



To: Planning Commission

From: Community & Economic Development Director

Meeting Date: June 3, 2024

Subject: PUBLIC HEARING – ZONE CODE AMENDMENT NO. 195 AMENDING TITLE 5 BUSINESS LICENSE AND REGULATIONS AND TITLE 18 ZONING OF THE PICO RIVERA MUNICIPAL CODE AND FIND THE PROPOSED ORDINANCE NOT SUBJECT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTIONS 15060(c)(2), 15060(c)(3) and 15061 (b)(3)

Project Location: Citywide

Applicant: City of Pico Rivera

Project Planner: Estefany Franco, Planner

Introduction:

The Pico Rivera Municipal Code requires periodic updates to ensure consistency between City policies and State laws. Toward that end, several parts of the Municipal Code require updates due to new State laws and regulations that have gone into effect in the last several years. The proposed amendments include updates to Title 5 Business Licenses and Regulations and Title 18 Zoning. The proposed update will achieve consistency with State laws and provide greater clarity and certainty that will better serve the public.

Analysis:

Title 5 Business License and Regulations

Section 5.75.060 Issuance and renewal of license. On March 8, 2022, the City Council adopted Ordinance No. 1154, Tobacco Retail License, establishing a ban on the sale of flavored tobacco products and established a Tobacco Retail Licensing Program as a mechanism to ensure compliance with the ordinance. The ordinance included language to establish issuance and renewal parameters of the Tobacco Retail License. The proposed amendment would require retailers to renew their Tobacco Retail License upon the anniversary date of said license and would eliminate the requirement for the renewal and fee to be due between thirty (30) to sixty (60) days prior to the expiration. This will

ensure congruous coordination between Tobacco Retail License and Business License due dates, both set for the anniversary date.

Title 18 Zoning

The last comprehensive zoning code update took place in 1993. In the intervening years, it has been modified through a series of nominal amendments that has resulted in an older code with outdated terminology and often times cumbersome to navigate. In response, the City has embarked on a Comprehensive Zoning Code Update that will make it user-friendly with contemporary terminology and reorganized for easier access. The update is underway and will be finalized by the end of the calendar year. In the meantime, the proposed amendments will address the immediate needs of the City as it works towards addressing outdated development standards, land uses, and noticing requirements,

Table 18.40.040(D) Land use chart—Contents

- Smoke Shops – On September 28, 2021, the City Council adopted Urgency Ordinance No. 1145 prohibiting the establishment of smoke shops. Chapter 9.42 Smoke Shop Prohibition was added to Title 9 Public Peace, Morals and Welfare. The land use chart in section 18.40.040 must be updated to reflect the adopted amendment.
- Massage – The Municipal Code categorizes massage establishments as an office type business. There are no conditions or requirements specific to massage establishments. A Conditional Use Permit (CUP) for proposed massage establishments in the General Commercial (C-G) zone would ensure that new establishments comply with specific provisions for their operation including, but not limited to required training and appropriate documentation for massage technicians, appropriate hours of operation and prohibiting illicit activity.
- Carwashes, automatic or coin-operated – On October 26, 2021, the City Council adopted Urgency Ordinance No. 1148 extending a car wash moratorium for 10 months, 15 days. On August 23, 2022, the City Council further extended the ordinance for an additional year. The proposed amendment will prohibit carwash establishments in all the commercial zones. Existing carwashes with valid business license would continue to operate, the amendment would only apply to new carwashes.

Section 18.42.050, Special Use Conditions and Chart Notes

On September 12, 2023, the City Council adopted Ordinance No. 1174 amending Title 18 Zoning, for the creation of development standards for the R-40 Overlay Zone. The ordinance also established Objective Design Standards for ministerial and affordable housing proposals as required by recent state housing legislation. The proposed amendment clarifies that standalone residential development proposed in any commercial zone and mixed-use overlay zone must meet the objective design standards and the development regulations of the Multiple-Family Residential (R-M) zone.

PLANNING COMMISSION AGENDA REPORT – MEETING OF JUNE 3, 2024
PUBLIC HEARING – ZONE CODE AMENDMENT NO. 195 AMENDING *TITLE 5
BUSINESS LICENSE AND REGULATIONS AND TITLE 18 ZONING OF THE PICO
RIVERA MUNICIPAL CODE*
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18.62.230. Public hearing—Notice, conduct and decisions

The proposed amendment would allow the City to forgo mailing notices when the number of owners to whom notice would be mailed is greater than one thousand (1,000) and allowing notice to be provided by placing a display advertisement in at least one local newspaper in general circulation within the City.

The proposed amendments are shown in Enclosure 2 Draft Ordinance. Deleted language is shown with a strikethrough and new language is double underlined.

Environmental review:

The proposed ordinance is not subject to the provisions of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15060(c)(2), 15060(c)(3) and 15061 (b)(3). An activity is not subject to CEQA if: The activity will not result in a direct or reasonably foreseeable indirect physical change in the environment. The activity is not a project as defined in Section 15378. The activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Here it can be seen with certainty that there is no possibility that the proposed ordinance may have a significant effect on the environment, therefore the proposed ordinance is not subject to CEQA.

Public Notice:

Notice of the public hearing was published in the Cerritos Community Newspaper no less than ten days prior to the date set for the public hearing and posted at City Hall, Post Office and Park facilities (Rivera, Pico and Smith Park). The agenda was posted at City Hall 72 hours prior to the Planning Commission meeting.

Recommendation:

That the Planning Commission adopt a Resolution:

1. Recommending approval to the City Council of Zone Code Amendment No. 195 Amending Title 5 Business License and Regulations and Title 18 Zoning, of the Pico Rivera Municipal Code and find the proposed Ordinance not subject to the California environmental quality act (CEQA) pursuant to CEQA Guidelines Section 15060(c)(2), 15060(c)(3) and 15061 (b)(3))

AB:EF:jj



Enclosures: 1) Resolution No. 1318 – Zone Code Amendment No. 195
2) Draft Ordinance

RESOLUTION NO. 1318**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PICO RIVERA, CALIFORNIA RECOMMENDING CITY COUNCIL ADOPT AMENDMENTS TO *TITLE 5 BUSINESS LICENSE AND REGULATIONS* AND *TITLE 18 ZONING* OF THE PICO RIVERA MUNICIPAL CODE DESIGNATED HEREIN AS ZONE CODE AMENDMENT NO. 195**

WHEREAS, pursuant to California Government Code Sections 65850 et seq., the legislative body of a city may adopt ordinances amending the zoning regulations of the city; and

WHEREAS, pursuant to Pico Rivera Municipal Code Section 18.62.080 et seq., the City of Pico Rivera's zoning code or any portion thereof may be amended by ordinance of the City Council whenever it is deemed essential, or public necessity, convenience, and general welfare require such changes; and

WHEREAS, the City of Pico Rivera Community and Economic Development Department staff identified the need to amend *Title 5 Business License and Regulations* and *Title 18 Zoning* to correct inconsistencies, update the Code to be reflective of good planning practices and recent City Council actions, and achieve consistency with State laws; and

WHEREAS, studies and investigations were made and a staff report with recommendations was submitted, and the Planning Commission, upon giving the required notice, did on the 3rd of June 2024, conduct a duly noticed public hearing as required by law to consider the code amendments. Notice of the hearing was published in the Cerritos Community Newspaper on May 24, 2024; and

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF PICO RIVERA, CALIFORNIA, HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The Planning Commission finds that the foregoing recitals are true and correct and are incorporated herein by reference.

SECTION 2. Pursuant to Chapter 18.62, Article II, *Zoning Code Amendments*, of the Pico Rivera Municipal Code, the Planning Commission of the City of Pico Rivera hereby recommends to the City Council of the City of Pico Rivera the approval of the draft Ordinance amending the Pico Rivera Municipal Code including Title 5, *Business License and Regulations* and 18, *Zoning*.

SECTION 3. Further, this Resolution with reports, findings and recommendations herein contained and the recommended draft Ordinance attached hereto in this matter shall constitute a report of the Planning Commission to the City Council.

