the planning commision in Alaska. Sitka Planning Commision, member and helped in voting for L.A..
(Section Break)	
Education, Training and Experience	
High School	
Name & Address	Sitka High School
Number of Years Completed	4
Did you Graduate?	Yes

Degree or Diploma	Diploma
GPA (i.e., A=4.0)	3.1
College / University	
Name and Address	College of the Canyons
Number of Years Completed	3- Associates
Did you Graduate?	Yes
Degree or Diploma	Diploma
GPA (i.e., A=4.0)	3.4
Vocational	
Name and Address	American Renal Care LLC
Number of Years Completed	6 months
Did you Graduate?	Yes
Degree or Diploma	Certificate
GPA (i.e., A=4.0)	4.0
Other	
Name and Address	*Field not completed.*
Number of Years Completed	*Field not completed.*
Did you Graduate?	*Field not completed.*
Degree or Diploma	*Field not completed.*
GPA (i.e, A=4.0)	*Field not completed.*
Please list professional licenses and certificates pertinent to a position on the Planning Commission.	*Field not completed.*
List all current	*Field not completed.*

organizations and societies of which you are a member.	

(Section Break)

Employment History

List below all present and past employment for the last ten (10) years starting with your most recent employer. Account for all periods of unemployment. You must complete this section even if attaching a resume.

Name of Employer	Titan Water Pro
Address	311 E. Ave. K-8, #109
City	Lancaster
State	CA
Zip Code	93535
Type of Business	Water Filtration, online and storefront, (e-commerce)
Telephone Number	661-388-2004
Your Supervisor's Name	Tejinder (Kevin)
Your Position and Duties	File and Pay Los Angeles sales taxes, file and balance invoices, answer the phone. Create listings on eBay. Track inventory, order and price compare supplies. Update website.
Major Accomplishments	Customer Service, sales and anything to do with the office.
Dates of Employment	
From	6/9/2006
To	1/17/2023
Reason for Leaving	This is my business and my husbands. It is a small family run business. I am still there.
Upon leaving, were you eligible for rehire?	Yes

(Section Break)

Name of Employer	Keller Williams Antelope Valley
Address	1401 W. Rancho Vista Blvd. Stu. B
City	Palmdale
State	Ca
Zip Code	93551
Type of Business	Real Estate
Telephone Number	661-538-2800
Your Supervisor's Name	Amy Constitine
Your Position and Duties	I am a independent contractor, I sell and buy real estate. write contracts, negotiate prices and contracts. Get the best deal for my client.
Major Accomplishments	Sold homes, and assist in buying.
Dates of Employment	
From	7/15/2006
To	1/17/2023
Reason for Leaving	I have left this Brokerage, before because I moved or wanted to work with a friend, but I am back with them and really love this brokerage!!
Upon leaving, were you eligible for rehire?	No

(Section Break)

References

List below three persons not related to you who have knowledge of your civic activity within the last three years.

Name	Gyndelle Quitlong
Address	[redacted]
City	[redacted]
State	[redacted]

Zip	[redacted]
Occupation	[redacted]
Telephone Number	[redacted]
Number of Years Acquainted	7

(Section Break)

Name	Marion Emming
Address	[redacted]
City	[redacted]
State	[redacted]
Zip	[redacted]
Occupation	[redacted]
Telephone Number	[redacted]
Number of Years Acquainted	27

(Section Break)

Name	Theresa Martinez
Address	[redacted]
City	[redacted]
State	[redacted]
Zip	[redacted]
Occupation	[redacted]
Telephone Number	[redacted]
Number of Years Acquainted	22

(Section Break)

Please read carefully, initial each paragraph and sign below

I hereby certify that the answers given by me on this application are true and correct to the best of my knowledge, and that I have not withheld any information that might adversely affect my chances for appointment. I understand that any misstatement or omission of fact on this application or any documents used to obtain an appointment may result in rejection of this application or immediate discharge if I am appointed, regardless of the time elapsed before discovery of the misstatement or omission. I further certify that I, the applicant, have personally completed this application.

Initials KD

I hereby authorize the City of Palmdale to investigate my references, prior employers, work record, education, and other matters related to my suitability for appointment and further, authorize the references I have listed, all prior employers, and all educational institutions attended, to disclose to the City of Palmdale any and all letters, reports, and other information related to my records, including, but not limited to, my performance reviews and evaluations, discipline, commendations, awards, and all other employment information, without giving me prior notice of such disclosure. By providing this page of the application to the references, prior employers, and educational institutions attended, I release them, to the fullest extent permitted by law, from any and all claims, demands, fees, and liabilities for providing the City of Palmdale with all information. I release the City of Palmdale, its agents, employees, and representatives, to the fullest extent permitted by law, from any and all claims, demands, fees, and liabilities that may result from any use or disclosure of such information by the City of Palmdale, or any of its agents, employees, and representatives.

Initials KD

I further understand and agree that as a condition to being appointed to the Planning Commission, I will be required to agree to conduct myself in accordance with the City of Palmdale's personnel practices and policies as set forth in the Human Resources Rules, the Brown Act, the Public Records Act, and the Planning Commission Rules of Procedures, copies of which I will be provided and will review prior to accepting an appointment to the Planning Commission. To the fullest extent permitted by law, I expressly consent to, and I waive any rights of privacy I might otherwise have in connection with the City's Human Resources Rules in general and the above-described sections in particular.

Initials	*Field not completed.*

(Section Break)

Volunteer Information	
Reasonable Accommodations	No
Foreign Languages	
Language	English
You can	Speak , Read, Write
Language	*Field not completed.*
You can	*Field not completed.*

(Section Break)

In Case of Emergency
Whom should we notify?

Name	[redacted]
Relationship to Applicant	[redacted]
Home phone	[redacted]
Work Phone	[redacted]
Physician's Name	[redacted]
Phone	[redacted]
Do you have any medical history that we should be aware of in the event of an emergency? (Allergies, medications, etc.)	[redacted]

(Section Break)

AUTHORIZATION AND RELEASE

I voluntarily agree to participate in this program. I hereby waive, release, and hold harmless from any liability or claims for damages for personal injury, including

death, as well as from claims for property damage which may arise in connection with the above-named activity, against the supervisor, the City of Palmdale and its elected and appointed officials, agents, and employees.

I hereby agree to the Authorization and Release set forth on this date	
Date and Time	1/17/2023 4:30 PM
Electronic Signature Agreement	I agree.
Electronic Signature	Karen D. Dhillon

Email not displaying correctly? View it in your browser.

Karen Dhillon CNA, HHA, CHT.

[redacted]
Palmdale, California
[redacted]
[redacted]

EXPERIENCE

Titan Water Inc. Owner , Santa Clarita, Ca Owner 2006-present.

File and Pay Los Angeles sales taxes, file and balance invoices, answer the phone. Create listings on eBay. Track inventory, order and price compare supplies. Update website.

Alaska Court System, Juneau Alaska
Jan. 3- April 3, 2022

Court Case Manager 1, I responded to a variety of questions via phone and in person providing information on court cases, forms, procedures, and general court information without poor giving legal advice. I accepted documents for filing, review for completion, initiated cases in the case management system, and route filings to the appropriate clerk for processing. Additionally, I received money for fines, filing fees, restitution, bail, and other fees, generated receipts, and balanced the individual cash drawer.

Fresenius Kidney Care Reifenstein, Juneau, Alaska
July 26th- 2021-Jan 1 2022

Work together with a doctor or nurse to provide patient care to people with permanent kidney failure (end-stage renal disease)Monitor Patients before During and after dialysis treatment including monitoring stats, machine setup and teardown, patient observations, 12 hour shifts.

American Renal Care LLC, Santa CLarita Dialysis, Northridge Dialysis, Laurel Canyon Dialysis
March 15,2021- July 16, 2021

Under the supervision and the driven of the changenice performs various Duties assisting nursing stuff in the preparation of dialysis equipment and in the treatment and care of personnel

All American HealthCare, Nov 2020-Mar 2021
CNA Registry, all over Southern California, Acute Care facilities, normally late shift,

Student Intern Program (SIP) with Davita Tower,
Oct. 5th 2020- Nov. 13, 2020

I have spent the majority of my day in onon on one patient care , while providing safe, comfortable and hygienic dialysis treatment, Monitor patients before, during and after dialysis treatment including monitoring stats, machine setup and teardown, patient observations, 12 hour shifts.

Pegasus Home Health Care HHA- Oct 2019 to Oct. 2020,

Provided in home health to homebound clients. Give extra support to individuals

LICENSES

Certified Nurse Aide (CNA)
[redacted]

Home Health Aide (HHA)
[redacted]

Certified Hemodialysis Technician (CHT)
[redacted]

Real Estate Lic.
[redacted]

Heartsaver CPR
[redacted]

SKILLS

- ★ Direct Patient Care.
- ★ I love to care for people in need.
- ★ Flexible available to work weekends and holidays and evenings.
- ★ Positive.
- ★ Strong communication skills.
- ★ Strong Microsoft Suite

100 Hours Mark, at Cedars Sinai Volunteer program.

LANGUAGES

Proficient in English reading

of all ages. Aid in living safely and independently in their own home. Conducted Vital Signs, gave bed baths, assisted with showers, changed sheets, light housekeeping, comb hair, turn position, and range of motion.

Fairweather Assistant Senior Care – CNA, Aug 2018-Feb 2019

Assist residents with changing clothes, feeding, cleaning, preparing meals, showering, changing sheets, transfer patients from the private rooms to the common rooms, brush teeth, get ready for bedtime, or organize supply closet and bathrooms. Grocery Shopping.

Cedars Sinai, CNA Los Angeles, Ca - TCAB Volunteer 2017-2018

Direct contact with patients and families, administrative work by assisting the NCT with phones and call bells. Performed safety checks in patient rooms. Started at the Saperstein Critical Care Tower, currently working with TCAB.

CNA, IHSS, Santa Clarita — *2010-2017*

Assist with Hemodialysis and Peritoneal Dialysis Treatment, Assist to Dr. Appointments, meal prep, grocery shopping.

Travel Agent Career

TWA, AAA of Southern California, Maritz Travel, Angeles Travel
1994-2002
Exceptional Customer Service, all were in call centers, 100 calls a day, sold air, car and hotel reservations.

EDUCATION

RENAL CARE TRAINING INSTITUTE - 120 hours of classroom training for hemodialysis. July 11, 2020- August 30th, 2020

Approved certified course for training of Hemodialysis Technicians. It is an intensive education with 120 hours theory and laboratory and 200 hours of clinical internship.

writing

Awards

Top Producer at AAA Travel
2000

College of the Canyon, Santa Clarita — Marketing Associates Degree 2018, CNA and Pre-Nursing,

Introduction to Business,Principles of Management, Principles of Marketing, Principles of Advertising, Principles of Selling, Principles of Electronic Commerce, E-Business Strategy, Business Law. able to analyze key issues relating to marketing principles, design marketing strategies, and integrate those strategies in business operations.

Sitka High School, Location — High School Diploma

General Education. Math, English, Sports.

From: noreply@civicplus.com
To: Rochelle Scott; Roxanne Faber
Subject: Online Form Submittal: Planning Commission/Volunteer Application
Date: Thursday, January 12, 2023 10:20:23 PM

CAUTION: This email originated from outside of the organization.

Planning Commission/Volunteer Application

Planning Commission/Volunteer Application
The City of Palmdale is an equal opportunity employer and does not discriminate in hiring or employment upon any basis prohibited by law, including race, color, creed, religion, age, sex (including pregnancy, childbirth and related medical conditions), cancer, national origin, genetic characteristics, genetic information, ancestry, sexual orientation, gender, gender identity, gender expression, marital status, veteran status, disability, or any other basis protected by applicable law. None of the questions or information sought in this application are intended to discriminate based upon any status protected by law. If you need reasonable accommodation in completing this application, or in any other part of the application process, please contact the City Clerk's Office at 661/267-5151.

Planning Commission Information		
Name	DEAN HENDERSON	District 2
Date	1/12/2023	
Business Telephone	[redacted]	
Home Telephone	[redacted]	
Cell Phone	[redacted]	

*Possession of a valid California driver's license and the ability to be insured with the City's insurance carrier is required.

Present Address	[redacted]
City	Palmdale
State	CA
Zip Code	[redacted]
Permanent Address if different from present address	[redacted]

City	Palmdale
State	CA
Zip Code	[redacted]
Are you a current Planning Commissioner?	Yes
	(Section Break)
Personal Information	
Have you ever applied to or worked for the City before?	Yes
When?	2000-2004, 2007-2009, 2019-2023
Do you have any relatives working for the City?	No
Do you own real property, personal property, financial holdings or receive income from any source which might present a potential conflict of interest or appearance of conflict of interest with your requested appointment?	Yes
Please explain	No conflicts of interest but I do own my own home and a business in Palmdale. The only conflict could arise if asked to vote on a project affecting my home or business and I would recuse myself.
Do you own real property, personal property, financial holdings or receive income from any source which might present a potential conflict of interest or	No

appearance of conflict of interest with your requested appointment?	
Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by a board, committee, or other professional group?	No
Do you or any members of your immediate family own any interest in any enterprise which does or might do business with the City and/or the Planning Commission?	No
Do you or any members of your immediate family own any interest in any real property adjacent to or within the City of Palmdale?	Yes
Please explain	I own my home in the city of Palmdale.
Do you or any members of your immediate family have any interests or associations which might present a conflict of interest?	No
Do you or any members of your immediate family currently serve as an elected city or county official?	No
What is your vision for Palmdale?	My vision for Palmdale includes tree-lined streets with ample landscaped parkways which start at the curb, have meandering

	sidewalks and generous lushly landscaped setbacks. The roads would include wide beautifully landscaped center medians with large trees like McBean Parkway in Valencia. We would have more pedestrian friendly mixed use areas with restaurants and shopping with residential integrated developments so residents have options to be less dependent on driving everywhere.
How do you feel you would add value to the Planning Commission? What unique characteristics, qualifications, perceptions, and experiences would you bring to the Commission?	The most unique qualifications and expertise I have for the position of Planning Commissioner is the fact that I have already served several years in the past and present as a Palmdale Planning Commissioner which included attending several years at the Planners Institute. I learned the position of Planning Commissioner has a steed learning curve at the beginning for someone who has never served before and I bring value by having accumulated the experience and intuitional knowledge from past service which promotes stability and continuity for the commission.
What additional information would you like us to know to better assess your suitability for the Planning Commission?	See above.
What are your long term goals as a Planning Commission member?	I would like to serve long enough to see my vision take hold and promote the beautification of Palmdale. I would like to see more strict development standards which promotes higher quality designs in projects and sends the message to developers that our city is among those cities which the need to use their best design plans as they so in other upscale cities.
In your opinion, what is the goal of the Planning Commission and what benefit does it provide to the City of Palmdale?	To set the standards and enforce the standards through the zoning ordinance and general plan.
Have you had previous public service experience on a commission or public body? If so, indicate the public agency, title of position, and duties.	Yes. As a Palmdale Planning Commissioner.
	(Section Break)

Education, Training and Experience

High School	
Name & Address	Katella High School, Anaheim CA
Number of Years Completed	3
Did you Graduate?	*Field not completed.*
Degree or Diploma	GED
GPA (i.e., A=4.0)	*Field not completed.*
College / University	
Name and Address	Fullerton College
Number of Years Completed	4
Did you Graduate?	No
Degree or Diploma	*Field not completed.*
GPA (i.e., A=4.0)	*Field not completed.*
Vocational	
Name and Address	Realtor's Institute
Number of Years Completed	1
Did you Graduate?	Yes
Degree or Diploma	*Field not completed.*
GPA (i.e., A=4.0)	*Field not completed.*
Other	
Name and Address	x
Number of Years Completed	*Field not completed.*
Did you Graduate?	*Field not completed.*
Degree or Diploma	*Field not completed.*
	Field not completed.

GPA (i.e, A=4.0)	
Please list professional licenses and certificates pertinent to a position on the Planning Commission.	Licensed California Real Estate Broker since for over 30 years.
List all current organizations and societies of which you are a member.	YMCA Board Member over 20 years, Greater Antelope Valley Association of Realtors-President Elect, National Association of Mortgage Brokers, Association of Independent Mortgage Experts.

(Section Break)

Employment History

List below all present and past employment for the last ten (10) years starting with your most recent employer. Account for all periods of unemployment. You must complete this section even if attaching a resume.

Name of Employer	Financial Independence Mortgage
Address	[redacted]
City	Palmdale
State	CA
Zip Code	93551
Type of Business	Mortgage brokerage
Telephone Number	[redacted]
Your Supervisor's Name	*Field not completed.*
Your Position and Duties	President/Broker
Major Accomplishments	Surviving the mortgage meltdown of 2007 and helping hundreds of families realize the dream of homeownership.
Dates of Employment	
From	3/17/2023
To	*Field not completed.*

Reason for Leaving	Still operation business.
Upon leaving, were you eligible for rehire?	*Field not completed.*

(Section Break)

Name of Employer	*Field not completed.*
Address	[redacted]
City	Palmdale
State	CA
Zip Code	93551
Type of Business	x
Telephone Number	[redacted]
Your Supervisor's Name	*Field not completed.*
Your Position and Duties	*Field not completed.*
Major Accomplishments	*Field not completed.*
Dates of Employment	
From	*Field not completed.*
To	*Field not completed.*
Reason for Leaving	*Field not completed.*
Upon leaving, were you eligible for rehire?	*Field not completed.*

(Section Break)

References

List below three persons not related to you who have knowledge of your civic activity within the last three years.

