



VICE CHAIR CECILIA MARTINEZ  
COMMISSIONER FRANCISCO SOLORIO  
COMMISSIONER SYLVIA BALLIN  
COMMISSIONER SEAN M. RIVAS

## CITY OF SAN FERNANDO

### PLANNING & PRESERVATION COMMISSION REGULAR MEETING AGENDA SUMMARY MONDAY, JUNE 10, 2024 – 5:30 PM

CITY HALL COUNCIL CHAMBERS  
117 MACNEIL STREET  
SAN FERNANDO, CALIFORNIA 91340

#### **PUBLIC PARTICIPATION OPTIONS**

Please visit the City's YouTube channel to live stream and watch previously recorded Planning and Preservation Commission meetings, which is also available with Spanish subtitles at:  
<https://www.youtube.com/c/CityOfSanFernando>

In accordance with the Americans with Disabilities Act of 1990, if you require a disability-related modification/accommodation to attend or participate in this meeting, including in-person translation services, or other services please call the Community Development Department at (818) 898-1227 or email at [YBecerra@sfcity.org](mailto:YBecerra@sfcity.org) at least 2 business days prior to the meeting.

#### **SUBMIT PUBLIC COMMENT IN PERSON:**

Members of the public may provide comments in person in the City Council Chambers during the Public Comments section of the Agenda by submitting a comment card to the Board Secretary.

#### **SUBMIT PUBLIC COMMENT VIA EMAIL:**

Members of the public may submit comments by email to [YBecerra@sfcity.org](mailto:YBecerra@sfcity.org) no later than **12:00 p.m. the day of the meeting**, to ensure distribution to the Planning and Preservation Commission prior to consideration of the agenda. Comments received via email will be distributed to the Planning and Preservation Commission and made part of the official public record of the meeting.

#### **CALL-IN TO PROVIDE PUBLIC COMMENT LIVE AT THE MEETING:**

Members of the Public may **call-in between 5:30 p.m. and 5:45 p.m.** Comments will be heard in the order received, and limited to three minutes. If necessary, the call-in period may be extended by the Chair. Note: This is audio only and no video.

**Call-in Telephone Number:** (669) 900-6833  
**Meeting ID:** 896 2370 9376  
**Passcode:** 194996

When connecting to the Zoom meeting to speak, you will be placed in a virtual "waiting area," with your audio disabled, until it is your turn to speak and limited to three minutes.

# PLANNING AND PRESERVATION COMMISSION

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## **CALL TO ORDER/ROLL CALL**

## **TELECONFERENCE REQUESTS/DISCLOSURE**

Recommend consideration of requests received for remote teleconference meeting participation made by members of the City’s legislative bodies, as permitted under the provisions of Assembly Bill (AB) 2449, Government Code Section 54953, and the City of San Fernando adopted Resolution No. 8215, effective March 1, 2023.

## **PLEDGE OF ALLEGIANCE**

Led by Commissioner Rivas

## **APPROVAL OF AGENDA**

Recommend that the Planning and Preservation Commission approve the agenda as presented.

## **DECORUM AND ORDER**

City Commissioners are appointed by City Council and must be free to discuss issues confronting the city in an orderly environment. Member of the public attending City Commission meetings shall observe the same rules of order and decorum applicable to the City Council ([SF Procedural Manual](#)). Any person making impertinent derogatory or slanderous remarks or who becomes boisterous while addressing a City Commission or while attending a City Commission meeting, may be removed from the room if the Presiding Officer so directs the Sergeant-At-Arms and such person may be barred from further audience before the City Commission.

## **PUBLIC STATEMENTS**

Members of the public may **provide comments in person in the City Council Chambers** during the Public Comments section of the Agenda by submitting a comment card to the Board Secretary.

Members of the public may submit comments by email to [YBecerra@sfcity.org](mailto:YBecerra@sfcity.org) no later than **12:00 p.m. the day of the meeting**, to ensure distribution to the Planning and Preservation Commission and made part of the official public record of the meeting.

Members of the public may provide a **live public comment by calling in between 5:30 p.m. and 5:45 p.m. CALL- IN INFORMATION: Telephone Number: (669) 900-6833; Meeting ID: 896 2370 9376; Passcode: 194996**



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## **ADMINISTRATIVE REPORTS**

### **1. DISCUSSION REGARDING THE DEPARTMENT OF PUBLIC WORKS' FY 2024-2025 PROPOSED WORK PLAN**

Recommend that the Planning and Preservation Commission:

- a. Receive and file the Department of Public Works' FY 2024-2025 proposed work plan.

### **2. DIRECTOR'S DETERMINATION REGARDING ZONING MAP CORRECTION**

Recommend that the Planning and Preservation Commission:

- a. Receive and file Director's Determination regarding a correction to the Zoning Map.

### **3. PLANNING AND PRESERVATION COMMISSION REORGANIZATION**

Recommend that the Planning and Preservation Commission:

- a. Discuss Commission Chair vacancy; and
- b. Pending discussion, appoint a Chair and Vice Chair to preside over the Commission meetings through the 2024 calendar year.

## **STAFF COMMUNICATION**

### **COMMISSIONER UPDATES/REQUESTS TO AGENDIZE ITEM FOR DISCUSSION AT A FUTURE MEETING**

Commissioner(s) may request to agendize an item for discussion at a future meeting, subject to approval by the Commission. Requests should align with the commission's scope of responsibility, adhere to City Council policies, and consider the availability of staff resources and budget constraints.

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**ADJOURNMENT**    The meeting will adjourn to its next regular meeting.

### AFFIDAVIT OF POSTING

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the City Hall bulletin board not less than 72 hours prior to the meeting.

Dated: \_\_\_\_\_ at: \_\_\_\_\_

Signed By: \_\_\_\_\_

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*Agendas and complete Agenda Packets (including staff reports and exhibits related to each item) are posted on the City's Internet Web site ([www.sfcity.org](http://www.sfcity.org)). These are also available for public reviewing prior to a meeting at the Community Development Department Public Counter. Any public writings distributed by the Planning and Preservation Commission to at least a majority of the Commissioners regarding any item on this regular meeting agenda will also be made available at the Community Development Department Public Counter located at 117 Macneil Street, San Fernando, CA, 91340 during normal business hours. In addition, the City may also post such documents on the City's Web Site at [www.sfcity.org](http://www.sfcity.org). In accordance with the Americans with Disabilities Act of 1990, if you require a disability-related modification/ accommodation to attend or participate in this meeting, including auxiliary aids or services please call the Community Development Department Office at (818) 898-1227 or [YBecerra@sfcity.org](mailto:YBecerra@sfcity.org) at least 48 hours prior to the meeting.*

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## MEMORANDUM

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**To:** Vice Chair Martinez and Commissioners

**From:** Wendell Johnson, Director of Public Works

**Date:** June 6, 2024

**Subject:** Discussion Regarding the Department Of Public Works' FY 2024-2025 Proposed Work Plan

### **RECOMMENDATION:**

It is recommended that the Planning and Preservation Commission receive and file the Department of Public Works' FY 2024-2025 proposed work plan.

### **BACKGROUND/ANALYSIS:**

The Department of Public Works is proposing to provide a standing report to the Planning and Preservation Commission pertaining to tree maintenance.

### **BUDGET IMPACT:**

There is no impact to the budget by discussing this item.

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## AGENDA REPORT

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**To:** Planning and Preservation Commission

**From:** Erika Ramirez, Director of Community Development

**Date:** June 10, 2024

**Subject:** Receive and File Zoning Map Correction

### **RECOMMENDATION:**

It is recommended that the Planning and Preservation Commission receive and file a report correcting an error on the City of San Fernando's Zoning Map that erroneously identified the properties between Lucas Street, Glenoaks Boulevard, Brand Boulevard, and the alley east of Maclay Avenue with the Residential Planned Development Overlay Zone (RPD) rather than the Multi-Family Dwelling Precise Development Zone (R-2 PD).

### **BACKGROUND:**

1. On August 20, 1984, the City Council adopted Ordinance No. 1249 amending Ordinance No. 423 (adopted in 1945) being the Comprehensive Zoning Ordinance adding a zoning category, Residential Planned Development Zone into the list of zoning categories.
2. On September 30, 1985, the City Council adopted Ordinance No. 1270 repealing Ordinance 423 being the Comprehensive Zoning Ordinance and replacing it with Exhibit "1" City of San Fernando Zoning Ordinance including the zones R-1 (Single Family Residential) Zone, R-2 (Multiple Family Dwelling) Zone, R-3 (Multiple Family) Zone, RPD (Residential Planned Development) Zone, C-1 (Limited Commercial) Zone, C-2 (Commercial) Zone, M-1 (Limited Industrial) Zone, M-2 (Light Industrial) and PD (Precise Development) Overlay Zone.
3. On February 21, 1989, the City Council adopted Ordinance No. 1332 changing the zoning from Single-Family Residential (R-1) and Multiple-Family (R-3) to Multiple-Family Dwelling Precise Development (R-2 PD) for property located at the area between Lucas Street, Glenoaks Boulevard, Brand Boulevard and the Alley east of Maclay Avenue.

### **ANALYSIS:**

The purpose of a Zoning Map is to illustrate the adopted boundaries of established zones, overlays, specific plans or other special purpose zones a City may have adopted. In the City of San Fernando, the current Official Zoning Map includes the following zones and overlays:

- R-1 Single-Family Zone
- R-2 Multiple- Family Dwelling Zone
- R-3 Multiple-Family Zone
- RPD Residential Planned Development Zone
- C-1 Limited Commercial Zone
- C-2 Commercial Zone
- M-1 Limited Industrial Zone
- M-2 Light Industrial Zone
- PD Precise Development Overlay Zone
- SP-1 Specific Plan
- SP-5 San Fernando Corridors Specific Plan

As new zones are adopted or as properties are changed from one zone to another, the zoning map is updated. As early as 2002, the area between Lucas Street, Glenoaks Boulevard, Brand Boulevard and the Alley east of Maclay Avenue was erroneously labeled as RPD on the City's Official Zoning Map, rather than the correct zoning designation of R-2 PD. The 2002 Zoning Map is attached as Attachment D. The parcels in question are APN 2515-016-002 (1004 Lucas Street), APN 2515-016-001 (1000 Lucas Street), APN 2515-015-013 (926 Lucas Street), APN 2515-015-012 (920 Lucas Street), APN 2515-015-015 (857 N Brand Blvd), APN 2515-015-014 (851 N Brand Blvd), APN 2515-015-011 (845 N Brand Blvd), APN 2515-015-010 (839 N Brand Blvd), APN 2515-015-009 (833 N Brand Blvd), APN 2515-015-008 (827 N Brand Blvd), APN 2515-015-007 (819 N Brand Blvd), APN 2515-015-020 (815 N Brand Blvd), APN 2515-015-019 (807 N Brand Blvd), APN 2515-015-018 (801 N Brand Blvd), APN 2515-015-017 (915 Glenoaks Blvd), APN 2515-015-003 (917 Glenoaks Blvd), APN 2515-015-002 (925 Glenoaks Blvd), APN 2515-015-001 (929 Glenoaks Blvd).

The R-2 PD zone allows the density as set forth in the underlying zone, in this case R-2 while requiring a development to conform to any conditions established on the approved precise plan of development. As a matter of procedure, development of land in a PD precise development zone for any specific use shall be subject to the issuance of a certificate of use. The issuance of such a certificate of use shall not authorize the development or utilization of the land in question for any other use. All procedures regarding a certificate of use in a precise development zone, or the revocation or modification thereof, shall be governed by provisions establishing procedures related to conditional use permits as amended from time to time.

The planning commission shall have the authority, as an administrative act, subject to the provisions of this section, to require conditions of development in addition to those required by the zone, where it is determined that such conditions are necessary to further the objectives of the general plan and are in harmony with the intent, purpose and spirit of this chapter and/or where such additional requirements are deemed essential to protect the public safety and general welfare of the community. All special conditions established by the commission in accordance with this section may be appealed to the council. Therefore, any development with the PD overlay will required Commission approval, but is not subject to a public hearing.

This correction will ensure that the listed properties will be properly labeled on the City's Official Zoning Map and may be developed pursuant to San Fernando Municipal Code Division 11.

**ENVIRONMENTAL REVIEW:**

The California Environmental Quality Act (Section 21000, et. Seq. of the California Public Resource Code, hereafter CEQA) requires analysis of agency approvals of discretionary "projects". The zoning map correction is purely administrative, not discretionary, with no physical changes to the environment and no changes in land use intensity, therefore it is not considered a "project" under CEQA, and therefore, no CEQA review is required.

**BUDGET IMPACT:**

There is no budget impact.

**CONCLUSION:**

Staff recommends that the Planning and Preservation Commission receive and file the Zoning Map Correction to the Residential Planned Development Overlay Zone.

**ATTACHMENT:**

- A. Ordinance No. 1249
- B. Ordinance No. 1270
- C. Ordinance No. 1332
- D. City of San Fernando Zoning Map 2002

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ORDINANCE NO. 1249

AN ORDINANCE OF THE CITY COUNCIL  
OF THE CITY OF SAN FERNANDO AMENDING  
ORDINANCE NO. 423 OF THE CITY OF SAN  
FERNANDO BEING THE COMPREHENSIVE ZONING  
ORDINANCE OF SAID CITY

The City Council of the City of San Fernando Does Ordain As Follows:

Section 1: That Ordinance No. 423 be amended to read as shown in Exhibit "1".

Section 2: Said City Council finds as follows:

1. That the recommendation of the Planning Commission of the City of San Fernando should be approved in all respects.
2. That the Zoning Ordinance Amendment is in conformance with the General Plan.
3. That the granting of a Negative Declaration meets the requirements to comply with the California Environmental Quality Act.
4. That the public necessity, convenience, general welfare and good zoning practice require the addition of a zoning category to be known as Residential Planned Development.

Section 3: Therefore, in consideration of the foregoing, Ordinance No. 423, adopted December 26, 1945, is hereby amended to include a Residential Planned Development Zone with such regulations as shown in Exhibit "1".

Section 4: Based on the aforementioned evidence and findings, the City Council of the City of San Fernando does hereby approve the addition of a Residential Planned Development (RPD) to Ordinance No. 423, the Zoning Ordinance of the City of San Fernando.

Section 5: This ordinance shall be in full force and effect thirty (30) days from and after its adoption.

PASSED, APPROVED AND ADOPTED this 20th day of August, 1984.

  
MAYOR

ATTEST:

  
CITY CLERK

STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES) SS  
CITY OF SAN FERNANDO )

I, Donald E. Penman, City Clerk of the City of San Fernando, do hereby certify that the foregoing Ordinance No. 1249 was duly adopted by the City Council at a meeting held on 20th day of August, 1984; and that the same was passed by the following vote, to-wit:

AYES: Margarito, Modugno, Richardson-3

NOES: Noltemeyer-1

ABSENT: Wysbeek-1

Donald E. Penman  
Donald E. Penman, City Clerk

## EXHIBIT 1

### SEC. 9.01 Residential Planned Development (RPD)

#### Intent and Purpose

The intent of this section is as follows: To encourage within the density standards of the General Plan and Zoning Ordinance the development of a more desirable living environment by application of modern site planning techniques and building groupings or arrangements that are not permitted through strict application of the present Zoning and Subdivision Ordinance.

To encourage the reservation of greater open space for visual enjoyment and recreational use.

To encourage a more efficient, aesthetic and desirable use of land.

To encourage variety in the physical development patterns of the City.

#### A. Uses Permitted

Only those uses permitted in the zone shall be permitted under conditions of this section.

#### B. Development Regulations

Any project developed pursuant to this section shall comply with the following regulations and any permit issued shall be subject to such provisions established as conditions of approval.

1. Area of Project - Planned unit development projects shall not be less than two (2) acres in total area.

2. Density - The total number of dwelling units in any residential Planned Development shall not exceed the number of which would be allowed through development under the applicable land use designation in the General Plan.

Consideration shall be given to compatibility with surrounding land uses relative to proposed densities, housing types, and buffering.

#### 3. Minimum Area and Dimensions of Lot

##### a. Building Site Area

The minimum residential building site shall not be less than five thousand (5,000) square feet.

b. Building Site Width

The minimum lot width shall be fifty (50) feet for interior lots and fifty-five (55) feet for corner lots.

c. Building Site Depth

The minimum lot depth shall be one hundred (100) feet.

4. Yards and Setbacks

a. Front Yard

The front yard setback may vary from fifteen (15) to twenty-five (25) feet with an average setback of twenty feet except that all garage entrances shall be set back not less than 20 feet from the front property line.

b. Side Yard

1. The minimum sideyard setback shall be five (5) feet from interior property lines. An additional two and one-half (2-1/2) feet shall be required for side yards adjacent to a main building twenty (20) feet or more in height.

2. A sideyard on the street side of a corner lot shall not be less than ten (10) feet.

c. Rear Yard

The minimum rear yard setback shall be twenty-five (25) feet.

d. Projections into Required Yards

1. Balconies, decks, porches, terraces, exterior steps in excess of 30 inches in height may project five (5) feet into the minimum rear yard setback.

2. Architectural projections such as eaves, cornices, canopies or cantilevered roofs shall maintain at least seven and one-half (7-1/2) foot clearance with the ground.

Such architectural projections may project into minimum yard setback as follows:

a. Three feet into minimum sideyard setback provided that the minimum distance between each line



or other projection shall not be less than six (6) feet between any projection on an adjacent lot.

b. Three (3) feet into the minimum rear yard setback.

c. Three (3) feet into the minimum front yard setback.

3. Chimneys, fireplaces, wingwalls and other minor architectural features may project into minimum setback a maximum of two (2) feet.

5. Maximum Building Height

No building shall exceed two (2) stories in height or thirty-five (35) feet.

6. Building Site Coverage

Site coverage by buildings or structures shall not exceed fifty (50) percent of the lot area.

7. Access

Each building site shall abut and have vehicular access from a dedicated public street.

8. Off Street Parking

There shall be not less than two (2)<sup>covered</sup> off street parking spaces within a fully enclosed garage for each dwelling unit.

9. Walls, Fences and Landscaping

a. The Commission may require appropriate walls, fencing and landscaping around the perimeter of the project.

b. A landscaping plan for all common open areas shall be submitted with the other plans. Approval of the landscape element shall include approval of an acceptable watering system, and assurance of continued maintenance.

10. Signs

The provisions of the zone in which the project is located shall apply.

11. Minimum Dwelling Unit Floor Area

The minimum floor area for each dwelling unit shall not be less than the requirements established by the zone.

## 12. Common Open Space Elements

The Planning Commission shall review and approve the location, intent, landscape treatment and method of maintaining each common open space or recreational elements proposed. The Commission may require as condition of approval such improvements, fencing, walls or landscaping necessary to protect abutting residential development.

## 13. Other Conditions

The Planning Commission may require other conditions of approval in keeping with the intent and purpose of this Section, and the principals of Residential Planned Development.

### C. Procedure

#### 1. Concept Plan Review

Prior to the submission of an application for a Conditional Use Permit for a Residential Planned Development, the applicant shall submit, for preliminary review by the Director, a Concept Plan. The Concept Plan should include, but is not limited to:

a. A schematic plan (showing in general terms the uses proposed, densities, types of housing units, open spaces, streets, extent of grading, and landscaping).

b. Calculations of the site area, number of dwelling units, and open space area.

No decision will be made; however, the comments and suggestions of the Director may assist the applicant in developing more precise plans.

#### 2. Conditional Use Permit Application

An application for a Conditional Use Permit to allow a Residential Planned Development shall be filed by the applicant and acted upon by the Commission, pursuant to Section \_\_\_\_\_. The application shall be accompanied by the following materials:

a. Fifteen (15) copies of the General Development Proposal, including the following:

1. Architectural and topographical survey map of the site and the area within one hundred (100) feet of the site, including all existing structures, improvements, trees, natural features, waterways, elevations, and contour

lines (intervals not more than five (5) feet, except where authorized by the Director). An aerial photograph may, with approval of the Director, be accepted in lieu of the map.

2. General Development Plan showing the general location of all proposed structures and uses, types of housing, location and widths of streets, parking areas, pedestrian and bicycle circulation, recreation facilities, dedicated and commonly owned open space areas, extent of landscaping and grading (including two section drawings of the site, one generally north-south and one east-west, showing the existing contour and proposed graded contour of the site); geological and soil survey reports; method of drainage; an indication of the phasing of the development with each Workable Phase (see Section 30.38.45E) delineated; and a time schedule for the completion of each Workable Phase.

3. Computations of gross site area, number and sizes of units in various housing types, Common Open Space area and number of covered and uncovered parking spaces. Where the development is to be completed in phases, these computations shall also be shown for each Workable Phase of the development.

4. Any of the above requirements may be modified or waived by the Director, upon the finding that such requirement is unreasonable or unnecessary for the particular proposal, and the Director shall inform the Commission of any such modification or waiver prior to the hearing of the application.

5. Three (3) copies of rough drafts of proposed legal agreements and documents, including Homeowners' Association, deed restrictions, covenants, dedication of development rights, easements, and proposed method of maintenance and perpetuation of open space areas.

6. Full disclosure of governmental programs, if any, under which the housing will be developed.

7. And such other data or plans as may reasonably be required by the Commission for a proper and complete consideration of the proposed Development.

8. Where subdivision of land is intended, tentative maps may be processed concurrently with the Conditional Use Permit application; such tentative maps shall be drawn and submitted pursuant to Chapter 24 of the Code of the City of San Fernando.

### 3. Revisions to Plan.

If, at the request of the applicant, revisions to the General Development Plans are desired, the following guidelines will be used by the Director in determining the proper course of action:

a. For minor revisions not involving a change in use, increase in density or extent or general location of buildings, or reduction in area of open space, the plans need not be returned to the Commission; however, approval of the Director is required.

b. For revisions involving an increase in density, traffic flow or reduction of open space of no more than ten (10) percent, and/or major change in location of building and open space, the revised plans must be reviewed by the Commission and the Conditional Use Permit amended as required.

c. For major revisions involving a change in use or a decrease in the area of open space exceeding ten (10) percent, a new Conditional Use Permit application must be filed, a new filing fee paid, and public hearing scheduled.

### 4. Bond For All Common Area and Off-Site Improvements

Prior to issuance of a building or grading permit, and prior to approval of a final map where subdivision is involved, a bond, or other acceptable security shall be posted to insure the completion of all common area and off-site improvements within any Phase of the Development, including: landscaping, recreational facilities, and other site features pursuant to approved plans.