SECTION 4. Based upon all testimony and comments from the general public,

the examination and review of the investigations by staff included in the staff report contained herein, and all other pertinent and relevant fact pertaining hereto, the Planning Commission finds that the amendment to sections of Title 18, Zoning, of the Pico Rivera Municipal Code are necessary and in the best interests of the City, consistent with and are necessary to the general purpose and provisions of the zoning code and general plan, and should be approved by the City Council for the following reasons and findings:

1. The text amendments are necessary to provide internal consistency within different sections of the municipal code.
2. The update to the Municipal Code will be reflective of good planning practices and recent City Council actions and achieve consistency with State laws.
3. The proposed amendments are consistent with Goal 10.1 of the Pico Rivera General Plan as the proposed amendments promote the well-being for all members of the community.

SECTION 5. The proposed Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to CEQA guidelines Section 15061(b)(3) and CEQA Guidelines section 15060(c)(2), (3) because the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and it can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment and because CEQA Guidelines section 15378 defines a project as the whole of an action, which could potentially result in either a direct physical change, or reasonably foreseeable indirect physical change, in the environment. The Ordinance will not have any effect that would physically change the environment.

SECTION 6. The Planning Commission hereby transmits and recommends approval of the attached draft Ordinance, Enclosure 2, adopting Zone Code Amendment No. 195 to the City Council of the City of Pico Rivera.

SECTION 7. In the event that any portion of this Resolution is deemed invalid or is unenforceable, such provision shall be severable from the remainder and that the remainder of the Resolution shall be given full force and effect.

SECTION 8. The Secretary of the Planning Commission shall certify the adoption of this Resolution.

APPROVED AND ADOPTED this 3rd day of June 2024, by members of the Planning Commission of the City of Pico Rivera, voting as follows:

Aric Martinez, Chairperson

ATTEST:

APPROVED AS TO FORM:

Alvaro Betancourt, Director
Community and Economic Development

Austin A. Ching, Deputy City Attorney

AYES:

NOES:

ABSENT:

ABSTAIN:

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, AMENDING *TITLE 5 BUSINESS LICENSE AND REGULATIONS* AND *TITLE 18 ZONING* OF THE PICO RIVERA MUNICIPAL CODE HEREIN REFERRED TO AS ZONE CODE AMENDMENT NO. 195

WHEREAS, pursuant to its police power, the City of Pico Rivera may enact and enforce laws within its boundaries which promote the public health, morals, safety, or general welfare of the community, and are not in conflict with general laws; and

WHEREAS, pursuant to California Government Code Sections 65850 et seq., the legislative body of a city may adopt ordinances amending the zoning regulations of the city; and

WHEREAS, pursuant to Pico Rivera Municipal Code Section 18.62.080 et seq., the City of Pico Rivera's zoning code or any portion thereof may be amended by ordinance of the City Council whenever it is deemed essential, or public necessity, convenience, and general welfare require such changes; and

WHEREAS, the ordinance is necessary to clarify existing language and address inconsistencies with other provisions of the Municipal Code; and

WHEREAS, the Planning Commission of the City of Pico Rivera conducted a duly noticed public hearing on the matter of amending section of *Title 5, Business License and Regulations* and *Title 18, Zoning*, a legally noticed public hearing held on June 3, 2024; and

WHEREAS, the City Council of the City of Pico Rivera desires to amend the Pico Rivera Municipal Code as set forth herein.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Pico Rivera as follows:

SECTION 1. The City Council finds that the above recitals are true and correct and incorporated herein as part of the findings.

SECTION 2. The City Council hereby finds and determines that this Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to CEQA guidelines Section 15061(b)(3) and CEQA Guidelines section 15060(c)(2), (3) because the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and it can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment and because CEQA Guidelines section 15378 defines a project as the whole of an action, which could potentially result in either a direct physical change, or reasonably

foreseeable indirect physical change, in the environment. The Ordinance will not have any effect that would physically change the environment.

SECTION 3. The City Council finds that the proposed amendments are consistent with the spirit and integrity of the General Plan and are necessary to protect the public health, safety and general welfare of the public.

SECTION 4. Amend Chapter 5.75, *Tobacco Retail License*, Section 5.75.060 *Issuance and renewal of license* to read as follows:

- A. Upon the receipt of a complete application for a tobacco retailer's license and the license fee required by this chapter, the department may approve or deny the application for a license, or it may delay action for a reasonable period of time to complete any investigation of the application or the applicant deemed necessary. The department may deny an application for a tobacco retailer's license based on any of the following:
1. The application is incomplete, inaccurate, false, or misleading;
 2. The department has information that the applicant, or the applicant's agent(s) or employee(s), violated any local, state, or federal tobacco control law within the preceding one hundred eighty days; or
 3. The application seeks authorization for tobacco retailing at an address where a previous tobacco retail license has been suspended, revoked, or is subject to suspension or revocation proceedings for any violation of any of the provisions of this chapter. However, this shall not constitute a basis for denial of a tobacco retail license if either or both of the following apply:
 - a. The applicant provides documentation which clearly demonstrates that the applicant has acquired or is in the process of acquiring the premises or business in an arm's length transaction, or
 - b. It has been more than five years since the most recent tobacco retail license for that location was revoked;
 4. Any other suitable reason the granting of a license to the applicant is not consistent with the public health and welfare, including the applicant's history of noncompliance with this chapter and other laws relating to the sale of tobacco products.
- B. **Renewal of Tobacco Retail License.** A tobacco retail license shall be valid for one year and must be renewed upon the anniversary date of the license, and the fee for same shall then be immediately due and owing between thirty and sixty days

	Land Use	Zone								
B.	Residential Uses*	R-E	S-F	R-I	PUD	R-M	P	E-S	M-U Overlay	R-40 Overlay
15.	Emergency shelters, more than 20 occupants within the city							1, 73		
16.	SRO (efficiency units)			74		74			74, 76	74, 76
17.	Supportive housing	X	X	X	X	X			X	X
18.	Transitional housing	X	X	X	X	X			X	X
19.	Second dwelling units	75	75		75					

	Land Use	Zone							
D.	Commercial Uses* (Every permitted use of land shall be conducted within an entirely enclosed building except as otherwise designated below.)	P-A	C-M	C-N	C-C	C-G	CPD	M-U Overlay	R-40 Overlay
1.	Adult uses		60						
2.	Animal hospitals		20, 23, 55, 57		20, 23, 55, 57	20, 23, 55, 57		20, 23, 55, 57	20, 23, 55, 57
3.	Antique shops				12, 20, 27, 55, 57	12, 20, 27, 55, 57	1, 12, 27, 55, 57	1, 12, 27, 57	1, 12, 27, 57
4.	Appliance sales, rentals, repairs, service		20, 28, 55						
5.	Automated teller machines—interior	55	55	55	55	55	1, 55	55	55

	Land Use	Zone							
D.	Commercial Uses* (Every permitted use of land shall be conducted within an entirely enclosed building except as otherwise designated below.)	P-A	C-M	C-N	C-C	C-G	CPD	M-U Overlay	R-40 Overlay
6.	Automated teller machines—exterior	61	61	61	61	61	61	61	61
7.	Automobile leasing and renting		20, 24, 51, 55		20, 24, 51, 55	20, 24, 51, 55	1, 20, 24, 51, 55		
8.	Automobile parts and accessories stores		20, 29, 55, 57		20, 29, 55, 57	20, 29, 55, 57	1, 29, 55, 57		
9.	Automobile repair shops		1, 28, 36		1, 28, 36	1, 28, 36	1, 28		
10.	Automobile sales, new and used		2, 13, 28		2, 13, 28	2, 13, 28			
11.	Automobile service stations		1, 28, 81		1, 19, 28	1, 19, 28, 39, 62, 81	1, 19, 28, 39, 62, 81		
12.	Automobile upholstery shops		2, 57		1	1			
13.	Automotive related sales and installation		2		2	2			
14.	Bakeries		15, 20, 55, 57	15, 20, 55, 57	15, 20, 55, 57	15, 20, 55, 57	1, 15, 55, 57	15, 55, 57	15, 55, 57