Name	Richard Loa

Address	[redacted]
City	[redacted]
State	[redacted]
Zip	[redacted]
Occupation	[redacted]
Telephone Number	[redacted]
Number of Years Acquainted	23

(Section Break)

Name	Tom Lackey
Address	[redacted]
City	[redacted]
State	[redacted]
Zip	[redacted]
Occupation	[redacted]
Telephone Number	[redacted]
Number of Years Acquainted	23

(Section Break)

Name	Robert Breiner
Address	[redacted]
City	[redacted]
State	[redacted]
Zip	[redacted]
Occupation	[redacted]
Telephone Number	[redacted]
Number of Years	34

Acquainted

(Section Break)

Please read carefully, initial each paragraph and sign below

I hereby certify that the answers given by me on this application are true and correct to the best of my knowledge, and that I have not withheld any information that might adversely affect my chances for appointment. I understand that any misstatement or omission of fact on this application or any documents used to obtain an appointment may result in rejection of this application or immediate discharge if I am appointed, regardless of the time elapsed before discovery of the misstatement or omission. I further certify that I, the applicant, have personally completed this application.

Initials DH

I hereby authorize the City of Palmdale to investigate my references, prior employers, work record, education, and other matters related to my suitability for appointment and further, authorize the references I have listed, all prior employers, and all educational institutions attended, to disclose to the City of Palmdale any and all letters, reports, and other information related to my records, including, but not limited to, my performance reviews and evaluations, discipline, commendations, awards, and all other employment information, without giving me prior notice of such disclosure. By providing this page of the application to the references, prior employers, and educational institutions attended, I release them, to the fullest extent permitted by law, from any and all claims, demands, fees, and liabilities for providing the City of Palmdale with all information. I release the City of Palmdale, its agents, employees, and representatives, to the fullest extent permitted by law, from any and all claims, demands, fees, and liabilities that may result from any use or disclosure of such information by the City of Palmdale, or any of its agents, employees, and representatives.

Initials DH

I further understand and agree that as a condition to being appointed to the Planning Commission, I will be required to agree to conduct myself in accordance with the City of Palmdale's personnel practices and policies as set forth in the Human Resources Rules, the Brown Act, the Public Records Act, and the Planning Commission Rules of Procedures, copies of which I will be provided and

will review prior to accepting an appointment to the Planning Commission. To the fullest extent permitted by law, I expressly consent to, and I waive any rights of privacy I might otherwise have in connection with the City's Human Resources Rules in general and the above-described sections in particular.

Initials	DH
	(Section Break)
Volunteer Information	
Reasonable Accommodations	No
Foreign Languages	
Language	*Field not completed.*
You can	*Field not completed.*
Language	*Field not completed.*
You can	*Field not completed.*
	(Section Break)
In Case of Emergency Whom should we notify?	
Name	[redacted]
Relationship to Applicant	[redacted]
Home phone	[redacted]
Work Phone	[redacted]
Physician's Name	[redacted]
Phone	[redacted]
Do you have any medical history that we should be aware of in the event of an emergency? (Allergies, medications, etc.)	[redacted]

AUTHORIZATION AND RELEASE

I voluntarily agree to participate in this program. I hereby waive, release, and hold harmless from any liability or claims for damages for personal injury, including death, as well as from claims for property damage which may arise in connection with the above-named activity, against the supervisor, the City of Palmdale and its elected and appointed officials, agents, and employees.

I hereby agree to the Authorization and Release set forth on this date

Date and Time	1/12/2023 10:15 PM
Electronic Signature Agreement	I agree.
Electronic Signature	Dean A. Henderson

Email not displaying correctly? View it in your browser.

PALMDALE

a place to call home

Office of the City Clerk
38300 Sierra Highway, Suite C
Palmdale, CA 93550
(661) 267-5151

Planning Commission/Volunteer Application

The City of Palmdale is an equal opportunity employer and does not discriminate in hiring or employment upon any basis prohibited by law, including race, color, creed, religion, age, sex (including pregnancy, childbirth and related medical conditions), cancer, national origin, genetic characteristics, genetic information, ancestry, sexual orientation, gender, gender identity, gender expression, marital status, veteran status, disability, or any other basis protected by applicable law. None of the questions or information sought in this application are intended to discriminate based upon any status protected by law. If you need reasonable accommodation in completing this application, or in any other part of the application process, please contact the City Clerk's Office at 661/267-5151.

Planning Commission Information:

Date JANUARY 18, 2023

Please Print District 2

Name Poston (Last) Richard (Rich) (First) V. (Middle)

Business Telephone (____) _____ Home Telephone (____) _____

Cell Phone ([redacted]

Possession of a valid California driver's license and the ability to be insured with the City's insurance carrier is required.

Present Address [redacted] (No. Street) Palmdale (City) CA [redacted] (State Zip)

Permanent Address if different from present address

Are you a current Planning Commissioner? Yes ☐ No ☑

Personal Information
(Please attach additional sheets, if necessary.)

1 Yes ☑ No ☐ Have you ever applied to or worked for the City before? If yes, when?
2015

2 Yes ☐ No ☑ Do you have any relatives working for the City? If yes, state name(s) and relationship.

3 Yes ☐ No ☑ Do you own real property, personal property, financial holdings or receive income from any source which might present a potential conflict of interest or appearance of conflict of interest with your requested appointment? If yes, please explain.

4 Yes ☐ No ☑ Do you have a spouse who is currently an employee or appointee of the City of Palmdale? If so, what is the employee or appointee's name and position?

5 Yes ☐ No ☑ Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by a board, committee, or other professional group? If yes, please explain.

6 Do you or any members of your immediate family:

Yes ☐ No ☑ Own any interest in any enterprise which does or might do business with the City and/or the Planning Commission?

Yes ☐ No ☑ Own any interest in any real property adjacent to or within the City of Palmdale?

Yes ☐ No ☑ Have any interests or associations which might present a conflict of interest?

Yes ☐ No ☑ Currently serve as an elected city or county official?

If yes, please explain.

7 What is your vision for Palmdale?

My vision for Palmdale would include slow but steady growth. A clearly defined 'Downtown Area', a state-of-the-art Transportation Center with elevated people movers to and from the Metro Station, High Speed Rail Station (HSR), and our Regional Airport. As the economy continues to improve with planned growth and relocating the Convention Center from its current location, closer to the TOD area and HSR station.

8 How do you feel you would add value to the Planning Commission? What unique characteristics, qualifications, perceptions, and experiences would you bring to the Commission?

My vast architectural design, construction, and High- Speed Rail experience, in addition to by background working with various cities/counties regarding their C.U.P., and variance process would bring a unique and valued characteristic to our Commission. My tenure as a Board member of the NCTC and participation in the SCAG and High-Desert Corridor meeting and planning sessions increased my big picture view of what the Antelope Valley future could look like.

9 What additional information would you like us to know to better assess your suitability for the Planning Commission?

Architecture and Urban Planning has been a part of my career for over 30 years. I designed the first IKEA to the west coast (Burbank CA) in 1989, multiple shopping center project, restaurants, mixed-use projects, and more. In addition to serving on the Metro's (NCMITS) planning study from 2013-2015. I was approved for Secret Clearance at Northrup Grumman Palmdale in 2022, although there are items I can't talk about, but I'm aware of lots of non-classified factors that may be useful to our overall Master Plan.

10 What are your long term goals as a Planning Commission member?

My long-team goals would consist of assisting the Planning and Transportation staff, bringing key and relevant information from my resources and regularly scheduled meetings in Sacramento regarding High-Speed Rail, High Desert corridor, and Brightline West Las Vegas.

11 In your opinion, what is the goal of the Planning Commission and what benefit does it provide to the City of Palmdale?

The Planning Commission should monitor all compliances with the State, County, and local laws assuring the design submittals conform to our Master Plan. Including all zoning, land use, landscaping, and relevant programs that center on long-term social and economic development, in addition to ideas to ideas that might challenge our direction to insure we are the Model City.

12 Have you had previous public service experience on a commission or public body? If so, indicate the public agency, title of position, and duties.

Yes – Board Member representing the City of Palmdale for the Northern County Transportation Collation (NCTC) for three years. Duties: Attend all required board meeting, cast necessary vote when required, and review and have knowledge of upcoming agenda items.

Education, Training and Experience:

School	Name & Address	No. of Years Completed	Did you Graduate?	Degree or Diploma	GPA (i.e., A=4.0)
High School	Geo. Washington High Los Angeles, CA	3	Yes ☑ No ☐	Diploma	3.7
College / University	L.A. Southwest College. L.A. CA	2	Yes ☑ No ☐	AA Degree	3.5
University	University of Phoenix Gardena, CA Campus	2.5	Yes ☑ No ☐	BA/BS Degree	3.6
University	University of Phoenix Gardena, CA Campus	2	Yes ☑ No ☐	Masters Degree	3.8

13 Please list professional licenses and certificates pertinent to a position on the Planning Commission.

N/A

14 List all current organizations and societies of which you are a member:

Organizations/Societies: From:

None at this time

Employment History

List below all present and past employment for the last ten (10) years starting with your most recent employer. Account for all periods of unemployment. You must complete this section even if attaching a resume.

Name of Employer: Address:

15 List all current organizations and societies of which you are a member:

Organizations/Societies:	From:
NO CURRENT – (Below are list of the past 10 years)	
Northern County Transportation Collation (NCTC) – Board Member	06/2012 – 01/2019
President – California State Chamber of Commerce – Council of Chambers	12/2011 – 1/2013
Past Chairman – African American Chamber of Commerce	06/2008 – 1/2014

Employment History

List below all present and past employment for the last ten (10) years starting with your most recent employer. Account for all periods of unemployment. You must complete this section even if attaching a resume.

Name of Employer: ADVANCED INTEGRATION TECHNOLOGY (AIT) at Northrop Grumman Palmdale CA
Address: 2805 E. Plano Parkway, Suite 300 – Plano, TX 75074
No. Street City State Zip

Type of Business: AEROSPACE AUTOMATION AND TOOLING ROBOTICS INTEGRATION
Telephone No. 661-839-0844 Your Supervisor's Name: Antoine (Tony) Hakim

PROJECT MANAGER – Responsible for the management of customer projects, with the goal of delivering every project on time, within budget, and meeting scope and quality requirements.

Major Accomplishments: Earning 'SECRET' Clearance 9/2022
Dates of Employment: From April 1, 2022 To. CURRENT
Reason for Leaving: N/A

Upon leaving, were you eligible for rehire? N/A

Name of Employer: VBANKS INC.
Address: 535 N. Brand Blvd. Suite 1050 Glendale CA 91203
No. Street City State Zip

Type of Business: HOSPITALITY DEVELOPER
Telephone No. 818-227-8911 Your Supervisor's Name: Sundeep Vaghashia

MANAGER OF CONSTRUCTION & PROJECTS - Manage all phases of the firms capital project portfolio including (4-Hotels and 3-Shopping Centers)

Major Accomplishments: Completion of their 9-room Hampton Inn Renovation in budget.
Dates of Employment: From April 8, 2019 To. April 15, 2020
Reason for Leaving: The firm laid off all corporate staff in fear of COVID-19

Upon leaving, were you eligible for rehire? Yes☐ No☐

Name of Employer: MODERN DESIGN PLUS
Address: 1008 W. Avenue M-14, Unit A, Palmdale, CA 93551

818 No. Street City State Zip

Type of Business: Architectural Design & Project Management
Telephone No. [redacted] Your Supervisor's Name: Self-Employed
Your Position and Duties:

Architectural Design, Project & Construction Management

Major Accomplishments. Winastop Lancaster. 3-Hummus Republic Restaurants & MOU
Dates of Employment: From January 2005 —— TO: Current... but on pause
Reason for Leaving:

N/A

Upon leaving, were you eligible for rehire? Yes ☐ No ☐

N/A

References

List below three persons not related to you who have knowledge of your civic activity within the last three years.

Name: CLAUDE McFERGUSON
Address: [redacted] [redacted]
City State Zip
Occupation: [redacted]
Telephone No. [redacted] Number of Years Acquainted: 16 years

Name: RAY WEBB
Address: [redacted] [redacted]
City State Zip
Occupation: [redacted]
Telephone No. [redacted] Number of Years Acquainted: 17 years

Name: [redacted]
Address: [redacted] [redacted]
City State Zip
Occupation [redacted]
Telephone No. [redacted] Number of Years Acquainted: 18 years

Please read carefully, initial each paragraph and sign below:

I hereby certify that the answers given by me on this application are true and correct to the best of my knowledge, and that I have not withheld any information that might adversely affect my chances for appointment. I understand that any misstatement or omission of fact on this application or any documents used to obtain an appointment may result in rejection of this application or immediate discharge if I am

appointed, regardless of the time elapsed before discovery of the misstatement or omission. I further certify that I, the applicant, have personally completed this application. RS (Initials)

I hereby authorize the City of Palmdale to investigate my references, prior employers, work record, education, and other matters related to my suitability for appointment and further, authorize the references I have listed, all prior employers, and all educational institutions attended, to disclose to the City of Palmdale any and all letters, reports, and other information related to my records, including, but not limited to, my performance reviews and evaluations, discipline, commendations, awards, and all other employment information, without giving me prior notice of such disclosure. By providing this page of the application to the references, prior employers, and educational institutions attended, I release them, to the fullest extent permitted by law, from any and all claims, demands, fees, and liabilities for providing the City of Palmdale with all information. I release the City of Palmdale, its agents, employees, and representatives, to the fullest extent permitted by law, from any and all claims, demands, fees, and liabilities that may result from any use or disclosure of such information by the City of Palmdale, or any of its agents, employees, and representatives. RS (Initials)

I further understand and agree that as a condition to being appointed to the Planning Commission, I will be required to agree to conduct myself in accordance with the City of Palmdale's personnel practices and policies as set forth in the Human Resources Rules, the Brown Act, the Public Records Act, and the Planning Commission Rules of Procedures, copies of which I will be provided and will review prior to accepting an appointment to the Planning Commission. To the fullest extent permitted by law, I expressly consent to, and I waive any rights of privacy I might otherwise have in connection with the City's Human Resources Rules in general and the above-described sections in particular. RS (Initials)

I understand that as part of the final selection process, I will be required to pass a livescan fingerprint scan submission via the California Department of Justice. I understand that information collected during this background check will be limited to that appropriate to determining my suitability for this Planning Commission position and that such information collected during the check will be kept confidential. RS (Initials)

Volunteer Information:

REASONABLE ACCOMMODATIONS: Based on your understanding of the Volunteer Program, will you require any special accommodations to apply and/or participate as a volunteer? ☐ Yes ☑ No If yes, what reasonable accommodations would be necessary to assist you in this area?

Foreign Languages: NONE Speak ☐ Read ☐ Write ☐

_____ Speak ☐ Read ☐ Write ☐

Specialized training/skills: _____

Computer Skills:

☑ Word ☑ Photoshop ☑ Excel ☑ Adobe Creator

☑ Access ☑ PowerPoint ☐ Publisher ☑ Other: AUTOCAD/CHIEF-ARCHITECT/MS-PROJECT

In Case of Emergency:

Whom should we notify? [redacted] [redacted]

Name Relationship to Applicant

~~Home~~ CELL Phone: [redacted] Work Phone:

Physician's Name: _____ Phone: _____

Do you have any medical history that we should be aware of in the event of an emergency? (Allergies, medications, etc.) [redacted]

AUTHORIZATION AND RELEASE

I voluntarily agree to participate in this program. I hereby waive, release, and hold harmless from any liability or claims for damages for personal injury, including death, as well as from claims for property damage which may arise in connection with the above-named activity, against the supervisor, the City of Palmdale and its elected and appointed officials, agents, and employees.

I hereby agree to the Authorization and Release set forth on this TWENTY-THIRD day of JANUARY 2023

Applicant's Signature

[redacted]

RICH POSTON – M.A.

PROFESSIONAL SUMMARY

Highly focused and well-respected professional with a record of producing excellent results. Strong leadership and multi-tasking skills that consistently produce positive results. Directly involved in effective urban planning, capital projects, transportation management strategies. Initiative-taking, adaptable, and loyal team player with impeccable work ethics. Advocates for sustainable infrastructure, economic development, and green planning projects.

SKILLS & ABILITIES

Project Management / Aerospace Construction / Community Outreach / Property Management
Strategic Planning / Business Process Planning / Resource Planning & Scheduling / Risk Management
RFP/RFQ Preparation and Coordination / Strong Technical Aptitude / Client & Contract Management

EXPERIENCE

PROJECT MANAGER – ADVANCED INTEGRATION TECHOLOGY (AIT) AT NORTHROP GRUMMAN - PALMDALE

April – 2022 – Current [Granted **DoD** Secret Clearance with Special Program Access]

My responsibility is to manage the customer projects, with the goal of delivering every project on time, within budget, and meet the defined scope and quality requirements, in addition to the following:

- Kick-off new projects and coordinate with internal resources for the execution of projects.
- Assist in the definition of project scope and objectives, involving all relevant stakeholders, and ensuring feasibility.
- Ensure resource(s) are available and allocated to support the project plan, timing, and scheduling.
- Manage changes to the project scope, schedule, and cost using appropriate tools and techniques.
- Perform risk and opportunity assessment, manage program internal, external, and minimize risk.

MANAGER OF CONSTRUCTION, PROJECTS & DEVELOPMENT – VBANKS INC.