### 5. Phase

No occupancy permit shall be granted for any structure and no parcels, lots or portion of a Residential Planned Development site shall be separately sold or encumbered, until approval of the Director, upon the finding that all of the common area and off-site improvements in the Phase of which such structure, parcel, lot or portion is a part are completed to the extent that the dwelling units are accessible and livable, and all dwelling units in the

Phase are substantially developed, pursuant to the approved plans. A bond or other guarantee of substantial completion of all dwelling units in a Phase may be accepted by the City in lieu of substantial completion. The Commission may waive this requirement for substantial completion of all dwelling units in a Phase upon the finding that, in the particular Residential Planned Development, it is unnecessary for the

protection of the City's residents' interest. A Phase shall consist of either an entire Residential Planned Development or a portion of a Residential Planned Development which, in itself, is functional and meets the density and open space requirements of these provisions. The division of any Residential Planned Development into Phases shall be approved by the Commission during the General Development Plan review.

#### 6. Time Limit

If construction has not been completed to the point of foundation inspection for a unit within one (1) year, or if the Phase has not been completed within two (2) years from the date of final approval of the Final Development Proposal for the Phase, the Conditional Use Permit shall expire and be of no further effect, and any final map for the subdivision of land within such Residential Planned Development or Phase thereof shall become null and void, and the owner of the property shall cause the subdivision to revert to acreage. A one (1) year extension may be granted by the Commission for good cause and where conditions of the surrounding area have not changed to the extent that the General Development Proposal for the Residential Planned Development or the Final Development Proposal for any Phase thereof no longer meets the Conditional Use Permit or plan review criteria.

#### 7. Review Criteria

Developments constructed under these provisions shall be of a superior design and quality and may include common recreation facilities not normally provided in a standard residential development which would occur under the applicable Development Standards of the Zoning Ordinance. During the review of the General Development Plans at the Conditional Use Permit hearing, the Commission shall use the following criteria in evaluating the proposed development:

a. The proposed Residential Planned Development conforms to the intent of the General Plan and any Specific Plans adopted by the City .

b. The site and grading plans indicate proper consideration for the preservation of existing trees and native plant growth, water courses and other natural features, and natural topography.

c. The plans for the proposed development show that proper and adequate consideration has been given to privacy at the individual, family and neighborhood levels, including visual and acoustical privacy, in terms of the

separation and orientation of dwelling units and private outdoor living areas.

d. The plans indicate that proper consideration has been given to auto and pedestrian circulation discouraging through traffic on local streets, speed control, access, convenience, safety, and the recreational aspects of pedestrian and bicycle circulation; and that the design of any proposed streets that vary from City standards indicates that they will perform the function required and that the off-site improvements will not create maintenance costs to the City which greatly exceed the costs for standard off-site improvements.

e. The plans indicate that the Common Open Space areas will be usable for recreation and/or valuable for views, conservation and/or separation of dwelling units.

f. The plans indicate that proper consideration has been given to the provision of common recreation areas and facilities, in relation to the size of the private lots and reduced recreation opportunities in private yards.

g. The plans indicate proper consideration for adjacent existing and future developments, and the extension of the circulation, open space, drainage and utility systems from one development to another.

ORDINANCE NO. 1270

AN ORDINANCE OF THE CITY COUNCIL  
OF THE CITY OF SAN FERNANDO REPEALING  
ORDINANCE NO. 423 OF THE CITY OF SAN  
FERNANDO BEING THE COMPREHENSIVE ZONING  
ORDINANCE OF SAID CITY AND ADOPTING THE  
ZONING ORDINANCE OF THE CITY OF SAN FERNANDO

The City Council of the City of San Fernando Does Ordain As  
Follows:

Section I: That Ordinance No 423 be repealed;

Section II: That the Zoning Ordinance of the City of San  
Fernando be adopted to read as shown in Exhibit "1".

Section III: Said City Council finds as follows:

1. That the recommendation of the Planning Commission of the  
City of San Fernando should be approved in all respects.
2. That the Zoning Ordinance Amendment is in confomance with  
the General Plan.
3. That the proposed Ordinance has received a Negative Declara-  
tion to satisfy the requirements of the California Environ-  
mental Quality Act.
4. That the public necessity, convenience, general welfare  
and good zoning practice require the adoption of a new  
Zoning Ordinance for the City of San Fernando.

Section IV: Therefore, in consideration of the foregoing,  
Ordinance No. 423, adopted December 26, 1945 and amended is hereby  
repealed.

Section V: Therefore, in consideration of the foregoing, a  
new Zoning Ordinance for the City of San Fernando is hereby adopted  
as shown in Exhibit "1".

Section VI: Based on the aforementioned evidence and findings,  
the City Council of the City fo San Fernando does hereby repeal  
Ordinance No. 423, the "Comprehensive Zoning Ordinance of the City  
of San Fernando."

Section VII: Based on the aforementioned evidence and findings,  
the City Council of the City of San Fernando does hereby adopt the  
"Zoning Ordinance of the City of San Fernando."

Section VIII: The City Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED THIS 30<sup>th</sup> day of September, 1985.

  
MAYOR

ATTEST:

  
CITY CLERK

APPROVED AS TO FORM:

  
CITY ATTORNEY

STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES) ss  
CITY OF SAN FERNANDO )

I, Donald E. Penman, City Clerk of the City of San Fernando, do hereby certify that the foregoing Ordinance was adopted at a regular meeting of the City Council held on the 30th day of September, 1985, and was carried by the following roll call vote, to wit:

AYES: Richardson, Margarito, Noltemeyer, Wysbeek - 4

NOES: None - 0

ABSENT: None - 0

ABSTAIN: Hansen - 1

  
CITY CLERK



# *City of San Fernando*

## **ZONING ORDINANCE**

Ordinance No. 1270  
adopted 9/30/85



## ZONING ORDINANCE

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## ZONING

### INTRODUCTION

#### 30.000 TITLE, AUTHORITY AND PURPOSE

##### 30.001 Title.

This Chapter may be cited as the San Fernando Zoning Ordinance.

##### 30.002 Authority.

This Chapter is enacted pursuant to the California Planning and Zoning Law: Title 7, Division 1, Chapter 4 (Sections 65800-65912) of the Government Code.

##### 30.005 Purpose.

The purpose of this Chapter is to serve the public health, safety, comfort, convenience and general welfare by establishing land use districts designed to obtain the physical, environmental, economic and social advantages resulting from planned use of land in accordance with the General Plan of the City of San Fernando, and by establishing those regulations for the development and use of land and improvements within the various districts which will ensure that the growth and development of the City of San Fernando shall be orderly, attractive and efficient for the maximum benefit of its citizens.

##### 30.006 Zones.

In order to carry out the purposes and provisions of this Ordinance, the City is hereby divided into nine (9) zones known as:

- R-1 - Single Family Residential Zone
- R-2 - Multiple Family Dwelling Zone
- R-3 - Multiple Family Zone
- RPD - Residential Planned Development Zone
- C-1 - Limited Commercial Zone
- C-2 - Commercial Zone
- M-1 - Limited Industrial Zone
- M-2 - Light Industrial Zone
- PD - Precise Development Zone

The zones aforesaid and the boundaries of such zones are shown upon the "Official Zoning Map" of the City of San Fernando, and said Map and all the notations, references and other information shown thereon shall be as much a part of

this Ordinance as if the matters and information set forth by said Map were all fully described herein.

### 30.010 DEFINITIONS

#### Definitions.

For the purpose of this Chapter, the words, terms and phrases set forth in the following Sections shall have meaning and construction given therein, except where used in a context which clearly indicates a different meaning or construction.

#### Abut or Abutting.

Shall mean two or more lots or parcels of land sharing a common boundary line or two or more objects in contact with one another.

#### Access.

Shall mean a place or way by which pedestrians or vehicles are physically and legally permitted to have ingress to and/or egress from a property or use.

#### Accessory.

Shall mean a use, building or facility incidental, related, and clearly subordinate to a principal use, building or facility established on the same lot.

#### Adult Bookstore.

Refer to Section 30.700 on Adult Business.

#### Adult Theater.

Refer to Section 30.700 on Adult Business.

#### Alley

Shall mean a public or private right-of-way which affords a means of vehicular access to abutting property.

#### Amusement Device

A mechanical or electrical device simulating the playing of basketball, boxing, soccer or other games; video games; pinball machines; skee-ball or shooting gallery; or other similar devices and equipment.

#### Arcade

Shall mean any place to which the public is permitted or invited wherein four or more coin or slug-operated amusement devices are maintained, or where one or more coin or slug-operated still or motion picture machines, projectors or similar contrivances are maintained.

#### Authorized Agent or Representative of Owner.

Shall mean anyone who has authority to make request or applications, speak for or make presentations on behalf of the owner of any property.

#### Basement

Shall mean that portion of a building between floor and ceiling, having more than half of its height above the average finished grade. A basement shall be considered a story.

#### Boarding House

Shall mean a building where lodging and meals are provided for compensation for five (5) or more persons, not including retirement home.

#### Building

Shall mean any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of persons, animals, chattel or property of any kind.

#### Building Coverage

Shall mean the percentage of the lot area which may be covered by all buildings and structures on the lot.

#### Building Height

Shall mean the vertical distance measured from the average elevation of the finished grade of the structure to the highest point of the roof or to the average height of the highest gable of a pitch or hip roof.

#### Building, Main

Shall mean a building in which is conducted a principal use of the lot upon which it is situated as provided by this ordinance.

### Carpport

Shall mean an accessory building having none, one (1), two (2) or three (3) walls, having a roof, having no vehicle entrance door and designed to be used primarily for the shelter and storage of motor vehicles owned or operated by the occupants of the principal building.

### Cellar

Shall mean that portion of a building between floor and ceiling having half or more of its height below the average finished grade.

### Child

Shall mean a person or persons under the age of eighteen (18) years of age.

### Child Day Care

Shall mean the part-time care of children who are not residents of the premises. Community Day Care Facilities are not included in this definition.

### Church

Shall mean a building, including a temple or other place of religious worship, together with its accessory building and uses, where persons regularly assemble for religious worship and which building, together with its accessory buildings and uses, is maintained and controlled by an organized religious body. Rescue missions, tent revivals and other temporary assemblies are not included in this definition.

### City Council

Shall mean the City Council of the City of San Fernando.

### City Engineer

Shall mean the City Engineer of the City of San Fernando, or his duly authorized representative.

### Clinic, Dental or Medical

Shall mean a health facility providing diagnosis, treatment or care to patients not confined to the facility as inpatients. Care may include, but is not limited to the provision of medical, surgical, dental, mental health,

rehabilitation, podiatric, optometric or chiropractic services.

Club, Private

Shall mean any building or premises used by an association of persons, whether incorporated or unincorporated, organized for some common purpose such as the promotion of literature, science, politics or good fellowship, but not including a group organized solely or primarily to render service customarily carried on as a commercial enterprise.

Commission

Shall mean the Planning Commission of the City of San Fernando.

Common Area

Shall mean an entire project area excepting all lots or units granted to or reserved for individual owners or tenants.

Community Center

A noncommercial facility established primarily for the benefit and enjoyment of the population of the community.

Community Care Facility

Shall mean any facility which provides nonmedical care to persons in need of personal services, supervision or assistance essential for sustaining activities of daily living or for the protection of the individual on less than a 24-hour a day basis.

Condominium Project

Shall mean the entire parcel of real property divided or to be divided into condominiums and common area including all structures located or to be located on such real property.

Condominium, Residential

Shall mean an estate in real property consisting of an undivided interest in common in a portion of a parcel of real property together with a separate interest in space in a complex devoted to residential purposes located on such real property.



### Condominium Unit

Shall mean the elements of a condominium project which are not owned in common with the owners of other condominiums in the project.

### Development

Shall mean the activity of preparing land and constructing facilities in order to establish a land use. A development shall also mean a lot or project area together with the completed facilities and improvements thereon.

### Director

Shall mean the Planning Director of the City of San Fernando or his duly authorized representative.

### Director of Public Works

Shall mean the Public Works Director of the City of San Fernando or his duly authorized representative.

### Driveway

Shall mean a private roadway, which provides vehicular access from a street to a structure or site on adjacent grounds for the purpose of vehicle parking or loading or unloading of passengers or material.

### Duplex

Shall mean apartment building containing two (2) dwelling units.

### Dwelling

Shall mean a building containing one or more dwelling units. A group quarters or other building or portion thereof devoted primarily to rooming units shall not be considered to be a dwelling.

### Dwelling, Multiple-Family

Shall mean a dwelling consisting of three (3) or more dwelling units per lot (including townhouses, condo's, apartments).

### Dwelling, Single-Family

Shall mean a dwelling consisting of one dwelling unit.

### Dwelling Unit

Shall mean one or more habitable rooms constituting a permanent, self-contained unit with a separate entrance and used or intended to be used continuously for living and sleeping purposes for not more than one family and containing one, but not more than one, kitchen or kitchenette.

### Easement

Shall mean an area on a lot, and so indicated on a subdivision map or in a deed restriction or other recorded document, reserved for or used for utilities, access or public purposes.

### Family

Shall mean any number of persons living together in a room or rooms comprising a single dwelling unit and related by blood, marriage or adoption, or bearing the generic character of a family unit as a relatively permanent single household, including servants and other live-in employees, who reside therein as though members of the family. Any group of persons not related by blood, marriage or adoption but inhabiting a dwelling unit, shall for the purpose of this Chapter be considered to constitute one family if a bona fide single household, including servants and other live-in employees, is contained in such group.

### Family Day Care Home (Large)

Shall mean a home which provides family day care to seven to 12 children, inclusive, including children who reside at the home, as defined in departmental regulations.

### Family Day Care Home (Small)

Shall mean a home which provides family day care to six or fewer children, including children who reside at the home, as defined in departmental regulations.

### Finished Grade

Shall mean the elevation of the ground surface at any point after completion of development.

### Finished Grade, Average

Shall mean the average of the finished grades at the mid-points of each wall of a building or side of a structure. In the event a building wall is parallel to and within 5 feet of a sidewalk, the finished grade for that wall shall be

measured at the sidewalk and opposite the midpoint of the wall.

#### Floor

Any structure which divides a building horizontally and shall include the horizontal members, floor coverings and ceiling.

#### Floor Area, Gross

Shall mean the sum of the horizontal areas of all floors within a building measured from the exterior faces of exterior walls or from the centerline of party walls separating two buildings.

#### Floor Area, Net

Shall mean the gross floor area minus the area of permanent walls, elevator shafts, stairwells, housings for mechanical equipment and vent shafts.

#### Fortunetelling

Shall mean the act of fortunetelling or prophesying future events or happenings affecting the personal life of another by resorting to any occult or psychic power, faculty or force; clairvoyance, clairaudience, cartomancy, psychometry, phrenology, spirits, mediumship, seership, prophecy, augury, astrology, palmistry, necromancy, mind reading, telepathy or other similar activity; cards, talisman, charm, potion; spirit photography, spirit writing, spirit voices, spirit materialization, etherealization; crystal gazing, oriental mysteries or magic of any kind or nature; when such fortunetelling is carried on as a business activity for compensation or consideration of any kind or nature.

#### Frontage

Shall mean the line along which a lot abuts a public street.

#### Garage

Shall mean a building, or portion of a building, enclosed on 4 sides, designed or used for the shelter or storage of vehicles.

### General Plan

Shall mean the long-range, comprehensive general plan adopted by the City of San Fernando in accordance with the provisions of the State Planning and Zoning Law.

### Guest House

Shall mean detached living quarters on the same premises as a single-family residence for the use of family members, guests or employees of the occupants of such residence, containing no kitchen facilities and not rented or otherwise used as a separate dwelling.

### Health Care Facility

Shall mean a facility which maintains and operates 24-hour skilled nursing services for the care and treatment of chronically ill or convalescent patients, or provides supportive, restorative and preventive health services in conjunction with a socially oriented program for its residents and which maintains and operates 24-hour services including board, room, personal care and intermittent nursing care.

### Helistop

Shall mean any helicopter landing area used, designed or intended to be used for the receiving and discharging of passengers or cargo on an occasional or intermittent basis, but not including appurtenant facilities permitted at a heliport other than a shelter for passengers.

### Home Occupation

Shall mean any occupation, hobby or profession conducted or carried on entirely within a dwelling which does not change the character thereof and does not adversely affect other uses in the zone of which it is a part. See Section 30.740.5.

### Hospital

Shall mean a facility having a duly constituted governing body with overall administrative and professional responsibility and an organized medical staff which provides 24-hour, in-patient care. This definition includes General Acute Care Hospital and Acute Psychiatric Hospital.

### Hotel

The term "hotel" means a facility offering transient lodging accommodations to the general public and providing additional services, such as restaurants and meeting rooms.

### Kennel

Shall mean a place where 4 or more dogs or cats, aged 4 months or more, are kept, boarded or trained, whether by the owners of the dogs or cats or by persons providing facilities and care, with or without compensation.

### Kitchen

Shall mean any space within a building used, designed or intended to be used for the cooking or preparation of food.

### Landscaping

Shall mean a designed or natural arrangement of growing plant material such as trees, shrubs, vines, ground cover, flowers or lawn. In addition, features such as rocks, fountains, pools and benches may be included.

### Livestock

Shall mean any large, live domestic animal, including but not limited to horses, cows, sheep, goats, pigs, hogs and fowl such as chickens, turkeys, peacocks, guineas, geese or ducks.

### Loading Area

Shall mean an off-street space or berth on the same lot with a building, or group of buildings, designed or used for temporary parking of a commercial vehicle while loading or unloading merchandise or materials.

### Lot

Shall mean a designated parcel, tract or area of land established by plat, subdivision or as otherwise permitted by law to be used, developed or built upon as a unit.

### Lot Area

Shall mean the total area within the lot lines of a lot excluding any street right-of-way.

Lot, Corner

Shall mean a lot situated at the intersection of two or more streets having an angle of intersections of not more than 135 degrees.

Lot Depth

Shall mean the horizontal distance measured from the mid-point of the front lot line to the midpoint of the rear lot line.

Lot, Interior

Shall mean a lot other than a corner lot.

Lot Line

Shall mean any line bounding a lot as herein defined.

Lot Line, Front

Shall mean the lot line separating a lot from a public right-of-way. In the case of a lot with more than one street frontage, the front lot line shall extend across the narrowest portion of the lot.

Lot Line, Interior

Shall mean a lot line which is common to two abutting lots.

Lot Line, Rear

Shall mean a lot line which is opposite and most distant from the front lot line. In the case of an irregular or triangular shaped lot, the rear lot line shall be an assumed line parallel to and passing through the point of the lot which is at the greatest distance from the front lot line.

Lot Line, Side

Shall mean any lot line which is not a front lot line or a rear lot line.

Lot, Through

Shall mean a lot having frontage on two parallel or approximately parallel streets.



Lot, Width

Shall mean the horizontal distance measured from the mid-points of the side lot lines.

Mobile Home

Shall mean a structure, transportable in one or more sections, designed or used for human habitation by one family.

Mobile Home Park

Shall mean any area or tract of land intended, maintained or designed for the purpose of supplying a location or accomodation for 2 or more mobile homes including all buildings used or intended to be used as part of the equipment of such facility regardless of whether a charge is made for such use. Not included in this definition are trailer camp, trailer park and similar terms.

Mobile Home Site

Shall mean that portion of a mobile home park designated for use or occupancy of one mobile home, including all appurtenant facilities thereon for the exclusive use of the occupants of said mobile home.

Motel

Shall mean a building or group of buildings containing rooming units or dwelling units with automobile parking space provided in conjunction therewith, and designed, intended to be used or used primarily for the accommodation of transient automobile travelers.

Nonconformity

Shall mean any use or characteristic of land or property, or portion thereof, or activity or circumstance, which does not conform to the regulations of this Chapter, but which was lawfully established under the regulations which prevailed at the time of such establishment.

Occupancy

Shall mean the purpose for which land or a structure is used or intended to be used. Change of occupancy does not include a mere change of owners, tenants or proprietors.

### Open Space

Shall mean the area of a lot which is not occupied by building coverage, parking lot, driveway or trash areas.

### Open Space, Usable

Shall mean open space, excluding required yards which has an average gradient of not more than 5 percent. Usable open space may include such features as balconies, terraces and roof gardens, which are not ground areas included in the definition of open space. No area shall be considered as usable open space unless it has a minimum contiguous area of 75 square feet and a minimum dimension of 7 feet in each direction.

### Outdoor Festival

Shall mean any music festival, dance festival, "rock" festival or similar musical activity to which both of the following apply:

1. Attendance by more than 500 persons is desired or may reasonably be expected; and
2. The festival will be held at any place other than in a permanent building or permanent installation which has been constructed for the purpose of or is so constructed that it can be used for conducting such activities.

### Park or Playground, Public

Shall mean a publicly owned recreation area and appurtenant facilities.

### Parking Area

Shall mean an area, other than a street or alley, available for temporary storage of vehicles in active use regardless of whether such vehicle storage is for remuneration.

### Parking Space

Shall mean a readily accessible usable off-street area, not including aisles, driveways, walkways, ramps, loading, maneuvering or work areas, maintained exclusively for the parking of one motor vehicle.



#### Parking Structure

Shall mean a structure or portion thereof, within or upon which parking area is located.

#### Planned Development

Shall mean the planning, construction or implementation and operation of any use or structure, or combination of uses and structures, based upon a comprehensive and complete design or plan treating the entire complex of land, structures and uses as a single project.

#### Planning Department

Shall mean the Planning Department of the City of San Fernando.

#### Project Area

Shall mean a lot or combination of contiguous lots, whether or not held in the same ownership, which are used or intended to be used for a planned development.

#### Project Grading

Shall mean any excavation or fill, or combination thereof, necessary and incidental to building construction or other lawful development of the premises.

#### Public Utility Distribution Substation

Shall mean a facility whereby a public utility company distributes said utility for consumer use.

#### Quasi-public Use

Shall mean a use operated by a private non-profit educational, religious, recreational, charitable or medical institution, said use having the purpose primarily of serving the general public, and including uses such as churches, private schools, universities, private hospitals and youth centers.

#### Recreational Vehicle

Shall mean a camp car, camper, motor home, travel trailer or similar vehicles, with or without motive power, but not a mobile home.

#### Residence or Residential

Shall mean a dwelling, group quarters, mobile home or other permanent living accommodations, or features pertaining thereto.

#### Retail

Shall mean the purchase, sale, distribution, delivery or other transaction involving the handling or disposition of any article, substance, commodity or service, for profit or livelihood, direct to the ultimate consumer.

#### Retirement Home

Shall mean a facility, which offers or provides lodging, with or without meals, primarily for aged persons but does not include any facility defined as a Community Care Facility.

#### Rummage Sale

Shall mean a sale of donated articles by a church, synagogue, charitable, fraternal or patriotic organization, or public or parochial school.

#### Satellite Receiving Antenna

Shall mean any dish-shaped antenna designed to receive direct satellite signals.

#### Satellite Receiving Antenna Diameter

The diameter of a satellite receiving antenna shall be measured by the line bisecting the dish-shaped antenna extending from the outer edge on one side to the outer edge on the opposite side.