Land Use		Zone							
D.	Commercial Uses* (Every permitted use of land shall be conducted within an entirely enclosed building except as otherwise designated below.)	P-A	C-M	C-N	C-C	C-G	CPD	M-U Overlay	R-40 Overlay
15.	Banks, savings and loan associations, and other similar lending institutions, but excluding pawnshops	20, 55, 57, 61			20, 55, 57, 61	20, 55, 57, 61	1, 55, 57, 61	55, 57, 61	55, 57, 61
16.	Barbershops and beauty shops	20, 55, 33, 57		20, 55, 57	20, 55, 57	20, 55, 57	1, 55, 57	55, 57	55, 57
17.	Bars and cocktail lounges				1, 25	1, 25	1, 25		
18.	Bicycle shops				20, 55, 57	20, 55, 57	1, 55, 57	55, 57	55, 57
19.	Bookstores	20, 55, 33, 57			20, 55, 57	20, 55, 57	1, 55, 57	55, 57	55, 57
20.	Bowling alleys, skating rinks and similar recreational facilities				1	2	1	1	1
21.	Brewery		1, 80	1, 80	1, 80	1, 80	1, 80	1, 80	1, 80
22.	Building materials, new		20, 55						
23.	Business offices and services	20, 55, 57, 81	20, 55, 57, 81		20, 55, 57, 81	20, 55, 57, 81	1, 55, 57, 81	20, 55, 57, 81	20, 55, 57, 81

	Land Use	Zone							
D.	Commercial Uses* (Every permitted use of land shall be conducted within an entirely enclosed building except as otherwise designated below.)	P-A	C-M	C-N	C-C	C-G	CPD	M-U Overlay	R-40 Overlay
24.	Cafés and restaurants	20, 33, 55, 56, 66, 67	20, 55, 56, 66, 67		20, 55, 56, 66, 67	20, 55, 56, 66, 67	1, 55, 56, 66, 67	1, 20, 55, 56, 66, 67	1, 20, 55, 56, 66, 67
25.	Carwashes, automatic or coin-operated only		2		4	4			
26.	Ceramics, stone, tile products		20, 55						
27.	Check cashing establishments		55, 57, 72			55, 57, 72			
28.	Clothing and wearing apparel stores of new retail merchandise only				20, 55, 57	20, 55, 57	1, 55, 57	55, 57	55, 57
29.	Coin-operated games and game arcades		1, 53, 55, 57		1, 53, 55, 57	1, 53, 55, 57	1, 53, 55, 57		
30.	Confectionery stores			20, 55, 57	20, 55, 57	20, 55, 57	1, 55, 57	55, 57	55, 57
31.	Craft and hobby shops				20, 55, 57	20, 55, 57	1, 55, 57	55, 57	55, 57
32.	Dental laboratories or scientific research centers	1						1	1

Land Use		Zone							
D.	Commercial Uses* (Every permitted use of land shall be conducted within an entirely enclosed building except as otherwise designated below.)	P-A	C-M	C-N	C-C	C-G	CPD	M-U Overlay	R-40 Overlay
33.	Drapery shops		17, 20, 55, 57		17, 20, 55, 57	17, 20, 55, 57	1, 17, 55, 57	17, 55, 57	17, 55, 57
34.	Dressmaking and millinery shops				17, 20, 55, 57	17, 20, 55, 57	1, 17, 55, 57	17, 55, 57	17, 55, 57
35.	Drive-in and drive-thru business establishments			1, 18, 28	1, 18, 28	1, 18, 28	1, 18, 28	1, 18, 28	1, 18, 28
36.	Drug or alcohol outpatient treatment facilities	1			1	1			
37.	Drugstore				20, 55, 57	20, 55, 57	1, 55, 57	55, 57	55, 57
38.	Dry cleaning, laundry and pressing establishments	20, 33			20, 55, 57	20, 55, 57	1, 55, 57	55, 57	55, 57
39.	Electric distribution substation	1, 55		1	1	1			
40.	Electronic components and supplies		20, 58						
41.	Equipment (light) rentals		20, 55						
42.	Florist shops	20, 33, 55, 57	20, 55, 57		20, 55, 57	20, 55, 57	1, 55, 57	20, 55, 57	20, 55, 57

	Land Use	Zone							
D.	Commercial Uses* (Every permitted use of land shall be conducted within an entirely enclosed building except as otherwise designated below.)	P-A	C-M	C-N	C-C	C-G	CPD	M-U Overlay	R-40 Overlay
43.	Food markets			20, 55, 57	20, 55, 57	20, 55, 57	1, 55, 57	1, 55, 57	1, 55, 57
44.	Fortune telling					1, 37			
45.	Fire cell generator	1, 55		1, 55	1, 55	1, 55			
46.	Furniture and appliance stores		20, 22, 55, 57		20, 22, 55, 57	20, 22, 55, 57	1, 22, 55, 57	20, 22, 55, 57	20, 22, 55, 57
47.	Furniture, cabinet making		20, 58						
48.	Furniture upholstery		20, 55, 57		20, 55, 57	20, 55, 57			
49.	Galleries, works of art and collections	20, 33, 55, 57			20, 55, 57	20, 55, 57	1, 55, 57	55, 57	55, 57
50.	Gas metering and control stations	1, 55		1	2	2			
51.	Hardware stores				20, 55, 57	20, 55, 57	1, 55, 57	1, 55, 57	1, 55, 57
52.	Home occupations	11			11	11		11	11
53.	Hospitals/medical facilities	1			1	1		1	1
54.	Hotels and motels				1	1			
55.	Jewelry stores	20, 33, 55, 57			20, 55, 57	20, 55, 57	1, 55, 57	1, 20, 55, 57	1, 20, 55, 57
56.	Laundromats			2, 20, 55, 57, 81	2, 20, 55, 57, 81	2, 20, 55, 57, 81	1, 55, 57, 81	1, 55, 57, 81	1, 55, 57, 81

Land Use		Zone							
D.	Commercial Uses* (Every permitted use of land shall be conducted within an entirely enclosed building except as otherwise designated below.)	P-A	C-M	C-N	C-C	C-G	CPD	M-U Overlay	R-40 Overlay
57.	Liquor stores, packaged off-sale only		1, 81		1, 81	1, 81	1, 81	1, 81	1, 81
58.	Live/work	78		78	78	78		77, 78	77, 78
59.	Locksmith shop		20, 55, 57		20, 55, 57	20, 55, 57	20, 55, 57	55, 57	55, 57
<u>60.</u>	<u>Massage Establishment</u>					<u>1</u>			
60. <u>61.</u>	Medical clinic	2	2	2	2	2	2	2	2
61. <u>62.</u>	Medical laboratories	2	2			2		2	2
62. <u>63.</u>	Mobilehome sales, new and used					2, 14			
63. <u>64.</u>	Motorcycle sales, repairs, rentals, new and used		1		1	1			
64. <u>65.</u>	Muffler shops, automobile only				1	1			
65. <u>66.</u>	Multifamily dwellings	1, 34, 57			1, 34	1, 34	1, 34	1	1, 76
66. <u>67.</u>	Newspaper publishing		1					1	1
67. <u>68.</u>	Nightclubs		1			1			