April - 2019 – April - 2020

Manage all phases of work related to capital projects across VBanks Inc.'s entire capital project portfolio of properties (including 4-Hotels and 3-Shopping Centers), with emphasis on all the aspects of renovations, upgrades, repairs and replacements from project inception through completion. Accountable for the overall performance of assigned projects and is responsible for the planning, managing, directing, and reporting of all activities on a job site as it relates to each construction project. Providing leadership, and ensuring that construction budgets, schedules, safety, quality standards, customer satisfaction, are met.

- Monitor job progress, work methods, construction procedures, material utilization, and adherence to project schedules; evaluate and document work quality and safety performance of the contractor.
- Review and approve all invoices, change orders, and progress payments from trades.
- Negotiates and approve change orders; schedule and oversee pre-bid, progress meetings, and close-out; Manage the RFP process with the design team and approved general contractors.
- Verify that final sign-off and inspections are completed and passed by the appropriate jurisdictional inspectors and officials

SENIOR PROJECT MANAGER – SAVECAL HOME IMPROVEMENT

March 2016 – April 2019

Responsible for managing and coordinating the operational aspects of seventy (70) plus projects and serves as the liaison between project management and the project team. Continually reviews status of the project budgets and ensure completed on time and within budget.

- Demonstrate full accountability for success of projects by identifying input required from cross-functional areas and proactively managing action items, issues and deliverables.
- Document current and to-be business processes provide recommendations for enhancements and implement changes.
- Develop and maintain standard project documentation including business rules/requirements, actio items, agendas, minutes, and project plans.
- Evaluate current policies and procedures to ensure they are in the best interest of customers and company goals and escalate as needed.

COMMISSIONER/PLANNER – NORTH COUNTY TRANSPORTATION COALITION

May 2012 – January 2019

One of 12 voting members designated to develop policies and strategies that directly lead to the implementation of projects and programs, addressing critical issues in the Los Angeles Northern County transportation region. In addition to promoting economic development and maximize transportation funding opportunities for the jurisdiction.

- Established a working relationship with local governmental agencies i.e., Metro, Caltrans & California High-speed Rail, SCAG, Cities of Lancaster, Palmdale, Santa Clarita, and the Los Angeles County Supervisor deputies.
- Work collaboratively with Palmdale Mayor, Transportation Engineers, and City Planners regarding future urban design, land-use, critical regionalism, and implantation of the City's planned transportation infrastructure, as it relates to HSR, Inland Port Design models, High-Desert Corridor and Express-West alignments.

DESIGNER/PROJECT MANAGER – MODERN DESIGN PLUS

January 2005 – Current

Provide architectural/design services to commercial and residential clients. Project size range from $50,000 - two (2) million. Including code analysis, preliminary design, construction documents and agency approvals.

- Projects; WingStop Restaurant, three (3) Hummus Republic Restaurants, El Dorado Restaurant, Palmdale CA, Las Islitas Restaurant, Palmdale CA, Senior Ctr. Aquaponic Garden, Bakersfield CA, Tenant Improvement/Remodel – Mortuary & Banquet Facility, Lancaster, CA and a dozen residential remodel/additions.
- Designed and negotiated a "Memorandum of Understanding" between the City of Palmdale and the Sun Village community; then ratified by Palmdale City Council.

PROJECT MANAGER – BESCHEL CORPORATION – GLENDALE CA

March 2001 – January 2005

- Responsible for coordinating resources and matching trades to meet aggressive schedules provided by the clients using Microsoft Project.
- Prepared 'Design-Build' construction documents for multiple projects.
- Weekly field inspections of all projects for pay request and completions.
- Improving systems and implementing new management approach to various tasks.

PROJECT MANAGER - LA QUINTA INN INC. - SAN ANTONIO, TX

August 1999 – March 2001

- Manage construction or renovation process to ensure properties adhere to the project timeline and open with minimal or no extensions.
- Aid in finding suppliers and contractors through our design department.
- Serve as a key point of contact for franchisees within geographic region and deliver of all brand services; Attend weekly corporate project manager team update meetings.
- Conduct multiple property visits to all hotels under construction or renovation within geographic region. During these visits ensure the hotel is being built or renovated to approved plans and L.Q., Design Standards. Provide solutions as needed to ensure compliance and project timeliness. Document each visit with a property visit report.

PROJECT MANAGER - JENKINS/GALES & MARTINEZ INC., LOS ANGELES, CA

February 1995 – May 1997

- Managed and coordinated efforts to produce construction documents for a VONS market in Compton CA, Minority Aids Project Los Angeles Community Legal Services office renovation Compton CA, Main Street Shopping Center – L.A.
- Member of the Architectural Design Team for the Compton Community College 72,000 square foot Health/Safety Vocational Technology Center Building.
- Prepared presentation drawing for City Council review and approvals.
- Prepare and process submittal for C.U.P.'s and Planning/Zoning variances.

PROJECT MANAGER - LEIDENFROST/HOROWITZ & ASSOCIATES, GLENDALE, CA

January 1989 – August 1994

- Coordinated all aspects of designs and construction documents of the first **IKEA Home Furnishings Store, located in Burbank CA.**
- Supervise construction 2-3 times a week, answers field questions, and provide clarification drawings as needed.
- Manage a team of draftsmen to produce Construction Documents of Retail stores such as Lucky Markets, Office Supplies Chain, and Retail Stores in Hollywood, CA.
- All projects required successful coordination with necessary consultants, i.e., Structural, Electrical, Mechanical, & Landscaping.

EDUCATION & CERTIFICATIONS

UNIVERSITY OF PHOENIX, SOUTHERN CALIFORNIA – GARDENA, CA CAMPUS

Master of Arts Degree – Organizational Management – 1999

UNIVERSITY OF PHOENIX, SOUTHERN CALIFORNIA – GARDENA, CA CAMPUS

Bachelor of Arts Degree – Business Management – 1996

Bachelor of Science Degree – Business Administration – 1996

LEADERSHIP BURBANK – BURBANK, CA | **OSHA 30**

Graduated – September 2020 | Certified – May 2020 | #36-602051418

DoD Secret Clearance - Granted – September 2022

TECHNICAL SKILLS

Chief Architect, AutoCAD Certified, Microsoft Office, BIM – Building Information, Modeling Microsoft Project, QuickBooks Certified, Plan Grid, Photography, Photoshop CS-5 Certified, Sale Force – i360, Wrike, Graphic Design, Story Boards, Teams, Zoom, and Web Development.

Rochelle Scott

From: noreply@civicplus.com
Sent: Tuesday, January 31, 2023 4:48 PM
To: Rochelle Scott; Roxanne Faber
Subject: Online Form Submittal: Planning Commission/Volunteer Application

CAUTION: This email originated from outside of the organization.

Planning Commission/Volunteer Application

Planning Commission/Volunteer Application

The City of Palmdale is an equal opportunity employer and does not discriminate in hiring or employment upon any basis prohibited by law, including race, color, creed, religion, age, sex (including pregnancy, childbirth and related medical conditions), cancer, national origin, genetic characteristics, genetic information, ancestry, sexual orientation, gender, gender identity, gender expression, marital status, veteran status, disability, or any other basis protected by applicable law. None of the questions or information sought in this application are intended to discriminate based upon any status protected by law. If you need reasonable accommodation in completing this application, or in any other part of the application process, please contact the City Clerk's Office at 661/267-5151.

Planning Commission Information

Name	Darlene Trevino	District 2
Date	1/31/2023	
Business Telephone	[redacted]	
Home Telephone	*Field not completed.*	
Cell Phone	[redacted]	

*Possession of a valid California driver's license and the ability to be insured with the City's insurance carrier is required.

Present Address	[redacted]
City	Palmdale
State	CA
Zip Code	[redacted]

Permanent Address if different from present address	*Field not completed.*
City	*Field not completed.*
State	*Field not completed.*
Zip Code	*Field not completed.*
Are you a current Planning Commissioner?	No

(Section Break)

Personal Information

Have you ever applied to or worked for the City before?	No
Do you have any relatives working for the City?	No
Do you own real property, personal property, financial holdings or receive income from any source which might present a potential conflict of interest or appearance of conflict of interest with your requested appointment?	Yes
Please explain	My business property is located at 943 E Palmdale Blvd., Palmdale, CA 93550.
Do you own real property, personal property, financial holdings or receive income from any source which might present a potential conflict of interest or appearance of conflict of interest with your requested appointment?	No
Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by a	No

board, committee, or other professional group?	
Do you or any members of your immediate family own any interest in any enterprise which does or might do business with the City and/or the Planning Commission?	No
Do you or any members of your immediate family own any interest in any real property adjacent to or within the City of Palmdale?	Yes
Please explain	My business property is located at 943 E Palmdale Blvd., Palmdale, CA 93550.
Do you or any members of your immediate family have any interests or associations which might present a conflict of interest?	No
Do you or any members of your immediate family currently serve as an elected city or county official?	No
What is your vision for Palmdale?	A vibrant where all voices are heard and respected.
How do you feel you would add value to the Planning Commission? What unique characteristics, qualifications, perceptions, and experiences would you bring to the Commission?	I have lived in the community with my husband and children since 2011. In the past 5 years I have been an active member of the community and serve as a leader of the Latino community. I serve a key role in the AV Hispanic Chamber of Commerce and partner with numerous civic organizations such as Women's Counsel of Realtors, Vets 4 Veterans, Soroptimist Antelope valley and AV Chamber of Commerce.
What additional information would you like us to know to better assess your suitability for the Planning Commission?	I have a strong interest in public service and understand that the planning commission is not political.

What are your long term goals as a Planning Commission member?	To help cast the vision of the City of Palmdale by putting foresight into planning and development decisions.
In your opinion, what is the goal of the Planning Commission and what benefit does it provide to the City of Palmdale?	To assures that the general plan is implemented by reviewing development applications on a case-by-case basis. This allows for safe activity in the city.
Have you had previous public service experience on a commission or public body? If so, indicate the public agency, title of position, and duties.	No

(Section Break)

Education, Training and Experience

High School

Name & Address	San Fernando High School
Number of Years Completed	4
Did you Graduate?	Yes
Degree or Diploma	Diploma
GPA (i.e., A=4.0)	3.0

College / University

Name and Address	Cal Poly San Luis Obispo
Number of Years Completed	4
Did you Graduate?	Yes
Degree or Diploma	B.A.
GPA (i.e., A=4.0)	3.0

Vocational

Name and Address	University of West LA

Number of Years Completed	4
Did you Graduate?	Yes
Degree or Diploma	J.D.
GPA (i.e., A=4.0)	3.0

Other

Name and Address	*Field not completed.*
Number of Years Completed	*Field not completed.*
Did you Graduate?	*Field not completed.*
Degree or Diploma	*Field not completed.*
GPA (i.e, A=4.0)	*Field not completed.*
Please list professional licenses and certificates pertinent to a position on the Planning Commission.	Licenses Attorney
List all current organizations and societies of which you are a member.	Antelope Valley Chamber of Commerce, Antelope Valley Hispanic Chamber of Commerce

(Section Break)

Employment History

List below all present and past employment for the last ten (10) years starting with your most recent employer. Account for all periods of unemployment. You must complete this section even if attaching a resume.

Name of Employer	Trevino Law Firm Inc.
Address	943 E Palmdale Blvd
City	Palmdale
State	CA
Zip Code	93550
Type of Business	Trevino Law Firm LLC

Telephone Number	6615265012
Your Supervisor's Name	Self Employed
Your Position and Duties	Lawyer/CEO
Major Accomplishments	Successfully serviced over 500 clients in the antelope valley
Dates of Employment	
From	1/27/2020
To	*Field not completed.*
Reason for Leaving	N/A
Upon leaving, were you eligible for rehire?	*Field not completed.*
	(Section Break)
Name of Employer	Prestige Law Firm 1043 W Ave M4
Address	*Field not completed.*
City	Palmdale
State	CA
Zip Code	93551
Type of Business	Personal Injury Law Firm
Telephone Number	8186056101
Your Supervisor's Name	Eli Aghabala
Your Position and Duties	Case Manager once I passed the bar I practiced law
Major Accomplishments	Successfully ran a second office
Dates of Employment	
From	9/1/2016
To	1/1/2020
Reason for Leaving	Open own firm
Upon leaving, were you eligible for rehire?	Yes

(Section Break)

References

List below three persons not related to you who have knowledge of your civic activity within the last three years.

Name	Vicky Ventura
Address	[redacted]
City	[redacted]
State	[redacted]
Zip	[redacted]
Occupation	[redacted]
Telephone Number	[redacted]
Number of Years Acquainted	5

(Section Break)

Name	Mark Maldonado
Address	[redacted]
City	[redacted]
State	[redacted]
Zip	[redacted]
Occupation	[redacted]
Telephone Number	[redacted]
Number of Years Acquainted	3

(Section Break)

Name	Yanet Nungaray
Address	[redacted]
City	[redacted]

State	[redacted]
Zip	[redacted]
Occupation	[redacted]
Telephone Number	[redacted]
Number of Years Acquainted	5

(Section Break)

Please read carefully, initial each paragraph and sign below

I hereby certify that the answers given by me on this application are true and correct to the best of my knowledge, and that I have not withheld any information that might adversely affect my chances for appointment. I understand that any misstatement or omission of fact on this application or any documents used to obtain an appointment may result in rejection of this application or immediate discharge if I am appointed, regardless of the time elapsed before discovery of the misstatement or omission. I further certify that I, the applicant, have personally completed this application.

Initials	DT

I hereby authorize the City of Palmdale to investigate my references, prior employers, work record, education, and other matters related to my suitability for appointment and further, authorize the references I have listed, all prior employers, and all educational institutions attended, to disclose to the City of Palmdale any and all letters, reports, and other information related to my records, including, but not limited to, my performance reviews and evaluations, discipline, commendations, awards, and all other employment information, without giving me prior notice of such disclosure. By providing this page of the application to the references, prior employers, and educational institutions attended, I release them, to the fullest extent permitted by law, from any and all claims, demands, fees, and liabilities for providing the City of Palmdale with all information. I release the City of Palmdale, its agents, employees, and representatives, to the fullest extent permitted by law, from any and all claims, demands, fees, and liabilities that may result from any use or disclosure of such information by the City of Palmdale, or any of its agents, employees, and representatives.

Initials	DT

I further understand and agree that as a condition to being appointed to the Planning Commission, I will be required to agree to conduct myself in accordance with the City of Palmdale's personnel practices and policies as set forth in the Human Resources Rules, the Brown Act, the Public Records Act, and the Planning Commission Rules of Procedures, copies of which I will be provided and will review prior to accepting an appointment to the Planning Commission. To the fullest extent permitted by law, I expressly consent to, and I waive any rights of privacy I might otherwise have in connection with the City's Human Resources Rules in general and the above-described sections in particular.

Initials	DT

(Section Break)

Volunteer Information

Reasonable Accommodations	No

Foreign Languages

Language	Spanish
You can	Speak , Read
Language	*Field not completed.*
You can	*Field not completed.*

(Section Break)

In Case of Emergency

Whom should we notify?

Name	[redacted]
Relationship to Applicant	[redacted]
Home phone	[redacted]
Work Phone	[redacted]
Physician's Name	[redacted]
Phone	*Field not completed.*
Do you have any medical history that we should be aware of in the event of an	[redacted]

emergency? (Allergies, medications, etc.)

AUTHORIZATION AND RELEASE

I voluntarily agree to participate in this program. I hereby waive, release, and hold harmless from any liability or claims for damages for personal injury, including death, as well as from claims for property damage which may arise in connection with the above-named activity, against the supervisor, the City of Palmdale and its elected and appointed officials, agents, and employees.

I hereby agree to the Authorization and Release set forth on this date

Date and Time	1/31/2023 4:15 PM
Electronic Signature Agreement	I agree.
Electronic Signature	Darlene Trevino

Email not displaying correctly? View it in your browser.

PALMDALE
a place to call home

Office of the City Clerk
38300 Sierra Highway, Suite C
Palmdale, CA 93550
(661) 267-5151

Planning Commission/Volunteer Application

The City of Palmdale is an equal opportunity employer and does not discriminate in hiring or employment upon any basis prohibited by law, including race, color, creed, religion, age, sex (including pregnancy, childbirth and related medical conditions), cancer, national origin, genetic characteristics, genetic information, ancestry, sexual orientation, gender, gender identity, gender expression, marital status, veteran status, disability, or any other basis protected by applicable law. None of the questions or information sought in this application are intended to discriminate based upon any status protected by law. If you need reasonable accommodation in completing this application, or in any other part of the application process, please contact the City Clerk's Office at 661/267-5151.

Planning Commission Information:

Date

Please Print District 2

Name Vaccaro-Fry, Judy January 31, 2023
Last First Middle

Business Telephone ([redacted] Home Telephone ( ) N/A

Cell Phone ([redacted]

Possession of a valid California driver's license and the ability to be insured with the City's insurance carrier is required.

Present Address [redacted]
No. Street City State Zip

Permanent Address if different from present address

same
No. Street City State Zip

Are you a current Planning Commissioner? Yes ☐ No ☒

Personal Information
(Please attach additional sheets, if necessary.)

1	Yes ☐	No ☒	Have you ever applied to or worked for the City before? If yes, when?
2	Yes ☐	No ☒	Do you have any relatives working for the City? If yes, state name(s) and relationship.
3	Yes ☐	No ☒	Do you own real property, personal property, financial holdings or receive income from any source which might present a potential conflict of interest or appearance of conflict of interest with your requested appointment? If yes, please explain.
4	Yes ☐	No ☒	Do you have a spouse who is currently an employee or appointee of the City of Palmdale? If so, what is the employee or appointee's name and position?
5	Yes ☐	No ☒	Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by a board, committee, or other professional group? If yes, please explain.