#### School, Private

Shall mean a private institution of learning which is generally supported by tuition, fee, or donation and which offers instruction in areas of academic, vocational and avocational pursuits, but not including a trade school.

#### School, Public

Shall mean a publicly-owned institution of learning supported primarily by public funds.

### School, Trade

Shall mean a school primarily offering instruction in the technical and/or trade skills such as electronic schools, automotive and aircraft technician's schools and similar establishments.

### Second-hand Store

Shall mean any business offering merchandise for sale, where the greater portion of the merchandise is second-hand or used.

### Service

Shall mean an act or any result of useful labor which does not in itself produce a tangible product.

### Setback

Shall mean the shortest horizontal distance, measured at ground level and above, between a building or structure and a lot line or other specified line. (Requirements; see Building Lines Chart Section 30.600.)

### Sign

Shall mean any device used for visual communication or attraction including any announcement, declaration, demonstration, illustration, insignia, symbol, name, figure, painting, character, outline, spectacle, delineation, advertising, billboard, signboard, device, appliance or any other thing of similar nature to advertise or promote the interest of any person or thing, either outdoors or on the face, wall or window of any building, and shall include all parts, portions, units and materials composing the same; together with the frame, background, support and anchorage therefor.

### Sign, Business

Shall mean a sign directing attention to the principal business, profession or industry located upon the premises where the sign is displayed, or to type of products sold, manufactured or assembled, or to services or entertainment offered on said premises.

### Sign, Canopy

Shall mean a sign attached to the underside of an awning or canopy.

#### Sign, Electronic Message Center

Shall mean any sign which is controlled by electronic process or remote control in such a manner that different copy changes are instantaneously displayed on the same lamp bank.

#### Sign Face Area

Shall mean the total surface area computed by drawing intersecting straight lines which form the boundary of the area within which words, letters, figures, symbols or pictures could be placed

#### Sign, Flashing or Scintillating

Shall mean any sign which by any method or manner of illumination either flashes on or off, winks or blinks with varying light intensity; shows motion or creates the illusion of motion; or revolves in a manner to create the illusion of being on or off. Automatic changing signs such as public service time and temperature signs or electronic message center signs shall not be considered a flashing or scintillating sign.

#### Sign, Free-standing

Shall mean any sign supported directly on the ground. This definition includes pole signs, ground signs and other signs detached from a building.

#### Sign, Identification

Shall mean a sign in a residential zone, directing attention to the principal use located upon the premises where the sign is displayed.

#### Sign, Illuminated

Shall mean any sign designed to emit or brightly reflect artificial light.

#### Sign, Outdoor Advertising (Billboards)

Shall mean any sign directing public attention to a business, profession, product or service that is not a principal business, profession, product or service which is sold, manufactured, conducted or offered on the premises where such a sign is erected or maintained.

#### Sign, Painted

Shall mean a sign painted directly on a building and shall not include those signs which are painted onto a piece of wood or other material which is then attached to a building.

#### Sign, Political

Shall mean a sign stating the name and/or picture of an individual seeking election or appointment of a public office, or pertaining to a forthcoming public election or referendum, or pertaining to or advocating political views or policies.

#### Sign, Real Estate Advertising

Shall mean an on-site sign offering property for sale, lease or rent which may contain the name, address and/or telephone number of a real estate broker or property owner.

#### Sign, Roof

Shall mean any sign erected, constructed or placed upon or over a roof of a building and which is wholly or partly supported by any structure located on the roof of such building.

#### Sign, Revolving

Shall mean a sign or portion thereof which rotates, moves or appears to move in some manner by mechanical, electrical, natural or other means.

#### Sign, Seasonal or Special Event

Shall mean a sign used for the purpose of promoting a national or state holiday, Fiesta Days, or County Fair. Other special events may be defined by Resolution of the City Council.

#### Sign, Supergraphics

Shall mean a painted design which covers an area greater than 10% of a wall, building facade, or other structure. A supergraphics is a sign only if it displays or suggests information which identifies or advertises by name or symbol. Otherwise, supergraphics shall be considered an architectural embellishment subject to approval of the Planning Commission.

### Sign, Structure

Shall mean a structure existing, erected or maintained to serve as a stand, frame or other background for the support or display of signs. This definition is limited to free-standing structures which have the primary purpose of supporting a sign, except that a building or other structure upon which a sign is mounted shall be counted as a sign structure for the purpose of regulating the number of sign structures permitted.

### Sign, Subdivision Directional

Shall mean an off-site sign used for the purpose of providing travel directions to a subdivision development.

### Sign, Temporary Advertising

Shall mean a sign displayed for a period not exceeding 45 days directing attention to a business, profession, product or service that is a principal business, profession, product or service on the premises where such sign is erected or maintained.

### Sign, Wall

Shall mean any sign posted, painted on, suspended from or otherwise affixed to the wall, parapet wall or roof fascia of any building or structure in an essentially flat position or with the exposed face of the sign in a plane approximately parallel to the plane of such wall, parapet wall or roof fascia, provided that the sign shall not extend more than 3 feet above the roof line or parapet wall of the building.

### Sign, Window

Shall mean a sign, exposed to public view, that is attached to or is intended to be seen in, on or through a window. The display of merchandise shall not be considered a sign.

### Site

Shall mean a project area or lot or portion thereof used or intended to be used for a land use or group of interrelated land uses.

### Site Plan

Shall mean a rendition of a plan to scale, showing all of the uses, yard areas, parking, landscaping, structures and other features existing or proposed on a site.



### Special Use Permit

Shall mean an approval of a land use granted and referred to as a Special Use Permit under previous zoning regulations.

### Specified Anatomical Area

Defined in Adult Business Section No. 30.700.

### Specified Sexual Activities

Defined in Adult Business Section No. 30.700.

### Storage

Shall mean the use of land or structures for the accumulation or holding of goods, merchandise, equipment or material.

### Storage, Outdoor

Shall mean the storage outside of an enclosed building for any purpose other than display.

### Street

Shall mean a right-of-way open to or intended to be opened to the public primarily for the movement of vehicles and access to adjacent property. This definition does not include an alley or walkway.

### Street, Arterial

Shall mean a street designated as a Major or Secondary Highway on the Master Plan of Highways of the General Plan of the City of San Fernando.

### Street, Collector

Shall mean a street designated as a Collector Street on the Master Plan of Highways of the General Plan of the City of San Fernando.

### Street, Primary

Shall mean a street designated as a Primary Street on the Master Plan of Highways of the General Plan of the City of San Fernando.

Street, Private

Shall mean a street not dedicated for public use.

Street, Public

Shall mean a street dedicated for public use.

Structure

Shall mean anything constructed or erected which requires location on the ground or is attached to something having a location on the ground, except outdoor areas such as walks, paved areas, tennis courts, and similar open recreation areas. This definition includes buildings.

Structure Height

Shall mean the vertical distance from the average finished grade to the highest part of the structure.

Swap Meet

The use, rental, or lease of stalls or areas inside or outside of an enclosed building by vendors offering goods or materials for sale or exchange, not including public fairs, or art exhibits.

Townhouse

Shall mean attached or semi-detached buildings each containing a single dwelling unit and each located or capable of being located on a separate lot.

Trailer

Shall mean a vehicle without motive power which is designed to be drawn by an automotive vehicle to be used for human habitation or for the transporting of personal property.

Transient

Shall mean a person who receives lodging at a given location, with or without meals for a period of not more than 180 days.

Truck Terminal or Truck Yard

Shall mean a principal use of land for parking, servicing, repairing or storage of trucks in active use.



### Use

Shall mean the type of activity, occupancy or purpose for which land, buildings, or facilities are arranged, designed or intended to be occupied or maintained.

### Use, Principal

Shall mean a use which is not subordinate, incidental or accessory to some other use on the same lot or project area.

### Variance

Shall mean a waiver or conditional waiver of specific regulations of this Chapter as applied to a specific case and granted by the City in accordance with the provisions set forth in this Chapter for Variances (see Section 30.760).

### Veterinary Clinic

Shall mean any facility providing medical or surgical treatment, clipping, bathing and similar services to dogs, cats and other small animals, but excluding a kennel, animal hospital or other overnight care on a regular basis.

### Veterinary Hospital

Shall mean a place where animals or pets are given medical or surgical treatment and are cared for during the time of such treatment. The use of the premises as a kennel or a place where animals or pets are boarded for remuneration may be permitted only when incidental to the principal use.

### Warehouse

Shall mean a building or portion of a building used primarily for the deposit, storage or safekeeping of goods regardless of whether the goods are offered for sale.

### Wholesale

Shall mean sale for resale and not for direct consumption.

### Yard

Shall mean any open space on the same lot with a building or buildings, provided that the open space is unoccupied and unobstructed from the ground upward, except for encroachments permitted by this ordinance.

#### Yard, Front

Shall mean the space extending the full width of the lot between the front lot line and a line parallel thereto, and having a distance between them equal to the required front yard depth as prescribed in each zone.

#### Yard, Rear

Shall mean a yard extending across the full width of the lot between building and the rear lot line.

#### Yard, Required

Shall mean that portion of a yard which meets the minimum requirements of the zone in which located, and is in compliance with all other provisions of this Chapter.

#### Yard Sale

Shall mean a yard, garage, patio or similar type sale for the purpose of disposing of used personal property.

#### Yard, Side

Shall mean a yard between a building and the nearest side lot line, extending from the rear of the required front yard to the front of the required rear yard.

#### Zone

Shall mean a designation or classification of land as shown on the Zoning Map within which uniform regulations as provided in this Chapter shall apply to the use and development of land.

#### Zoning Map

Shall mean that map specifically referred to in this Chapter as the Zoning Map, City of San Fernando, which shows the locations of all zones.

### 30.050 R-1 (Single Family Residential) Zone

#### Purpose

The R-1 Zone is intended to provide for the development, protection and stability of single family detached dwellings within relatively low density residential neighborhoods of the city.

#### 30.051 Permitted Uses

- .01 Accessory Buildings and structures located on the same lot as principal residential use.
- .02 Community care facility serving five (5) or fewer persons.
- .03 Home occupations (in accordance with Section 30.740.5).
- .04 Large Family Day Care Home (in accordance with Section 30.743).
- .05 Parks and playgrounds or Community centers owned and operated by a government agency, including businesses conducted within said facilities, subject to the approval of the director.
- .06 Private non-commercial greenhouse, horticultural collections, flower gardens, vegetable gardens and fruit trees.
- .07 Single family detached dwellings, one per lot (in a permanent location).
- .08 Temporary tract sales offices, temporary contractors equipment offices and storage. Subject to the approval by the director. For a period not to exceed one year with 2 one year extensions available, if requested for good cause.

#### 30.052 Use Permitted Subject to a Conditional Use Permit

- .01 Churches, temples or other places of religious worship (no temporary structures permitted).
- .02 One guest house (minimum lot area of 8000 square feet).
- .03 Schools

30.053 Prohibited Uses

All uses are prohibited except those expressly permitted by the provisions of this Section.

30.054 Density

One dwelling unit per lot.

30.055 Minimum Lot Size

7500 square feet.

30.056 Applicable Regulations

All uses shall be subject to the applicable regulations of this Section including standards which are located in the following Sections:

Section 30.550 - Property Development Standards

Section 30.690 - Sign Standards

Section 30.670 - Off Street Parking and Loading Standards

Section 30.742 - Home Occupation Permits

30.100 R-2 (Multiple Family Dwelling) Zone

Purpose

The R-2 Zone is intended to provide an area for medium density residential development within the city.

30.101 Uses Permitted

- .01 All uses permitted in the "R-1" Zone
- .02 Duplex
- .03 Multiple family dwelling units

30.102 Uses Permitted Subject to a Conditional Use Permit

- .01 Any conditional use permitted in the "R-1" Zone subject to all the provisions therein.
- .02 Electric distribution substation, pumping station, water well, water reservoir.
- .03 Mobile home park.
- .04 Residential condominium.

30.103 Prohibited Uses

All uses are prohibited except those expressly permitted by the provisions of this section.

30.104 Density

One (1) dwelling unit for each 2500 square feet of lot area.

30.105 Minimum Lot Size

7500 square feet.

30.106 Applicable Regulations

All uses shall be subject to the applicable regulations of this Section including standards which are located in the following Sections:

- Section 30.550 - Property Development Standards
- Section 30.690 - Sign Standards
- Section 30.670 - Street Parking and Loading Standards
- Section 30.742 - Home Occupation Permits
- Section 30.741 - Site Plan Review

30.150 R-3 (Multiple Family) Zone

Purpose

The R-3 Zone is intended to provide an area for high density residential development within the city.

30.151 Uses Permitted

- .01 All uses permitted in the "R-1" and "R-2" Zones
- .02 Multiple family dwellings

30.152 Uses Permitted Subject to a Conditional Use Permit

- .01 Any conditional use permitted in the "R-1" and "R-2" Zone subject to the provisions therein.
- .02 Boarding house.
- .03 Hospital or sanitariums
- .04 Museums or libraries
- .05 Nursery schools

30.153 Prohibited Uses

All uses are prohibited except those expressly permitted by the provisions of this section.

30.154 Density

One (1) dwelling unit for each 1000 square feet of lot area.

30.155 Minimum Lot Size

7500 square feet.

30.156 Applicable Regulations

All uses shall be subject to the applicable regulations of this Section including standards which are located in the following Sections:

- Section 30.550 - Property Development Standards
- Section 30.550 - Design Standards
- Section 30.550 - Landscaping Standards
- Section 30.690 - Sign Standards
- Section 30.670 - Off Street Parking and Loading Standards

Section 30.742 - Home Occupation Permits  
Section 30.741 - Site Plan Review

### 30.200 RPD (Residential Planned Development Overlay)

#### Intent and Purpose

The intent of this section is as follows: To encourage within the density standards of the General Plan and Zoning Ordinance the development of a more desirable living environment by application of modern site planning techniques and building groupings or arrangements that are not permitted through strict application of the present Zoning and Subdivision Ordinance.

To encourage the preservation of greater open space for visual enjoyment and recreational use.

To encourage a more efficient, aesthetic and desirable use of land.

To encourage variety in the physical development patterns of the City.

#### 30.201 Uses Permitted

Only uses permitted in the residential zone to which this Overlay Zone is added shall be permitted conditions of this Section and subject to a Conditional Use Permit (i.e., application of this Zone to an R-1 zone is limited to the one single family detached dwelling per lot in a permanent location).

#### 30.202 Development Regulations

Any project developed pursuant to this section shall comply with the following regulations and any permit issued shall be subject to such provisions established as conditions of approval.

- .01 Area of Project - Residential Planned Development projects shall not be less than two (2) acres in total area.
- .02 Density - The total number of dwelling units in any Residential Planned Development shall not exceed the number of which would be allowed through development under the applicable land use designation in the General Plan.

Consideration shall be given to compatibility with surrounding land uses relative to proposed densities, housing types, and buffering.



.03 Minimum Area and Dimensions of Lot

a. Building Site Area

The minimum residential building site shall not be less than five thousand (5,000) square feet.

b. Building Site Width

The minimum lot width shall be fifty (50) feet for interior lots and fifty-five (55) feet for corner lots.

c. Building Site Depth

The minimum lot depth shall be one hundred (100) feet.

.04 Yards and Setbacks

a. Front Yard

The front yard setback may vary from fifteen (15) to twenty-five (25) feet with an average setback of twenty (20) feet except that all garage entrances shall be set back not less than 20 feet from the front property line.

b. Side Yard

1. The minimum sideyard setback shall be five (5) feet from interior property lines. An additional two and one-half (2-1/2) feet shall be required for side yards adjacent to a main building twenty (20) feet or more in height.

2. A sideyard on the street side of a corner lot shall not be less than ten (10) feet.

c. Rear Yard

The minimum rear yard setback shall be twenty-five (25) feet.

d. Projections into Required Yards

1. Balconies, decks, porches, terraces, exterior steps in excess of 30 inches in height may project five (5) feet into the minimum rear yard setback.

2. Architectural projections such as eaves, cornices, canopies or cantilevered roofs shall maintain at least seven and one-half (7-1/2) foot clearance with the ground.

Such architectural projections may project into minimum yard setback as follows:

- a. Three feet into minimum sideyard setback provided that the minimum distance between eave line or other projection shall not be less than six (6) feet between any projection on an adjacent lot.
  - b. Three (3) feet into the minimum rear yard setback.
  - c. Three (3) feet into the minimum front yard setback.
3. Chimneys, fireplaces, wingwalls and other minor architectural features may project into minimum setback a maximum of two (2) feet.

.05 Maximum Building Height

No building shall exceed two (2) stories in height or thirty-five (35) feet.

.06 Building Site Coverage

Site coverage by buildings or structures shall not exceed fifty (50) percent of the lot area.

.07 Access

Each building site shall abut and have vehicular access from a dedicated public street.

.08 Off Street Parking

There shall be not less than two (2) covered off street parking spaces within a fully enclosed garage for each dwelling unit.

.09 Walls, Fences and Landscaping

a. The Commission may require appropriate walls, fencing and landscaping around the project.

b. A landscaping plan for all common open areas shall be submitted with the other plans. Approval of the landscape element shall include approval of an acceptable watering system, and assurance of continued maintenance.

.10 Signs

The provisions of the zone in which the project is located shall apply.

.11 Minimum Dwelling Unit Floor Area

The minimum floor area for each dwelling unit shall not be less than the requirements established by the zone.

.12 Common Open Space Elements

The Planning Commission shall review and approve the location, intent, landscape treatment and method of maintaining each common open space or recreational elements proposed. The Commission may require as condition of approval such improvements, fencing, walls or landscaping necessary to protect abutting residential development.

.13 Other Conditions

The Planning Commission may require other conditions of approval in keeping with the intent and purpose of this Section, and the principals of Residential Planned Development.

30.203 Procedure

.01 Concept Plan Review

Prior to the submission of an application for a Conditional Use Permit for a Residential Planned Development, the applicant shall submit, for preliminary review by the Director, a Concept Plan. The Concept Plan should include, but is not limited to:

a. A schematic plan (showing in general terms the uses proposed, densities, types of housing units,

open spaces, streets, extent of grading, and landscaping).

b. Calculations of the site area, number of dwelling units, and open space area.

No decision will be made; however, the comments and suggestions of the Director may assist the applicant in developing more precise plans.

## .02 Conditional Use Permit Application

An application for a Conditional Use Permit to allow a Residential Planned Development shall be filed by the applicant and acted upon by the Commission, pursuant to Section 30.750. The application shall be accompanied by the following materials:

a. Fifteen (15) copies of the General Development Proposal, including the following:

1. Architectural and topographical survey map of the site and the area within one hundred (100) feet of the site, including all existing structures, improvements, trees, natural features, waterways, elevations, and contour lines (intervals not more than five (5) feet, except where authorized by the Director). An aerial photograph may, with approval of the Director, be accepted in lieu of the map.

2. General Development Plan showing the general location of all proposed structures and uses, types of housing, location and widths of streets, parking areas, pedestrian and bicycle circulation, recreation facilities, dedicated and commonly owned open space areas, extent of landscaping and grading (including two section drawings of the site, one generally north-south and one east-west, showing the existing contour and proposed graded contour of the site); geological and soil survey reports; method of drainage; an indication of the phasing of the development with each Workable Phase (see Section 30.203.05) delineated; and a time schedule for the completion of each Workable Phase.

3. Computations of gross site area, number and sizes of units in various housing types, Common Open Space area and number of covered and uncovered parking spaces. Where the development is to be completed in phases, these computations shall also be shown for each Workable Phase of the development.

4. Any of the above requirements may be modified or waived by the Director, upon the finding that such requirement is unreasonable or unnecessary for the particular proposal, and the Director shall inform the Commission of any such modification or waiver prior to the hearing of the application.

5. Three (3) copies of rough drafts of proposed legal agreements and documents, including Homeowners' Association, deed restrictions, covenants, dedication of development rights, easements, and proposed method of maintenance and perpetuation of open space areas.

6. Full disclosure of governmental programs, if any, under which the housing will be developed.

7. And such other data or plans as may reasonably be required by the Commission for a proper and complete consideration of the proposed Development.

8. Where subdivision of land is intended, tentative maps may be processed concurrently with the Conditional Use Permit application; such tentative maps shall be drawn and submitted pursuant to Chapter 24 of the Code of the City of San Fernando.

.03 Revisions to Plan.

If, at the request of the applicant, revisions to the General Development Plans are desired, the following guidelines will be used by the Director in determining the proper course of action:

- a. For minor revisions not involving a change in use, increase in density or extent or general location of buildings, or reduction in area of open space, the plans need not be returned to

the Commission; however, approval of the Director is required.

- b. For revisions involving an increase in density, traffic flow or reduction of open space of no more than ten (10) percent, and/or major change in location of building and open space, the revised plans must be reviewed by the Commission and the Conditional Use Permit amended as required.
- c. For major revisions involving a change in use or a decrease in the area of open space exceeding ten (10) percent, a new Conditional Use Permit application must be filed, a new filing fee paid, and public hearing scheduled.

.04 Bond For All Common Area and Off-Site Improvements

Prior to issuance of a building or grading permit, and prior to approval of a final map where subdivision is involved, a bond, or other acceptable security shall be posted to insure the completion of all common area and off-site improvements within any Phase of the Development, including: landscaping, recreational facilities, and other site features pursuant to approved plans.

.05 Phase

No occupancy permit shall be granted for any structure and no parcels, lots or portion of a Residential Planned Development site shall be separately sold or encumbered, until approval of the Director, upon the finding that all of the common area and off-site improvements in the Phase of which such structure, parcel, lot or portion is a part are completed to the extent that the dwelling units are accessible and livable, and all dwelling units in the Workable Phase are substantially developed (all building walls covered), pursuant to the approved plans. A bond or other guarantee of substantial completion of all dwelling units in a Phase may be accepted by the City in lieu of substantial completion. The Commission may waive this requirement for substantial completion of all dwelling units in a Phase upon the finding that, in the particular Residential Planned Development, it is unnecessary for the protection of the City's residents' interest. A Workable Phase shall consist of either an entire Residential Planned Development or a



portion of a Residential Planned Development which, in itself, is functional and meets the density and open space requirements of these provisions. The division of any Residential Planned Development into Workable Phases shall be approved by the Commission during the General Development Plan review.

.06 Time Limit

If construction has not been completed to the point of foundation inspection for a unit within one (1) year, or if the Phase has not been completed within two (2) years from the date of final approval of the Final Development Proposal for the Phase, the Conditional Use Permit shall expire and be of no further effect, and any final map for the subdivision thereof shall become null and void, and the City, at its option, may cause the owner of the property to process, through the City, a subdivision to revert the property to acreage. A one (1) year extension may be granted by the Commission for good cause and where conditions of the surrounding area have not changed to the extent that the surrounding area have not changed to the extent that the General Development Proposal for the Residential Planned Development or the Final Development Proposal for any Phase thereof no longer meets the Conditional Use Permit or plan review criteria.