D.	Land Use Commercial Uses* (Every permitted use of land shall be conducted within an entirely enclosed building except as otherwise designated below.)	Zone							
		P-A	C-M	C-N	C-C	C-G	CPD	M-U Overlay	R-40 Overlay
68. 69.	Nurseries and retail building				20, 55	20, 55	1, 55		
69. 70.	Off-sale of alcoholic beverages				1, 39	1, 39			
70. 71.	Off-site hazardous waste facility					1, 43, 45			
71. 72.	Off-street parking facilities privately owned and operated	2			2	2	1	1	1
72. 73.	On-site hazardous waste facility					44, 45, 55			
73. 74.	On-site sale or tasting of alcoholic beverages	1, 25	1, 25		1, 25	1, 25	1, 25	1, 25	1, 25
74. 75.	Packaging and assembly of non-hazardous products		20, 28, 58						
75. 76.	Parcel delivery		1						
76. 77.	Pet shops and grooming				20, 55, 57	20, 55, 57	1, 55, 57	55, 57	55, 57
77. 78.	Pharmacies	20, 33, 55, 57			20, 55, 57	20, 55, 57	1, 55, 57	55, 57	55, 57

D.	Land Use Commercial Uses* (Every permitted use of land shall be conducted within an entirely enclosed building except as otherwise designated below.)	Zone							
		P-A	C-M	C-N	C-C	C-G	CPD	M-U Overlay	R-40 Overlay
78. <u>79.</u>	Physical fitness clubs, physical training including gyms		2			2	2	2	2
79. <u>80.</u>	Physical therapy		2			2	2	2	2
80. <u>81.</u>	Picture frames and framing		20, 55, 57		20, 55, 57	20, 55, 57	1, 55, 57	55, 57	55, 57
81. <u>82.</u>	Printing and reproduction establishments		20, 28, 55, 57		20, 54, 55, 57	20, 54, 55, 57	1, 54, 55, 57	55, 57	55, 57
82. <u>83.</u>	Private clubs, fraternities, sororities, lodges and institutions of nonprofit or charitable nature				2	2		55, 57	55, 57
83. <u>84.</u>	Religious places of worship	1		1	1				
84. <u>85.</u>	Resthomes	2			2	2			
85. <u>86.</u>	Retail sales and personal service businesses				20, 55, 57, 81	20, 55, 57, 81	1, 55, 57, 81	55, 57, 81	55, 57, 81
86. <u>87.</u>	Satellite dish receiving antenna	30	30	30	30	30	30	1	1

	Land Use	Zone							
D.	Commercial Uses* (Every permitted use of land shall be conducted within an entirely enclosed building except as otherwise designated below.)	P-A	C-M	C-N	C-C	C-G	CPD	M-U Overlay	R-40 Overlay
87. 88.	Self-storage facility	1, 71, 82							
88. 89.	Shoe repair shops				20, 55, 57	20, 55, 57		55, 57	55, 57
89. 90.	Sign shops		28, 55		20, 55, 57	20, 55, 57		55, 57	55, 57
90. 91.	Small boat sales and service		20, 28, 55						
92.	<u>Smoke Shop</u>								
94. 93.	Stationery stores, including incidental printing				20, 55, 57	20, 55, 57	1, 55, 57	55, 57	55, 57
92. 94.	Studios (dance, martial arts, music, and photography, except motion picture)				2, 20, 55, 57	2, 20, 55, 57	1, 55, 57	1, 55, 57	1, 55, 57
93. 95.	Temporary uses	42	42	42	42	42	42	42	42
94. 96.	Theaters				1	1	1	1	1
95. 97.	Trade schools	1	1		1	1	1	1	1
96. 98.	Truck, trailer, camper, recreational		1						

D.	Land Use Commercial Uses* (Every permitted use of land shall be conducted within an entirely enclosed building except as otherwise designated below.)	Zone							
		P-A	C-M	C-N	C-C	C-G	CPD	M-U Overlay	R-40 Overlay
	vehicle sales, new and used								
<u>97-99.</u>	Unclassified uses	1, 48	1, 48	1, 48	1, 48	1, 48	1, 48	1, 48	1, 48
<u>98-100.</u>	Wireless telecommunication facilities	45	45	45	45	45	45	1	1
<u>99-101.</u>	Wrought-iron work shops		20, 28, 55						
<u>100-102.</u>	Yardage stores				20, 55, 57	20, 55, 57	1, 55, 57		

E.	Industrial Uses*	I-L	I-G	IPD
1.	Assembly and packaging of nonhazardous products	58, 59, 62, 79	58, 59, 62	1, 58, 59
2.	Auto service stations	1, 19, 39, 62, 79	39, 62	1, 39
3.	Automated teller machines—interior	55, 79	55	55
4.	Automobile assembly plants		58, 59, 62	1, 58, 59
5.	Automobile overhauling and major or minor repairing	20, 51, 58, 62, 79	58, 59, 62	1, 58, 59
6.	Automobile storage		1, 64	
7.	Automotive electronics/installation and service	58, 59, 62, 79	58, 59, 62	1, 58, 59
8.	Bottling plants	58, 59, 62, 79	58, 59, 62	1, 58, 59
9.	Brewery	1, 80	1, 80	1, 80

E.	Industrial Uses*	I-L	I-G	IPD
10.	Building materials sales and storage	58, 59, 62, 79	58, 59, 62	1, 58, 59
11.	Business offices	58, 59, 62, 79	58, 59, 62	1, 58, 59
12.	Cafés and restaurants	20, 56, 58, 62, 79	20, 56, 62	1, 20, 56, 58
13.	Childcare			1
14.	Coin-operated games and game arcades	1, 53, 79	1, 53	1, 53
15.	Contracting equipment storage and rental yards		58, 59, 62	1, 58, 59
16.	Distribution plants and warehouses	1, 62, 79	1, 62, 83	1
17.	Electric distribution substation	58, 59, 62, 79	58, 59, 62	1, 58, 59
18.	Electric generating, transmission substation and energy support facilities	58, 59, 62, 79	58, 59, 62	58, 59
19.	Electrical and gas appliance assembly plants	58, 59, 62, 79	58, 59, 62	1, 58, 59
20.	Fuel cell generator	58, 59, 79	58, 59	1, 58, 59
21.	Fulfillment center		1	
22.	Gas metering and control stations	58, 59, 62, 79	58, 59, 62	1, 58, 59
23.	Hospitals/medical facilities			1
24.	Industrial uses involved with on-site hazardous waste as defined in Section 18.04.613.1	2, 79	2	2
25.	Laundries and cleaning plants	58, 59, 62, 79	58, 59, 62	1, 58, 59
26.	Liquefied petroleum sales	2, 79	2	2
27.	Machine shops	58, 59, 62, 79	58, 59, 62	1, 58, 59
28.	Manufacturing of food products	58, 59, 62, 79	58, 59, 62	1, 58, 59
29.	Manufacturing of meat, poultry, fish or similar products		2	
30.	Manufacturing of products	58, 59, 62, 79	58, 59, 62	1, 58, 59
31.	Metallurgical testing	58, 59, 62, 79	58, 59, 62	58, 59
32.	Newspaper publishing	2, 79	2	2
33.	Nighclubs		1	
34.	Nurseries, wholesale	58, 59, 62, 79	58, 59, 62	1, 58, 59
35.	Off-site sale of alcoholic beverages at auto/service stations	1, 39, 79	1, 39	1, 39

E.	Industrial Uses*	I-L	I-G	IPD
36.	Off-site hazardous waste facilities	1, 44, 45, 79	1, 44, 45	
37.	On-site sale or tasting of alcoholic beverages	1, 25, 79	1, 25	1, 25
38.	On-site hazardous waste facilities	44, 45, 58, 59, 62, 79	44, 45, 58, 59, 62	1, 44, 45, 58, 59
39.	Parcel hub		1	
40.	Physical fitness clubs, physical training including gyms	2	2	2
41.	Printing, photographic and reproduction activities	58, 59, 62, 79	58, 59, 62	1, 58, 59
42.	Public utility service yards	58, 59, 62, 79	58, 59, 62	1, 58, 59
43.	Recycling collection facility	2, 28, 33, <u>57</u> , 58, <u>69</u> , 79	2, 28, 33, <u>57</u> , 58, <u>69</u>	
44.	Recycling plant			
45.	Recycling station		1, 37, <u>57</u> , <u>69</u>	
46.	Religious places of worship	1, 79	1	
47.	Retail sales			1, 46
48.	Satellite dish receiving antenna	30, 79	30	30
49.	Scientific research centers and laboratories	58, 59, 62, 79	58, 59, 62	1, 58, 59
50.	Sheet metal shops	58, 59, 62, 79	58, 59, 52	1, 58, 59
51.	Sign shop	58, 59, 62, 79	58, 59, 62	1, 58, 59
52.	Temporary uses	42, 79	42	42
53.	Theaters, walk-in			1
54.	Trade schools, industrial oriented	2, 79	2	
55.	Transfer, moving and storage facilities for furniture and household goods only	58, 59, 62, 79	58, 59, 62	1, 58, 59
56.	Truck repairing, overhauling, and rental and retail sales		1, 62	1
57.	Unclassified uses	1, 48, 79	1, 48	1, 48
58.	Waste disposal facility			
59.	Water facilities	1, 79	2	1
60.	Wholesale sales	58, 59, 62, 79	58, 59, 62	58, 59
61.	Wireless telecommunication facilities	65, 79	65	65