6 Do you or any members of your immediate family:

Yes ☐	No ☒	Own any interest in any enterprise which does or might do business with the City and/or the Planning Commission?
Yes ☒	No ☐	Own any interest in any real property adjacent to or within the City of Palmdale?
Yes ☐	No ☒	Have any interests or associations which might present a conflict of interest?
Yes ☒	No ☐	Currently serve as an elected city or county official?

If yes, please explain.

I own a home in the city & am a current member of Palmdale Measure AV Oversight Committee

7 What is your vision for Palmdale? Detailed responses continued on attached sheet

I'd like to see more options, activities & places for our youth. There is a lack of youth focused activit

8 How do you feel you would add value to the Planning Commission? What unique characteristics, qualifications, perceptions, and experiences would you bring to the Commission?

I've lived in this valley since 1989 - both in Palmdale and in Lancaster. I work @ AVTA which ...

9 What additional information would you like us to know to better assess your suitability for the Planning Commission?

To create an effective symbiosis between residential, retail, professional to elevate the AV.

10 What are your long term goals as a Planning Commission member?

To be an effective member who values and furthers the interests of the Palmdale residents.

11 In your opinion, what is the goal of the Planning Commission and what benefit does it provide to the City of Palmdale?

To create an effective symbiosis between residential, retail, professional to elevate the AV.

12 Have you had previous public service experience on a commission or public body? If so, indicate the public agency, title of position, and duties.

See attached for detailed response.

Education, Training and Experience:

School	Name & Address	No. of Years Completed	Did you Graduate?	Degree or Diploma	GPA (i.e., A=4.0)
High School	Birmingham Van N	4	Yes ☒ No ☐	diploma	?
College / University	Grand Canyon Ui	4	Yes ☒ No ☐	2 Masters degree	3.70 & 3.67
Vocational	see attached res		Yes ☒ No ☐	Certificate	
Other	see attached res		Yes ☐ No ☐		

13 Please list professional licenses and certificates pertinent to a position on the Planning Commission.

Masters of Science in Public Administration - focus on Government & Policy

15 List all current organizations and societies of which you are a member:

Organizations/Societies: From:

See attached for detailed response

Employment History

List below all present and past employment for the last ten (10) years starting with your most recent employer. Account for all periods of unemployment. You must complete this section even if attaching a resume.

Name of Employer: Antelope Valley Transit Authority
Address: 42210 6th St. West Lancaster CA 93534
No. Street City State Zip

Type of Business: public transportation
Telephone No. (661) 729-2234 Your Supervisor's Name: Martin Tompkins, CEO
Your Position and Duties:

Chief Financial Officer - Grant Administrator - Government Relations

Major Accomplishments:
Dates of Employment: From August 2007 To current
Reason for Leaving:

not leaving until I retire (I think)

Upon leaving, were you eligible for rehire? Yes☐ No☐

Name of Employer:
Address:
No. Street City State Zip

Type of Business:
Telephone No. ( ) Your Supervisor's Name:
Your Position and Duties:

Major Accomplishments:
Dates of Employment: From To
Reason for Leaving:

Upon leaving, were you eligible for rehire? Yes☐ No☐

Name of Employer:
Address: _____
No. Street City State Zip

Type of Business: _____
Telephone No. (____) _____ Your Supervisor's Name:
Your Position and Duties:

_____
Major Accomplishments: _____
Dates of Employment: From _____ To _____
Reason for Leaving:

_____
Upon leaving, were you eligible for rehire? Yes ☐ No ☐

References

List below three persons not related to you who have knowledge of your civic activity within the last three years.

Name: Mike Miller
Address: [redacted]
No. Street City State Zip
Occupation: [redacted]
Telephone No. ([redacted] Number of Years Acquainted: 9

Name: Dianne Knippel
Address: [redacted]
No. Street City State Zip
Occupation: [redacted]
Telephone No. ([redacted] Number of Years Acquainted: 10

Name: Candice Vander Hyde
Address:
No. Street City State Zip
Occupation [redacted]
Telephone No. ([redacted] Number of Years Acquainted: 6

Please read carefully, initial each paragraph and sign below:

I hereby certify that the answers given by me on this application are true and correct to the best of my knowledge, and that I have not withheld any information that might adversely affect my chances for appointment. I understand that any misstatement or omission of fact on this application or any documents used to obtain an appointment may result in rejection of this application or immediate discharge if I am

appointed, regardless of the time elapsed before discovery of the misstatement or omission. I further certify that I, the applicant, have personally completed this application. JVF_____ **(Initials)**

I hereby authorize the City of Palmdale to investigate my references, prior employers, work record, education, and other matters related to my suitability for appointment and further, authorize the references I have listed, all prior employers, and all educational institutions attended, to disclose to the City of Palmdale any and all letters, reports, and other information related to my records, including, but not limited to, my performance reviews and evaluations, discipline, commendations, awards, and all other employment information, without giving me prior notice of such disclosure. By providing this page of the application to the references, prior employers, and educational institutions attended, I release them, to the fullest extent permitted by law, from any and all claims, demands, fees, and liabilities for providing the City of Palmdale with all information. I release the City of Palmdale, its agents, employees, and representatives, to the fullest extent permitted by law, from any and all claims, demands, fees, and liabilities that may result from any use or disclosure of such information by the City of Palmdale, or any of its agents, employees, and representatives. JVF____ **(Initials)**

I further understand and agree that as a condition to being appointed to the Planning Commission, I will be required to agree to conduct myself in accordance with the City of Palmdale's personnel practices and policies as set forth in the Human Resources Rules, the Brown Act, the Public Records Act, and the Planning Commission Rules of Procedures, copies of which I will be provided and will review prior to accepting an appointment to the Planning Commission. To the fullest extent permitted by law, I expressly consent to, and I waive any rights of privacy I might otherwise have in connection with the City's Human Resources Rules in general and the above-described sections in particular. JVF____ **(Initials)**

I understand that as part of the final selection process, I will be required to pass a livescan fingerprint scan submission via the California Department of Justice. I understand that information collected during this background check will be limited to that appropriate to determining my suitability for this Planning Commission position and that such information collected during the check will be kept confidential.JVF____**(Initials)**

Volunteer Information:

REASONABLE ACCOMMODATIONS: Based on your understanding of the Volunteer Program, will you require any special accommodations to apply and/or participate as a volunteer? ☐ Yes ☒ No If yes, what reasonable accommodations would be necessary to assist you in this area?

Foreign Languages: _____ Speak ☐ Read ☐ Write ☐

_____ Speak ☐ Read ☐ Write ☐

Specialized training/skills: Microsoft Excel, Grant writing

Computer Skills:

☑ Word	☐ Photoshop	☑ Excel	☐ Adobe Creator
☐ Access	☑ PowerPoint	☐ Publisher	☐ Other: _____

In Case of Emergency:

Whom should we notify? [redacted] [redacted]

Name Relationship to Applicant

Home Phone: [redacted] Work Phone:

Physician's Name: [redacted] Phone: [redacted]

Do you have any medical history that we should be aware of in the event of an emergency? (Allergies, medications, etc.)

AUTHORIZATION AND RELEASE

I voluntarily agree to participate in this program. I hereby waive, release, and hold harmless from any liability or claims for damages for personal injury, including death, as well as from claims for property damage which may arise in connection with the above-named activity, against the supervisor, the City of Palmdale and its elected and appointed officials, agents, and employees.

I hereby agree to the Authorization and Release set forth on this 31 day of January, 2023

Judy K. Fry

Applicant's Signature

Applicants are encouraged to attach a resume.

Applications may be mailed (postmarked the date of the deadline), e-mailed to cityclerkdepartment@cityofpalmdale.org or hand delivered to the office of the City Clerk at 38300 Sierra Hwy., Ste. C, Palmdale, CA 93550

For additional information, please contact the City Clerk at 661/267-5151.

Judy Vaccaro-Fry – Planning Commission application
Expanded answers – the character limit on the application was limited and my information cut-off.

7. What is your vision for Palmdale?
I'd also like to see more weekend activities and available establishments for youths which will keep them out of trouble. I'd like to see events and establishments continue to grow and keep the fun in the AV as opposed to having to commute elsewhere. I'd like to see this area grow with quality establishments. Palmdale should be the destination, not the beginning of the journey. Increase the availability of quality single family homes.

8. How do you feel you would add value to the Planning Commission? What unique characteristics, qualifications, perceptions, and experiences would you bring to the Commission?
....(*continued*) has provided the ability to be involved on a local, regional, state and federal level to understand the inner workings of government. I'd like to further the partnership between the transit authority and the cities (both Palmdale & Lancaster) and collaborate on big-ticket items. With all three of us working together – we could fund and expand major projects by leveraging funding sources from all angles: municipal, transportation, health & human services, etc. This will improve the way of life, or at least expand opportunities for all Antelope Valley residents.

10. What are your long-term goals as a Planning Commission member?
....(*continued*) I've given minor thought to *someday,* in the *distant* future, running for District 2 council seat (would only give serious consideration to this option if/when Councilman Loa retires) – but would like to gain more experience on the inner workings of the city, and to evaluate what would be expected of that seat. I enjoy the process of learning how government works – local, regionally & nationally.

12. Have you had previous public service experience on a commission or public body? If so, indicate the public agency, title of position, and duties.
....(*continued*)
Antelope Valley College Foundation
1. Board of Directors
    a. Wide-ranging decision making for the Foundation.
2. Executive & Finance Committee
    a. Input, guidance and oversight of Foundation finances, scholarships & fundraising

American Public Transportation Association
1. Workforce Development Committee
    a. General input and guidance regarding public transit workforce challenges.
2. Federal Legislative Committee
    a. Input and development of federal legislative priorities and policies related to public transit at the federal level.
3. Small Operators Committee
    a. Collaborative body of problem solvers for issues facing the small operators of public transit

California Transit Association:
1. Federal Legislative Committee
    a. Input and development of federal legislative priorities and policies related to public transit – from a state perspective.
2. Zero Emission Task Force
    a. All things related to Zero Bus transition ahead of the Clean Innovative Transit Rule deadline.

LACMTA (Metro)
1. Technical Advisory Committee
    a. Advisory committee to LACMTA Board of Directors. Review structure, governance, funding, projects, etc. for all transportation planning. Approve & recommend local, state, and federal funding coming into the Los Angeles region for the municipal operators.
2. Bus Operator Subcommittee
    a. Advisory committee to LACMTA Board of Directors. Review structure, governance, funding, projects, etc. for all transportation planning. Approve & recommend local, state, and federal funding coming into the Los Angeles region for the municipal operators.

JUDITH A. VACCARO-FRY

PROFESSIONAL SUMMARY

A results-driven and highly effective manager with 36 years of management experience; the last 15 years with emphasis on public transportation, local, state and federal grants, funding, capital budgets, contracts, and procurement activities. A valuable collaborator and proven performer in both large and small teams; capable of adherence to strict schedules and budgets with the understanding of all components of a well-executed and profitable company.

KEY SKILLS

- Excellent analytical skills.
- Maintain an astute grasp for details and technical excellence.
- Effectively organize, strategize, plan, administer & direct.
- Handle multiple tasks & projects simultaneously.
- Demonstrate innovation, resourcefulness & efficiency.
- Communicate ideas; identify problems & provide solutions.
- Manage and motivate large, diverse teams by providing clear expectations and ongoing feedback.
- Define goals and parameters in realistic & comprehensible terms.
- Make critical & difficult decisions while maintaining flexibility & practicality.
- Establish & maintain strong business relationships.
- Develop a cohesive environment within a unionized organization.

PROFESSIONAL HISTORY

ANTELOPE VALLEY TRANSIT AUTHORITY – Lancaster, CA 2007 to present

Chief Financial Officer / Grants Administrator / Government Relations

Responsibilities include planning, organizing, managing, and providing oversight for all programs and activities of the Finance and Administrative Departments; plans, directs, and implements comprehensive financial and accounting programs and activities of the Authority, including budgeting, treasury, cash management, financial analysis, accounts payable and receivable, payroll, purchasing; implements internal financial controls and generally accepted accounting procedures; assists in coordinating assigned activities with other Authority departments and outside agencies; provides highly complex and responsible support to the Executive Director in areas of expertise. Additionally, responsible for managing the agency's grant application process which includes drafting the application, ensuring compliance with all federal regulations and circulars, and submission. Prepare grant amendments, revisions, and closeout reporting. Process federal reimbursement requests through appropriate federal websites and payment processing system. Prepare and submit all quarterly and annual reporting on federal, state, local and Department of Homeland Security grants. Identifying new discretionary grant opportunities and prepare, submit, and report all necessary components. Participate in preparation of overall financial planning such as operating and capital budgets. Work collaboratively with the procurement department to ensure all procurements are federally compliant. Participate in the development of Authority wide business goals and strategic plans. Assist in developing, reviewing, and evaluating invitations for bids and requests for proposals. Monitor local, state and federal legislation and advise Board of Directors. Former positions include Administrative Services Manager, Contractor Compliance, and Contract and Procurement Administrator, Disadvantaged Business Enterprise Liaison Officer. Key participant in six FTA Triennial Reviews, in FTA's Financial Management Oversight Review, and in two FTA's Procurement System Reviews. Agency representative and former secretary for Los Angeles Metropolitan Transportation Authority's Bus Operator Subcommittee, and Los Angeles County Municipal Operators Association. Responsible for the annual submission of the agency's National Transit Database report, which directly ties to the federal funding the agency receives annually.

[redacted]

JUDITH A. VACCARO-FRY

PROFESSIONAL APPOINTMENTS

Antelope Valley College Foundation Board President-Elect – current
APTA Small Operators Committee, Federal Legislative Committee, and Workforce Development Committee - current
California Transit Association: Finance and Budget Committee, Federal Legislative Committee, Small Operators Committee, Zero-Emission Vehicle Task Force - current
City of Palmdale Measure AV Tax Oversight Committee – current
Los Angeles County Metro's Technical Advisory Committee - current
Los Angeles County Metro's Bus Operator Subcommittee – Secretary 2016 - 2019

PROFESSIONAL ACCOMPLISHMENTS

California's Transit & Intercity Rail Capital Program - five-time awardee; each submission awarded
Disadvantaged Business Enterprise - National Transit Institute, at Rutgers State University of New Jersey
ENO Transit Mid-Management Program graduate Class of 2020
FTA Office of Planning & Environment – Sustainable Infrastructure for a Healthy Planet - scholarship
FTA BUILD Grant program awardee
FTA Low or No Emission Grant program awardee – two-time awardee
FTA Triennial Review Workshop – Federal Transit Administration
National Transit Database - National Transit Institute, at Rutgers State University of New Jersey
Transit Procurement – National Transit Institute, at Rutgers State University of New Jersey
West Coast Max, Transit Management - Class of 2019

FORMAL EDUCATION

Grand Canyon University 2014
Master of Science in Public Administration – Emphasis on Government and Policy
G.P.A. 3.70

University of the Pacific - Eberhardt School of Business 2013
Certificate Program - Transit and Paratransit Management

Grand Canyon University 2007-2009
Master of Science in Business Leadership – Emphasis on Disaster Preparedness & Crisis Management
G.P.A. 3.51

University of Phoenix 2003-2007
Bachelor of Science - Major in Business Management & Marketing
G.P.A. 3.67

COMPUTER PROFICIENCY

Microsoft Office: Outlook, Word, Excel, PowerPoint
Accelerated Microsoft Excel Certified
Federal Transit Administration – TRAMS and ECHO systems
National Transit Database

Personal and professional references available upon request



From: noreply@civicplus.com
To: Rochelle Scott; Roxanne Faber
Subject: Online Form Submittal: Planning Commission/Volunteer Application
Date: Friday, February 3, 2023 5:02:03 PM

CAUTION: This email originated from outside of the organization.

Planning Commission/Volunteer Application

Planning Commission/Volunteer Application
The City of Palmdale is an equal opportunity employer and does not discriminate in hiring or employment upon any basis prohibited by law, including race, color, creed, religion, age, sex (including pregnancy, childbirth and related medical conditions), cancer, national origin, genetic characteristics, genetic information, ancestry, sexual orientation, gender, gender identity, gender expression, marital status, veteran status, disability, or any other basis protected by applicable law. None of the questions or information sought in this application are intended to discriminate based upon any status protected by law. If you need reasonable accommodation in completing this application, or in any other part of the application process, please contact the City Clerk's Office at 661/267-5151.

Planning Commission Information	District 2
Name	maritza n pedro
Date	2/3/2023
Business Telephone	[redacted]
Home Telephone	[redacted]
Cell Phone	[redacted]

*Possession of a valid California driver's license and the ability to be insured with the City's insurance carrier is required.