.07 Review Criteria

Developments constructed under these provisions shall be of a superior design and quality and may include common recreation facilities not normally provided in a standard residential development which would occur under the applicable Development Standards of the Zoning Ordinance. During the review of the General Development Plans at the Conditional Use Permit hearing, the Commission shall use the following criteria in evaluating the proposed development:

- a. The proposed Residential Planned Development conforms to the intent of the General Plan and any Specific Plans adopted by the City.
- b. The site and grading plans indicate proper consideration for the preservation of existing trees and native plant growth, water courses

and other natural features, and natural topography.

- c. The plans for the proposed development show that proper and adequate consideration has been given to privacy at the individual, family and neighborhood levels, including visual and acoustical privacy, in terms of the separation and orientation of dwelling units and private outdoor living areas.
- d. The plans indicate that proper consideration has been given to auto and pedestrian circulation discouraging through traffic on local streets, speed control, access, convenience, safety, and the recreational aspects of pedestrian and bicycle circulation; and that the design of any proposed streets that vary from City standards indicates that they will perform the function required and that the off-site improvements will not create maintenance costs to the City which greatly exceed the costs for standard off-site improvements.
- e. The plans indicate that the Common Open Space areas will be usable for recreation and/or valuable for views, conservation and/or separation of dwelling units.
- f. The plans indicate that proper consideration has been given to the provision of common recreation areas and facilities, in relation to the size of the private lots and reduced recreation opportunities in private yards.
- g. The plans indicate proper consideration for adjacent existing and future developments, and the extension of the circulation, open space, drainage and utility systems from one development to another.



## 30.250 C-1 (Limited Commercial) Zone

### Purpose

The C-1 zone is established to provide areas for limited commercial uses which offer retail and service facilities operative under development standards designed to create a compatible and harmonious setting.

### 30.251 Permitted Uses

- .01 Administrative and professional offices.
- .02 Government buildings and related facilities.
- .03 Parks and playgrounds (public and private).
- .04 Public utility substations (masonry-walled and landscaped).
- .05 Retail businesses.
- .06 Service businesses (excluding repair businesses).
- .07 Any use which in the judgment of the Commission, as evidenced by resolution in writing, are similar to and no more objectionable than any of those enumerated above.

### 30.252 Uses Permitted Subject to a Conditional Use Permit

- .01 Adult entertainment business (refer to Section 30.710).
- .02 Amusement devices (refer to Section 30.720).
- .03 Churches, temples, patronages, convents and other buildings and structures used for religious purposes.
- .04 Clubs, lodges and halls.
- .05 Commercial Recreation
- .06 Hotels and motels.
- .07 New Automobile sales and display and sales room or lot. (Used car sales only in conjunction with new car agency.)

- .08 Off-street parking lot.
- .09 On site and off site sale of alcoholic beverages.
- .10 Parking lot sales.
- .11 Schools
- .12 Second hand store.

30.253 Prohibited Uses

All uses are prohibited except those expressly permitted by the provisions of this section.

30.254 Applicable Regulations

All uses shall be subject to the applicable regulations of this Section including standards which are located in the following Sections:

- Section 30.550 - Property Development Standards
- Section 30.550 - Design Standards
- Section 30.550 - Landscaping Standards
- Section 30.690 - Sign Standards
- Section 30.670 - Street Parking and Loading Standards
- Section 30.740 - Site Plan Review

### 30.300 C-2 (Commercial) Zone

#### Purpose

The C-2 zone is established to provide areas for commercial uses which offer a wide range of goods and services including facilities for shopping, convenience goods and services, professional offices and recreation for the community. It is intended to promote an environment which will encourage maximum efficiency of the commercial area with maximum protection for nearby property and property values by permitting only those uses which are necessary for the city and excluding those uses which are incompatible with this goal and which should be located elsewhere.

#### 30.301 Permitted Uses

- .01 All uses permitted in the C-1 Zone (subject to the restrictions and/or prohibitions herein after imposed).
- .02 Automobile repair service minor (excludes body and fender and related activities).
- .03 Automobile service station.
- .04 Bus station.
- .05 Foretunetelling.
  - (a) The establishment shall be located a minimum of one thousand (1,000) feet from any other such a use.
  - (b) No person under the age of eighteen (18) shall be allowed in the establishment.
- .06 Hospitals.
- .07 Mortuary
- .08 New automobile sales and display and sales room or lot (used car sales only in conjunction with new car agency).
- .09 Nursery (flower, plant or tree).
- .10 Pet store.
- .11 Radio television stations without transmitting tower antennas.

- .12 Repair shop, bicycle and motorcycle.
- .13 Rummage sales (refer to Section 10.1 through 10.20)
- .14 Veterinary clinic
- .15 Other businesses which in the judgment of the Commission, as evidenced by resolution in writing, are similar to and no more objectionable than any of those enumerated above.

30.302 Uses Permitted Subject to a Conditional Use Permit

- .01 All those uses permitted by Conditional Use Permit in C-1.
- .02 Ambulance service.
- .03 Automobile repair service, major (including body and fender and related activities).
- .04 Bail bondsman.
- .05 Billiards and pool parlor.
- .06 Car washes.
- .07 Dating and escort services.
- .08 Fruit and vegetable stands (outdoor only).
- .09 Live entertainment.
- .10 Theater/bowling alley.

30.303 Prohibited Uses

All uses are prohibited except those expressly permitted by the provisions of this section.

30.304 Applicable Regulations

All uses shall be subject to the applicable regulations of this Section including standards which are located in the following Sections:

- Section 30.550 - Property Development Standards
- Section 30.550 - Design Standards
- Section 30.550 - Landscaping Standards
- Section 30.690 - Sign Standards
- Section 30.670 - Street Parking and Loading Standards
- Section 30.740 - Site Plan Review

### 30.400 M-1 (Limited Industrial) Zone

#### Purpose

The M-1 Zone is established to provide areas for the location and operation of light manufacturing and related services and uses. These regulations are designed to promote the effective operation of light manufacturing uses and to increase their compatability within this district and with adjacent land uses. It is also intended to provide for those uses which are supportive of, or provide a direct service to the permitted industrial uses.

#### 30.401 Permitted Uses

##### .01 Agricultural

.02 Manufacturing - Subject to the conditions of this zone, manufacturing, assembling, repairing, testing, processing, packaging, warehousing, wholesaling, research or treatment of products may be conducted (other than those which may be obnoxious or offensive by reason of emission of odor, dust, smoke, gas, noise, vibration or other similar causes detrimental to the public health, safety or general welfare) including but not limited to the following:

- A. Animal hospitals
- B. Assembly plants
- C. Automobile laundry
- D. Automotive repair major and minor
- E. Building materials and hardware sales
- F. Cabinet shops and woodworking
- G. Computer manufacturing, maintenance and service
- H. Cosmetics (no soap)
- I. Electric and gas appliances
- J. Food products (excluding fish meat, sauerkraut, vinegar, yeast, and rendering or refining of fats and oils)
- K. Jewelry
- L. Laundry, cleaning and drycleaning plants
- M. Lumberyard, building materials, contractor storage
- N. Machine shop
- O. Motion picture studio or television studio
- P. Optical equipment
- Q. Pharmaceutical
- R. Photographic products and equipment
- S. Product service center.

- T. Signs
- U. Telephone, communication exchange or equipment building.
- V. Welding shop
- W. Wholesale business
- X. Other uses. The following accessory uses are permitted only where they are integrated with and clearly incidental to a primary permitted use:
  - 1. Employee's cafeteria or coffee shop
  - 2. Exhibition of products, produced on the premises or available for wholesale distribution
  - 3. Offices
- Y. Additional uses which in the judgment of the Commission, as evidenced by resolution in writing are similar to or not more objectionable than any of those enumerated above.

30.402 Uses Permitted Subject to a Conditional Use Permit

- .01 Animal shelter
- .02 Commercial antennae
- .03 Engine manufacture
- .04 Helistop
- .05 Laboratory - chemical, biological, anatomical
- .06 Outdoor storage
- .07 Outdoor advertising signs - provided that no outdoor advertising sign shall be located within a five-hundred foot radius of any other such sign; each outdoor advertising sign shall have, at most, two (2) sign faces, and each sign face shall have a maximum area of one hundred (100) square feet; the maximum height shall be twenty-four (24) feet; and no outdoor advertising sign shall be located within three hundred (300) feet of a residential zone.
- .08 Paint or related manufacture
- .09 Research and Development
- .10 Service station
- .11 Swapmeets or flea markets, auctions indoor or outdoor
- .12 Truck terminal or yard
- .13 New and Used Car Sales
- .14 Storage and Distribution
- .15 Warehousing

30.403 Uses Prohibited

All uses are prohibited except those expressly permitted by the provisions of this section.

30.404     Applicable Regulations

All uses shall be subject to the applicable regulations of this Section including standards which are located in the following Sections:

- Section 30.550 - Property Development Standards
- Section 30.550 - Design Standards
- Section 30.550 - Landscaping Standards
- Section 30.690 - Sign Standards
- Section 30.670 - Off Street Parking and Loading Standards
- Section 30.740 - Site Plan Review

### 30.450 M-2 (Light Industrial) Zone

#### Purpose

The M-2 Zone is intended to provide an area for a variety of industrial activities operating under development standards designed to limit impacts on surrounding land uses.

#### 30.451 Uses Permitted

.01 All uses permitted in the M-1 Zone

.02 Manufacturing - Subject to the conditions of this zone, manufacturing, assembling, repairing, testing, processing, warehousing, wholesaling, research or treatment of products may be conducted (other than those which may be obnoxious or offensive by reason of emission of odor, dust, smoke, gas, noise, vibration or other similar causes detrimental to the public health, safety or general welfare) including but not limited to the following:

- A. Animal shelter
- B. Assaying
- C. Automobiles, trailers, boats, recreational vehicles
- D. Ceramics, pottery, statuary
- E. Heavy equipment sales and rental
- F. Ink, polish, enamel
- G. Pest control contractors
- H. Public service facilities
- I. Sandblasting
- J. Tile (indoor kiln)
- K. Wallboard, glass (no blast furnace)
- L. Blast furnaces as an accessory use to a permitted use and not needing E.P.A. or A.Q.M.D. approvals

#### 30.452 Uses Permitted Subject to a Conditional Use Permit

Uses subject to a Conditional Use Permit in the M-1 Zone.

- .01 Metal engraving, metal fabrications
- .02 Other uses the Planning Commission finds consistent with the purpose and intent of this District.
- .03 The following uses, which because of their nature shall not be located nearer than five hundred (500) feet to a more restricted zone:
  - a. Automotive impound and wrecking area
  - b. Storage, sorting, collecting, or boiling of rags, paper, iron or junk.



.04 Tire retreading and recapping

30.453 Prohibited Uses

All uses are prohibited except those expressly permitted by the provisions of this section.

30.454 Applicable Regulations

All uses shall be subject to the applicable regulations of this Section including standards which are located in the following sections:

- Section 30.550 - Property Development Standards
- Section 30.550 - Design Standards
- Section 30.550 - Landscaping Standards
- Section 30.690 - Sign Standards
- Section 30.670 - Off Street Parking and Loading Standards
- Section 30.740 - Site Plan Review

### 30.500 PD (Precise Development) Overlay Zone

#### Intent and Purpose

The PD (Precise Development) Overlay Zone may be applied as an additional zone classification to land zoned under any other zone classification of this ordinance. Areas zoned PD shall be subject to compliance with an approved precise plan of development including any conditions established thereon by the Commission.

#### 30.501 Uses Permitted

Only those uses permitted in the zone to which this overlay zone is added shall be permitted under conditions of this section.

#### 30.502 Property Development Standards

The provisions of the zone to which this overlay zone is added shall apply. In addition, said development shall conform to any conditions established on the approved precise plan of development.

#### 30.503 Special Provisions

##### A. Procedure

Development of land in a precise development zone for any specific use shall be subject to the issuance of a Certificate of Use. The issuance of such a Certificate of Use shall not authorize the development or utilization of the land in question for any other use or uses. All procedures regarding a Certificate of Use in a precise development zone, or the revocation or modification thereof, shall be governed by provisions establishing procedures related to Conditional Use Permits as amended from time to time. The application for a Certificate of Use in a precise development shall include:

1. A boundary survey map of the property. (A tentative subdivision map may be substituted for this requirement if the applicant proposes to subdivide the property.)
2. Existing topography of the development area shall be shown with contours at not more than two (2) foot intervals.
3. The gross land area of the development, the present zoning classification thereof, and the zoning classification and existing land use on all

adjacent properties, including the location of structures and other improvements thereon.

4. A general development plan with at least the following details shown to scale and dimensioned:

- a. Location and use or uses proposed for each existing and each proposed structure in the development area, the number of stories, gross building area, and approximate location of entrances.
- b. All existing and proposed storage, curb cuts, driving lanes, parking areas and loading areas.
- c. All pedestrian walks and open areas for the use of occupants of the proposed development and the public.
- d. Types of surfacing proposed for all walks and driveways.
- e. A detailed plan for the landscaping of the development, including the location and heights of all proposed walls, fences and screen plating, and a statement setting forth the method by which such landscaping and fencing shall be preserved and maintained.
- f. A grading plan for the entire development.
- g. All existing or proposed physical features such as hydrants, utility facilities, floodlights, drainage facilities and recreation facilities, and a statement setting forth the method by which these features shall be preserved and maintained.
- h. Any additional drawings or information as may be required by the Commission.

5. Plans and elevations of one or more structures to indicate architectural type and materials of construction.

B. Planning Commission Authority

The Planning Commission shall have the authority, as an administrative act, subject to the provisions of this section, to require conditions of development in addition to those required by the zone, where it is determined that such

conditions are necessary to further the objectives of the General Plan and are in harmony with the intent, purpose and spirit of this ordinance and/or where such additional requirements are deemed essential to protect the public safety and general welfare of the community.

All special conditions established by the Commission in accordance with this section may be appealed to Council.

### 30.550 PROPERTY DEVELOPMENT STANDARDS

#### Purpose

The purpose of these development standards is to provide for open areas around structures where needed for access to and around buildings, to protect access to natural light, ventilation and direct sunlight, to separate incompatible land uses, to provide space for privacy, landscaping and recreation, to regulate the height of structures, to support public safety, and to preserve neighborhood character.

#### 30.551 DEVELOPMENT STANDARDS FOR RESIDENTIALLY ZONED PROPERTY SHALL BE AS FOLLOWS:

Maximum Building Height	R-1 & R-2 - 35 feet R-3 - 45 feet
Setback	See building lines chart in Section 30.600
Accessory Structures (Detached)	Side and rear yard setback shall be a minimum of 3 feet. No structure shall exceed 50% of the rear yard area.
Garages/carports	Garages/carports shall be a minimum of 20 feet from the ultimate street right of way.
Minimum Lot Area	7500 square feet
Minimum Lot Width	50 feet, 55 feet for a corner lot
Minimum Lot Depth	100 feet
Distance Between Buildings	15 feet main buildings (including guest house) 10 feet - accessory buildings.
Maximum Lot Coverage	R-1 - 50%; accessory buildings may not occupy more than 50%

	of the required rear yard area.
	R-2 and R-3 - 40%; Accessory buildings may not occupy more than 30% of the required rear yard area.
Landscaping	A minimum of 50% of the front yard shall be maintained in live landscaping.
Usable Open Space	On each lot developed with more than 4 units, there shall be, in addition to other required yards and spaces, usable open space equal to 150 square feet per unit (such space shall have a minimum dimension of 10 feet).
Storage Facilities	Each dwelling unit in a multiple family dwelling shall have at least 100 cubic feet of enclosed storage space.
Utilities	All utilities shall be underground.
Trash	Trash areas shall be provided as approved by the director.
Common Area	On each lot developed with more than 4 units there shall be a Common Area no less than 1000 square feet or 100 square per unit; whichever is greater; the minimum dimension for such an

area shall be 25 feet.

#### Walls and Fences

A six (6) foot wall shall be constructed where an R2 or R3 property abuts an R1 zoned property and other treatment as approved by the director.

#### Recreational Vehicles

No recreational vehicles shall be permitted within the required front setback area for a period of time exceeding 72 hours.

30.555 DEVELOPMENT STANDARDS FOR COMMERCIAL ZONED PROPERTY  
SHALL BE AS FOLLOWS:

Maximum Height	45 feet; a screened shelter for the protection of equipment necessary only to the operation of the building excluding signs or space for additional floor area may extend a maximum of 10 feet above the height limit. (Heights in excess of 45 feet are subject to a Conditional Use Permit - see Section 30.750.)
Setbacks	See building lines chart in Section 30.600.
Minimum Lot Area	5,000 square feet.
Distance Between Buildings	Minimum of 6 feet; building in excess of 35' shall have an additional separation of 1 foot for each 2 feet above 35 feet.
Maximum Lot Coverage	60%
Storage	All storage must be confined to the interior of the permanent structure.
Utilities	All utilities shall be underground.
Walls and Fences	A six (6) foot wall shall be constructed where said property abuts residential zoned property and other treatment as approved by director. Said wall shall not



Landscaping

encroach into any future right of way.

All setback areas shall be landscaped with the exception of those areas used for driveway access. All areas not used for parking or building shall be landscaped with permanent watering and maintenance. (See Section 30.665.0)

Parking, Loading, etc.

As required by Section 30.670.

Signs

Shall comply with Section 30.690.

Exterior Lighting

All exterior lighting shall be 90 degrees cutoff down light. The rays of any such lighting shall be confined to the property. No spill-over shall be permitted.

Permanent Buildings

All uses permitted in C-1 and C-2 zones shall be inside permanent buildings except those enumerated in Sections 30.252.07, 30.252.08, 30.252.10, 30.301.08 and 30.301.09.

30.560 DEVELOPMENT STANDARDS FOR INDUSTRIAL ZONED PROPERTY  
SHALL BE AS FOLLOWS:

Maximum Height	45 Feet
Minimum Lot Area	10,000 Square Feet
Minimum Lot Width	75 Feet
Required Street Frontage	75 Feet
Setbacks	See Building Lines Chart in Section 30.600.
Distance Between Buildings	6 Feet
Maximum Lot Coverage	60%
Storage	No outside storage permitted unless approved by Conditional Use Permit.
Utilities	All utilities shall be underground.
Walls and Fence	A seven (7) foot wall shall be constructed where said property abuts residential zoned property; 6 foot wall or fencing shall be permitted along all other property lines except within front setback.
Landscaping	All setback areas shall be landscaped with the exception of those areas used for driveway access. All areas not used for parking or building shall be landscaped with permanent watering and maintenance. (See Section 30.665.0)

Parking Loading, etc.

As required by  
Section 30.670.

Signs

Shall comply with  
Section 30.690.

Exterior Lighting

All exterior lighting shall be 90 degrees cutoff downlight luminaries. The rays on all lighting shall be confined to the premises; no spill-over shall be permitted.

Permanent Buildings

All uses permitted in M-1 and M-2 zones shall be inside permanent buildings except those enumerated therein.

# 30.600 BUILDING LINES CHART

Zone	<u>From Ultimate Street R/W</u>			<u>From Alley</u>			<u>From Prop. Line Abutting R-Zone</u>		<u>From Prop. Line Abutting Zones Other Than R</u>	
	Front	Side	Rear	Front	Side	Rear	Side	Rear	Side	Rear
-1	0	5	20	0	5	10	5	20	0	5
-2	0	5	20	0	5	10	5	20	0	5
M-1	10	10	10	10	10	10	10	20	5*	5*
M-2	10	10	10	10	10	10	10	20	5*	5*

	<u>From Ultimate Street R/W</u>			<u>From P/L Not Abutting Street</u>	
	Front	Side	Rear	Side	Rear
R-1	20	5	20	5	20
R-2/R-3	20	5	20	5	20

## 30.605 Exceptions to the Building Lines Chart

- A. Existing lots less than 100' in depth may have a front and rear setback equal to 20% of the depth of the lot.
- B. Lots less than 50' in width may have a side yard equal to 10% of the width of the lot but not less than 3 feet.
- C. Balconies, decks, porches, terraces, exterior steps and exterior stairways.

Balconies, decks, porches, terraces, exterior steps in excess of thirty (30) inches in height and exterior stairways, unroofed and unenclosed, may project not more than three (3) feet into any required side setback area or the distance required between buildings on the same building site and not more than five (5) feet into any required front or rear setback area, but in no event shall such balconies, decks, porches, terraces, exterior steps or exterior stairways be closer than two (2) feet to any side property line or three (3) feet to any

\*  
See Exceptions to Building Lines Chart

front or rear property line of a building site, when projecting into any required setback area.

D. Eaves, cornices, canopies and cantilevered roofs.

Eaves, cornices, canopies, or cantilevered roofs may project a maximum of forty (40) percent into any required side setback and twenty-five (25) percent into any required front or rear setback and forty (40) percent into the space required between buildings on the same building site, but in no event shall such eaves, cornices, canopies or cantilevered roofs be closer than two (2) feet to any front, side or rear line of the building site when projecting into a required setback area.

E. Chimneys, fireplaces, wing walls and other minor architectural features.

Masonry chimneys, fireplaces, wing walls and other minor architectural features, may project into any required front, side or rear setback area a maximum of twenty-four (24) inches, but in no event shall such chimneys, fireplaces, wing walls and other minor architectural features project into any required setback area so as to be closer than three (3) feet to any property line of the building site.

F. Interior lots in Industrial Zoned properties may have the sideyard requirement reduced to zero (0) feet provided that an amount of land equal to the required sideyard is provided as additional landscaping on the property. (Subject to review by the Planning Commission)

G. Industrial zoned property abutting other than R or street r/w may have the rear yard requirement reduced to zero (0) provided that the total width of the front is a minimum of fifteen (15) feet and shall be landscaped. (Subject to approval by the Planning Commission)

## 30.650 GENERAL DEVELOPMENT STANDARDS

### 30.660 STREET DEDICATION AND IMPROVEMENT

#### 30.660.01 Exceptions

Section 30.660.03 does not apply to the following buildings or structures if they comply with all other provisions of this Chapter:

- A. Electrical distribution and transmission substations.
- B. Water storage tanks, water reservoirs and water pumping plants, but excluding offices or maintenance yard facilities.
- C. Gas measurement, distribution and meter control stations.
- D. Telephone repeater stations.

#### 30.660.02 Requirement

Except as otherwise provided in Sections 30.650 and 30.660, no building or other structure shall be used on any lot, any portion of which abuts upon any public street, unless the one-half of the street which is located on the same side of the centerline as such lot has been dedicated and improved as provided in this division.

#### 30.660.03 Dedication Standards

Streets shall be dedicated to one-half the planned ultimate width, measured from the centerline, and including corner cutoffs. All such rights-of-way are to be determined by the Director as specified in the Subdivision Ordinance and the Circulation Element of the General Plan.