SECTION 6. Amend Chapter 18.40, *Land Use Regulations*, Section 18.40.050,

Special Use Conditions and Chart Notes, Note 69 is hereby amended to read as follows:

Note 69. The recycling facility shall meet the following requirements:

a. Reverse Vending Machines (RVM).

~~1. The RVM, if located outside of the primary business, shall not occupy more than twenty-five square feet.~~

1.2. The RVM shall be located within the store or enclosed building, within twenty-five feet of the main entrance of the primary business.

2.3. The RVM shall not require additional parking in addition to that required for the primary use.

3.4. Unless otherwise required by state regulations, one directional and informational sign for each RVM site no more than one foot by three feet shall be permitted. This sign shall be placed on, painted onto, or otherwise permanently affixed to the RVM.

4.5. RVMs shall be limited to the collection of redeemable empty beverage containers made of glass, plastic, aluminum beverage, bi-metals, and other recyclable material as permitted by this chapter and approved by the zoning administrator.

5.6. Shall be permitted as an accessory use to a permitted use.

b. Collection Storage Unit(s) (CSU).

1. Collection storage units aggregate coverage shall not exceed one hundred twenty-five square feet.

2. Collection storage units shall be fully enclosed, except for small openings for deposit of recyclable materials.

3. The CSU shall be located within twenty-five feet of the main entrance into the primary use, whenever possible the CSU shall be located on a sidewalk, and not on any portion of a drive aisle or parking space.

4. All storage units shall be sealed in such a manner as to preclude the deposit of nonredeemable materials in the unit during hours when the primary facility is unmanned.

5. The CSUs shall be staffed a minimum of thirty hours per week to facilitate the purchase of or donation of recyclable materials.

6. The CSUs shall not occupy required parking spaces or landscape areas. No additional parking in addition to that required for the primary use shall be required.

7. CSUs shall be limited to the collection of redeemable paper, and empty beverage containers made of glass, plastic, aluminum beverage and bi-metals; and other beverage containers meeting the California Beverage Container Recycling and Litter Reduction Act of 1986, as approved by the zoning administrator.

8. The CSU shall be of a size, shape and design to be compatible with existing facilities.

9. No permanent or temporary structures for human habitation or use is permitted as part of a CSU site.

10. The CSUs shall be permitted as an accessory use to a permitted use.

11. Unless otherwise required by state regulations, one directional and information sign for each CSU site no more than one foot by three feet shall be permitted. This sign shall be placed on, painted onto, or otherwise permanently affixed to the CSU.

c. Mobile Recycling Unit (MRU).

1. All storage shall be completely enclosed within a building ~~in a truck, van, trailer, cargo container, or bin~~ as approved by the zoning administrator.

2. MRUs shall not occupy nor block driveway aisles, nor occupy landscaped areas. ~~MRUs may be located within an existing parking space if adequate screening and design measures as approved by the zoning administrator are approved.~~ No additional parking in addition to that required for the primary use shall be required.

3. An attendant shall be at the facility at all times during operational hours of the mobile recycling unit.

4. The MRU shall be located outside of required building setback areas as approved by the zoning administrator.

5. MRUs shall be limited to the collection of redeemable paper, and empty beverage containers made of glass, plastic, aluminum beverage, and bimetals, and other recyclable materials as approved by the zoning administrator.

6. MRUs shall be permitted as an accessory use to a permitted use.

7. Unless otherwise required by state regulations, one directional and information sign for each MRU site no more than one foot by three feet shall be permitted. This sign shall be placed, painted or otherwise permanently affixed to an MRU.

d. Recycling Plant (Processing Plant).

1. All outdoor storage of salvageable recycled materials (e.g., non-processed recyclable materials) shall be contained within bins that are located on a paved area on the rear one-half of the project site, or located within a fully enclosed building or structure. No open, loose, bulk or aggregate storage shall be permitted.

2. All outdoor storage of processed recycled materials shall be prepackaged or stored in an enclosed container within the rear one-half of the project site. No open loose, bulk, or aggregate storage shall be permitted.

3. Outdoor storage plans shall be reviewed and approved by the city, L.A. County sheriff's department and L.A. County fire department, L.A. County health department, and city of Pico Rivera.

4. All outdoor storage containers and outdoor operations shall be enclosed by view-obscuring walls, fences, gates, or buildings. No storage containers shall be seen from a public right-of-way or from any residential land use.

5. All processing and other similar activities shall occur entirely within an enclosed building.

6. A recycling plant, upon planning commission approval of a conditional use permit may accept used motor oil for recycling from consumers or other used oil generators for distribution in accordance with Sections 25250.1 1 of the California Health and Safety Code. No reclamation processing of used oil is permitted.

7. The ambient noise level shall not be increased above existing noise levels as measured at any property line as a result of this permitted activity.

8. The recycling facility plant shall comply with signage and off-street parking code standards.

9. The delivery of biodegradable refuse (e.g., garbage or food wastes) shall not be permitted. Any incidental amounts of biodegradable refuse materials enters the site shall be removed by the next working day or within the next forty-eight hours of it entering the site, whichever is sooner. All incidental refuse material shall be placed in containers or within an existing structure until such time that this waste material is removed from the project site.

10. Liquid wastes, hazardous and biodegradable materials, including, but not limited to, food, beverages, drugs, cosmetics, hazardous chemicals, poisons, medical wastes, syringes, needles, pesticides, batteries and other similar materials shall not be permitted on the site.

11. As applicable, the owner and operator of the facility shall prevent or eliminate immediately any nuisance created by dust, odors, blowing material, litter, ponding water, noise or other nuisance. Inspections, as necessary, by the L.A. County department of health and city of Pico Rivera, mitigating nuisances may be required on a case-by-case basis.

12. All buildings and structures within the site shall be rodent-proofed and any rodent infestation shall be controlled immediately. Inspections, as necessary, by the L.A. County department of health and city of Pico Rivera, mitigating impacts may be required on a case-by-case basis.

13. Any infestation or accumulation of flies or other insects of public health significance shall be immediately controlled. Inspections, as necessary, by the L.A. County department of health and city of Pico Rivera, mitigating impacts may be required on a case-by-case basis.

14. In anticipation of emergency situations (e.g., breakdown of facilities, power failure, landfill closure), provisions shall be made to ensure nonsalvageable waste materials will be properly contained and that no continuous storage of nonsalvageable material be allowed. Unless otherwise approved by the zoning administrator, nonsalvageable materials shall be removed within forty-eight hours.

15. Any representative of a regulatory governmental agency shall be permitted access to the recycling plant at any reasonable time for the purpose of obtaining information or inspecting operations.

16. Burning of wastes shall be prohibited.

17. Fire protection and prevention facilities, including, but not limited to, fire sprinklers, shall be provided in a manner subject to approval of the fire marshal.

18. A detailed site plan, building elevations and operations plan, illustrating improvements such as building, parking, outdoor storage, use of equipment, processing operations, transport routes, shall be subject to review and approval.