Present Address	[redacted]
City	PALMDALE
State	California
Zip Code	[redacted]
Permanent Address if different from present address	*Field not completed.*

City	*Field not completed.*
State	*Field not completed.*
Zip Code	*Field not completed.*
Are you a current Planning Commissioner?	No
	(Section Break)
Personal Information	
Have you ever applied to or worked for the City before?	No
Do you have any relatives working for the City?	No
Do you own real property, personal property, financial holdings or receive income from any source which might present a potential conflict of interest or appearance of conflict of interest with your requested appointment?	No
Do you own real property, personal property, financial holdings or receive income from any source which might present a potential conflict of interest or appearance of conflict of interest with your requested appointment?	No
Have you ever been	No

disciplined or cited for a breach of ethics or unprofessional conduct by a board, committee, or other professional group?	
Do you or any members of your immediate family own any interest in any enterprise which does or might do business with the City and/or the Planning Commission?	No
Do you or any members of your immediate family own any interest in any real property adjacent to or within the City of Palmdale?	*Field not completed.*
Do you or any members of your immediate family have any interests or associations which might present a conflict of interest?	No
Do you or any members of your immediate family currently serve as an elected city or county official?	No
What is your vision for Palmdale?	My vision for Palmdale is to grow in the areas of Education, educate the community maintain a safe environment for our future generations, by creating jobs and opportunities for growth.
How do you feel you would add value to the Planning Commission? What unique characteristics, qualifications,	I and the people around me consider me as an empathetic person with a big heart that has a passion to help the community. I have a special needs daughter with Severe Autism, and I work part time (from home) educating parents so they can create a positive communication with their kids' school and work as a team for the benefits of the individual.

perceptions, and experiences would you bring to the Commission?	
What additional information would you like us to know to better assess your suitability for the Planning Commission?	This job proposal was sent to me a Lilia Galindo she is a very kind lady who has her radio station in Palmdale called "Cafe Con Leche" and is because i assume she sees in me the difference i can make in the community and my responsibility and dedication.
What are your long term goals as a Planning Commission member?	I am willing to learn whatever it takes, all i really want to do is help others, help the community making an impact.
In your opinion, what is the goal of the Planning Commission and what benefit does it provide to the City of Palmdale?	The goal of the planning commission is to advice the Mayor City Council and city departments on broaf planning goals, policies and plans for the physical development of the city.
Have you had previous public service experience on a commission or public body? If so, indicate the public agency, title of position, and duties.	No i have not but like i say i am willing to learn, I promise.
(Section Break)	
Education, Training and Experience	
High School	
Name & Address	City Of Angels Independent Studies
Number of Years Completed	4
Did you Graduate?	Yes
Degree or Diploma	YES
GPA (i.e., A=4.0)	*Field not completed.*
College / University	

Name and Address	*Field not completed.*
Number of Years Completed	*Field not completed.*
Did you Graduate?	*Field not completed.*
Degree or Diploma	*Field not completed.*
GPA (i.e., A=4.0)	*Field not completed.*
Vocational	
Name and Address	Genova Health Education
Number of Years Completed	1
Did you Graduate?	Yes
Degree or Diploma	CNA
GPA (i.e., A=4.0)	*Field not completed.*
Other	
Name and Address	*Field not completed.*
Number of Years Completed	*Field not completed.*
Did you Graduate?	*Field not completed.*
Degree or Diploma	*Field not completed.*
GPA (i.e, A=4.0)	*Field not completed.*
Please list professional licenses and certificates pertinent to a position on the Planning Commission.	*Field not completed.*
List all current organizations and societies of which you are a member.	*Field not completed.*

(Section Break)

Employment History

List below all present and past employment for the last ten (10) years starting with your most recent employer. Account for all periods of unemployment. You must complete this section even if attaching a resume.

Name of Employer	Loleta Guest Home
Address	5129 Loleta Ave
City	Los Angeles
State	CA
Zip Code	90041
Type of Business	Nursing Home
Telephone Number	3233943718
Your Supervisor's Name	Dennis Moreno
Your Position and Duties	Nurse Assistant
Major Accomplishments	*Field not completed.*
Dates of Employment	
From	1/2/2015
To	7/3/2019
Reason for Leaving	Needed to attend and take care of my Autistic daughter, at that time, she was just diagnosed. Also my mom was diagnosed with Cancer and i became her primary and only caregiver.
Upon leaving, were you eligible for rehire?	Yes
	(Section Break)
Name of Employer	*Field not completed.*
Address	*Field not completed.*
City	*Field not completed.*

State	*Field not completed.*
Zip Code	*Field not completed.*
Type of Business	*Field not completed.*
Telephone Number	*Field not completed.*
Your Supervisor's Name	*Field not completed.*
Your Position and Duties	*Field not completed.*
Major Accomplishments	*Field not completed.*
Dates of Employment	
From	*Field not completed.*
To	*Field not completed.*
Reason for Leaving	*Field not completed.*
Upon leaving, were you eligible for rehire?	*Field not completed.*

(Section Break)

References

List below three persons not related to you who have knowledge of your civic activity within the last three years.

Name	Llia Galindo
Address	[redacted]
City	*Field not completed.*
State	*Field not completed.*
Zip	*Field not completed.*
Occupation	[redacted]
Telephone Number	[redacted]
Number of Years	4 months

Acquainted

(Section Break)

Name	Cristal Ordonez
Address	*Field not completed.*
City	*Field not completed.*
State	*Field not completed.*
Zip	*Field not completed.*
Occupation	[redacted]
Telephone Number	[redacted]
Number of Years Acquainted	4 years

(Section Break)

Name	Bertha Armendariz
Address	[redacted]
City	[redacted]
State	[redacted]
Zip	[redacted]
Occupation	[redacted]
Telephone Number	[redacted]
Number of Years Acquainted	9 years

(Section Break)

Please read carefully, initial each paragraph and sign below

I hereby certify that the answers given by me on this application are true and correct to the best of my knowledge, and that I have not withheld any information that might adversely affect my chances for appointment. I understand that any misstatement or omission of fact on this application or any documents used to obtain an appointment may result in rejection of this application or immediate

discharge if I am appointed, regardless of the time elapsed before discovery of the misstatement or omission. I further certify that I, the applicant, have personally completed this application.

Initials MP

I hereby authorize the City of Palmdale to investigate my references, prior employers, work record, education, and other matters related to my suitability for appointment and further, authorize the references I have listed, all prior employers, and all educational institutions attended, to disclose to the City of Palmdale any and all letters, reports, and other information related to my records, including, but not limited to, my performance reviews and evaluations, discipline, commendations, awards, and all other employment information, without giving me prior notice of such disclosure. By providing this page of the application to the references, prior employers, and educational institutions attended, I release them, to the fullest extent permitted by law, from any and all claims, demands, fees, and liabilities for providing the City of Palmdale with all information. I release the City of Palmdale, its agents, employees, and representatives, to the fullest extent permitted by law, from any and all claims, demands, fees, and liabilities that may result from any use or disclosure of such information by the City of Palmdale, or any of its agents, employees, and representatives.

Initials MP

I further understand and agree that as a condition to being appointed to the Planning Commission, I will be required to agree to conduct myself in accordance with the City of Palmdale's personnel practices and policies as set forth in the Human Resources Rules, the Brown Act, the Public Records Act, and the Planning Commission Rules of Procedures, copies of which I will be provided and will review prior to accepting an appointment to the Planning Commission. To the fullest extent permitted by law, I expressly consent to, and I waive any rights of privacy I might otherwise have in connection with the City's Human Resources Rules in general and the above-described sections in particular.

Initials MP

(Section Break)

Volunteer Information

Reasonable Accommodations	No
Foreign Languages	
Language	Spanish
You can	Speak , Read, Write
Language	*Field not completed.*
You can	*Field not completed.*

(Section Break)

In Case of Emergency Whom should we notify?

Name	[redacted]
Relationship to Applicant	[redacted]
Home phone	[redacted]
Work Phone	*Field not completed.*
Physician's Name	[redacted]
Phone	[redacted]
Do you have any medical history that we should be aware of in the event of an emergency? (Allergies, medications, etc.)	[redacted]

(Section Break)

AUTHORIZATION AND RELEASE

I voluntarily agree to participate in this program. I hereby waive, release, and hold harmless from any liability or claims for damages for personal injury, including death, as well as from claims for property damage which may arise in connection with the above-named activity, against the supervisor, the City of Palmdale and its elected and appointed officials, agents, and employees.

I hereby agree to the Authorization and Release set forth on this date

Date and Time	2/3/2023
Electronic Signature Agreement	I agree.
Electronic Signature	Maritza N Pedro

Email not displaying correctly? View it in your browser.

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2023 JAN 25 PM 3:12

City Clerk Dept.

PALMDALE

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Office of the City Clerk
38300 Sierra Highway, Suite C
Palmdale, CA 93550
(661) 267-5151

Planning Commission/Volunteer Application

The City of Palmdale is an equal opportunity employer and does not discriminate in hiring or employment upon any basis prohibited by law, including race, color, creed, religion, age, sex (including pregnancy, childbirth and related medical conditions), cancer, national origin, genetic characteristics, genetic information, ancestry, sexual orientation, gender, gender identity, gender expression, marital status, veteran status, disability, or any other basis protected by applicable law. None of the questions or information sought in this application are intended to discriminate based upon any status protected by law. If you need reasonable accommodation in completing this application, or in any other part of the application process, please contact the City Clerk's Office at 661/267-5151.

Planning Commission Information:

Date

Please Print District 3

Name ALVAREZ, MARCOS
Last First Middle

Business Telephone ([redacted] Home Telephone ([redacted]

Cell Phone ([redacted]

Possession of a valid California driver's license and the ability to be insured with the City's insurance carrier is required.

Present Address [redacted] Palmdale CA [redacted]
No. Street City State Zip

Permanent Address if different from present address

No. Street City State Zip

Are you a current Planning Commissioner? Yes ☒ No ☐

Personal Information
(Please attach additional sheets, if necessary.)

1	Yes ☒	No ☐	Have you ever applied to or worked for the City before? If yes, when?
2	Yes ☐	No ☒	Do you have any relatives working for the City? If yes, state name(s) and relationship.
3	Yes ☐	No ☒	Do you own real property, personal property, financial holdings or receive income from any source which might present a potential conflict of interest or appearance of conflict of interest with your requested appointment? If yes, please explain.
4	Yes ☐	No ☒	Do you have a spouse who is currently an employee or appointee of the City of Palmdale? If so, what is the employee or appointee's name and position?
5	Yes ☐	No ☒	Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by a board, committee, or other professional group? If yes, please explain.

6 Do you or any members of your immediate family:

Yes ☐	No ☒	Own any interest in any enterprise which does or might do business with the City and/or the Planning Commission?
Yes ☐	No ☒	Own any interest in any real property adjacent to or within the City of Palmdale?
Yes ☐	No ☒	Have any interests or associations which might present a conflict of interest?
Yes ☐	No ☒	Currently serve as an elected city or county official?

If yes, please explain.

7 What is your vision for Palmdale?

My vision continues to be to put our citizens first, and continue to see equitibale distribution

8 How do you feel you would add value to the Planning Commission? What unique characteristics, qualifications, perceptions, and experiences would you bring to the Commission?

I continue to work for LA COUNTY SOCIAL SERVICES, as SEIU 721 bargaining unit731, neg....

9 What additional information would you like us to know to better assess your suitability for the Planning Commission?

Job stimulation, Safety, a bright future for our youth, modern technology

10 What are your long term goals as a Planning Commission member?

Bringing more sustanable jobs, entertainment for our youth,,,,drive-in theateres, restaurants,,,etc....

11 In your opinion, what is the goal of the Planning Commission and what benefit does it provide to the City of Palmdale?

Job stimulation, Safety, a bright future for our youth, modern technology

12 Have you had previous public service experience on a commission or public body? If so, indicate the public agency, title of position, and duties.

Current District 3 planning commisioner

Education, Training and Experience:

School	Name & Address	No. of Years Completed	Did you Graduate?	Degree or Diploma	GPA (i.e., A=4.0)
High School	Garfield High schc	4	Yes ☑ No ☐		
College / University	University of Phoe	2	Yes ☑ No ☐	Business	3.4
Vocational			Yes ☐ No ☐		
Other			Yes ☐ No ☐		

13 Please list professional licenses and certificates pertinent to a position on the Planning Commission.

15 List all current organizations and societies of which you are a member:

Organizations/Societies:	From:
independent contractor for HIgh School Sports	01/01/06 to present

Employment History

List below all present and past employment for the last ten (10) years starting with your most recent employer. Account for all periods of unemployment. You must complete this section even if attaching a resume.

Name of Employer:
Address: LOS ANGELES COUNTY DEPARTMENT OF SOCIAL SERVICES
No. Street City State Zip

Type of Business: PUBLIC SERVICE
Telephone No. (____) _____ Your Supervisor's Name:
Your Position and Duties:

Determine eligibility for Cal Works/CalFresh,Me-dical

Major Accomplishments: Union representative for SEIU 721 shop steward
Dates of Employment: From 07/01/1992 To present
Reason for Leaving:

TO PRESENT

Upon leaving, were you eligible for rehire? Yes☐ No☐

Name of Employer:
Address:
No. Street City State Zip

Type of Business: _____
Telephone No. (____) _____ Your Supervisor's Name:
Your Position and Duties:

Major Accomplishments: _____
Dates of Employment: From _____ To _____
Reason for Leaving:

Upon leaving, were you eligible for rehire? Yes☐ No☐

Name of Employer:
Address: _____
No. Street City State Zip

Type of Business: _____
Telephone No. (____)_____ Your Supervisor's Name:
Your Position and Duties:

_____
Major Accomplishments: _____
Dates of Employment: From_____ To _____
Reason for Leaving:

_____
Upon leaving, were you eligible for rehire? Yes ☐ No ☐

References

List below three persons not related to you who have knowledge of your civic activity within the last three years.

Name: Xavier Flores
Address:
No. Street City State Zip
Occupation: [redacted]
Telephone No. ([redacted] Number of Years Acquainted: 3,00

Name: Luis SALAZAR
Address:
No. Street City State Zip
Occupation:
Telephone No. ([redacted] Number of Years Acquainted: 45,00

Name: Juan Carrillo
Address:
No. Street City State Zip
Occupation [redacted]
Telephone No. ([redacted] Number of Years Acquainted: 3,00

Please read carefully, initial each paragraph and sign below:

I hereby certify that the answers given by me on this application are true and correct to the best of my knowledge, and that I have not withheld any information that might adversely affect my chances for appointment. I understand that any misstatement or omission of fact on this application or any documents used to obtain an appointment may result in rejection of this application or immediate discharge if I am

appointed, regardless of the time elapsed before discovery of the misstatement or omission. I further certify that I, the applicant, have personally completed this application. MTA ___ **(Initials)**

I hereby authorize the City of Palmdale to investigate my references, prior employers, work record, education, and other matters related to my suitability for appointment and further, authorize the references I have listed, all prior employers, and all educational institutions attended, to disclose to the City of Palmdale any and all letters, reports, and other information related to my records, including, but not limited to, my performance reviews and evaluations, discipline, commendations, awards, and all other employment information, without giving me prior notice of such disclosure. By providing this page of the application to the references, prior employers, and educational institutions attended, I release them, to the fullest extent permitted by law, from any and all claims, demands, fees, and liabilities for providing the City of Palmdale with all information. I release the City of Palmdale, its agents, employees, and representatives, to the fullest extent permitted by law, from any and all claims, demands, fees, and liabilities that may result from any use or disclosure of such information by the City of Palmdale, or any of its agents, employees, and representatives. MTA ___ **(Initials)**

I further understand and agree that as a condition to being appointed to the Planning Commission, I will be required to agree to conduct myself in accordance with the City of Palmdale's personnel practices and policies as set forth in the Human Resources Rules, the Brown Act, the Public Records Act, and the Planning Commission Rules of Procedures, copies of which I will be provided and will review prior to accepting an appointment to the Planning Commission. To the fullest extent permitted by law, I expressly consent to, and I waive any rights of privacy I might otherwise have in connection with the City's Human Resources Rules in general and the above-described sections in particular. MTA ___ **(Initials)**

I understand that as part of the final selection process, I will be required to pass a livescan fingerprint scan submission via the California Department of Justice. I understand that information collected during this background check will be limited to that appropriate to determining my suitability for this Planning Commission position and that such information collected during the check will be kept confidential.MTA ___**(Initials)**

Volunteer Information:

REASONABLE ACCOMMODATIONS: Based on your understanding of the Volunteer Program, will you require any special accommodations to apply and/or participate as a volunteer? ☐ Yes ☒ No If yes, what reasonable accommodations would be necessary to assist you in this area?

Foreign Languages: SPANISH Speak ☑ Read ☑ Write ☑

_____ Speak ☐ Read ☐ Write ☐

Specialized training/skills: _____

Computer Skills:

☑ Word ☐ Photoshop ☐ Excel ☐ Adobe Creator

☐ Access ☑ PowerPoint ☐ Publisher ☐ Other: _____

In Case of Emergency:

Whom should we notify? [redacted] [redacted]

Name Relationship to Applicant

Home Phone: [redacted] Work Phone:

Physician's Name: [redacted] Phone: _____

Do you have any medical history that we should be aware of in the event of an emergency? (Allergies, medications, etc.)

AUTHORIZATION AND RELEASE

I voluntarily agree to participate in this program. I hereby waive, release, and hold harmless from any liability or claims for damages for personal injury, including death, as well as from claims for property damage which may arise in connection with the above-named activity, against the supervisor, the City of Palmdale and its elected and appointed officials, agents, and employees.

I hereby agree to the Authorization and Release set forth on this _____ day of _____, 20_____

Applicant's Signature

Applicants are encouraged to attach a resume.

Applications may be mailed (postmarked the date of the deadline), e-mailed to cityclerkdepartment@cityofpalmdale.org or hand delivered to the office of the City Clerk at 38300 Sierra Hwy., Ste. C, Palmdale, CA 93550

For additional information, please contact the City Clerk at 661/267-5151.

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2023 FEB -5 PM 5:35

City Clerk Dept.