#### 30.660.04 Improvements

Before a structure subject to the provisions of Section 30.650 may be used, curbs, gutters, sidewalks and drainage structures where required shall be constructed at the grade and at the location specified by the Director of Public Works unless these already exist within the present right-of-way; in such cases, all damaged sidewalks, curbs and drainage structures shall be replaced or repaired as required by the Director of Public Works; or on property the owner has agreed to dedicate, curbs, gutters, sidewalks and drainage structures which are adequate, and the Director of Public Works so finds.

30.660.05

Agreement to Dedicate

In lieu of dedication, the Director of Public Works may accept an agreement to dedicate signed by all persons having any right, title, interest or lien in the property, or any portion thereof, to be dedicated. The signatures on such agreement shall be acknowledged and the Director of Public Works shall record such agreement in the office of the County Recorder.

30.660.06

Agreement to Improve

In lieu of the required improvements, the Director of Public Works may accept from any responsible person a contract to make such improvements. Said improvements shall be completed within the time specified in the agreement to improve, except that the Director of Public Works may grant such additional times as he deems necessary if, in his opinion, a good and sufficient reason exists for the delay.

Such contract shall be accompanied by a deposit with the City of a sum of money or negotiable bonds or savings and loan certificates of shares in an amount which, in the opinion of the Director of Public Works, equals the cost thereof. If savings and loan certificates or shares are deposited, the owners thereof shall assign such certificates or shares to the City of San Fernando and such deposit and assignment shall be subject to all the provisions and conditions of the Director of Public Works.

If the estimated cost of the improvements equals or exceeds \$1,000, in lieu of such deposit, the applicant may file with the City a corporate surety bond guaranteeing the adequate completion of all the improvements, in a penal sum equal to such estimated cost.

Upon the failure of said responsible person to complete any improvement within the time specified in an agreement, the Council may, upon notice in writing of not less than 10 days served upon the person, firm or corporation signing such contract, or upon notice in writing of not less than 20 days served by registered mail addressed to the last known address of the person, firm or corporation signing such contract, determine that said improvement work or any part thereof is incomplete and may determine that the responsible person is in default and may cause the improvement security or such portion of deposits or bonds given for the faithful performance of said work, as is necessary to complete the work, to be forfeited to the City, or may cash any instrument of credit so deposited in such amount as may be necessary to complete the improvement work.



## 30.660.07

Existing Structures

Sections 30.660.02 to 30.660.05 do not apply to the use, alteration or enlargement of an existing building or structure or the erection of one or more buildings or structures accessory thereto, or both, on the same lot, if the total value of such alteration, enlargement or construction does not exceed one-half of the current market value of all existing buildings or structures on such lot.

## 30.660.08

Parkway Trees

Parkway trees are required to be provided and planted by the owner or developer of any lot in connection with any construction on such lot requiring a permit valued under the Building Code in excess of \$1,000, except as herein otherwise provided:

- A. Such parkway trees shall be planted in the public easement (parkway strip) between the street pavement and the lot line of such lot. If a sidewalk exists in such parkway strip without provision for parkway trees, tree wells shall be provided as part of such parkway tree requirement.
- B. No occupancy permit shall be issued for such construction on such lot until the required parkway trees have been planted or such planting has been provided for in accordance herewith and the specifications of the Director of Public Works. Such provision may be made by bond in an amount not to exceed the estimated cost of the parkway tree requirement.
- C. Notwithstanding the foregoing provisions of this Section:
  1. The total estimated cost of the parkway tree requirement shall not exceed one-third of the estimated value of the improvements provided for in such permit; and
  2. Where adequate public right-of-way (parkway strip) does not exist, or where the adjacent street is not improved with curb, gutter and sidewalk, such parkway tree requirement may be waived in connection with such building permit. Such waiver shall not affect the requirement for parkway trees in connection with any subsequent application for a building permit with respect to such lot.



- D. The provisions of this Section shall not apply to incidental construction on already developed residential lots. Such incidental construction shall include, but not be limited to, room or patio additions, room realignment, and swimming pool and garage construction. Incidental construction as used herein shall not include the construction of a residential unit.

30.665.0 Landscaping Maintenance

- A. Prior to the installation of the landscaping in the public right-of-way the developer shall provide for the continued maintenance by an Agreement with the City of San Fernando.
- B. Lawn and ground cover shall be trimmed or mowed regularly. All planting areas shall be kept free of weeds and debris.
- C. All plantings shall be kept in a healthy and growing condition. Fertilization, cultivation, and tree pruning shall be a part of regular maintenance. Good horticultural practices shall be followed in all instances.
- D. Irrigation systems shall be kept in working condition. Adjustments, replacements, repairs and cleaning shall be a part of regular maintenance.
- E. Trees shall be staked and tied with lodge poles.
- F. Stakes and ties on trees shall be checked regularly for correct functions. Ties shall be adjusted to avoid creating abrasions or girdling on trunks or branches.

30.670 VEHICULAR PARKING,  
LOADING AND MANEUVERING AREAS

30.670.01      Paving and Drainage of Vehicular Areas

A. All areas used for the movement, parking, loading, repair or storage of vehicles of any type, other than mobile home sites, shall be paved with either:

1. Concrete to a minimum thickness of 3-1/2 inches; or
2. Asphaltic pavement to a minimum thickness of 1-1/2 inches over 4 inches of crushed rock, gravel or similar material; or
3. Other surfacing material providing equivalent life, service and appearance in the opinion of the Director of Public Works.

B. All such areas shall be graded and drained to dispose of all surface water. Drainage shall not be permitted across the surface of sidewalks or driveways, except for vehicular areas serving residential uses.

C. This Section shall be applicable to all such vehicular areas provided, whether required or not, except that such areas provided but not required on the same premises with a residential use need not be paved.

Off-Street Parking

30.670.02      General Requirements

Every use of property shall be required to provide the number of off-street parking spaces which satisfies the needs of the use. The required parking spaces shall be used only for the purpose of parking vehicles. Unless otherwise specified in this Division, the off-street parking required may be at grade, below grade or above grade and may be open or within a partially or fully enclosed structure. Every parking space shall be directly accessible from a vehicular driveway or aisle unless specified otherwise.

30.670.03      Parking Spaces Required

The required number of off-street automobile spaces for each use shall not be less than set forth in the following table:

Use

Off-Street Parking Required

A. Residential:

- |   |   |
|---|---|
| 1. Single-family dwelling   | 2 spaces within a garage.   |
| 2. Multiple family dwelling   | 2 spaces within either a garage or carport for each dwelling unit. Carports that are visible from a public street are prohibited. (Plus 1 guest parking each 2 units, may be uncovered.)  |
| 3. Condominium  | 2 spaces within a garage for each dwelling unit. In addition, 1 guest parking space for each 2 dwelling units, may be uncovered.  |
| 4. Mobile home park   | 2 spaces for each mobile home (tandem parking permitted), plus 1 guest parking space for each 4 mobile homes.   |
| 5. Convent, rectory, monastery and other group quarters for members of a religious order; boarding or rooming house, fraternity or sorority house, dormitory. | 1 space for each 2 rooming units.   |
| 6. Caretaker's residence  | 1 space for each residence.   |
| 7. Retirement home, senior citizens' housing  | 1 space for each rooming unit, plus 2 spaces for each resident employee. (The parking area to be improved shall be 1 space for each 2 rooming units, plus 2 spaces for each resident employee. The difference between the required parking area and the parking to be improved shall be held as open space reserve to meet additional parking needs or required parking |

in case of conversion to another use.)

B. Institutional:

- |  |   |
|--|---|
| 1. Community care facilities   | Required parking spaces to be determined for each Conditional Use Permit based primarily upon the facility's licensed capacity, type of care and number of employees.   |
| 2. Long-term health care facility  | 1 space for each 2 beds licensed by the regulatory agency.  |
| 3. Hospital  | 1-1/2 spaces for each bed licensed by the regulatory agency.  |
| 4. Schools (public or private):  |   |
| a. Elementary school, junior high school (kindergarten through grade 9). | 2 spaces for each classroom.  |
| b. Senior high school  | 5 spaces for each classroom   |
| c. Business, vocational or trade school                                  | 1 space for each 125 square feet of teaching area   |
| 5. Library, museum, art gallery  | 1 space for each 400 square feet of gross floor area.   |
| 6. Church, mortuary  | 1 space for each 7 fixed seats (or 10-1/2 linear feet of fixed pew or bench) in the largest assembly room. For the area within the largest assembly room not occupied by fixed seats, pew or bench, the off-street parking required shall be 1 space for each 35 square feet of net floor area. |

C. Commercial:

1. Gymnasium, skating rink, theater, night club, auditorium, lodge room sports arena, stadium and other places of public assembly or entertainment  
1 space for each 5 fixed seats (or 7 linear feet of fixed bench) in the largest room or space for public assembly or entertainment. For the area within the largest room or space for public assembly or entertainment not covered by fixed seats or bench, the off-street parking required shall be 1 space for each 21 square feet of net floor area. There shall be a minimum of 10 parking spaces provided.
2. Dining and drinking establishments  
Areas used exclusively for entertainment shall have a parking requirement as indicated above. All other areas shall have a parking requirement of 1 space for each 100 square feet of gross floor area. There shall be a minimum of 10 parking spaces provided.
3. Bowling alley  
3 spaces for each bowling lane, plus the parking spaces required for the other activities within the building.
4. Hotel  
1 space for each transient unit, plus 2 spaces for the resident manager's unit.
5. Automobile service station  
1 space for each pump island, plus 1 for each bay.
6. Plant nursery  
1 space for each 1,000 square feet of indoor or outdoor sales or display area. There shall be a minimum of 5 parking spaces provided.

7. Offices, studios, retail sales and services and other general commercial activities not classified elsewhere

1 space for each 300 square feet of gross floor area. For a vehicle sales, display, leasing or rental agency, there shall be a minimum of 5 parking spaces provided.

D. Industrial:

1. Manufacturing, warehousing and other industrial activities not classified elsewhere

Whichever of the following results in the greater requirement:

a. 1 space for each 750 square feet of gross floor area up to and including 72,000 square feet, and thereafter 1 space for each 1,000 square feet of gross floor area; or

b. 1 space for each 2 employees on the largest shift.

E. Recreational:  
(public and private)

1. Passive park

1 space for each 10,000 square feet of net land area.

30.670.04      Computation of Required Parking Spaces

When required parking spaces are based upon gross floor area, the floor area devoted exclusively to parking and maneuvering of vehicles shall not be considered in the computation.

When, as a result of computation, the total number of parking spaces results in a fractional amount, any fraction less than  $1/2$  shall be disregarded, and any fraction equal to or greater than  $1/2$  shall require one parking space.

30.670.05      Parking Spaces Required for Mixed Uses

When there are two or more different uses located on the same lot or within the same building, the total number of parking spaces required shall equal the sum of the requirements, including separate fractional amounts, for each use. The resulting sum shall then be rounded off to the nearest whole number pursuant to Section 30.670.04. No parking space required for one use shall be considered as providing the required parking for any other use.

Office space incidental to a manufacturing, warehouse or other industrial use shall have its required parking spaces computed at the same ratio as the industrial use, provided the office space does not exceed 20 percent of the total gross floor area. Office space in excess of 20 percent of the total gross floor area shall have its required parking spaces computed at the same ratio specified for office space.

30.670.06      Change in Intensity

Whenever the intensity of use changes through a change in the number or quantity of dwelling units, floor area, employees, fixed seats or other units of measurement specified herein to determine the required parking, the number of required spaces shall be adjusted either upward or downward to reflect the change in intensity.

30.670.07      Change in Use

Whenever there is a change in use resulting in a different parking requirement, the required spaces shall be adjusted either upward or downward to reflect the change in use. This Section shall not apply to the conversion of manufacturing or warehouse floor area to office space, provided the total office space does not exceed 20 percent of the total gross floor area.



30.670.08      Location of Parking

Parking spaces required for uses shall be located on the same lot as the use for which such spaces are provided.

30.670.09      Parking Stall Size

The minimum parking stall dimensions for required parking spaces shall not be less than that set forth as follows:

<u>TYPE</u>	<u>DIMENSIONS</u>
A. Residential uses	10 feet in width by 20 feet in length for covered; and 9 feet in width by 19 feet in length for uncovered
B. Commercial and Industrial uses	9 feet in width by 19 feet in length
C. Spaces for physically handicapped	14 feet in width by 20 in length
D. Compact vehicle spaces	8 feet in width by 16 feet in length
E. Parallel parking spaces	Length shall be increased to 24 feet, or 21 feet for compact cars.
F. Nonresidential parking abutting a wall, fence, building or other obstruction	1-1/2 feet of width shall be added to the width otherwise required for commercial uses. 2 feet of width shall be added to the width for all other nonresidential uses.

30.670.10      Parking for the Handicapped

Shall be provided in accordance with standards established in the state handicapped requirements.

30.670.11      Compact Spaces

For nonresidential parking, not more than 30 percent of the total required spaces may be designed and reserved for

the parking of compact vehicles. Such spaces shall be so designated either by signing or marking.

30.670.12      Parking Lot Design

The layout and design of parking lots and areas, including access to required parking spaces, turning radii, angle of parking and aisle width shall be as set forth in Parking Lot Design Standards adopted in accordance with Section 30.671.03. All required off-street parking spaces shall be designed to provide safe and efficient means of access to an alley, street or driveway to the satisfaction of the Director, and all off-street parking lots or areas with six or more spaces shall be designed in such a manner that vehicles exit such lots or areas facing forward.

30.670.13      Landscaping

Outdoor parking facilities with 25 or more spaces shall include interior landscaping of not less than 2 percent of the area devoted to outdoor parking. Border plantings abutting a building, structure, sidewalk, wall or street shall not be considered interior landscaping. The 2 percent interior landscaping shall be so arranged as to emphasize visual attractiveness as viewed by the public from surrounding streets and walkways. Such landscaping shall be maintained with an automatic irrigation system permanently and completely installed, which delivers water to all landscaped areas.

Except where determined infeasible by the Director, all interior areas of required outdoor parking facilities with 25 or more spaces which are unused as a result of the parking design and which are directly visible from a public street or walkway shall be landscaped and maintained with an automatic irrigation system permanently and completely installed, which delivers water directly to all landscaped areas. Such landscaping may be included in the computation of the 2 percent interior landscaping requirement.

Where a required parking facility is located adjacent to a public street or walkway, there shall be a landscaped strip not less than 5 feet in width running parallel to and along the street or walkway, excluding space devoted to driveways and other access points. The landscaped strip shall be maintained with an automatic irrigation system permanently and completely installed, which delivers water directly to all landscaped areas. Such landscaped strip shall not be included in the computation of the 2 percent interior landscaping requirement of this Section. Within such landscaped strip, there shall be erected along its interior edge, to the satisfaction of the Director, a decorative wall or fence

built to a height of 3 to 3-1/2 feet. Ivy or other vining plant material shall be planted adjacent to any wall or fence and trained to grow up the fence or wall to protect the fence or wall from vandalism. This requirement may be met by providing a landscaped berm 3 to 3-1/2 feet in height. Said plant material shall not be permitted to grow over 3-1/2 feet in height in the front yard. An automatic drip irrigation system shall be provided to adequately water the plant material.

Any area required to be landscaped by this Section shall have a well-balanced automatic irrigation system designed by a landscape architect or person competent in landscape design and shall be operated by electrically timed controller stations set for early morning irrigation.

#### 30.670.14 Lighting

All off-street parking areas within commercially zoned projects shall be provided with exterior lighting, meeting the following minimums:

- A. The equivalent of one (1) foot candle of illumination shall be provided throughout the parking area.
- B. All lighting shall be on a time-clock or photo-sensor system.
- C. All lighting shall be designed to confine direct rays to the premises. No spillover beyond the property line shall be permitted.
- D. Illumination shall not include low pressure sodium.

#### 30.670.15 Perimeter Guards

Bumper guards or wheel stops shall be provided for all parking spaces abutting the perimeter of a parking area where such perimeter is within 15 feet of a building, structure, public right-of-way or lot line, except spaces within a garage or carport.

#### 30.670.16 Marking of Parking Areas

Required parking spaces shall be double-striped with the stall widths measured from the midpoints of the double-stripe markings.

### 30.671 Truck Loading and Maneuvering

#### 30.671.01 Loading Areas Required

Off-street loading areas shall be provided for the uses listed below as follows:

<u>Uses</u>	<u>Minimum Loading Area Requirements</u>
A. Use in the C-1 or C-2 Zone	1 space for each lot, at least 14 feet by 40 feet
Use in the M-1 or M-2 Zone <sup>1</sup>	1 space for each lot, at least 14 feet by 55 feet

#### 30.671.02 Truck Maneuvering and Loading Area Standards

Truck maneuvering and loading areas shall be provided and arranged as set forth in Truck Maneuvering and Loading Area Standards adopted in accordance with Section 30.671.01, in each of the following instances:

- A. Wherever a loading area is required.
- B. Wherever a loading dock is provided.
- C. Wherever a door greater than 8 feet by 8 feet is provided, unless the Director finds that such door cannot be utilized or is not intended to be utilized for loading and unloading.
- D. Wherever a door equal to or less than 8 feet by 8 feet is provided, unless the Director finds that such door cannot be utilized or is intended to be utilized for loading and unloading.

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Any primary use which is developed as office space shall not be required to provide a truck loading area, provided that a deed restriction is recorded, in the Office of the County Recorder, restricting the use on the property to office space, and such proof of recordation is submitted to the satisfaction of the Director.

The location and design of driveway access to the public street, and limitations on the location and height of walls, landscaping, buildings, signs and other facilities shall be as required by the Director of Public Works pursuant to the highway and traffic regulations of the Code of the City of San Fernando where applicable, or as otherwise determined by the Director of Public Works or by the Fire Department to be necessary in order to provide adequate sight distance for vehicular and pedestrian safety.

Driveway access widths required to serve those uses identified below shall be as follows:

- A. For a single-family dwelling the minimum driveway width shall be 10 feet.
- B. For four (4) or less dwellings in any combination of single-family or multiple-family dwellings, the minimum driveway width shall be 20 feet.
- C. For five (5) or more dwellings in any combination of single-family or multiple-family dwellings, the minimum driveway width shall be 24 feet, for each driveway, where one or more two-way traffic driveways are provided or 12 feet, for each driveway, where two or more one-way driveways are provided.
- D. For commercial uses, the minimum width of a driveway having public access shall be 24 feet. Channelized driveway widths shall be subject to the approval of the Director and the Director of Public Works.
- E. For industrial uses, the minimum driveway width shall be 24' and subject to the approval of the Director and the Director of Public Works.

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If any building, or portion thereof, is proposed to be located more than 150 feet from a street, then Fire Department regulations may require a greater minimum driveway access width than the standards stated herein.

### 30.680 TRASH AREAS

For each lot developed with multiple dwellings or group quarters, trash and garbage collection and storage areas shall be provided to serve the residential uses as set forth in this Section.

- A. Location. All trash areas shall be located and arranged both for convenience to residents and for convenient vehicular access and pick-up. No trash area shall be located within five feet of any window opening into a dwelling unit.
- B. Screening. All trash and garbage collection facilities shall be either enclosed within a building or by a screening fence or wall and gate 5 to 6 feet in height, unless, in the opinion of the Director, such facilities are not within public view. The screening fence or wall shall be approved by the Planning Director.
- C. Number and Size.
  - 1. For residential facilities of 1 to 3 units: No specific number or size requirement.
  - 2. For residential facilities of 4 or more units: a common trash area shall be provided of at least 4-1/2 feet by 15 feet with an additional 5 square feet of trash area for each unit over 13.

### 30.681 Nonresidential Trash Areas.

For each lot developed with a nonresidential use, adequate trash and garbage collection and storage areas shall be provided to accommodate all accumulation of refuse on the premises, subject to the following minimum requirements:

- A. Location. All trash areas shall be located and arranged both for convenient vehicular access and pick-up and shall not interfere with other pedestrian and vehicular traffic patterns.
- B. Screening. All trash storage areas shall be enclosed within a building or by a screening fence or wall 6 feet in height, unless, in the opinion of the Director, such facilities are not within public view. The screening fence or wall shall be architecturally compatible with the main building or buildings.

C. Number and Size. There shall be at least one outdoor trash storage area. Each trash storage area shall be at least 4-1/2 feet by 6 feet.



## 30.690 SIGNS

### 30.691 Purpose and Intent

It is the intent of the Citizens of the City of San Fernando that this Section emphasize the importance of business activity to the economic vitality of the City, help improve the ability of business owners and operators to identify their businesses to the community in order to enhance the furtherance of commerce, foster varied and interesting places of trade, and promote public safety by making business signing visible to the passing public.

The City recognizes that different situations present different signing problems. Accordingly, the purpose of this Section is to control signs in a manner which will maintain a high quality of development throughout the City.

### 30.692 General Regulations.

A sign permit shall be required prior to the placing, erecting, moving, reconstructing, altering or displaying of any sign within the City. Building and electrical permits shall also be obtained as required by the building and electrical code. Nothing herein shall be interpreted to mean that any permit shall be required for maintaining and repairing existing signs which comply with the provisions of this Section.

In no case shall a lighted sign or lighting device thereof be so placed or directed so as to permit the beams and illumination therefrom to be directed or beamed upon a public street, walkway or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance.

It shall be the responsibility of the property owner to remove all signs from any business that has been vacant for 60 days. However, any sign may be continued past 60 days if the sign face area is removed and replaced with a blank sign face or covered completely with a material approved by the Planning Director. If after 8 months the business remains vacant or a new business is occupying the building and not utilizing the sign(s), then the sign(s) shall be removed.

All signs shall be maintained in good repair, including display surfaces which shall be kept neatly painted or pasted.

Any sign which does not conform to the provisions of this Section shall be made to conform or shall be removed as provided in 30.829.02.



Any sign which is not in compliance with this Section shall be brought into compliance within 30 days of notice of the nature of the noncompliance to the owner or person in possession of the sign by the Director. If the sign is not made to comply with the provisions of this Section within 30 days, it shall be removed. This 30 day period may be extended by the Director for good cause shown by the owner thereof.

30.692.01      Criteria For All Signs Requiring a Permit

A permit application for a sign otherwise in compliance with this Section shall be approved by the Planning Director if said sign complies with the following criteria:

- A. A sign would serve primarily to identify the business, the establishment, or the type of activity conducted on the same premises, or the project, service or interest being offered for sale, lease or rent thereon, except as otherwise specifically provided.
- B. The design of signs should be consistent with professional graphic standards.
- C. Illumination of signs, where not specifically prohibited by this Section, should be at the lowest possible level consistent with adequate identification and readability.
- D. Signs should be harmonious with the materials, color, texture, size, shape, height, placement and design of the building, property, shopping center and area.