19. A recycling plant shall not be located on a property located within four hundred feet of a lot zoned residential or open space or any property containing a public institutional land use (e.g., church, school, park or library).

20. As applicable, the applicant and operator of a recycling plant shall bear the full administrative costs of monitoring and inspection activities to be conducted by city staff or consultant representatives. An annual permit fee and fine schedule shall be prepared and approved prior to any recycling-related use being established. Failure to pay the city all fees and/or fines shall constitute a zoning code violation.

e. Recycling Station.

1. All storage of salvageable recycled materials (e.g., nonprocessed recyclable material) shall be contained within bins that are located on a paved area in the rear one-half of the project site or located within a fully enclosed building or structure. No open, loose, bulk or aggregate storage shall be permitted.

2. Outdoor storage plans shall be reviewed and approved by the city, L.A. County sheriff's department and L.A. County fire department, L.A. County health department, and city of Pico Rivera.

3. All outdoor storage containers and operations shall be totally enclosed by view-obscuring walls, gates, fences or buildings. No storage containers shall be seen from a public right-of-way or from any residential land use.

4. Recyclable material delivered to the site shall be presorted, and shall include no hazardous or biodegradable wastes.

5. No processing activities shall be permitted.

6. The ambient noise level shall not be increased above existing noise levels as measured at any property line.

7. The recycling station shall comply with signage and off-street parking code standards.

8. The site shall not be located on a property within four hundred feet of a lot zoned for residential or open space purposes or any property containing a public institutional land use (e.g., church, school, park or library).

9. The delivery of biodegradable refuse (e.g., garbage or food wastes) shall not be permitted. Any incidental amounts of biodegradable refuse material enters the site shall be removed by the next working day or within the next forty-eight hours of its entering the site, whichever is sooner. All incidental refuse material shall be placed in containers or within an existing structure until such time that this material is removed from the project site.

10. Liquid wastes, hazardous and biodegradable materials, including, but not limited to, food, beverages, drugs, cosmetics, hazardous chemicals, poisons, medical wastes, syringes, needles, pesticides, batteries, and other similar materials shall not be permitted on the site.

11. As applicable the owner or operator of the facility shall prevent or eliminate immediately any nuisance created by dust, odors, blowing material, litter, ponding water, noise, rodents, infestations, or other nuisances. Inspections, as necessary, by the L.A. County department of health and city of Pico Rivera, mitigating nuisances may be required on a case-by-case basis.

12. All buildings and structures within the site shall be rodent-proofed and any rodent infestation shall be controlled immediately. Inspections, as necessary, by the L.A. County department health and city of Pico Rivera, mitigating nuisances may be required on a case-by-case basis.

13. Any infestation or accumulation of flies or other insects of public health significance shall be immediately controlled. Inspections, as necessary, by the L.A. County department of health and city of Pico Rivera, mitigating nuisances may be required on a case-by-case basis.

14. Any representative of a regulatory governmental agency shall be permitted access to the recycling plant at any reasonable time for the purpose of obtaining information or inspecting operations.

15. A detailed site plan, building elevations and operation plans illustrating improvements, such as building storage, parking, signage, and provisions for site supervision and security shall be subject to review and approval by the zoning administrator.

f. General Requirements.

1. All recycling facilities require a separate business license.
2. All recycling facilities must post city licenses and phone contact for site maintenance and operation.
3. Excepting for permitted signage, no advertisement for any product or use other than material(s) to be recycled may be affixed to a machine, collection unit, or other facility visible to the public.
4. All facilities immediately accessible to the public must be maintained in a clean and attractive manner and serviced on a daily basis. This shall include washing, sweeping

and other cleaning activities. As needed, a trash receptacle shall be provided at each recycling facility as determined by the zoning administrator.

5. A plan of operation including correctly dimensioned site plans of the facility, actual days and hours of operation, anticipated volume of recyclable and nonrecyclable materials to be collected and any other information as requested by the zoning administrator shall be submitted for review and approval.

6. The name and phone number of the person responsible for the recycling facility site and hours of operation shall be visible to the public; other signage as permitted by this code or required by state regulators shall be reviewed and approved by the community development department, planning division.

7. Operation hours of the recycling facility shall be at least the operating hours of the primary use.

8. The recycling facility shall be illuminated to ensure a comfortable and safe operation, if operating hours fall between dusk and dawn.

9. The operator and primary business of any recycling facility shall remove any and all recyclable materials which have accumulated or are deposited outside a designated container, bin or enclosure intended as receptacles for such materials within a twenty-four hour period. Upon failure to immediately remove said material, the city may deem them to be abandoned and may enter the site to remove the materials. The property owner(s) of the premises and the operator of the facility shall be liable for full costs of such clean-up work completed by the city.

10. As necessary, a litter and debris plan for on- and off-site impacts shall be reviewed and approved by the zoning administrator.

11. Violation of any condition of any terms set forth may result in the issuance of a notice of noncompliance certificate by the city of Pico Rivera and be cause for the immediate closing of the facility until such times as the violations are corrected to the satisfaction of the zoning administrator.

12. As determined by the zoning administrator, a periodic report providing such information as the weight, volume and type of recyclable material, and nonrecyclable material received, shall be provided to the community development department, planning division.

SECTION 7. Amend Chapter 18.42, *Property Development Regulations*, Article 1. *General Provisions*, Section 18.42.050, *Special Use Conditions and Chart Notes*, Note 64 is hereby amended to read as follows:

Note 64. Objective Design Standards for Multi-family, Mixed-Use Development. The objective Design Standards shall apply to all ministerial reviews per state housing law. Multifamily development proposed in any commercial zone and standalone multifamily development proposed in the mixed-use overlay zones shall meet the development regulations of the Multiple-Family Residential (R-M) zone.

- a. Site Design. Site planning refers to the arrangement of-and relationships between buildings, parking areas, common and private open space, landscaping and pedestrian connections.
 1. Building entries shall be visible at the street and shall incorporate a minimum of one (1) of the following:
 - A. A projection (e.g., porch) or recess, or combination of projection and recess with minimum area of 50 square feet.
 - B. A change in roof pitch or form, such as a gable, that extends a minimum of one foot past the sides of the door jamb.
 - C. A difference in roof height of at least one (1) foot.
 2. All building entries shall incorporate wood, stone, tile, or brick accent materials covering a minimum of 30 percent of the entryway wall surface area, inclusive of windows and doors.
 3. Shared entries for larger residential buildings shall be through a prominent entry lobby or courtyard facing the street.
 4. Buildings that are not adjacent to a street shall have front entries that are oriented to interior common areas such as paseos, courtyards, and useable open space.
 5. Where applicable, active commercial uses, including retail, restaurant, and personal services shall be located on the ground floor fronting the sidewalk.
 6. Where applicable, private amenities, such as plazas and open space shall be located in the interior of the site or otherwise away from the public right of way.
 7. All structures, entries, facilities, amenities, and parking areas shall be internally connected with pedestrian pathways.
 8. Direct pedestrian access shall be provided between the public sidewalk and primary building entrance.
 9. Direct pedestrian access shall be provided between any back of house retail entry and the public sidewalk and between mid-block courtyard space and surface parking.