PALMDALE

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Office of the City Clerk
38300 Sierra Highway, Suite C
Palmdale, CA 93550
(661) 267-5151

Planning Commission/Volunteer Application

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Planning Commission Information:

District 3 Date

Please Print

Name Olivarez (Last) Mateo (First) B (Middle)

Business Telephone [redacted] Home Telephone (____)_____

Cell Phone ([redacted])

Possession of a valid California driver's license and the ability to be insured with the City's insurance carrier is required.

Present Address [redacted] (No. Street) Palmdale (City) CA [redacted] (State Zip)

Permanent Address if different from present address

[redacted] (No. Street) Palmdale (City) CA [redacted] (State Zip)

Are you a current Planning Commissioner? Yes ☐ No ☒

Personal Information
(Please attach additional sheets, if necessary.)

1 Yes ☐ No ☒ **Have you ever applied to or worked for the City before? If yes, when?**

2 Yes ☐ No ☒ **Do you have any relatives working for the City? If yes, state name(s) and relationship.**

3 Yes ☐ No ☒ **Do you own real property, personal property, financial holdings or receive income from any source which might present a potential conflict of interest or appearance of conflict of interest with your requested appointment? If yes, please explain.**

4 Yes ☐ No ☒ **Do you have a spouse who is currently an employee or appointee of the City of Palmdale? If so, what is the employee or appointee's name and position?**

5 Yes ☐ No ☒ **Have you ever been disciplined or cited for a breach of ethics or** unprofessional conduct by a board, committee, or other professional group? If yes, please explain.

6 **Do you or any members of your immediate family:**

Yes ☐	No ☒	**Own any interest in any enterprise which does or might do business with the City and/or the Planning Commission?**
Yes ☐	No ☒	**Own any interest in any real property adjacent to or within the City of Palmdale?**
Yes ☐	No ☒	**Have any interests or associations which might present a conflict of interest?**
Yes ☐	No ☒	**Currently serve as an elected city or county official?**

If yes, please explain.

7 What is your vision for Palmdale? To bring new jobs, more housing, more parks, Safe city.

8 How do you feel you would add value to the Planning Commission? What unique characteristics, qualifications, perceptions, and experiences would you bring to the Commission?

I work well as a team, I have been a Avme board of director, where we accomplish Projecte, such as ER explansion, behavioral health hospital and other projects.

9 What additional information would you like us to know to better assess your suitability for the Planning Commission?

Work well as a team make compromise for well-beening, for the Community.

10 What are your long term goals as a Planning Commission member?

To be part of the bullet train project, so our citizens do not have to Spend unnecessary time on the road.

11 In your opinion, what is the goal of the Planning Commission and what benefit does it provide to the City of Palmdale?

12 Have you had previous public service experience on a commission or public body? If so, indicate the public agency, title of position, and duties.

Education, Training and Experience:

School	Name & Address	No. of Years Completed	Did you Graduate?	Degree or Diploma	GPA (i.e., A=4.0)
High School	Lancaster Adult School	2002.	Yes ☑ No ☐	Diploma	3.6
College / University	LA Trade Tech. Los Angeles	2006	Yes ☑ No ☐	Degree	3.5
Vocational			Yes ☐ No ☐		
Other			Yes ☐ No ☐		

13 *Please list professional licenses and certificates pertinent to a position on the Planning Commission.*

Registered Nurse.

15 List all current organizations and societies of which you are a member:

Organizations/Societies: From:

Employment History

List below all present and past employment for the last ten (10) years starting with your most recent employer. Account for all periods of unemployment. You must complete this section even if attaching a resume.

Name of Employer: AVMC
Address: 1600 W Ave J Lancaste CA 93550
No. Street City State Zip

Type of Business: Health Care
Telephone No. (661) 949- 5000 Your Supervisor's Name:
Your Position and Duties:

Major Accomplishments: AVMC Board of Director
Dates of Employment: From 2015 To 2019.
Reason for Leaving:

Upon leaving, were you eligible for rehire? **Yes☒ No☐**

Name of Employer:
Address: Same
No. Street City State Zip

Type of Business:
Telephone No. ( ) Your Supervisor's Name:
Your Position and Duties:

Major Accomplishments:
Dates of Employment: From To
Reason for Leaving:

Upon leaving, were you eligible for rehire? **Yes☐ No☐**

Name of Employer:
Address: _____
No. Street City State Zip

Type of Business: _____
Telephone No. (____) _____ Your Supervisor's Name:
Your Position and Duties:

_____
Major Accomplishments: _____
Dates of Employment: From _____ To _____
Reason for Leaving:

_____
Upon leaving, were you eligible for rehire? Yes ☐ No ☐

References

List below three persons not related to you who have knowledge of your civic activity within the ~~last three years~~.

Name: Aya Smith
Address:
No. Street City State Zip
Occupation: [redacted]
Telephone No. [redacted] Number of Years Acquainted: 19

Name: Michelle Walls.
Address:
No. Street City State Zip
Occupation:
Telephone No. [redacted] Number of Years Acquainted: 19

Name:
Address:
No. Street City State Zip
Occupation
Telephone No. ( ) Number of Years Acquainted:

Please read carefully, initial each paragraph and sign below:

I hereby certify that the answers given by me on this application are true and correct to the best of my knowledge, and that I have not withheld any information that might adversely affect my chances for appointment. I understand that any misstatement or omission of fact on this application or any documents used to obtain an appointment may result in rejection of this application or immediate discharge if I am

appointed, regardless of the time elapsed before discovery of the misstatement or omission. I further certify that I, the applicant, have personally completed this application. _____ (**Initials**)

I hereby authorize the City of Palmdale to investigate my references, prior employers, work record, education, and other matters related to my suitability for appointment and further, authorize the references I have listed, all prior employers, and all educational institutions attended, to disclose to the City of Palmdale any and all letters, reports, and other information related to my records, including, but not limited to, my performance reviews and evaluations, discipline, commendations, awards, and all other employment information, without giving me prior notice of such disclosure. By providing this page of the application to the references, prior employers, and educational institutions attended, I release them, to the fullest extent permitted by law, from any and all claims, demands, fees, and liabilities for providing the City of Palmdale with all information. I release the City of Palmdale, its agents, employees, and representatives, to the fullest extent permitted by law, from any and all claims, demands, fees, and liabilities that may result from any use or disclosure of such information by the City of Palmdale, or any of its agents, employees, and representatives. _____ (**Initials**)

I further understand and agree that as a condition to being appointed to the Planning Commission, I will be required to agree to conduct myself in accordance with the City of Palmdale's personnel practices and policies as set forth in the Human Resources Rules, the Brown Act, the Public Records Act, and the Planning Commission Rules of Procedures, copies of which I will be provided and will review prior to accepting an appointment to the Planning Commission. To the fullest extent permitted by law, I expressly consent to, and I waive any rights of privacy I might otherwise have in connection with the City's Human Resources Rules in general and the above-described sections in particular. _____ (**Initials**)

I understand that as part of the final selection process, I will be required to pass a livescan fingerprint scan submission via the California Department of Justice. I understand that information collected during this background check will be limited to that appropriate to determining my suitability for this Planning Commission position and that such information collected during the check will be kept confidential. _____ **(Initials)**

Volunteer Information:

REASONABLE ACCOMMODATIONS: Based on your understanding of the Volunteer Program, will you require any special accommodations to apply and/or participate as a volunteer? ☐ Yes ☐ No If yes, what reasonable accommodations would be necessary to assist you in this area?

Foreign Languages: Spanish Speak ☒ Read ☐ Write ☒

_____ Speak ☐ Read ☐ Write ☐

Specialized training/skills: _____

Computer Skills:

☐ Word ☐ Photoshop ☐ Excel ☐ Adobe Creator
☐ Access ☐ PowerPoint ☐ Publisher ☐ Other: _____

In Case of Emergency:

Whom should we notify? [redacted] [redacted]
Name Relationship to Applicant

Home Phone: Work Phone:

Physician's Name: [redacted] Phone: [redacted]

Do you have any medical history that we should be aware of in the event of an emergency? (Allergies, medications, etc.)

AUTHORIZATION AND RELEASE

I voluntarily agree to participate in this program. I hereby waive, release, and hold harmless from any liability or claims for damages for personal injury, including death, as well as from claims for property damage which may arise in connection with the above-named activity, against the supervisor, the City of Palmdale and its elected and appointed officials, agents, and employees.

I hereby agree to the Authorization and Release set forth on this 28 day of Jan., 20 23

Applicant's Signature

MATEO OLIVAREZ RN -ER/ICU

C [redacted] H [redacted] E [redacted] A [redacted]

OBJECTIVE

Director of ICU/ PCU for Antelope Valley Medical Center.

As a former ICU employee (10years), long term Antelope Valley resident (active in the community), business owner and former AVMC Board Member, I am confident in my ability to not only work with the hospital administration and staff in their desire to provide optimal patient care, but also, to work with our clients (physicians and patients) as we continue to ensure AVMC being the facility of choice for both.

During my 25-year medical career, I have worked in multiple capacities, CNA, Secretary, Monitor Tech, LVN, RN-ICU, RN – CN, RN-RRT, RN – ER, RN – House Supervisor. This has given me a firsthand understanding on the interdependences of all departments and roles, required to meet the mission of Antelope Valley Medical Center. Experience both in an outside the hospital makes me feel that I have the ability and confidence to become part of the administration team leading and meeting the challenges of providing optimal health care.

EXPERIENCE

2016 to Current
RN ER (per diem) – Palmdale Regional Medical Center, 38600 Medical Center Dr, Palmdale, CA 93551

2021 to Current
RN ICU – Registry through Ronara Staffing Solutions

2008 to 2017
ICU RN / ICU Charge Nurse – Antelope Valley Hospital, 1600W Avenue J, Lancaster, CA 93534

1987 to 2008
LVN, CNA, Monitor Tech, Unit Secretary, X Ray Tech, EMT

LEADERSHIP

Charge Nurse ICU – AVH 10 years

EDUCATION

RN Diploma – 2008
LVN – 2006 to 2008
CNA / Monitor Tech / Unit Secretary / X-Ray Tech / EMT
1995 to 2006

KEY SKILLS

Charge RN
RRT RN
CPI Certificate
NIH Certificate
LVAD
CRRT
CABG Course
IABP Course
12 Lead EKG
Instructor for AHA and Red Cross for **ACLS/BLS/PALS**

AWARDS

Daisy Award

REFERENCES

Michelle Ibarra [redacted]
Aya Smith [redacted]

RECEIVED

2023 JAN 30 PM 2:47

City Clerk Dept.

PALMDALE

a place to call home

Office of the City Clerk
38300 Sierra Highway, Suite C
Palmdale, CA 93550
(661) 267-5151

Planning Commission/Volunteer Application

The City of Palmdale is an equal opportunity employer and does not discriminate in hiring or employment upon any basis prohibited by law, including race, color, creed, religion, age, sex (including pregnancy, childbirth and related medical conditions), cancer, national origin, genetic characteristics, genetic information, ancestry, sexual orientation, gender, gender identity, gender expression, marital status, veteran status, disability, or any other basis protected by applicable law. None of the questions or information sought in this application are intended to discriminate based upon any status protected by law. If you need reasonable accommodation in completing this application, or in any other part of the application process, please contact the City Clerk's Office at 661/267-5151.

Planning Commission Information:

Please Print District 4 Date Jan 30, 2023

Name Cunneff (Last) Raymond (First) Vincent (Middle)

Business Telephone (____) _____ Home Telephone ([redacted])

Cell Phone ([redacted])

Possession of a valid California driver's license and the ability to be insured with the City's insurance carrier is required.

Present Address [redacted] (No. Street) Palmdale, (City) CA [redacted] (State Zip)

Permanent Address if different from present address

No. Street City State Zip

Are you a current Planning Commissioner? Yes ☐ No ☒

Personal Information
(Please attach additional sheets, if necessary.)

1 Yes ☒ No ☐ Have you ever applied to or worked for the City before? If yes, when?

Applied 2008

2 Yes ☐ No ☒ Do you have any relatives working for the City? If yes, state name(s) and relationship.

3 Yes ☐ No ☒ Do you own real property, personal property, financial holdings or receive income from any source which might present a potential conflict of interest or appearance of conflict of interest with your requested appointment? If yes, please explain.

4 Yes ☐ No ☒ Do you have a spouse who is currently an employee or appointee of the City of Palmdale? If so, what is the employee or appointee's name and position?

5 Yes ☐ No ☒ Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by a board, committee, or other professional group? If yes, please explain.

6 Do you or any members of your immediate family:

Yes ☐	No ☒	Own any interest in any enterprise which does or might do business with the City and/or the Planning Commission?
Yes ☐	No ☒	Own any interest in any real property adjacent to or within the City of Palmdale?
Yes ☐	No ☒	Have any interests or associations which might present a conflict of interest?
Yes ☐	No ☒	Currently serve as an elected city or county official?

If yes, please explain.

7 What is your vision for Palmdale?

An enhanced, revitalized city-center, a destination for dining and shopping, a diverse family-friendly community center as originally intended.

8 How do you feel you would add value to the Planning Commission? What unique characteristics, qualifications, perceptions, and experiences would you bring to the Commission?

I studied the principles of city-planning for a book I wrote for the William L. Pereira Architecture firm in 1982 - "The New District of Doha" delineating the re-design of Qatar's capital.

One fundamental lesson in city-planning is the need for a vibrant city-center, growth radiating outward from it - radial or linear - and that no city can establish coherent growth patterns when it is bisected by, and cross-town traffic stopped, for trains several times a day.

9 What additional information would you like us to know to better assess your suitability for the Planning Commission?

I've lived in the community for over thirty years. When I was working in local radio at High Desert Broadcasting, I did weekly interviews with Lancaster city-planners Bruce McPherson and Ken Mann.

10 What are your long term goals as a Planning Commission member?

To make downtown (93550) Palmdale a true 'center-of-gravity' for the community by either extending the Avenue S railroad overpass to north of Avenue P (Rancho Vista Blvd.) or creating individual overpasses on Palmdale Blvd. and Avenue P.
By making the railroad overpasses sculptural/architectural centerpieces for a new, revitalized " downtown".
By improving cross-town traffic flow by widening Avenues Q and R, staggering traffic signals along Palmdale Blvd.

11 In your opinion, what is the goal of the Planning Commission and what benefit does it provide to the City of Palmdale?

A master plan that unifies the divided community and facilitates public transportation and traffic both within the community and access to services in and around the community.

12 Have you had previous public service experience on a commission or public body? If so, indicate the public agency, title of position, and duties.

Star Volunteer - Palmdale Chamber of Commerce 2001- 2002

Education, Training and Experience:

School	Name & Address	No. of Years Completed	Did you Graduate?	Degree or Diploma	GPA (i.e., A=4.0)
High School	ACHS	4	Yes ☒ No ☐	Diploma	
College / University	NYU	1	Yes ☐ No ☒		
Vocational	Neighborhood Playhouse NY	1	Yes ☐ No ☐ N/A		
Other	Canon Institute	3 mos.	Yes ☐ No ☐ N/A	Certificate	

13 Please list professional licenses and certificates pertinent to a position on the Planning Commission.

Writers Guild of America, West - Nominee "The Waltons" 1979
Heartsounds Committee
Antelope Valley Film Committee/Film Faire (AV Mall)
Fallen Heroes Fundraiser - Emcee
Shining Star Volunteer - Palmdale Chamber of Commerce
Kids Fest Committee (AV Mall)
Yes2Kids Committee
"Battle of the Bands" - Yes2Kids/Boys & Girls Club of Lancaster

15 List all current organizations and societies of which you are a member:

Organizations/Societies: From: Retired 2009 - WGAW Pension

Writers Guild of America, West - Emeritus Member Active: 1979 - 1992

CBS Television Network - Various Positions 1965 - 79 Last Position: Executive Producer

Employment History

List below all present and past employment for the last ~~ten~~ (10) years starting with your most recent employer. Account for all periods of unemployment. You must complete this section even if attaching a resume.

Name of Employer: High Desert Broadcasting
Address: 570 East Avenue Q-9 Palmdale CA 93550
No. Street City State Zip

Type of Business: Radio Broadcasting
Telephone No. (661) 947-3107 Your Supervisor's Name: Chris Cox
Your Position and Duties:
Program Director News/Talk1470 AM/ Talk Show Host

Major Accomplishments: Live, non-scripted 4-hour radio program Mon-Fri
Dates of Employment: From 2005 To 2007
Reason for Leaving:

Station (News/Talk 1470 AM) went out of business (replaced by automated syndication)

Upon leaving, were you eligible for rehire? Yes☒ No☐

Name of Employer: Clear Channel
Address: 352 East Avenue K-4 Lancaster CA 93535
No. Street City State Zip

Type of Business: Radio Broadcasting
Telephone No. (661) 942-1121 Your Supervisor's Name: Barry Kaye
Your Position and Duties:

Program Director 1340 AM - Special Projects Coordinator (Sales & Strategic Marketing)

Major Accomplishments: Community Radio Special Projects
Dates of Employment: From 1999 To 2005
Reason for Leaving:
Business reversals/Budget cuts (They could no longer afford me.)

Upon leaving, were you eligible for rehire? Yes☒ No☐

Name of Employer: Canon
Address: 16380 Roscoe Blvd Van Nuys CA 91406
No. Street City State Zip

Type of Business: Computer/Printer
Telephone No. (818) 892-7988 Your Supervisor's Name: Jim Vickers
Your Position and Duties:
Senior Account Executive - Graphic Systems Division

Major Accomplishments: High-End Accounts - Beverly Hills/West Hollywood
Dates of Employment: From 1992 To 1994
Reason for Leaving:
Severe Back Injury - Sidelined for over a year

Upon leaving, were you eligible for rehire? Yes [X] No [ ]

The Ray Cunneff Group (Facebook) - Writer/Administrator - 2020 to Present

References

List below three persons not related to you who have knowledge of your civic activity within the last three years.