30.692.02      Exempt Signs

The provisions of this Section regulating signs shall not apply to the following signs except as otherwise indicated herein:

- A. Official notices issued by any court, public body, or public officer.
- B. Notices posted by any public officer in performance of a public duty, or for any person in giving legal notice.
- C. Traffic, directional, warning or informational signs required or authorized by the public authority having jurisdiction.

- D. Official signs used for emergency purposes only.
- E. Permanent memorial or historical signs, plaques or markers.
- F. Public utility signs, provided such signs do not exceed three square feet in sign face area.
- G. Signs (including painted signs) on private property prohibiting parking, blocking of driveways and trespassing and similar directional signs, subject to the approval of the Director.
- H. Residential name and number plates identifying the residence address or its occupants, or both, not to exceed two square feet in area.
- I. Seasonal or special event signs and decorations displayed between 20 days prior to and 15 days after the event, provided that they are not located in the public right-of-way without City Council approval; and that seasonal or special event signs shall be limited to one wall sign or one window sign not exceeding 30 square feet in area.
- J. Political signs displayed between 60 days prior to and 10 days after the election, provided that the total sign area for any one parcel does not exceed 64 square feet, and such signs shall not be located in the public right-of-way.
- K. One unlighted construction sign per job site, not exceeding 6 square feet in any residential zone, or in all other zones, one unlighted project sign not exceeding 32 square feet and one unlighted sign for each participating contractor not exceeding 6 square feet each. Project and contractor signs shall be removed prior to final inspection.
- L. In the C and M zones, temporary advertising signs on windows not exceeding 40 percent of the total window area (with 60 percent visibility). Seasonal or special event decorations shall be calculated as part of the 40 percent window area coverage.
- M. Automobile service station price signs, not exceeding 12 square feet in sign area.
- N. Menu boards on the interior driveways of drive-through facilities, subject to the approval of the Director.

All restrictions expressed in Section 30.693 are applicable to this Section.

30.693     Prohibited Signs

The following advertising signs shall be prohibited in all zones:

- A. "A" frame or "sandwich board" signs.
- B. Flashing or scintillating signs.
- C. Painted signs (see definition section).
- D. Devices dispensing bubbles and free floating particles of matter.
- E. Any notice, placard, bill, card, poster, sticker, banner, sign, advertising or other device calculated to attract the attention of the public which any person posts, prints, sticks, stamps, takes, or otherwise affixes or causes the same to be done to or upon any public street, walkway, crosswalk, other right-of-ways, curb, lamp post, hydrant, tree, telephone booth or pole, lighting system, or any fixture of the police or fire alarm system.
- F. Devices projecting, or otherwise reproducing, the image of an advertising sign or message or any surface or object.
- G. Signs on vehicles - No person shall erect or maintain a sign which is attached to, suspended from, or supported in whole or in part by any vehicle, whether self-propelled or towed. A sign will be allowed if painted directly upon, or permanently affixed to, the body or integral part of the vehicle or permanent decoration, identification or display, if such vehicle is used regularly in the business to which the sign pertains, for purposes other than as an advertising device, and such sign shall conform to the limitations set forth in the California Vehicle Code, excluding only public carrier buses and trains.
- H. Outdoor advertising signs. (Except as provided for in Section 30.402.07.)

- I. Subdivision directional signs.
- J. Roof signs exceeding 15 feet above the roof line.
- K. Home occupation signs.

30.694.1      Real Estate Advertising Signs

Real estate advertising signs are permitted in residential, commercial and industrial zones, subject to the following:

A. Residential Zones.

1. In the R-1 zone, one unlighted real estate advertising sign is permitted, not to exceed 6 square feet in area and 6 feet in height from ground level to top of sign, on a straight stake or stakes, containing information restricted to the sale, lease or rental of the premises on which the sign is located. A double-faced rider, not larger than 6 inches by 24 inches, containing advertising matter pertinent to the premises, is permitted to be placed under and over the real estate advertising sign.
2. In the R-2 and R-3 zones, one nonilluminated or indirectly illuminated sale or lease sign for each street frontage of the total parcel involved is permitted, not exceeding a height of 12 feet if free-standing and not above the roof line if attached to a building; having an area not exceeding 6 square feet for each lot or for each 5,000 square feet in such total parcel, whichever ratio permits the larger area; and provided that no such sign shall exceed 64 square feet in area and any such sign exceeding 18 square feet in area shall be set back at least 4 feet from all street property lines.
3. Real estate advertising signs shall be removed from the premises within 7 days after the close of escrow or cancellation of sales or lease agreement.
4. Flags, streamers, pennants, lean-in and directional signs and similar displays are permitted between 9:00 A.M. and sunset. One additional sign denoting openhouse, not to exceed 6 square feet in area, is permitted

between 9:00 A.M. and sunset, provided a representative of the real estate firm or the property owner is present at all times while such sign is displayed. Such sign is subject to all restrictions provided in this Section.

5. All restrictions expressed in Section 30.050 are applicable to this Section.

B. Commercial and Industrial Zones.

1. One unlighted sign structure is permitted per lot, except on parcels larger than 5 acres, one such sign structure is permitted for each street frontage of the parcel.
2. A sign structure may have any number of sign faces, but the total sign area shall not exceed 50 square feet per sign structure in commercial zones not 100 square feet per sign structure in industrial zones.
3. All portions of a sign structure shall be not less than 5 feet from the inside line of the sidewalk, or if there is no sidewalk, from the lot line, except, if the building setback is less than 10 feet, the sign structure shall not be less than one-half of the setback from the inside line of the sidewalk or lot line.
4. A sign may be affixed to a building provided that the sign shall not extend above the roof line or parapet wall of the building.
5. Advertising copy shall pertain only to the premises upon which the sign is located.
6. Any such signs shall be removed within 15 days after the close of escrow or cancellation of sales or lease agreement.
7. All restrictions expressed in Sections 30.250, 30.300, 30.400 and 30.450 are applicable to this Section.

30.694.2 Identification Signs

- A. In residential zones, for each multiple dwelling or rooming house, one unlighted sign not exceeding 6 square feet in area and 4 feet in any dimension may be placed on the wall of the building provided it does not extend above or out from the front wall

and indicates only the name and address of the premises.

B. Identification signs for nonresidential uses, in residential zones including a bulletin board of a public, charitable or religious institution used to display announcements relative to meetings to be held on the premises, may be erected subject to the following:

1. Not more than 2 sign structures shall be permitted on a lot, except the Commission may approve additional signs if it finds there are more than two separate nonresidential uses on the same lot, the location of not more than two sign structures would constitute an unnecessary hardship on the property owner, and the additional signs would not be materially detrimental to the public health, safety and general welfare.
2. The total sign area per lot shall not exceed an area in square feet equal to one-half of the linear feet of lot frontage on a public street or streets not to exceed a maximum of 25 square feet.
3. A free-standing sign in excess of 4 feet in height shall not be permitted.
4. A sign may be affixed to a building provided that the sign shall not extend more than 3 feet above the roof line or parapet wall of the building.
5. All restrictions and regulations expressed in Sections 30.693 and 30.694.42 are applicable to this Section.

30.694.3      Business Signs

Business signs are permitted in commercial and industrial zones, subject to the following:

- A. Total sign area per building frontage shall not exceed 20 percent of the area of the building elevation fronting on a public street, public alley, or parking lot (not to exceed 150 square feet of total sign area). This sign area standard applies to single tenant as well as multi-tenant buildings. Furthermore, advertising, other than the business name, is restricted to 25 percent of



the total sign area. The foregoing limitations shall not apply to on-site business directory signs, provided that such on-site directory signs comply with the following requirements:

1. The area devoted to advertising each individual business shall not exceed two square feet.
2. The area devoted to advertising the name of the complex or center shall not exceed 25 percent of the total directory sign area or 20 square feet, whichever is greater.

B. Freestanding monument sign.

1. Maximum 4 feet in height.
2. Maximum 30 square feet (total area).

C. Canopy signs are permitted, subject to the following:

1. The distance between ground elevation and the bottom of such sign shall not be less than 10 feet.
2. Such sign shall be located at a 90 degree angle to the face of the building.
3. Such sign shall be centered between the face of the building and the outer edge of the awning or canopy.
4. Such sign shall not exceed two feet in height or two-thirds the length of the projection of the awning or canopy.

D. A wall sign may not extend more than three feet above the roof line or parapet wall of the building.

E. Electronic message center signs are permitted, subject to the following:

1. Such sign shall be at least 100 feet from a residential zone.
2. Such sign shall be at least 500 feet from any other electronic message center sign.

3. Such sign shall be affixed to a pole or building and subject to the free-standing sign limitations of this Section.
4. No such sign shall be erected until written approval is obtained from the City Traffic Commission. Approval shall not be granted if the proposed sign would interfere with traffic signals, disrupt normal traffic flow or otherwise create a safety hazard.

F. Signs which are affixed to a building and which project into an existing or future right-of-way may so project to a maximum distance as designated in the following table:

<u>Height of bottom of Sign from finished grade</u>	<u>Maximum Projection Permitted</u>
Less than 8 feet	0
8 to 10 feet	6 inches
10 to 12 feet	2 feet
12 to 16 feet	4 feet
Over 16 feet	5 feet

G. The following signs are permitted subject to the granting of a Conditional Use Permit:

1. Revolving Signs.
2. Supergraphic Signs
3. Free-standing Signs (shall not exceed 24 feet in height); except as provided in G.5 below.
4. Roof Signs (not to exceed fifteen (15) feet above the roof line)
5. A sign program meeting the intent on the ordinance and the approval of the Planning Commission.

H. All restrictions expressed in Section 30.693 are applicable to this Section.

#### 30.694.4 Streamers, Banners and Pennants

Streamers, banners, pennants and similar displays are not permitted in residential zones except as provided in Section 30.694.1. They are not permitted in commercial and industrial zones, except for a 30-day period, once a year for a promotional event and one 30-day period once a year, in connection with the opening of a store or other permitted establishment. An opening includes a new facility and



establishment under a new management and are opening following a closure due to accidental damage.

All restrictions expressed in Section 30.693 are applicable to this Section.

30.694.41 Signs in Yards

In commercial zones, signs are permitted in required yards other than in existing or future street right-of-ways if in accordance with the provisions of Sections 30.693, 30.694.1, 30.694.3 and 30.694.4.

30.694.42 Specific Business Signs

- A. Automobile Service Station Signs - Automobile service station signs shall be permitted a total sign area of 2-1/2 square feet per linear foot of lot frontage or 20 percent of the area of the building elevation fronting on a public street, public alley, or public parking lot, whichever is greater.
- B. Sale of Automobiles, Recreation Vehicles, Travel Trailers, Trucks or Trailers - Shall be permitted a maximum sign area of 2-1/2 square feet per linear foot of lot frontage or 20 percent of the area of the building elevation fronting on a public street, public alley, or public parking lot, whichever is greater.
- C. Hospital Signs - Hospital signs shall be permitted provided that the signs are submitted to and approved by the Planning Commission. Off-site directional signs may be permitted by the Commission.

All exceptions and restrictions expressed in Sections 30.692.02 and 30.693 are applicable to this Section.

30.694.50 Required Signs in All Zones

All structures in the City which face a public right-of-way shall display in a conspicuous and easily visible place a sign or plate not to exceed one (1) square foot in area containing the numerals of the street address of the structure. In the residential zones, the numerals shall be no less than three inches in height; in the commercial and manufacturing zones, the numerals shall be no less than four inches in height.

## 30.700 GENERAL REGULATIONS

### 30.710 ADULT BUSINESSES

#### Purpose

The purpose of this chapter is to establish a comprehensive set of regulations applicable to adult businesses and similar and related uses.

#### 30.710.01 Definitions

In addition to the definitions contained in Section 30.010 of this Title, the following words and phrases shall, for the purposes of this Chapter, be defined as follows, unless it is clearly apparent from the context that another meaning is intended:

- A. "Adult bookstore" shall mean an establishment having as a substantial or significant portion of its stock in trade, material which is distinguished or characterized by its emphasis on matter depicting, describing or related to specified sexual activity or specified anatomical areas, or an establishment which a segment or section thereof devoted to the sale or display of such material.
- B. "Adult business" shall mean any business which is conducted exclusively for the patronage of adults, and as to which minors are specifically excluded from patronage thereat, either by law or by the operators of such business. "Adult business" shall also mean and include adult bookstores, adult theaters, massage parlors and modeling studios, adult motels or hotels, not including those uses or activities, the regulation of which is preempted by state law.
- C. "Adult hotel/motel" shall mean a hotel or motel as defined in Section 30.010 of this Title, which provides, through closed circuit television or other media, material which is distinguished or characterized by the emphasis on matter depicting or describing or related to specified sexual activities or specified anatomical areas.
- D. "Adult theater" shall mean a theater which presents live entertainment or motion pictures or slide photographs, which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activity or specified anatomical areas.

- E. "Material", relative to adult businesses, shall mean and include, but not be limited to, accessories, books, magazines, photograph, prints, drawings, paintings, motion pictures and pamphlets, or any combination thereof.
- F. "Massage parlor" shall mean any establishment required to be licensed pursuant to Section 12.86 of this Code.
- G. "Modeling studio" shall mean any establishment or business which provides for members of the public, the services of a live human model for the purpose of reproducing the human body, wholly or partially in the nude, by means of photography, painting, sketching, drawing or other pictorial form.
- H. "Specified anatomical areas" shall mean:
1. Less than completely and opaquely covered:
    - (a) Human genitals, pubic region,
    - (b) Buttock, and
    - (c) Female breast below a point immediately above the top of the areola; and
  2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.
- I. "Specified sexual activities" shall mean:
1. Human genitals in a state of sexual stimulation or arousal; and/or
  2. Acts of human masturbation, sexual stimulation or arousal; and/or
  3. Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

### 30.710.02 Special Regulations

All uses subject to the provisions of this Chapter shall comply with all of the regulations contained in this Title, and the following regulations:

- A. That prior to the establishing or conducting of any adult business, a conditional use permit therefor

shall be obtained pursuant to the provisions of Section 30.750 of this Title; and

B. That no adult business shall be granted a Conditional Use Permit unless that lot upon which such business is proposed to be located:

1. Is classified in a C2 Zone; and
2. Is not within 500 feet of any lot classified in any of the R zones; and
3. Is not within 1,000 feet of any lot upon which there is located a church or educational institution, park or other public facility which is utilized by minors; and
4. Is not within 1,000 feet of any lot on which there is located another adult business; and
5. Is not within 500 feet of any lot upon which is located a business with an on-sale alcoholic beverage license.

### 30.720 AMUSEMENT DEVICES

#### 30.720.01 Amusement Devices

A maximum of three (3) amusement devices may be allowed at any one site; provided, however, that amusement devices shall be further limited in number based upon the square footage of the buildings in which they are to be located, as follows:

<u>Square Footage of Building</u>	<u>Maximum Amusement Devices Allowed</u>
800 or less	1
801-1,200	2
1,201 or more	3

In no event shall square footage alone entitle an applicant to the maximum number of amusement devices allowed under the section.

Amusement devices shall be allowed only as an accessory use to the primary business at the location, and the monthly gross revenues of the amusement devices shall not exceed the monthly gross revenues of the primary business. The revenue records of the business conducted at the site shall be available for inspection by the business license inspector.

If the primary business conducted at the site is a fraternal or veterans organization or is restricted to persons 21 years of age or older, then this revenue restriction shall not apply.

Unless located in a structure into which entrance is normally restricted to persons 21 years of age or older, amusement devices shall not be located at a business that derives 50 percent or more of its primary business revenues from the sale of distilled spirits. Amusement devices shall not be located within 100 feet of any display for the sale of adult magazines.

30.730 RESIDENTIAL TOWNHOUSE/CONDOMINIUM AND RESIDENTIAL  
TOWNHOUSE/CONDOMINIUM CONVERSIONS

Intent and Purpose

The residential condominium and residential condominium conversion section is to establish criteria for the conversion of existing multiple family rental housing to condominiums.

30.730.10 Permits Required

Residential condominiums and residential condominium conversions shall be permitted in appropriately zoned districts within the City subject to the issuance of a Conditional Use Permit.

In addition to those notified of public hearing in accordance with Section 30.750, all tenants, if any, then occupying the proposed conversion site shall be notified in writing of the public hearing. A complete list of tenants shall be supplied by the applicant.

30.730.20 Development Standards

All units constructed prior to the adoption of this ordinance shall be in substantial accordance with development standards as set forth herein and all units constructed subsequent to the adoption of this ordinance shall be in full compliance with said development standards.

- A. Off-street parking requirements shall be as specified in the applicable zoning district and Section 30.670 of this ordinance.
- B. A single area having a minimum of 100 cubic feet of private and secure dead storage space shall be provided for each unit. Said storage area may be located within the garage, provided it does not interfere with garage use for automobile parking. Customary closets and cupboards within the dwelling unit shall not count toward meeting this requirement.
- C. No living units shall be permitted over garages unless one of the following conditions exist: the garage serves the unit above; or the garage is an underground type parking garage.
- D. An adjoining private patio or deck shall be provided for each unit. No dimension shall be less than



eight (8) feet, nor have a minimum area of less than 100 square feet.

- E. One hundred fifty (150) square feet of developed common recreation space shall be provided per unit, but in no event less than 1,000 square feet for the condominium project.
- F. Separate laundry facilities of sufficient size to allow for the installation of a clothes washer and dryer shall be provided for each condominium unit. If provided for in the garage, said facility shall not encroach into the required parking space.
- G. The consumption of gas, water and electricity within each dwelling unit shall have a separate shut-off device to disconnect each unit's utilities, unless utilities are provided by the homeowners association.
- H. All permanent mechanical equipment, including domestic appliances, which is determined by the Building Official to be a source or potential source of vibration or noise, shall be shock-mounted, isolated from the floor and ceiling, or otherwise installed in a manner approved by the Building Official to lessen the transmission vibration and noise.
- I. The City shall require the developer to upgrade the project's water delivery system to comply with the City's current fire flow requirements.
- J. All structures and buildings included as a part of a condominium project shall conform to the building and zoning requirements applicable to the zone wherein the project is proposed to be located. Designation of individual condominium units shall not be deemed to reduce or eliminate any of the building and zoning requirements applicable to any such buildings or structures.
- K. Television and Radio Antenna. Individual television and radio antennas shall be prohibited outside of any owner's unit. The Declaration shall provide either for a central antenna with connections to each unit via underground or internal wall wiring, or each unit shall be served by a cable antenna service provided by a company licensed to provide such service within the City.

- L. No Conditional Use Permit shall be granted for a residential condominium development unless the obligation for care, upkeep and management of the common element is imposed on a non-profit corporation (the Association).

30.730.30      Application Procedures

A Conditional Use Permit application signed by the property owner(s) or the authorized agent shall be submitted to the Planning Department. Said application shall be accompanied by 20 copies of a precise development plan showing the following details:

- A. The estimated square footage of each unit and number of rooms in each unit.
- B. The layout of all common areas.
- C. The layout and location of all storage space outside of each unit.
- D. The layout and location of all facilities and amenities provided within the common area for the enjoyment and use of the unit owners.
- E. The layout of all parking spaces to be used in conjunction with each condominium unit.
- F. Proposed landscaping and irrigation.
- G. Building elevations.
- H. Location, height and type of all walls and fences.
- I. Location and type of surfacing of all driveways, pedestrian walkways, vehicular parking areas and curb cuts.
- J. Trash enclosure details.
- K. Define maintenance responsibility of all buildings and common areas.
- L. Covenants, Conditions and Restrictions (CC&R's).

30.730.40      General Provisions

Payment of all development fees currently assessed for new condominium projects shall be required for condominium conversions as well, except any such fees which were paid upon construction of the project. Required development fees



shall include, where applicable, but not be limited to drainage assessment, parkway trees and park dedication in-lieu fees.

A proposed condominium or condominium conversion project may be approved, disapproved or conditionally approved by the Planning Commission in accordance with criteria as set forth in Section 30.670 of San Fernando Zoning Ordinance No. 1270.

## 30.739 PROPERTY MAINTENANCE

### 30.739.01 Classification of Nuisances

The following acts and conditions, when performed or existing upon any lot, piece or parcel of land within the City of San Fernando, are hereby defined as and declared to be public nuisances when of such magnitude as to be injurious or potentially injurious to the public health, safety and welfare or which have tendency to degrade the appearance and property values of surrounding property or which cause damage to public rights-of-way.

#### 1. Property

- a. Land where erosion, subsidence, or surface water drainage problems exist.
- b. Overgrown vegetation; dead, decayed, diseased or hazardous trees; weeds and other vegetation likely to harbor rats, vermin or nuisances or which may be a fire hazard.
- c. Storage for an unreasonable period of time of any of the following:
  - (1) Abandoned, wrecked, dismantled or inoperable automobiles, trailers, campers, boats or similar vehicles.
  - (2) Debris, rubbish and trash visible from public rights-of-way.
  - (3) Broken or discarded household furnishings, appliances, boxes and cartons, lawn maintenance equipment, play equipment, toys and similar materials.
  - (4) Discarded building materials.
  - (5) Discarded, wrecked or inoperable appliances, machines and tools.
  - (6) Materials or items of any nature stored on roof tops when visible from the public right-of-way or from neighboring property.
  - (7) Vehicles on areas not paved for parking.
- d. Attractive nuisances (those objects which, by their nature, may attract children or other

curious individuals) including, but not limited to, unprotected and/or hazardous pools, ponds, ice boxes or refrigerators or excavations.

- e. Clothes or clotheslines in front yard areas.
  - f. Garbage or trash cans or containers in front or side yards and visible from public streets or garbage or trash cans or containers which cause offensive odors to neighbors.
  - g. Graffiti.
2. Structures or buildings, both permanent and temporary, or other lot improvements, which are subject to any of the following conditions:
- a. Are structurally unsafe, either entirely or in part.
  - b. Constitute a fire hazard.
  - c. Have a faulty weather protection including but not limited to, crumbling, cracked, missing, broken, or loose exterior plaster or other siding, roofs, foundations or floors (including lack of paint or other protective finish) or broken or missing windows or doors.
  - d. A building or structure which is not completed within a reasonable time or for which the permit for such construction has expired.
  - e. Unoccupied buildings which have been left unlocked or otherwise open or unsecured from intrusion by persons, animals or the elements.
  - f. Fences or walls which violate zoning regulations regarding height, or which are in a hazardous condition, or which are in disrepair, or which hinder free access to public sidewalks.
  - g. Signs, both on-site and off-site (billboards), which advertise uses no longer conducted or products no longer sold on the premises, except when such signs are legally permitted.
  - h. Signs located on any commercial or industrial building or on any other building which has

been vacant for more than forty-five (45) days.

- i. Temporary signs which advertise or are related to events which have already taken place.