10. Garage Doors. For projects containing five (5) or more units, garage doors shall not face a public street(s) but may be oriented toward an alley or a private street/driveway that is internal to the project. All garage doors shall be recessed a minimum of six (6) inches from the surrounding building wall and shall include trim of at least one and a half (1.5) inches in depth.
- b. Building Form, Massing and Façade Articulation. The design shall incorporate building form, massing and façade articulation of individual units, or groups of units, through varied heights, projections, setbacks, and recesses. Materials and colors emphasize changes and hierarchy in building form.
 1. Treat the ground floor with materials such as stone, concrete, or other similar masonry or cementitious materials that are distinct from the remainder of the structure.
 2. All exterior building façades visible from the primary street shall not extend more than 30 feet in length without either an architectural element or a five-foot variation in depth in the wall plane. In addition, all facades shall include at least two of the following features: windows, trellises, arcades, balconies, different exterior material, or awnings.
 3. Buildings shall be designed and articulated with details articulation, materials, and elements on all sides. The street- facing façade(s) shall feature additional elements or materials. Entirely blank walls are not allowed along any façade.
 4. Architectural window detailing, such as sills, trim, and/or awnings shall be provided.
 5. Windows located on upper floors within 15 feet of an adjacent structure shall utilize one or more of the following techniques to minimize privacy impacts on adjacent properties and/or structures:
 - a. Use clerestory windows located at a minimum height of 5 feet measured from the finished floor;
 - b. Use of non-transparent or frosted glazing.
 6. Locate the taller portions of residential projects away from adjoining residential properties, in order to provide height transitions between taller and lower buildings, and to maximize light, air, and privacy for units.
- c. Corner Buildings
 1. Treatment of Corner Buildings. Corner buildings, end units of townhouses or other attached housing that face the street shall include the following features on their building frontage:
 - A. A minimum of 30 percent fenestration area.

- B. At least one facade modulation with a minimum depth of 18 inches and a minimum width of two feet. Examples: Wrap around front porch, bay window.
- C. A different material application, color or fenestration pattern of windows from the rest of the façade.
- d. Roof and Parapets
 - 1. Roofs shall consist of a single style and slope throughout the project. On a building with a pitched roof, no portion of the main roof shall be flat.
 - 2. Parapets shall be capped with precast treatment, continuous banding, or projecting cornices, dentils, or similar edge treatment.
 - 3. Where rooftop equipment is located within 10 feet of a roof edge, a parapet shall be provided that is a minimum of six inches taller than all roof-top equipment.
 - 4. Interior side of parapet walls shall not be visible from a common open space or public right-of-way.
 - 5. Parapet material shall match the building façade.
- e. Materials and Colors
 - 1. Affordable units and market rate units within the same development shall be constructed of the same materials and details such that the units are not distinguishable from one another.
 - 2. The primary exterior siding material for buildings shall be wood, composite wood, stone, stone veneer, granite, slate, brick, brick veneer, stucco, plaster, fiber cement, vinyl, aluminum, or steel. The use of exposed plywood or glass curtain walls is prohibited.
 - 3. A neutral color, such as beige, tan, cream, sand, light gray, etc., shall be the dominant wall color, bolder colors may be used if City staff determines they are consistent with the character of the project, surrounding properties, and/or the streetscape. Material with integral color, such as brick, shall be left natural.
 - 4. Changes in material or color shall occur at inside corners of intersecting walls or at architectural features that break up the wall plane, such as columns.
- f. Windows and Doors
 - 1. Windows and doors shall be located so they do not directly align with windows and doors of adjacent dwelling units.

2. Windows shall either be recessed at least three inches from the plane of the surrounding exterior wall or shall have a trim or windowsill at least one-half inch in depth.
 3. Windows facing a public street shall feature enhanced window treatments, such as decorative architectural brackets, trim, shutters, awnings, and/or trellises.
- g. Fences and Wall- Site walls shall be constructed to match the primary building colors and materials. Fences and walls shall be constructed of materials such as wood, vinyl, wrought iron, brick, and stone. Chain link is prohibited. For additional regulations see 18.42.050 Note 32.
1. Both sides of all perimeter walls and fences shall be architecturally treated. Walls shall be finished with a trim cap.
 2. Where fences and walls of different materials or finishes intersect, a natural transition or break (such as a column or pilaster) shall be provided.
 3. All walls shall be painted with anti-graffiti coating.
- h. Parking Design
1. Parking areas shall be located behind or within the building or buildings so that it is not visible from the primary street frontage.
 2. Vehicle access shall be located on alleys or side streets where available.
 3. Paving treatment using patterned and/or colored pavers, brick, or decorative colored and/or scored concrete shall be used for entrance driveways, a minimum of 15 feet in length, and spanning the width of the entrance driveway.
 4. Projects with controlled entrances, including vehicular access gates to parking areas, shall accommodate at minimum the length of one vehicle (20 feet) entering the site without queuing into the street or public sidewalk.
- i. Landscaping. Landscaping shall be used for all outdoor areas that are not specifically used for parking, driveways, walkways, and open space.
1. Landscaping must comply with Chapter 13.90, Water Efficient Landscape Ordinance (WELO), where applicable.
 2. Plant materials are limited to native or non-invasive drought-tolerant species.
 3. A landscape buffer of minimum width of five feet shall be located between all

- ground-level restricted open spaces and pedestrian walkways. The buffer shall be planted with dense evergreen shrubs and/or vines which grow to or are maintained at a minimum height of four feet.
4. Rear and side lot lines adjoining residential properties shall provide a minimum 5 feet wide landscape planter with a combination of trees and bushes to provide a privacy buffer.
 5. Pedestrian walkways shall be flanked on both sides with landscaping, and shall include a mix of turf, groundcover, and shrubs. Both sides of walkways shall provide trees which shall be spaced to shade at least 25 percent of the overall walkway length at maturity.
 6. A minimum of one 15-gallon tree or equivalent box size and 10 five-gallon shrubs shall be planted for every 1,000 square feet of required landscape area.
 7. Groundcover shall be sized and located to cover at least 75 percent of all landscape areas that are not planted with shrubs or trees within 5 years of installation.
 8. Artificial or synthetic plants, except for turf, are prohibited. Artificial turf is not permitted in front or street side setbacks.
 9. Landscaping shall not obstruct solar access to adjacent solar collectors for water heating, space heating or cooling, or electricity generation.
- j. Lighting
1. All entryways, porch areas, pedestrian pathways, parking areas, and gates shall include lighting for safety and security. Lighting shall be fully shielded, directed downward (not above the horizontal plane), and shall not spill onto adjacent properties.
 2. The average maintained lighting levels for mixed-use and multi-family units shall not exceed the following:
 - a. 0.5 foot-candles at lot line boundaries.
 - b. 1.0 foot-candles at buildings, parking lots or other areas.
 3. Lighting shall not spill beyond the intended area and shall not extend across a property line.
- k. Usable Open Space Defined. Usable open space areas are an open area or an indoor or outdoor recreational facility which is designed and intended to be used

for outdoor living and/or recreation. Usable open space shall not include any portion of parking areas, streets, driveways, sidewalks, or turnaround areas. The following standards shall apply to the requirements for open space:

1. Private Residential Open Space.
 - i. For stand-alone multi-family residential projects or as part of a mixed-use development, each residential unit shall be provided with at least one area of private open space accessible directly from the living area of the unit, in the form of a fenced yard or patio, a deck or balcony at a minimum area of one hundred fifty square feet per unit for 1st floor units or one hundred square feet per unit for upper floors. (Mechanical equipment may not be located within the open space area.)
 - ii. The minimum dimension, width or depth, of a patio, deck or balcony shall be six feet.
 - iii. The minimum dimension, width or depth of a yard shall be ten feet.
2. Common Residential Open Space.
 - A. For stand-alone multi-family residential developments of over twenty units, each residential unit shall be provided with at least two hundred square feet of common residential open space.
 - B. All common open space shall be conveniently located and accessible to all dwelling units on the site.
 - C. Common open space areas may include landscaping, pedestrian paths, and recreational facilities. These recreational facilities could include:
 - i. Clubhouse.
 - ii. Swimming pool.
 - iii. Tennis court
 - iv. Basketball court
 - v. Racquetball court
 - vi. Weightlifting facility.
 - vii. Children's playground equipment.
 - viii. Sauna.
 - ix. Jacuzzi.
 - x. Day care facility
 - xi. Other recreational amenities deemed adequate by the community development director.
 - D. In projects containing over twenty units, the minimum width and depth shall be twenty feet.
 - E. Where roof decks are proposed, landscape planters such as planter boxes, potted plants, and/or boxed trees, shall be located along the edges of the roof deck to provide a screening buffer.