Former Mayors Jim Ledford and Steve Hofbauer, Realtor Sandy Corrales

Name:
Address:
No. Street City State Zip
Occupation:
Telephone No. ( ) Number of Years Acquainted:

Name:
Address:
No. Street City State Zip
Occupation:
Telephone No. ( ) Number of Years Acquainted:

Name:
Address:
No. Street City State Zip
Occupation
Telephone No. ( ) Number of Years Acquainted:

Please read carefully, initial each paragraph and sign below:

I hereby certify that the answers given by me on this application are true and correct to the best of my knowledge, and that I have not withheld any information that might adversely affect my chances for appointment. I understand that any misstatement or omission of fact on this application or any documents used to obtain an appointment may result in rejection of this application or immediate discharge if I am

appointed, regardless of the time elapsed before discovery of the misstatement or omission. I further certify that I, the applicant, have personally completed this application. RVC **(Initials)**

I hereby authorize the City of Palmdale to investigate my references, prior employers, work record, education, and other matters related to my suitability for appointment and further, authorize the references I have listed, all prior employers, and all educational institutions attended, to disclose to the City of Palmdale any and all letters, reports, and other information related to my records, including, but not limited to, my performance reviews and evaluations, discipline, commendations, awards, and all other employment information, without giving me prior notice of such disclosure. By providing this page of the application to the references, prior employers, and educational institutions attended, I release them, to the fullest extent permitted by law, from any and all claims, demands, fees, and liabilities for providing the City of Palmdale with all information. I release the City of Palmdale, its agents, employees. and representatives, to the fullest extent permitted by law, from any and all claims, demands, fees, and liabilities that may result from any use or disclosure of such information by the City of Palmdale, or any of its agents, employees, and representatives. RVC **(Initials)**

I further understand and agree that as a condition to being appointed to the Planning Commission, I will be required to agree to conduct myself in accordance with the City of Palmdale's personnel practices and policies as set forth in the Human Resources Rules. the Brown Act, the Public Records Act, and the Planning Commission Rules of Procedures, copies of which I will be provided and will review prior to accepting an appointment to the Planning Commission. To the fullest extent permitted by law, I expressly consent to, and I waive any rights of privacy I might otherwise have in connection with the City's Human Resources Rules in general and the above-described sections in particular. RVC **(Initials)**

I understand that as part of the final selection process, I will be required to pass a livescan fingerprint scan submission via the California Department of Justice. I understand that information collected during this background check will be limited to that appropriate to determining my suitability for this Planning Commission position and that such information collected during the check will be kept confidential. RVC **(Initials)**

Volunteer Information:

REASONABLE ACCOMMODATIONS: Based on your understanding of the Volunteer Program, will you require any special accommodations to apply and/or participate as a volunteer? ☐ Yes ☒ No If yes, what reasonable accommodations would be necessary to assist you in this area?

Foreign Languages: _____ Speak ☐ Read ☐ Write ☐

_____ Speak ☐ Read ☐ Write ☐

Specialized training/skills: Computer Graphics/ Color Specialist (Canon)

Computer Skills:

☒ Word	☒ Photoshop	☒ Excel	☒ Adobe Creator
☐ Access	☒ PowerPoint	☒ Publisher	☐ Other: _____

In Case of Emergency:

Whom should we notify? [redacted] [redacted]

Name Relationship to Applicant

Home Phone: [redacted] Work Phone:

Physician's Name: [redacted] Phone: [redacted]

Do you have any medical history that we should be aware of in the event of an emergency? (Allergies, medications, etc.)

AUTHORIZATION AND RELEASE

I voluntarily agree to participate in this program. I hereby waive, release, and hold harmless from any liability or claims for damages for personal injury, including death, as well as from claims for property damage which may arise in connection with the above-named activity, against the supervisor, the City of Palmdale and its elected and appointed officials, agents, and employees.

I hereby agree to the Authorization and Release set forth on this 30th day of January, 2023

Ryan V. Quill

Applicant's Signature

Applicants are encouraged to attach a resume.

Applications may be mailed (postmarked the date of the deadline), e-mailed to cityclerkdepartment@cityofpalmdale.org or hand delivered to the office of the City Clerk at 38300 Sierra Hwy., Ste. C, Palmdale, CA 93550

For additional information, please contact the City Clerk at 661/267-5151.

From: noreply@civicplus.com
To: Rochelle Scott; Roxanne Faber
Subject: Online Form Submittal: Planning Commission/Volunteer Application
Date: Wednesday, January 25, 2023 12:47:06 PM

CAUTION: This email originated from outside of the organization.

Planning Commission/Volunteer Application

Planning Commission/Volunteer Application
The City of Palmdale is an equal opportunity employer and does not discriminate in hiring or employment upon any basis prohibited by law, including race, color, creed, religion, age, sex (including pregnancy, childbirth and related medical conditions), cancer, national origin, genetic characteristics, genetic information, ancestry, sexual orientation, gender, gender identity, gender expression, marital status, veteran status, disability, or any other basis protected by applicable law. None of the questions or information sought in this application are intended to discriminate based upon any status protected by law. If you need reasonable accommodation in completing this application, or in any other part of the application process, please contact the City Clerk's Office at 661/267-5151.

Planning Commission Information	
Name	Getro Elize District 4
Date	1/25/2023
Business Telephone	[redacted]
Home Telephone	[redacted]
Cell Phone	[redacted]

*Possession of a valid California driver's license and the ability to be insured with the City's insurance carrier is required.

Present Address	[redacted]
City	Palmdale
State	Ca
Zip Code	[redacted]
Permanent Address if different from present address	*Field not completed.*

City	*Field not completed.*
State	*Field not completed.*
Zip Code	*Field not completed.*
Are you a current Planning Commissioner?	Yes
	(Section Break)
Personal Information	
Have you ever applied to or worked for the City before?	No
Do you have any relatives working for the City?	No
Do you own real property, personal property, financial holdings or receive income from any source which might present a potential conflict of interest or appearance of conflict of interest with your requested appointment?	No
Do you own real property, personal property, financial holdings or receive income from any source which might present a potential conflict of interest or appearance of conflict of interest with your requested appointment?	No
Have you ever been	No

disciplined or cited for a breach of ethics or unprofessional conduct by a board, committee, or other professional group?	
Do you or any members of your immediate family own any interest in any enterprise which does or might do business with the City and/or the Planning Commission?	No
Do you or any members of your immediate family own any interest in any real property adjacent to or within the City of Palmdale?	No
Do you or any members of your immediate family have any interests or associations which might present a conflict of interest?	No
Do you or any members of your immediate family currently serve as an elected city or county official?	No
What is your vision for Palmdale?	An economic future where residents will no longer have to leave our city for work.
How do you feel you would add value to the Planning Commission? What unique characteristics, qualifications,	By bring in new, achievable and goal oriented ideas for our city.

perceptions, and experiences would you bring to the Commission?	
What additional information would you like us to know to better assess your suitability for the Planning Commission?	NA.
What are your long term goals as a Planning Commission member?	Give input on viable areas with our city to maximize potential growth opportunities.
In your opinion, what is the goal of the Planning Commission and what benefit does it provide to the City of Palmdale?	The planning commission has a duty to advise and consult the city council on potential opportunities it otherwise would not consider.
Have you had previous public service experience on a commission or public body? If so, indicate the public agency, title of position, and duties.	This is my first term.

(Section Break)

Education, Training and Experience

High School

Name & Address	Los Angeles High School
Number of Years Completed	4
Did you Graduate?	Yes
Degree or Diploma	Diploma
GPA (i.e., A=4.0)	2.8

College / University

Name and Address	Howard University
Number of Years Completed	4
Did you Graduate?	Yes
Degree or Diploma	Business Finance
GPA (i.e., A=4.0)	2.5
Vocational	
Name and Address	*Field not completed.*
Number of Years Completed	*Field not completed.*
Did you Graduate?	*Field not completed.*
Degree or Diploma	*Field not completed.*
GPA (i.e., A=4.0)	*Field not completed.*
Other	
Name and Address	*Field not completed.*
Number of Years Completed	*Field not completed.*
Did you Graduate?	*Field not completed.*
Degree or Diploma	*Field not completed.*
GPA (i.e, A=4.0)	*Field not completed.*
Please list professional licenses and certificates pertinent to a position on the Planning Commission.	Na
List all current organizations and societies of which you are a member.	Na

(Section Break)

Employment History

List below all present and past employment for the last ten (10) years starting with your most recent employer. Account for all periods of unemployment. You must complete this section even if attaching a resume.

Name of Employer	Los Angeles Department of Health Services
Address	38350 40th Street East
City	Palmdale
State	Ca
Zip Code	93550
Type of Business	Public health
Telephone Number	661 225 3060
Your Supervisor's Name	Shalini Srinivasan
Your Position and Duties	Patient Resource Worker
Major Accomplishments	La County Covid 19 Ambassador
Dates of Employment	
From	6/15/2015
To	11/15/2022
Reason for Leaving	No growth opportunities and salary.
Upon leaving, were you eligible for rehire?	Yes

(Section Break)

Name of Employer	*Field not completed.*
Address	*Field not completed.*
City	*Field not completed.*
State	*Field not completed.*

Zip Code	*Field not completed.*
Type of Business	*Field not completed.*
Telephone Number	*Field not completed.*
Your Supervisor's Name	*Field not completed.*
Your Position and Duties	*Field not completed.*
Major Accomplishments	*Field not completed.*
Dates of Employment	
From	*Field not completed.*
To	*Field not completed.*
Reason for Leaving	*Field not completed.*
Upon leaving, were you eligible for rehire?	*Field not completed.*

(Section Break)

References

List below three persons not related to you who have knowledge of your civic activity within the last three years.

Name	Maria perez
Address	*Field not completed.*
City	[redacted]
State	[redacted]
Zip	*Field not completed.*
Occupation	[redacted]
Telephone Number	[redacted]
Number of Years Acquainted	3 years

(Section Break)

Name	Darryl Bossier
Address	*Field not completed.*
City	[redacted]
State	[redacted]
Zip	*Field not completed.*
Occupation	[redacted]
Telephone Number	[redacted]
Number of Years Acquainted	3 years

(Section Break)

Name	Inez Ordaz
Address	*Field not completed.*
City	[redacted]
State	[redacted]
Zip	*Field not completed.*
Occupation	[redacted]
Telephone Number	[redacted]
Number of Years Acquainted	3 years

(Section Break)

Please read carefully, initial each paragraph and sign below

I hereby certify that the answers given by me on this application are true and correct to the best of my knowledge, and that I have not withheld any information that might adversely affect my chances for appointment. I understand that any misstatement or omission of fact on this application or any documents used to obtain an appointment may result in rejection of this application or immediate discharge if I am appointed, regardless of the time elapsed before discovery of the misstatement or omission. I further certify that I, the applicant, have personally

completed this application.

Initials	GE

I hereby authorize the City of Palmdale to investigate my references, prior employers, work record, education, and other matters related to my suitability for appointment and further, authorize the references I have listed, all prior employers, and all educational institutions attended, to disclose to the City of Palmdale any and all letters, reports, and other information related to my records, including, but not limited to, my performance reviews and evaluations, discipline, commendations, awards, and all other employment information, without giving me prior notice of such disclosure. By providing this page of the application to the references, prior employers, and educational institutions attended, I release them, to the fullest extent permitted by law, from any and all claims, demands, fees, and liabilities for providing the City of Palmdale with all information. I release the City of Palmdale, its agents, employees, and representatives, to the fullest extent permitted by law, from any and all claims, demands, fees, and liabilities that may result from any use or disclosure of such information by the City of Palmdale, or any of its agents, employees, and representatives.

Initials	GE

I further understand and agree that as a condition to being appointed to the Planning Commission, I will be required to agree to conduct myself in accordance with the City of Palmdale's personnel practices and policies as set forth in the Human Resources Rules, the Brown Act, the Public Records Act, and the Planning Commission Rules of Procedures, copies of which I will be provided and will review prior to accepting an appointment to the Planning Commission. To the fullest extent permitted by law, I expressly consent to, and I waive any rights of privacy I might otherwise have in connection with the City's Human Resources Rules in general and the above-described sections in particular.

Initials	GE

(Section Break)

Volunteer Information	
Reasonable Accommodations	No

Foreign Languages

Language	*Field not completed.*
You can	*Field not completed.*
Language	*Field not completed.*
You can	*Field not completed.*

(Section Break)

In Case of Emergency
Whom should we notify?

Name	[redacted]
Relationship to Applicant	[redacted]
Home phone	*Field not completed.*
Work Phone	[redacted]
Physician's Name	*Field not completed.*
Phone	[redacted]
Do you have any medical history that we should be aware of in the event of an emergency? (Allergies, medications, etc.)	[redacted]

(Section Break)

AUTHORIZATION AND RELEASE

I voluntarily agree to participate in this program. I hereby waive, release, and hold harmless from any liability or claims for damages for personal injury, including death, as well as from claims for property damage which may arise in connection with the above-named activity, against the supervisor, the City of Palmdale and its elected and appointed officials, agents, and employees.

I hereby agree to the Authorization and Release set forth on this date

Date and Time	1/25/2023

Electronic Signature Agreement	I agree.
Electronic Signature	Getro F Elize

Email not displaying correctly? View it in your browser.

From: noreply@civicplus.com
To: Rochelle Scott; Roxanne Faber
Subject: Online Form Submittal: Planning Commission/Volunteer Application
Date: Friday, January 20, 2023 7:19:36 PM

CAUTION: This email originated from outside of the organization.

Planning Commission/Volunteer Application

Planning Commission/Volunteer Application
The City of Palmdale is an equal opportunity employer and does not discriminate in hiring or employment upon any basis prohibited by law, including race, color, creed, religion, age, sex (including pregnancy, childbirth and related medical conditions), cancer, national origin, genetic characteristics, genetic information, ancestry, sexual orientation, gender, gender identity, gender expression, marital status, veteran status, disability, or any other basis protected by applicable law. None of the questions or information sought in this application are intended to discriminate based upon any status protected by law. If you need reasonable accommodation in completing this application, or in any other part of the application process, please contact the City Clerk's Office at 661/267-5151.

Planning Commission Information		
Name	Christian C. Martinez	District 5
Date	1/20/2023	
Business Telephone	*Field not completed.*	
Home Telephone	*Field not completed.*	
Cell Phone	[redacted]	

*Possession of a valid California driver's license and the ability to be insured with the City's insurance carrier is required.

Present Address	[redacted]
City	Palmdale
State	CA
Zip Code	[redacted]
Permanent Address if different from present address	*Field not completed.*

City	*Field not completed.*
State	*Field not completed.*
Zip Code	*Field not completed.*
Are you a current Planning Commissioner?	No
	(Section Break)
Personal Information	
Have you ever applied to or worked for the City before?	Yes
When?	in the second half of 2017.
Do you have any relatives working for the City?	No
Do you own real property, personal property, financial holdings or receive income from any source which might present a potential conflict of interest or appearance of conflict of interest with your requested appointment?	No
Do you own real property, personal property, financial holdings or receive income from any source which might present a potential conflict of interest or appearance of conflict of interest with your requested appointment?	No

Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by a board, committee, or other professional group?	No
Do you or any members of your immediate family own any interest in any enterprise which does or might do business with the City and/or the Planning Commission?	No
Do you or any members of your immediate family own any interest in any real property adjacent to or within the City of Palmdale?	Yes
Please explain	Yes, my current home is within the City of Palmdale.
Do you or any members of your immediate family have any interests or associations which might present a conflict of interest?	No
Do you or any members of your immediate family currently serve as an elected city or county official?	No
What is your vision for Palmdale?	The vision I see for Palmdale is a safe and unified community that places great importance on inclusivity and accessibility for all its residents.
How do you feel you would add value to the Planning Commission?	As a long term resident and now homeowner in Palmdale, I feel my experience here can be utilized as a realistic and authentic perception of our city that will help to navigate through our

What unique characteristics, qualifications, perceptions, and experiences would you bring to the Commission?	strengths and weaknesses. Being aware of where those qualities lie is a valuable tool to accurately assign priority to projects and this firsthand perspective will allow me to be a voice to the people of the city.
What additional information would you like us to know to better assess your suitability for the Planning Commission?	I pride myself in being knowledgeable in many different disciplines. This allows me to have a better understanding of issues and allows me to solve them in a multifaceted way.
What are your long term goals as a Planning Commission member?	My long term goal is to create sustainable interest in our city's ongoings that does not come and die out quickly, but plants genuine knowledge in our residents so that they are confident in their involvement and in trusting that we make decisions with nothing but the city's wellbeing in mind. To make this possible, I hope to create new and innovative methods of communicating project details (when possible) that allows all of Palmdale quick and simple access to community involvement as well as awareness of its ongoings
In your opinion, what is the goal of the Planning Commission and what benefit does it provide to the City of Palmdale?	The goal of the planning commission is to make necessary and heavy-weighted decisions on city developments in favor of creating a refined and well structured society with little or no burden to it's people.
Have you had previous public service experience on a commission or public body? If so, indicate the public agency, title of position, and duties.	I have not had previous public service experience on a commission or public body but I have been an active citizen for the past couple of years.