#### 30.739.02 Declaration of Nuisance

Whenever the Director of Planning finds, upon the recommendation of a duly authorized representative of the Planning Department, that a nuisance, as defined by Section 30.739.01, exists on any premises located within the City, he shall advise the property owner of the nuisance and direct him to abate the nuisance. The property owner shall be notified of the existence of the nuisance in writing. The notice shall detail the violations and establish a reasonable abatement period.

#### 30.739.03 Voluntary Abatement of Nuisance

The owner or tenant of any building, structure or property found to be a nuisance under the provisions of this chapter, may abate the nuisance at any time within the abatement period by rehabilitation, repair, removal, or demolition. The Planning Department shall be advised of the abatement and shall inspect the premises to insure that the nuisance has been abated.

#### 30.739.04 Failure to Voluntarily Abate a Declared Nuisance

If a nuisance is not properly abated within the period established under the provisions of Section 30.739.03, the Planning Commission shall hold a public hearing to determine if the declared nuisance should be abated under the police powers of the City.

#### 30.739.05 Notice of Public Hearing

A written notice of public hearing shall be served on the property owner at least ten (10) days prior to the date set for the Planning Commission public hearing. Service shall be made by personal service upon the owner or by certified or registered mail. If there is no known address for the owner, the notice shall be sent in care of the property address.

"Owner" as used herein shall mean any person(s) shown as the property owner on the latest equalized property tax assessment rolls. The failure of any person to receive such notice shall not affect the validity of the proceedings.

### 30.739.06 Hearing by the Planning Commission

At the time and place stated in the Notice of Public Hearing, the Planning Commission shall hear and consider all relevant evidence, objections or protests, and shall receive testimony from owners, witnesses, City personnel and interested persons relative to such alleged public nuisance and to proposed abatement measures. The hearing may be continued from time to time.

### 30.739.07 Decision of the Planning Commission

1. Following the public hearing, the Planning Commission shall consider all evidence and determine whether the premises, or any part of the premises, constitutes a public nuisance as alleged. If the Commission finds that a public nuisance does exist and that there is sufficient cause to abate the nuisance, the Planning Commission shall make a written order setting forth the findings and ordering the owner or other person having charge or control of the premises to abate the nuisance by rehabilitation, repair or demolition in the manner and by the means specifically set forth in the Commission order. The order shall set forth the times within which the work shall be commenced and completed.

2. Within ten (10) days from the date of the mailing of the order, the owner or person occupying or controlling such lot or premises affected may appeal to the City Council. Such appeal shall be in writing and shall be filed with the City Clerk. At a meeting of the City Council not more than thirty (30) days thereafter, it shall proceed to hear and pass upon the appeal. The decision of the City Council thereupon shall be final and conclusive.

### 30.739.08 Limitation of Filing Judicial Action

Any owner or other interested person having any objection of feeling aggrieved at any proceeds taken on appeal by the City Council in ordering the abatement of any public nuisance under the provisions of this chapter must bring an action to contest such decision within thirty (30) days after the date of such decision of the City Council. Otherwise, all objections to such decision shall be deemed waived.

### 30.739.09 Service of the Abatement Order

Within five (5) days following the Commission decision, the owner and/or the person having charge or control of the premises shall be served with a copy of the written order of the Commission.

#### 30.739.10 Abatement by Property Owner

The property owner or person having charge or control of the property may, at his own expense, abate the nuisance as prescribed by the order of the Planning Commission prior to the expiration of the abatement period set forth in the order. If the nuisance has been inspected by a representative of the Planning Department and has been abated in accordance with the order, proceedings shall be terminated.

#### 30.739.11 Abatement by the City

If a declared nuisance is not completely abated by the owner or person having charge or control of the property within the time prescribed in the Planning Commission order, the Director of Planning or other designated City official is authorized and directed to cause the nuisance to be abated by City personnel or private contract. In furtherance of this section, the Director of Planning or his designated agent(s) is expressly authorized to enter upon the premises for the purpose of abating the nuisance.

#### 30.739.12 Record of Cost for Abatement

1. The Director of Planning, or such other City official as may be designated, shall keep an account of the costs (including incidental expenses) of abating such nuisance on each separate lot or parcel of land where the work is done and shall render an itemized report in writing to the City Council showing the cost of abatement and the rehabilitation, demolishing or repairing of said premises, buildings or structures, including any salvage value relating thereto; provided, that before said report is submitted to said City Council, a copy of the same shall be served in accordance with the provisions of Section 30.739.05, together with a notice of the same when said report shall be heard by the City Council for confirmation.

2. The City Council shall set the matter for hearing to determine the correctness or reasonableness, or both, of such costs.

3. Proof of said service shall be made by declaration under penalty of perjury filed with the City Clerk.

4. The term "incidental expenses" shall include, but not be limited to, the actual expenses and costs of the City in the preparation of notices, specifications and contracts, and in inspecting the work, and the costs of printing and mailing required hereunder.



### 30.739.13 Report - Hearing and Proceedings

At the time and place fixed for receiving and considering said report, the City Council shall hear and pass upon the report of such costs of abatement, together with any objections or protests. Thereupon, the City Council may make such revision, correction or modification in the report as it may deem just after which, by motion, the report as submitted or as revised, corrected as modified, shall be confirmed. The decision of the City Council on all protests and objections which may be made shall be final and conclusive.

### 30.739.14 Assessment of Costs Against Property - Lien

The total cost for abating such nuisance, as so confirmed by the City Council, shall constitute a special assessment against the respective lot or parcel of land to which it relates, and upon recordation in the Office of the County Recorder of a Notice of Lien, as so made and confirmed, shall constitute a lien on said property for the amount of said assessment. After such confirmation and recordation, a copy may be turned over to the Tax Collector for the City, whereupon it shall be the duty of said Tax Collector to add the amounts of the respective assessments to the next regular tax bills levied against said respective lots and parcels of land for municipal purposes, and thereafter said amounts shall be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and the same procedure under foreclosure and sale in case of delinquency as provided for ordinary municipal taxes; or

After such recordation, such lien may be foreclosed by judicial or other sale in the manner and means provided by law.

1. The owner or other person having charge or control of any such building or premises who maintains any public nuisance defined in this Title, or who violates any order of abatement served as provided in Section 30.739.09, is guilty of a misdemeanor.

2. Any occupant or lessee in possession of any such building or structure who fails to vacate said building or structure in accordance with an order given as provided in this chapter is guilty of a misdemeanor.

3. Any person who removes any notice or order posted as required in this chapter, for the purpose of interfering with the enforcement of the provisions of this chapter, is guilty of a misdemeanor.

4. Any person who obstructs, impedes or interferes with any representative of the City Council or any representative of a City department or with any person who owns or holds any estate or interest in a building which has been ordered to be vacated, repaired, rehabilitated, or demolished, or with any person to whom such building has been lawfully sold pursuant to the provisions of this chapter, when any of the aforementioned individuals are lawfully engaged in proceedings involving the abatement of a nuisance is guilty of a misdemeanor.

30.739.15 Alternatives

Nothing in the foregoing sections shall be deemed to prevent the City Council from ordering the City Attorney to commence a civil or criminal proceeding to abate a public nuisance under applicable Civil or Penal Code provisions as an alternative to the proceedings set forth herein.



30.740 PERFORMANCE STANDARDS RELATING TO  
PLACEMENT OF SATELLITE RECEIVING ANTENNAS

30.740.01 In any R zone Satellite Receiving Antennas shall be permitted subject to the following provisions.

1. No satellite receiving antenna shall be mounted on top or side of any building. All satellite antennas shall be placed at ground level.
2. No satellite receiving antenna shall be placed in the front yard, or the street side, side yard.
3. All satellite receiving antennas shall be completely surrounded by a solid five (5) foot minimum fence or block wall.
4. The surface of the antenna shall not be painted white, silver or bright colors and shall be treated so as to not reflect glare from the sunlight.
5. No satellite antenna shall be constructed on a slope in such a manner that more than fifty percent (50%) of the antenna shall be visible to surrounding streets and residential properties.
6. The maximum diameter satellite antenna permitted in a residential zone shall be thirteen (13) feet.
7. All installations of satellite receiving antennas deviating from the above listed provisions shall require the prior approval of a conditional use permit.

30.740.02 In any C zone Satellite Receiving Antennas may be installed subject to the following provisions:

1. All installations of satellite receiving antennas shall require the prior approval of a conditional use permit.
2. All satellite receiving antennas shall be screened from view from any collector or arterial street and from any residentially zoned property.
3. All satellite receiving antennas shall not be painted white, silver or bright colors and shall be treated so as to not reflect glare from the sunlight.
4. The maximum diameter satellite antenna permitted in a "C" zone shall be thirteen (13) feet.

30.740.03 In all M zones Satellite Receiving Antennas may be installed subject to the following provisions:

1. All installations of satellite receiving antennas shall require the prior approval of a conditional use permit.
2. All satellite receiving antennas shall be screened from view from any collector or arterial street and from any residential property.
3. All satellite receiving antennas shall not be painted white, silver or bright colors and shall be treated so as to not reflect glare from the sunlight.
4. The maximum diameter satellite antenna permitted in an industrial zone shall be thirteen (13) feet.

30.741 PERFORMANCE STANDARDS RELATING TO THE INSTALLATION OF SOLAR ENERGY SYSTEMS

30.741.1 Installation on Single Family Dwellings:

- A. Any person seeking to install a solar energy system shall file an application for appropriate permits with the Planning Director which shall include supplemental information as may be required by the Planning Department and this Ordinance so as to assure the fullest practicable presentation of facts for evaluation of the application and for the permanent record.
- B. In approving any solar energy system, the Planning Department may impose conditions which are necessary to carry out the purposes of this Code; and which do not significantly increase the cost or decrease the efficiency of said systems. Said conditions shall include, but not be limited to, the following:
  - 1. Any system visible from an existing or future public right-of-way shall present a finished appearance. Installation of a boxed and glazed array of collector panels or boxing of the system with a decorative wood or metal frame or other finishing element as approved by the Planning Director may be required. For systems not visible from public rights-of-way, no boxing shall be required.
  - 2. The system, if installed at an angle to the roof, or such that any part projects more than ten inches (10") above the surface of the roof, shall be mounted on the rear roof elevation, and any visible structural members shall be treated with a decorative screen as approved by the Planning Director, which is architecturally compatible with the existing structure and roof line.

EXCEPTION: Should the orientation of a particular lot or structure necessitate the mounting of the solar energy system on an alternative elevation in order to achieve an efficient system, measures shall be taken to blend the system into the architecture and roof line of the existing structure. Any such screening or architectural treatment is subject to approval by the Planning Director.

3. All supply, return, connecting and other associated pipes and hardware are to be comparable in color with the surface on which they are mounted. Additionally, all supply and return pipes shall be installed such that a minimum amount of linear feet of pipe is on the surface of the roof.

C. All solar energy systems shall be installed only after approval by the Planning Director and only after issuance of the necessary building permits and any and all other permits required by the City, relating to the plumbing, electrical, and mechanical characteristics of the system.

30.741.2 Installation on Multi-Family Dwellings, Commercial Buildings and Industrial Buildings:

Regulations for the installation of solar energy systems on multi-family dwellings, commercial buildings and industrial buildings:

- A. Any person seeking to install a solar energy system on any multi-family, commercial or industrial building shall include plans and location of said system as part of an application for approval by the Planning Director.
- B. In approving any solar energy system, the Planning Director may impose conditions which are necessary to carry out the purposes of this Code; and which do not significantly increase the cost or decrease the efficiency of said systems. Said conditions shall require that any system visible from any existing or future public right-of-way or any on-site open space area shall be architecturally integrated into the design of the existing structure.
- C. All solar energy systems shall be installed only after approval by the Planning Director and only after issuance of the necessary building permit and any and all other permits required by the City relating to the plumbing, electrical and mechanical characteristics of the system.

Regulations for the installation of mechanical equipment:

No heating or cooling equipment, excepting solar collectors and necessary supply and return lines shall be mounted on the roof.

EXCEPTION: Should the installation of any mechanical equipment require that it be mounted on the roof, it shall be mounted on the rear roof elevation and it shall be decoratively screened. Said screening shall be architecturally compatible with the existing structure and roof line and shall be approved by the Planning Director as may be required by the Zoning Ordinance.

## 30.742 HOME OCCUPATIONS

### Statement of Intent

Recognizing that unrestricted use of residential properties for purposes of an occupational nature other than that normally associated with home living has a detrimental effect on both the residential area in which the occupations are conducted and the areas properly designated for such uses, and further recognizing that this detrimental effect results in the depreciations of value, welfare, happiness, and morale of the entire community, it is the purpose of this section to eliminate this detrimental effect by creating criteria for the establishment and conditions for the continuance of home occupations.

### 30.742.10 Classification

Home Occupations may include the following:

1. Secondary business offices when a business has its principal office, staff, and equipment located elsewhere;
2. The home office of a salesman when all sales are consummated by telephone and/or written orders with no commodities or displays on the premises;

The applicant shall be required to pay appropriate fees as determined by City Council Resolution for processing applications for home occupations.

It shall be the duty of the Planning Director or his designee to ascertain all pertinent facts concerning such proposed use and to approve or disapprove. Written approval of a proposed use as a proper home occupation shall be considered a home occupation permit and shall remain in effect until revoked as provided in Subsection 30.742.20 of this Section.

### 30.742.20 Requirements

The establishment and conduct of home occupations shall comply with the following criteria:

1. There shall be no exterior evidence of the conduct of a home occupation, including but not limited to noise or odor caused thereby.
2. A home occupation shall be conducted only within the enclosed living area of the dwelling unit.



3. Electrical or mechanical equipment which creates visible or audible interference in radio or television receivers or causes fluctuations in line voltage outside the dwelling unit or which creates noise not normally associated with residential uses shall be prohibited.
4. Only the residents of the dwelling unit may be engaged in the home occupation.
5. To the extent that there is any sale of any item related to a home occupation by the permittee as seller, no delivery of that item to the buyer shall occur on or adjacent to the premises.
6. The establishment and conduct of a home occupation shall not change the principal character of use of the dwelling unit involved.
7. There shall be no signs other than those permitted by the zone regulations.
8. The conduct of any home occupation including but not limited to the storage of goods and equipment, shall not reduce or render unusable areas provided for required off street parking.
9. No vehicular or pedestrian traffic related to this home occupation shall be allowed.
10. No storage or display of materials, goods, supplies or equipment related to the operation of a home occupation shall be visible from the outside of any structure located on the premises.
11. There shall be no advertising in connection with the home occupation which gives the address of the property from which the home occupation is conducted.

#### 30.742.30 Revocation

A home occupation permit granted in accordance with provisions of this Section may be terminated if it is determined by the Director that:

1. Any requirement set forth in Subsection 30.742.20 of this Ordinance is being violated;
2. The use has become detrimental to the public health or safety or is deemed to constitute a nuisance;

3. The permit was obtained by misrepresentation or fraud;
4. The use for which the permit was granted has ceased or has been suspended for six (6) consecutive months or more; and
5. The conditions of the premises, or of the district which it is a part, has changed so that the use may no longer be justified under the meaning and intent of this Section.



30.743 LARGE FAMILY DAY CARE HOME PERMIT

Intent and Purpose

30.743.10 The Large Family Day Care Home Permit is applicable to all Large Family Day Care Homes in a one-family zone within the City of San Fernando. The Large Family Day Care Home Permit considers the compatibility of Large Family Day Care Homes to coordinate land planning, aesthetics, and economic cohesiveness within residentially zoned properties in the City of San Fernando.

30.743.20 A Large Family Day Care Home Permit shall be obtained prior to the establishment of such a facility in an R-1 (One-Family) zoned property.

30.743.30 Large Family Day Care Home Permit

A. All Large Family Day Care Home Permit applications shall contain the following information:

1. A detailed plot plan (to scale) showing:
  - a. Dimensions and location of all structures on the parcel.
  - b. Location of play areas and relationship to adjacent residences.
2. A detailed floor plan of the facility showing:
  - a. Proposed location of use.
  - b. Restroom facilities.
  - c. Location of fire detection devices.
3. Number of children (including applicant's own) and hours of operation.
4. Method of drop-off and pick-up of children.
5. Delineation of traffic patterns.
6. Proximity to any other such use.
7. Radius map and names and addresses of all property owners within 100 feet of subject property.

8. The applicant shall provide proof of having a minimum of one year's experience as a Small Family Day Care Home.
9. The applicant shall sign a statement agreeing to comply with all State requirements for Large Family Day Care Homes.
10. The applicant shall provide evidence of Fire Department clearance.

30.743.40      Commission Findings

The Commission, in approving a Large Family Day Care Home Permit, shall find as follows:

1. That the proposed use is properly designed and complies with the requirements of the zone in which it is proposed.
2. That the proposed use, with any conditions to be imposed, is in harmony with the various elements or objectives of the General Plan and is not economically or aesthetically detrimental to existing or previously approved uses or structures within the surrounding area.
3. The proposed use is compatible with other uses and structures in the surrounding area.
4. The proposed use shall be conducted only by the residents of the proposed location.
5. That there are no other such operations within 500 feet of the proposed structure.

30.743.50      Commission Authority

In issuing a Large Family Day Care Home Permit, the Planning Commission shall have the authority, as an administrative act, subject to the provisions of this Section, to require conditions of development in addition to those required by the zone where it is determined that such conditions are necessary to further the objectives of the General Plan and are in harmony with the intent, purpose and spirit of this Ordinance and/or where such additional requirements are deemed essential to protect the public safety and general welfare of the community, and the children involved.

These conditions may include standards for spacing and concentration, traffic control, parking and noise control.

Commission Hearing Procedure

1. Notice of Application shall be mailed, not less than ten (10) calendar days prior to the hearing, to all owners of property within a radius of one hundred (100) feet of the exterior boundaries of the property under consideration, using for this purpose the names and addresses of such owners as shown on the latest available Assessment Roll of the County Assessor of Los Angeles County.
2. Application for a Large Family Day Care Home permit shall be filed by the owner of the property for which the permit is being sought or his duly authorized agent. Application shall be made to the Planning Commission on forms furnished by the Planning Department. The application shall be accompanied by those materials required in Section 30.743.30 above at the time of application and a filing fee shall be paid for the purpose of defraying costs incidental to the proceedings. Appropriate fees shall be determined by City Council resolution.
3. If there is no response by those notified requesting a public hearing within ten (10) days of said notification, there shall be no public hearing.

Commission Action and Appeal Procedures

The Planning Commission may approve or conditionally approve the application and shall announce and record its decision within twenty-one (21) days following the conclusion of the public hearing. The decision shall set forth the findings by formal resolution of the Planning Commission. A copy of the resolution shall be mailed to the applicant.

The decision of the Planning Commission shall be final and shall become effective ten (10) days after the adoption of the resolution by the Commission. Provided, however, that if within such ten (10) day period, an appeal of the decision is filed by an aggrieved person, the applicant or the City Council, the filing of such appeal within such time limit shall suspend the decision of the Planning Commission until the determination of the appeal, the City Council or its dismissal by the appellant. Such appeal shall be filed, in writing, with the City Clerk on forms furnished by said Clerk.

30.743.80

Appeal to the City Council

1. The hearing date shall be set by the City Clerk after the filing of the appeal on the forms provided.
2. Notice of hearing shall be given as provided in Section 30.790 of the San Fernando Zoning Ordinance No. 1270, as amended.
3. The Commission shall transmit to the Council the original application, records, written reports, and Commission resolution disclosing in what respect the application and facts offered in support thereof met or failed to meet the requirements set forth in this Section.

The Council may by resolution affirm, reverse, or modify in whole or in part any appealed decision, determination or requirement of the Commission, but before granting any appealed petition which was denied by the Commission or before changing any of the conditions imposed by the Commission, the Council shall make a written finding of facts setting forth wherein the Commission's findings were in error and wherein the property or particular use involved meets or does not meet the requirements set forth in this Section.

30.743.90

Revocation

Any permit granted pursuant to this Section shall be revoked upon a finding that one or more of the following conditions exist:

1. That the Large Family Day Care Home Permit was obtained by misrepresentation or fraud.
2. That the use for which the permit was granted has ceased, or has been suspended for one (1) year or more.
3. That the applicant has not complied with one or more of the conditions of approval of the permit.

Any such finding shall be by the Planning Commission after public hearing of which the initial applicant shall be given ten (10) days advance written notice by first class mail direct to applicant's address of records, as per the files of the Planning Commission. Said finding of the Commission and its determination pursuant thereto shall be subject to appeal by any interested person, including any Council member, in the

same manner and within the same time as provided in said Section 30.743 to the Council, which shall upon the same written notice, conduct a hearing, notice of which shall have, however, been given at such corrected address as the original certificate holder or its successor may have furnished in writing. The decision of the Planning Commission or of the Council, as the case may be, shall be final and conclusive. Action of the Planning Commission or of the Council shall be by resolution, shall contain specific findings, and specific action relative to revocation.

Notwithstanding anything in this section contained, the Commission or the Council, as the case may be, with respect to any ground of revocation coming within paragraphs 2 or 3 above, may grant a period of time within which the case may be reactivated, or within which non-compliance with conditions may be remedied. In such event, the resolution shall be considered interlocutory to the first regular meeting of the body adopting the resolution following such extended date or dates set for full compliance. Thereupon by further resolution, the body therefore otherwise finally acting shall take final action with respect thereto.

## 30.745 SITE PLAN REVIEW

### Purpose

The purpose of the site plan review procedure is to enable the Planning Department to check development proposals for conformity with the provisions of this ordinance and for the manner in which they are applied.

### 30.745.1 Procedure

- A. The applicant shall submit copies of the site plan to the Planning and Development Director. The number of copies required shall be as determined by the Director. The applicant shall be required to pay appropriate fees as determined by City Council resolution for processing site plan review applications.
- B. The site plan shall be reviewed by the Planning Director or his authorized staff for conformity with provisions of the Zoning Ordinance. The plans may be approved and signed by the Director or his authorized staff which stipulate that the development as shown (with any changes noted by the Director or his authorized staff) conforms with the development regulation of the zone.
- C. Certain development regulations in the various zones are subject to Commission review and approval. In these instances the site plan shall be submitted to the Commission and the items in question shall be placed on the agenda. The Commission may approve, disapprove or approve with conditions on the site plan. The Commission's findings shall be noted on the plans and recorded in the Commission minutes.
- D. No building permit shall be issued until the site plans have been approved in accordance with this section and no Certificate of Occupancy shall be issued unless the development complies with the approved site plan and all conditions attached thereto.
- E. The applicant may appeal the decision of the Commission to the Council. Such appeal shall be filed within 10 days after the notice of said decision is mailed or applicant is otherwise notified. The decision of the Council shall be final.