- F. For mixed-use developments, the open space provided for residents must be secured and accessible only from the residential area of the project. Publicly accessible open space such as plazas and courtyards does not count open space for residential uses.
- I. Trash Enclosure- Service areas, garbage receptacles, utility meters and mechanical and electrical equipment shall be located away from streets, pedestrian traffic and activity areas, and building entries. Screening of these areas shall be integrated into the overall building and landscape design.
 - 1. Trash enclosures shall be constructed to match the color, texture and architectural detailing that shall be consistent with the overall site and building design and with a six-foot high wall/gate.
 - 2. Roofs of enclosures shall be designed to complement the project buildings, roof style and colors.
 - 3. Where trash compactors are visible, they shall be screened from public view within a trash enclosure or within a building.
- m. Mechanical Equipment- Rooftop equipment that is not able to be concealed within the architecture of the building shall be screened from view behind a parapet wall. If parapets are not be used, the mechanical equipment shall be enclosed within the attic space or ground mounted.
 - 1. Above-ground utilities, transformers, and other mechanical equipment placed behind the front yard setback shall be screened from view by a solid fence, wall, or landscaping.
 - 2. Backflow prevention devices shall be fully screened from public view through the use of landscaping, berms, low walls or other screening techniques. They shall be located inside the building where possible.
 - 3. All wall mounted utility elements shall be located to ensure they are concealed from public view. All flashings, sheet metal, vents, exhaust fans/ventilators, and meter boxes shall be painted to match building wall material and/or color.
- n. Signage. All development within the R-40 Overlay Zone shall have a “sign program” as part of the project design. The sign program shall identify the location for all signage that may be located on the building or freestanding, the allowable sign materials, lighting methods and sign design. The sign program will also require coordination for multiple buildings within a defined complex. In addition,

temporary signs and banners will be included in the sign program, as to whether or not they are allowed, and if they are allowed, then where these signs may be located within the development project. At no time, shall the sign program allow for signage in excess of those standards within Chapter 18.46 (Signs and Advertising). "Box" signs, "canister" or "can" signs, painted signs, foam letters and neon signs are prohibited.

o. Mixed-Use Standards.

1. The ground floor of a mixed-use building shall have a minimum floor height of 12 feet, measured from finished ground floor to the bottom of the finished second floor.
2. Exterior walls facing a public street shall include transparent windows and doors for at least 50 percent of the building wall area located between three and seven feet above the elevation of the sidewalk. Parking garages are not required to meet the ground floor transparency requirement.

SECTION 8. Amend *Title 18 Zoning* Chapter 18.62.230 Public hearing- Notice to read as follows:

18.62.230. Public hearing—Notice, conduct and decisions.

- A. Notice. Notice of time, date, and place of the public hearing shall be given in the following manner:
1. By at least one publication in a newspaper of general circulation within the city in an edition published therefor not less than ten days prior to the date set for the public hearing; and
 2. By the mailing of such notice of public hearing not less than ten days prior to the date set for such hearing to the owner, applicant, lessee and/or other persons having a vested interest therein, and to all owners of property within a radius of three hundred feet measured from the external boundaries of the property described in said notice of which such owners of property appear on copies of the equalized assessment roll of the Los Angeles County on file in the office of the county assessor. Any error in the copy of the assessment roll shall not invalidate any act of the planning commission or city council, as the case may be. If the number of owners to whom notice would be mailed or delivered pursuant to this paragraph is greater than one thousand (1,000), the City, in lieu of mailed or delivered notice, may provide notice by placing a display advertisement of at least one-eighth page in at least one (1) newspaper of general circulation within the City at least ten (10) days prior to the hearing.

- B. Form, Wording and Contents of Notice. The form, wording and content of notices for public hearings shall consist of the words "NOTICE OF PROPOSED ZONE RECLASSIFICATION," and shall set forth the day of the week, date, place or exact location, time, file number or other identification, name of the applicant or initiator, description of the matter under consideration, exact legal description of the property, and the address or general location thereof, relative to the public hearing or hearings to be held on the matter. Such notices shall appear in a format acceptable to the city planner.
- C. Investigations. The planning commission shall cause to be made by its own members and the director of building and planning, such investigations of facts bearing upon the proposed zone reclassification that will assure appropriate disposition thereof consistent with the goals, provisions, objectives, spirit and integrity of the zoning code and general plan. The director of building and planning shall prepare and transmit a written report, based upon an examination and review of the proposal and other written investigations, to the planning commission, and to the applicant or owner in the case of an application, not less than five days prior to the date set for public hearing.
- D. Findings by Planning Commission. The planning commission, upon hearing all testimony, upon examination and review of the investigations and report of the director of building and planning and application, as the case may be, upon ascertaining all other pertinent facts relative thereto, and upon conclusion of the public hearing, shall make such determinations and findings of fact as deemed necessary in the best interests of all parties concerned and which bear on the disposition of the proposed zone reclassification.
- E. Announcement of Planning Commission Findings and Decisions. The planning commission shall announce its findings and decisions by formal written resolution within forty days after conclusion of the public hearing. The resolution shall recite and set forth, among other matters, the findings of fact, reasons and determinations which, in the opinion of the planning commission, make approval, conditional approval or denial of the proposed zone reclassification considered necessary to carry out the general purpose and provisions of the zoning code and general plan, and shall recommend the approval, conditional approval, or denial of same. The planning commission, not more than ten days after concluding its action, shall transmit a copy of the resolution to the city council and applicant, as the case may be.
- F. Council Hearing on Planning Commission Resolution. The city council, upon receipt of the resolution from the planning commission, shall commence to hold a public hearing thereon, conducted in the same manner as required for the planning commission and as hereinabove set forth in Sections 18.62.220 through

18.62.250.

- G. Reference to Planning Commission of Adverse Decision by City Council. During its course of deliberations on the resolution, the city council may approve, modify or disapprove the recommendations of the planning commission, provided that for any modification not previously considered by the planning commission during its hearings, the city council shall, prior to rendering any final action thereon, refer its findings and determinations to the planning commission requesting further review, examination, reconsideration, and report by the planning commission on the matter. Should the planning commission fail to file its report with the city council within forty days after reference thereto, it shall be deemed that the planning commission has approved said reference and the city council shall render appropriate action thereafter.
- H. Announcement of Findings, Notice, Finality and Decisions of the City Council. The city council shall announce its findings and decisions by formal written resolution within forty days after conclusion of its public hearing, or after receipt of a planning commission report on the matter of referral thereto. The resolution shall recite and set forth, among other matters, findings of fact, reasons and determinations which, in the opinion of the city council, may make approval, conditional approval or denial of the proposed zone reclassification considered necessary to carry out the general purpose and provisions of the zoning code and general plan, and shall approve, conditionally approve, or deny same. The city council, not more than ten days after concluding its action, shall transmit a copy of the resolution to the planning commission and applicant, as the case may be, and the actions and decisions of the city council shall be final and conclusive.

SECTION 9. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this article, 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 article or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this article irrespective of the fact that one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional or invalid or ineffective. To this end, the provisions of this article are declared to be severable.

SECTION 10. The City Clerk shall certify the passage and adoption of this ordinance. The City Council hereby finds and determines that there are no newspapers of general circulation both published and circulated within the City and, in compliance with Section 36933 of the Government Code directs the City Clerk to cause said ordinance, within fifteen (15) days after its passage, to be posted in at least five (5) public places within the City. This ordinance shall take effect thirty (30) days after its adoption.

ORDINANCE NO. ____
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ADOPTED AND PASSED this ____ day of _____ 2024.

Andrew C. Lara, Mayor

ATTEST:

APPROVED AS TO FORM:

Cynthia Ayala, CMC, City Clerk

Arnold M. Alvarez-Glasman, City Attorney

STATE OF CALIFORNIA)
) §
COUNTY OF LOS ANGELES)

I, Cynthia Ayala, City Clerk of the City of Pico Rivera, do hereby certify that the foregoing Ordinance No. ____ was adopted at a regular meeting of the City Council of the City of Pico Rivera, held on _____, with the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Cynthia Ayala, CMC, City Clerk