(Section Break)

Education, Training and Experience	
High School	
Name & Address	William J. Pete Knight High School, 37423 70th Street East, Palmdale, CA 93552
Number of Years	4

Completed	
Did you Graduate?	Yes
Degree or Diploma	High School Diploma
GPA (i.e., A=4.0)	4.23
College / University	
Name and Address	University of California, Los Angeles (UCLA), Los Angeles, CA 90095
Number of Years Completed	2
Did you Graduate?	Yes
Degree or Diploma	Bachelor of Arts with a Major in Political Science and a Minor in Athropology
GPA (i.e., A=4.0)	3.59
Vocational	
Name and Address	*Field not completed.*
Number of Years Completed	*Field not completed.*
Did you Graduate?	*Field not completed.*
Degree or Diploma	*Field not completed.*
GPA (i.e., A=4.0)	*Field not completed.*
Other	
Name and Address	College of the Canyons, 26455 Rockwell Canyons Road, Santa Clarita, CA 91355
Number of Years Completed	2
Did you Graduate?	Yes
Degree or Diploma	Associate in Arts with a major in Political Science
GPA (i.e, A=4.0)	3.80
Please list professional licenses and	N/A

certificates pertinent to a position on the Planning Commission.	
List all current organizations and societies of which you are a member.	University of California, Los Angeles Law Fellows Program University of California, Los Angeles Alumni

(Section Break)

Employment History

List below all present and past employment for the last ten (10) years starting with your most recent employer. Account for all periods of unemployment. You must complete this section even if attaching a resume.

Name of Employer	PARRIS Law Firm
Address	43364 10th Street West
City	Lancaster
State	CA
Zip Code	93534
Type of Business	Personal Injury Law Firm
Telephone Number	(661) 949-2595
Your Supervisor's Name	Marci Hilsinger
Your Position and Duties	I am an in house Trial Technician for the PARRIS Law Firm. My job duties consist of helping several litigation teams in preparing for trial and running trail equipment during court proceedings.
Major Accomplishments	I have a part of several multimillion dollar verdicts throughout the State of California.
Dates of Employment	
From	5/21/2018
To	*Field not completed.*
Reason for Leaving	N/A
	No

Upon leaving, were you eligible for rehire?	

(Section Break)

Name of Employer	Logix Federal Credit Union
Address	19085 Golden Valley Road, 115,
City	Santa Clarita
State	CA
Zip Code	91387
Type of Business	Federal Credit Union
Telephone Number	(866) 786-5328
Your Supervisor's Name	Sylvia Galaviz
Your Position and Duties	Provided timely and courteous service to all branch members and assisted them with financial transactions. Responded to member inquiries in person, by telephone, or by mail in the branch environment. Supported the achievement of branch sales goals by learning how to identify opportunities for the cross-selling of Credit Union products and services.
Major Accomplishments	*Field not completed.*
Dates of Employment	
From	11/6/2017
To	5/18/2018
Reason for Leaving	I was offered a position at the PARRIS Law Firm where I could continue my pursuit of a legal career.
Upon leaving, were you eligible for rehire?	Yes

(Section Break)

References

List below three persons not related to you who have knowledge of your civic activity within the last three years.

Name	Andrew J. Hernandez
Address	[redacted]
City	[redacted]
State	[redacted]
Zip	[redacted]
Occupation	[redacted]
Telephone Number	[redacted]
Number of Years Acquainted	5

(Section Break)

Name	Douglas J. Sweeney
Address	[redacted]
City	[redacted]
State	[redacted]
Zip	[redacted]
Occupation	[redacted]
Telephone Number	[redacted]
Number of Years Acquainted	5

(Section Break)

Name	Mike Miscione
Address	[redacted]
City	[redacted]
State	[redacted]
Zip	[redacted]
Occupation	[redacted]
Telephone Number	[redacted]

Number of Years Acquainted	5

(Section Break)

Please read carefully, initial each paragraph and sign below

I hereby certify that the answers given by me on this application are true and correct to the best of my knowledge, and that I have not withheld any information that might adversely affect my chances for appointment. I understand that any misstatement or omission of fact on this application or any documents used to obtain an appointment may result in rejection of this application or immediate discharge if I am appointed, regardless of the time elapsed before discovery of the misstatement or omission. I further certify that I, the applicant, have personally completed this application.

Initials	CCM

I hereby authorize the City of Palmdale to investigate my references, prior employers, work record, education, and other matters related to my suitability for appointment and further, authorize the references I have listed, all prior employers, and all educational institutions attended, to disclose to the City of Palmdale any and all letters, reports, and other information related to my records, including, but not limited to, my performance reviews and evaluations, discipline, commendations, awards, and all other employment information, without giving me prior notice of such disclosure. By providing this page of the application to the references, prior employers, and educational institutions attended, I release them, to the fullest extent permitted by law, from any and all claims, demands, fees, and liabilities for providing the City of Palmdale with all information. I release the City of Palmdale, its agents, employees, and representatives, to the fullest extent permitted by law, from any and all claims, demands, fees, and liabilities that may result from any use or disclosure of such information by the City of Palmdale, or any of its agents, employees, and representatives.

Initials	CCM

I further understand and agree that as a condition to being appointed to the Planning Commission, I will be required to agree to conduct myself in accordance with the City of Palmdale's personnel practices and policies as set forth in the Human Resources Rules, the Brown Act, the Public Records Act, and the

Planning Commission Rules of Procedures, copies of which I will be provided and will review prior to accepting an appointment to the Planning Commission. To the fullest extent permitted by law, I expressly consent to, and I waive any rights of privacy I might otherwise have in connection with the City's Human Resources Rules in general and the above-described sections in particular.

Initials	CCM
	(Section Break)
Volunteer Information	
Reasonable Accommodations	No
Foreign Languages	
Language	Spanish
You can	Speak , Read, Write
Language	*Field not completed.*
You can	*Field not completed.*
	(Section Break)
In Case of Emergency Whom should we notify?	
Name	[redacted]
Relationship to Applicant	[redacted]
Home phone	[redacted]
Work Phone	*Field not completed.*
Physician's Name	[redacted]
Phone	[redacted]
Do you have any medical history that we should be aware of in the event of an emergency? (Allergies,	[redacted]

medications, etc.)

AUTHORIZATION AND RELEASE

I voluntarily agree to participate in this program. I hereby waive, release, and hold harmless from any liability or claims for damages for personal injury, including death, as well as from claims for property damage which may arise in connection with the above-named activity, against the supervisor, the City of Palmdale and its elected and appointed officials, agents, and employees.

I hereby agree to the Authorization and Release set forth on this date

Date and Time	1/20/2023 7:15 PM
Electronic Signature Agreement	I agree.
Electronic Signature	Christian C. Martinez

Email not displaying correctly? View it in your browser.

From: noreply@civicplus.com
To: Rochelle Scott; Roxanne Faber
Subject: Online Form Submittal: Planning Commission/Volunteer Application
Date: Monday, January 16, 2023 4:03:31 PM

CAUTION: This email originated from outside of the organization.

Planning Commission/Volunteer Application

Planning Commission/Volunteer Application
The City of Palmdale is an equal opportunity employer and does not discriminate in hiring or employment upon any basis prohibited by law, including race, color, creed, religion, age, sex (including pregnancy, childbirth and related medical conditions), cancer, national origin, genetic characteristics, genetic information, ancestry, sexual orientation, gender, gender identity, gender expression, marital status, veteran status, disability, or any other basis protected by applicable law. None of the questions or information sought in this application are intended to discriminate based upon any status protected by law. If you need reasonable accommodation in completing this application, or in any other part of the application process, please contact the City Clerk's Office at 661/267-5151.

Planning Commission Information		
Name	LUQMAN Y. WATKINS	District 5
Date	1/16/2023	
Business Telephone	[redacted]	
Home Telephone	*Field not completed.*	
Cell Phone	[redacted]	

*Possession of a valid California driver's license and the ability to be insured with the City's insurance carrier is required.

Present Address	[redacted]
City	Palmdale
State	California
Zip Code	[redacted]
Permanent Address if different from present address	[redacted]

City	Palmdale
State	CA
Zip Code	[redacted]
Are you a current Planning Commissioner?	Yes
	(Section Break)
Personal Information	
Have you ever applied to or worked for the City before?	No
Do you have any relatives working for the City?	No
Do you own real property, personal property, financial holdings or receive income from any source which might present a potential conflict of interest or appearance of conflict of interest with your requested appointment?	No
Do you own real property, personal property, financial holdings or receive income from any source which might present a potential conflict of interest or appearance of conflict of interest with your requested appointment?	No
Have you ever been	No

disciplined or cited for a breach of ethics or unprofessional conduct by a board, committee, or other professional group?	
Do you or any members of your immediate family own any interest in any enterprise which does or might do business with the City and/or the Planning Commission?	No
Do you or any members of your immediate family own any interest in any real property adjacent to or within the City of Palmdale?	No
Do you or any members of your immediate family have any interests or associations which might present a conflict of interest?	No
Do you or any members of your immediate family currently serve as an elected city or county official?	No
What is your vision for Palmdale?	To have a sustainable city which embodies diversity, equity, and inclusion in its practices. 21st century economic, commerce and modern infrastructure. A city free of crime and a strong presence of public order.
How do you feel you would add value to the Planning Commission? What unique characteristics,	My value comes from my dynamic experiences serving in the Navy for 9 ½ years, my public service as a Police Professional (currently) with the Los Angeles Police Department, and as a small business owner (Private Security). Adaptive and servant leadership, a forward and outside the box thinker, and being

qualifications, perceptions, and experiences would you bring to the Commission?	mission oriented are a few of the characteristics I can offer to this commission. I am qualified Emergency Management and Incident Command Systems, Strategic Planning, Investigations, and Private Security Strategies and Logistics. I currently have no perceptions of the City of Palmdale at this time. My experiences with City Government stems from working in the City of Los Angeles. I have worked in collaboration with the Human Relations Commission initiating community events on the future of policing. I have also worked with the Civil + Human Rights and Equity Department, conducting a series of community dialogues to enhance a mutual understanding between police professionals and the public. These are some of my qualifications and experiences, although limited, I feel I can offer a great deal to this commission.
What additional information would you like us to know to better assess your suitability for the Planning Commission?	None
What are your long term goals as a Planning Commission member?	To learn, gain knowledge, understand the city's process. Become a better public servant.
In your opinion, what is the goal of the Planning Commission and what benefit does it provide to the City of Palmdale?	The goal of the planning commission is to make the best informed decision regarding CUP, zoning ordinance and changes, and general planning. This benefits the City of Palmdale because it provides a collective perspective of the commission, yielding diversity in professional insight, resulting the best decisions possible when shaping the City of Palmdale.
Have you had previous public service experience on a commission or public body? If so, indicate the public agency, title of position, and duties.	None.
	(Section Break)
Education, Training and Experience	
High School	
Name & Address	*Field not completed.*

Number of Years Completed	*Field not completed.*
Did you Graduate?	Yes
Degree or Diploma	*Field not completed.*
GPA (i.e., A=4.0)	*Field not completed.*
College / University	
Name and Address	University of Phoenix, Woodland Hills Campus
Number of Years Completed	2
Did you Graduate?	Yes
Degree or Diploma	MBA
GPA (i.e., A=4.0)	3.3
Vocational	
Name and Address	*Field not completed.*
Number of Years Completed	*Field not completed.*
Did you Graduate?	*Field not completed.*
Degree or Diploma	*Field not completed.*
GPA (i.e., A=4.0)	*Field not completed.*
Other	
Name and Address	*Field not completed.*
Number of Years Completed	*Field not completed.*
Did you Graduate?	*Field not completed.*
Degree or Diploma	*Field not completed.*
GPA (i.e, A=4.0)	*Field not completed.*
Please list professional licenses and certificates pertinent to	Private Patrol Operator (License No. 120441) Bureau of Security and Investigations Services

a position on the Planning Commission.	Cornell University: Diversity Equity and Inclusion
List all current organizations and societies of which you are a member.	Los Angeles Police Relief Association: Vice President

(Section Break)

Employment History

List below all present and past employment for the last ten (10) years starting with your most recent employer. Account for all periods of unemployment. You must complete this section even if attaching a resume.

Name of Employer	Los Angeles Police Department
Address	100 W. 1st Street
City	LOS ANGELES
State	CA
Zip Code	90012
Type of Business	Policing / Public Service / Public Safety
Telephone Number	2134868405
Your Supervisor's Name	*Field not completed.*
Your Position and Duties	Sergeant of Police: Officer in charge of citywide public engagement and youth programming. Has functional oversight over 100 police personnel. Develop, implement, and manage community based programs for the purposes of attempting to build trust in hopes of sparking the idea of establishing a relationship. Manage youth programs with over 2000 youth participants.
Major Accomplishments	Sergeant of the Year, Officer of the Year, Graduate of the Sherman Block Leadership Institute, Graduate of Texas A&M Enhanced All Hazards Incident Management & Unified Command course.
Dates of Employment	
From	5/1/2006

To	*Field not completed.*
Reason for Leaving	Still Employed
Upon leaving, were you eligible for rehire?	*Field not completed.*

(Section Break)

Name of Employer	United States NAVY
Address	*Field not completed.*
City	Coronado
State	CA
Zip Code	*Field not completed.*
Type of Business	Naval Aircrew Combat Rescue Swimmer
Telephone Number	*Field not completed.*
Your Supervisor's Name	*Field not completed.*
Your Position and Duties	Served as a helicopter search and rescue swimmer / combat strike rescue Aircrewman. Conduct maritime and overland search and rescue operations
Major Accomplishments	Awarded First Flight / First Strike AIR MEDAL for completing over 50 combat flights over Iraq.
Dates of Employment	
From	11/12/1997
To	5/23/2006
Reason for Leaving	Los Angeles Police Department- Employment
Upon leaving, were you eligible for rehire?	Yes

(Section Break)

References

List below three persons not related to you who have knowledge of your civic activity within the last three years.

Name	Beatrice Girmala
Address	*Field not completed.*
City	*Field not completed.*
State	[redacted]
Zip	[redacted]
Occupation	[redacted]
Telephone Number	[redacted]
Number of Years Acquainted	10

(Section Break)

Name	Darius Trugman
Address	[redacted]
City	[redacted]
State	[redacted]
Zip	[redacted]
Occupation	[redacted]
Telephone Number	[redacted]
Number of Years Acquainted	10

(Section Break)

Name	Ocatvia Askew
Address	[redacted]
City	[redacted]
State	[redacted]
Zip	[redacted]
Occupation	[redacted]
Telephone Number	[redacted]

Number of Years Acquainted	5

(Section Break)

Please read carefully, initial each paragraph and sign below

I hereby certify that the answers given by me on this application are true and correct to the best of my knowledge, and that I have not withheld any information that might adversely affect my chances for appointment. I understand that any misstatement or omission of fact on this application or any documents used to obtain an appointment may result in rejection of this application or immediate discharge if I am appointed, regardless of the time elapsed before discovery of the misstatement or omission. I further certify that I, the applicant, have personally completed this application.

Initials	LYW

I hereby authorize the City of Palmdale to investigate my references, prior employers, work record, education, and other matters related to my suitability for appointment and further, authorize the references I have listed, all prior employers, and all educational institutions attended, to disclose to the City of Palmdale any and all letters, reports, and other information related to my records, including, but not limited to, my performance reviews and evaluations, discipline, commendations, awards, and all other employment information, without giving me prior notice of such disclosure. By providing this page of the application to the references, prior employers, and educational institutions attended, I release them, to the fullest extent permitted by law, from any and all claims, demands, fees, and liabilities for providing the City of Palmdale with all information. I release the City of Palmdale, its agents, employees, and representatives, to the fullest extent permitted by law, from any and all claims, demands, fees, and liabilities that may result from any use or disclosure of such information by the City of Palmdale, or any of its agents, employees, and representatives.

Initials	LYW

I further understand and agree that as a condition to being appointed to the Planning Commission, I will be required to agree to conduct myself in accordance with the City of Palmdale's personnel practices and policies as set forth in the Human Resources Rules, the Brown Act, the Public Records Act, and the

Planning Commission Rules of Procedures, copies of which I will be provided and will review prior to accepting an appointment to the Planning Commission. To the fullest extent permitted by law, I expressly consent to, and I waive any rights of privacy I might otherwise have in connection with the City's Human Resources Rules in general and the above-described sections in particular.

Initials	LYW
	(Section Break)
Volunteer Information	
Reasonable Accommodations	No
Foreign Languages	
Language	*Field not completed.*
You can	*Field not completed.*
Language	*Field not completed.*
You can	*Field not completed.*
	(Section Break)
In Case of Emergency Whom should we notify?	
Name	*Field not completed.*
Relationship to Applicant	*Field not completed.*
Home phone	*Field not completed.*
Work Phone	*Field not completed.*
Physician's Name	*Field not completed.*
Phone	*Field not completed.*
Do you have any medical history that we should be aware of in the event of an emergency? (Allergies,	[redacted]

medications, etc.)

AUTHORIZATION AND RELEASE

I voluntarily agree to participate in this program. I hereby waive, release, and hold harmless from any liability or claims for damages for personal injury, including death, as well as from claims for property damage which may arise in connection with the above-named activity, against the supervisor, the City of Palmdale and its elected and appointed officials, agents, and employees.

I hereby agree to the Authorization and Release set forth on this date

Date and Time	1/16/2023 4:00 PM
Electronic Signature Agreement	I agree.
Electronic Signature	LUQMAN Y. WATKINS

Email not displaying correctly? View it in your browser.