The site plan shall indicate clearly and with full dimensions the following information, except insofar as waived by the Planning Director:

- A. Lot dimensions.
- B. All buildings and structures, including location, size, height, proposed use, and location of doors.
- C. Yards and space between buildings.
- D. Walls, fences and landscaping: location, height, and materials.
- E. Off-street parking: location, dimensions of parking area, number of spaces, arrangement of spaces, and internal circulation pattern.
- F. Access: pedestrian, vehicular, service; and definitions of all points of ingress and egress.
- G. Signs: location, size, height, and method of illumination.
- H. Loading areas: location, dimensions, number of spaces, internal circulation and access from public streets.
- I. Lighting: including general nature, location and hooding devices.
- J. Proposed street dedications and improvements.
- K. Landscaping, if required by the provisions of this section.
- L. Outdoor storage and activities if permitted in the zone: including type, location and height of screening devices.
- M. Drainage and grading plan.
- N. Waste disposal facilities.
- O. Location of utility poles.
- P. Such other data as may be required to assist the Planning Director to act on the plan.

## 30.750 CONDITIONAL USE PERMITS

### Purpose

Conditional uses are those uses which have a special impact or uniqueness such that their effect on the surrounding environment cannot be determined in advance of the use being proposed for a particular location. At the time of application, a review of the location, design, configuration and impact of the proposed use shall be conducted by comparing such use to fixed and established standards. This review shall determine whether the proposed use should be permitted by weighing the public need for and the benefit to be derived from the use against the impact which it may cause.

### 30.752 Application

Application for a conditional use permit shall be filed according to Section 30.790 of this Title.

### 30.753 Hearing and Notice

Upon receipt in proper form of a conditional use permit application, a public hearing shall be set and notice of such hearing given in a manner consistent with the requirements contained in Section 30.790 of this Title.

### 30.754 Investigation

An investigation of the facts for each conditional use permit application shall be made by members of the Planning Commission or by its staff to ensure that the action on each application is consistent with the intent and purpose of this Chapter.

### 30.755 Findings

Following a public hearing on the conditional use permit application, the Planning Commission shall record its decision in writing and shall recite therein the findings of fact upon which it bases its decision.

The Commission may approve and/or modify a conditional use permit application in whole or in part, with or without conditions, only after it makes all of the following findings of fact in a positive manner:

- A. The proposed use is one conditionally permitted within the subject zone and complies with all of the applicable provisions of this Title.



- B. The proposed use would not impair the integrity and character of the zone in which it is to be located.
- C. The subject site is physically suitable for the type of land use being proposed.
- D. The proposed use is compatible with the land uses presently on the subject property.
- E. The proposed use would be compatible with existing and future land uses within the zone and the general area in which the proposed use is to be located.
- F. There would be adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety.
- G. There would be adequate provisions for public access to serve the subject proposal.
- H. The proposed use would be appropriate in light of an established need for the use at the proposed location.
- I. The proposed use is consistent with the objectives, policies, general land uses and programs of the San Fernando General Plan.
- J. The proposed use would not be detrimental to the public interest, health, safety, convenience or welfare.

30.756            Use of Property Before Final Decision

No permits shall be issued for any use involved in an application for approval of a conditional use permit until and unless the same shall have become final.

30.757            Compliance with Conditions of Approval

To assure continued compliance with the provisions of this Chapter, each approved conditional use permit may contain a condition requiring a specific time limit of operation. To allow for continued operation, the applicant may secure one or more extensions of time in the same manner prescribed for obtaining a conditional use permit.

Revocation

The Planning Commission, on its own motion may, or upon direction of the City Council shall, hold a public hearing upon the question of revocation of a conditional use permit granted under or pursuant to the provisions of this Chapter. Notice of such hearing shall be published once in a newspaper of general circulation within the City and shall be served in writing either in person or by registered mail on the owner of the property for which such conditional use permit was granted at least 10 days prior to such public hearing.

A conditional use permit may be revoked if the Planning Commission finds that one or more of the following conditions exists:

- A. Circumstances have changed to such a degree that one or more of the findings of fact contained in Section 30.755 can no longer be made in a positive manner.
- B. The conditional use permit was obtained in a fraudulent manner.
- C. The use for which the conditional use permit was granted has ceased or was suspended for six or more successive calendar months.
- D. One or more of the conditions of the conditional use permit have not been complied with.
- E. That the use has become detrimental to health, public welfare or safety and has been deemed to be a public nuisance.

## 30.760 VARIANCES AND MODIFICATIONS

### Purpose

These provisions are intended to relieve the owner of property from any inability to make reasonable use of his property in the same manner that other property of like character in the same vicinity and zone can be used. A variance (which may be granted only by the Planning Commission) or modification (which may be granted by the Planning Director) shall not be granted which confers a special privilege inconsistent with the limitations upon other properties in the same vicinity and zone in which the subject property is situated or which authorizes a use or activity which is not otherwise expressly authorized by the zoning regulations governing the parcel of property.

### 30.761 Application

Application for a variance or modification shall be filed in a manner consistent with the requirements contained in Section 30.790 of this Title.

### Modifications

The Director may grant modifications of the requirements of this Title governing only the following matters:

- A. Off-street parking and loading requirements (5 percent not to exceed two spaces).
- B. Yard requirements waiver may be granted if no other structures exist on the site; (10 percent maximum waiver may be granted for additions to existing structures).
- C. Further development of a lot occupied by a nonconforming use by the addition of conforming uses or structures, pursuant to Section 30.820 of this Title.

### 30.762 Hearings and Notice

Upon receipt in proper form of a variance or modification application, a public hearing shall be set and notice of such hearing given in a manner consistent with Section 30.790 of this Title.

### 30.763 Investigation

An investigation of facts for each variance and modification application shall be made by the Planning Commission,

the Director, or their staffs to assure that the action on each application is consistent with the intent and purpose of this Chapter.

30.764

Findings

Following a public hearing, the Planning Commission (variances) or the Director (modifications) shall record the decision in writing and shall recite therein the findings of fact upon which such decision is based. The Director's decision shall appear on the next available Commission agenda. The Commission (variances) or Director (modifications) may approve and/or modify an application in whole or in part, with or without conditions, only after it makes all of the following findings of fact in a positive manner:

- A. There are special circumstances or exceptional characteristics applicable to the property involved, including size, shape, topography, location, or surroundings such that strict application of the zoning ordinance deprives such property of privileges, enjoyed by other property in the vicinity and under the identical zoning classification.
- B. The granting of such variance or modification will not be detrimental to the public interest, safety, health or welfare, and will not be detrimental or injurious to the property or improvements in the same vicinity and zone in which the property is located.
- C. The granting of such variance or modification will not be contrary to or in conflict with the general purposes and intent of this Chapter, nor to the goals and programs of the General Plan.
- D. The variance or modification request is consistent with the purpose and intent of the zone in which the site is located.
- E. The subject site is physically suitable for the proposed variance or modification.
- F. There are adequate provisions for water, sanitation and public utilities and services to ensure that the proposed variance or modification would not be detrimental to public health and safety.

- G. There will be adequate provisions for public access to service the use authorized by the variance or modification.

30.765

Use of Property Before Final Decision

No permits shall be issued for any use involved in an application for approval of a variance or modification until and unless the same shall have become final.

### 30.770 ZONING MAP AMENDMENTS

#### Purpose

The City Council may amend the Official Zoning Map of the City of San Fernando whenever required by public necessity, convenience and general welfare.

#### 30.771 Initiation

An amendment to the Official Zoning Map may be initiated in the following manner:

- A. A resolution of intention of the Planning Commission.
- B. A resolution of intention of the City Council, or
- C. An application from any other person or agency pursuant to Section 30.790 of this Title.

#### 30.772 Findings

An amendment to the Official Zoning Map may be adopted by the City Council only if the following findings of fact can be made in a positive manner:

- A. The proposed amendment is consistent with the objectives, policies, general land uses and programs of the San Fernando General Plan, and
- B. The adoption of the proposed amendment would not be detrimental to the public interest, health, safety, convenience or welfare.

#### 30.773 Hearing and Notice

Upon receipt in proper form of a zoning map amendment application or initiation of a resolution of intention and following an investigation, public hearings shall be set and notice of such hearings given in a manner consistent with the requirements contained in Chapter 30.790 of this Title.

## 30.780 ZONING TEXT AMENDMENTS

### Purpose

The City Council may amend this Title whenever required by public necessity, convenience and general welfare.

### 30.781 Initiation

An amendment to this Title may be initiated in the following manner:

- A. A resolution of intention of the Planning Commission, or
- B. A resolution of intention of the City Council.

### 30.782 Findings

An amendment to this Title may be adopted by the City Council only if the following findings of fact can be made in a positive manner:

- A. The proposed amendment is consistent with the objectives, policies, general land uses and programs of the San Fernando General Plan, and
- B. The adoption of the proposed amendment would not be detrimental to the public interest, health, safety, convenience or welfare.

### 30.783 Hearing and Notice

Upon initiation of a resolution of intention, and following an investigation, public hearings shall be set and notice of such hearings given in a manner consistent with the requirements contained in Section 30.790 of this Title.



## 30.790 HEARINGS AND APPEALS

### Purpose

These provisions are intended to specify procedures for public hearings and to provide recourse in the event that any person is aggrieved by any requirement, decision or determination made by the Director or the Planning Commission in the administration or enforcement of this Title.

### 30.791 Notice of Hearing

Not less than 10 days before the date of a public hearing, public notice shall be given of such hearing in the following manner:

- A. A public notice shall be published in a newspaper of general circulation within the City. Such notice shall state the nature of the request, the location of the property, and the time and place of the scheduled hearing.
- B. A public notice shall be mailed, postage prepaid, to the owners of the property within a radius of 300 feet of the exterior boundaries of the property involved in the application, using for this purpose the last known name and address of such owners as shown upon the latest Assessment Roll of the County Assessor of Los Angeles County. Such notice shall state the nature of the request, location of the property, and the time and place of the scheduled hearing.
- C. In the event that the number of owners to whom notice would be sent pursuant to B above is greater than 1,000, notice shall be given at least 10 days prior to the hearing by either of the following procedures:
  1. By placing a display advertisement of at least one-fourth page in the newspaper having the greatest circulation within the area affected by the proposed action, or
  2. By placing an insert within any generalized mailing sent by the City to property owners in the area affected by the proposed action, such as billings for City services.

Such advertisement or mailing insert shall state the nature of the request, location of the



property, and the time and place of the scheduled hearing.

- D. The property which is the subject of a public hearing shall be posted with a sign containing notice of such hearing at least 10 days prior to the hearing, of a design prescribed by the Director.

30.792                    Hearing Procedure

Public hearings as provided for in this Chapter shall be held at the time and place for which notice has been given as required in this Chapter. A brief summary of all pertinent testimony offered at a public hearing, together with the names and addresses of all persons testifying, shall be recorded and made a part of the permanent file of the case. Any such hearings may be continued provided that prior to the adjournment or recess thereof, the chairperson announces the time and place to which such hearings will be continued.

30.793                    Notice of Decision

Within 21 days after a decision has been made regarding an application for which a public hearing is required, notice of the decision and any conditions of approval shall be mailed to the applicant at the address shown upon the application.

30.794                    Zoning Map Amendment

A Planning Commission recommendation for the granting of a zoning map amendment shall be transmitted to the City Council within 10 days after the rendering of such recommendations by the Commission. A decision by the Commission to deny a zoning map amendment shall be final unless such decision is appealed to the City Council.

30.795                    Zoning Text Amendment

An amendment to this Title shall be reviewed by the Planning Commission and a recommendation made for its approval, denial, or revision. If such recommendation is affirmative, it shall be transmitted to the City Council within 10 days after the rendering of the such recommendation by the Commission.

30.796                    Effective Date

Variances, modifications, conditional use permits, and planned development permits shall become effective 10 days following the approval by the appropriate review authority.

Zoning map amendments and zoning text amendments shall become effective 30 days following adoption by the City Council. No permit or license shall be issued for any use involved in an application for approval of a permit until and unless the same shall have become final.

30.797 Appeal of Action

Any person aggrieved by any determination, interpretation, decision, judgment or similar action taken by the Director or Department Staff under the provisions of this Title may appeal such action to the Planning Commission. Any person aggrieved in a similar manner by any action taken by the Commission may appeal such action to the City Council.

30.798 Filing of Appeals

Appeals shall be addressed to the appellate body on a form prescribed by such body, and shall state the basis of the appeal. An appeal of a Director action shall be filed with the Planning Department within 10 days following the date of action for which an appeal is made. An appeal of a Planning Commission decision shall be filed in the office of the City Clerk within 10 days following the date of action for which an appeal is made. Appeals shall be accompanied by the filing fee as specified by City Council.

30.799 Notice of Appeal Hearings

Public notice of an appeal hearing shall conform to the manner in which the original notice was given.

30.800 Action of Council After Hearing

The Council may approve, approve with conditions, or disapprove the application and shall render its decision by resolution within thirty (30) days after the conclusion of the hearing. The resolution shall contain the Council's findings and shall require the affirmative votes of at least four (4) Council members if the Planning Commission's recommendation is modified or reversed. The City Clerk shall mail a copy of the resolution to the applicant.

30.801 Effective Date of Appealed Actions

An action of the Director appealed to the Commission shall not become effective unless and until approved by the Commission. An action of the Commission appealed to the Council shall not become effective unless and until approved by the Council.

30.802

Reapplication

An application or appeal may be denied with prejudice. If such denial becomes final, no further application for the denial request shall be filed in the ensuing 12 months, except as otherwise specified at the time of denial. An application may be denied with prejudice on the grounds that two or more similar applications have been denied in the past two years, or that another good cause exists for limiting the re-filing of said application.

### 30.810 APPLICABILITY OF REGULATIONS

#### 30.811 Property Affected

The provisions of this Chapter shall apply, to the extent permissible under other laws, to all property within the City of San Fernando, whether such property is in public or private ownership, except streets, alleys and walkways which are dedicated for public use.

#### 30.812 Persons Affected

The provisions of this Chapter shall apply, to the extent permissible under other laws, to all persons, agencies and organizations, both public and private, except that in circumstances where an overriding public interest is found to be served by an action or development undertaken by a public agency, the Commission or Council may waive the requirements of this Chapter to the extent deemed necessary.

#### 30.813 Activities Affected

New or Changed Development or Use. Each provision of this Chapter shall apply, to the extent permissible under other laws, to all actions, activities or development initiated subsequent to the effective date of such provision, including but not limited to the following:

1. The division or leasing of land.
2. Construction, alteration, remodeling, expansion, replacement or relocation of any building, structure or other facility or portion thereof.
3. The use and occupancy of land, buildings, structures or other facilities.

## 30.820 NONCONFORMING STRUCTURES AND USES

### Intent and Purpose

Within the zones established by this ordinance or amendments that may later be adopted, there exist or will exist lots, structures, and uses of land and structures which were lawful before the adoption or amendment of this ordinance, but which no longer comply. The intent of this Section is to permit those nonconformities to continue until they are removed or required to be terminated, but not to encourage their survival. Such uses and structures are declared to be incompatible with permitted uses, structures and standards in the zones involved, and it is intended that they shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same zone, except as may be expressly permitted in this Section.

30.820.1 Adding New Uses and Structures. When a nonconforming use or structure exists on any lot or parcel of land, no new use or structure may be established or built on such land unless the required lot area, dimensions, yards and open spaces are provided for each existing and proposed use, structure and improvement. These uses shall be so located on the lot or parcel of land, that if it is divided into smaller lots or parcels, each of said parcels will contain the area, dimensions, yards and open space required and the number and location of structures on each will comply with the requirements of this ordinance when considered as a separate lot or parcel. In instances where there is the intent to divide or subdivide, additional conforming structures shall not be permitted until after the parcel has been divided or subdivided in accordance with law. Access acceptable to the City shall be provided to all lots where such division is permitted.

30.820.2 Change to Another Nonconforming Use. The nonconforming use of a structure or land shall not be changed to another nonconforming use except as expressly permitted in this Section.

30.820.3 Development of Nonconforming Land.

1. Lots of Record in Residential Zone. In any residential zone a dwelling and accessory buildings of the type permitted in such zone may be erected on any single lot lawfully created and of record on the effective date of the adoption or amendment of the zoning ordinance, notwithstanding limitations on lot area, width or depth imposed by other

provisions of the ordinance. Yard and outdoor living and open space requirements shall be complied with unless waived by variance.

30.820.4

Continuation of Nonconforming Use of Land

A lawful use of land made no longer permissible under the terms of this ordinance as adopted or amended may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. Such use shall not be enlarged or increased, nor extended to occupy a greater area of land than was occupied on the effective date of this ordinance or applicable amendment.
2. Such use shall not be moved in whole or in part to any portion of the lot or parcel of land occupied by such use on the effective date of this ordinance or applicable amendment.
3. If such use ceases for any reason for a period of more than six (6) consecutive calendar months, any subsequent use of such land shall conform to the requirements of this ordinance for the zone in which it is located.
4. If provision is made for the termination of such use, any use of such land after termination shall conform to the requirements of this ordinance for the zone in which it is located.

30.820.5

Continuation of Nonconforming Use of Structure

A lawful use of a structure, or of a structure and land in combination, under the terms of this ordinance as adopted or amended may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No existing structure devoted to a use not permitted by this ordinance in the zone in which it is located shall be enlarged, extended, constructed, reconstructed, moved or structurally altered, except in changing the use of the structure to a use permitted in the zone in which it is located and except as specifically provided for in this ordinance.
2. Any nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this ordinance, but no



such use shall be extended to occupy any land outside such building.

3. If no structural alterations are made, any nonconforming use of a structure, or structure and land, may be changed to another nonconforming use provided that the Planning Commission, either by general rule or by making findings in the specific case, shall find that the proposed use is no more detrimental to the zone than the existing nonconforming use. In permitting such change, the Commission may require appropriate conditions and safeguards.
4. Any structure, or structure and land in combination, in or on which a nonconforming use is superseded by a permitted use, shall thereafter conform to the regulations for the zone in which such structure is located, and the nonconforming use may not thereafter be resumed.
5. When a nonconforming use of a structure, or structure and land in combination, is discontinued or abandoned for six (6) consecutive calendar months, the structure, or structure and land in combination, shall not thereafter be used except in conformance with the regulations of the zone in which it is located.
6. Where nonconforming use status applies to a structure and land in combination, removal or destruction of the structure shall thereafter compel the discontinuance of the nonconforming use of the land. Destruction for the purpose of this paragraph means damage to an extent of more than fifty (50) percent of the replacement cost of the structure immediately prior to destruction.
7. When a nonconforming use of a structure is replaced by a more restrictive nonconforming use, the occupancy may not thereafter revert to a less restrictive use.
8. If provision is made for the termination date of such use, any use of such land after termination shall conform to the requirements of this ordinance for the zone in which it is located.

Continuation of Nonconforming Structures.

Any structure made nonconforming by this ordinance as adopted or amended may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. Such structure may not be enlarged or altered in a way which increases its nonconformity, except as specifically provided for by this ordinance.
2. Should such structure be destroyed by any means to an extent of more than fifty (50) percent of its replacement cost immediately prior to destruction, it shall not be reconstructed except in conformity with the provisions of this ordinance.
3. Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the zone in which it is located.
4. Such structure may be repaired provided: a) the work consists only of the repair and replacement of nonbearing walls, fixtures, wiring or plumbing, and b) where the aggregate costs do not exceed the current assessed value of the improvements, and c) where the cubic space within the structure as it existed at the time of adoption or amendment of this ordinance is not increased.
5. If provision is made for the termination of such structure or its nonconforming characteristics, any use of such land after the termination date shall conform to the requirements of this ordinance for the zone in which it is located.

Notwithstanding any of the foregoing provisions of this subpart 1. of this Section 30.820 or any other subpart of this Section 30.820.6, a nonconforming structure shall not be changed in its utilization to another use in any land use zone until the said structure meets all applicable requirements for new construction for said use under the various Ordinances and Code provisions of this City then in effect, including but not limited to Building and Fire Code provisions and property development standards for the particular zone.

Nothing in this Section shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any city or state official charged with protecting the public health or safety, upon order of such official.



30.820.7      Cost of Replacement.

In the absence of proof to the contrary, replacement cost as used in this Section shall mean the assessed value of the structure at the time of the destruction.

30.820.8      Completion of Building.

Any structure for which a valid building permit has been granted prior to the adoption of this ordinance or amendment thereto, as the case may be, and the actual construction of which has been started prior to the effective date of this ordinance or amendment, may be completed in accordance with the plans and specifications on file in the Building Department, even though not conforming with the provisions of this ordinance or amendments thereto, as the case may be, provided:

1. The construction of proposed use of the structure is not in violation of any other ordinance or law; and
2. Work on construction of the structure is diligently carried on and completed within a reasonable time.

Actual construction shall be deemed to have started when construction materials have been placed in permanent position and have been permanently fastened. Excavation which has been substantially begun preparatory to rebuilding shall be deemed to be actual construction if carried on diligently to and including rebuilding.

30.820.9      Additions and Alterations to Nonconforming Public Use.

Additions, extensions and alterations may be made to any nonconforming public use, including but not limited to schools, parks, libraries and fire stations, if the addition, extension or alterations.

1. Does not extend beyond the boundaries of the site in existence when the use became nonconforming; and
2. Does not infringe upon any off-street parking required by this Section.

30.820.10      Nonconforming Off-Street Parking and Loading Facilities.

Existing conforming buildings whose off-street parking and loading facilities do not conform to the provisions of the ordinance may be expanded or facilities added, provided

the requirements for off-street parking and loading space shall have been complied with for those facilities which are added and enlarged.

30.820.11 Uses Under Variance or Conditional Use Permit.

Uses and buildings which are existing under a variance or a conditional use permit granted under this or any previous ordinance shall not be considered as nonconforming and shall be permitted to continue under the conditions and regulations imposed in said permit or variance and may be expanded or enlarged upon first obtaining a Conditional Use Permit under the provisions of Section 30.750.

30.820.12 Conduct Terminating Nonconforming Use.

The right to continue a nonconforming use shall terminate as follows:

1. Changing such use to another use not permitted in the zone, except as expressly permitted in this Section.
2. Increasing or enlarging the area, space or volume occupied or devoted to such use, except as expressly permitted in this Section.
3. Adding a conforming or nonconforming use, except as permitted in this Section.

30.820.13 Termination of Existing Nonconforming Use.

A lawfully established use which becomes a nonconforming use, including any buildings, structures or facilities designed or intended only for uses which are nonconforming, shall be terminated and such buildings, structures or facilities shall be removed or made conforming in all respects within the time period specified in Subsection A or B of this Section, whichever is applicable and results in the later termination date.

- A. The time period indicated in the following table measured from the date of becoming a nonconforming use:

<u>Use</u>	<u>Allowable Life</u>
Use of land without buildings or structures.	1 year

Use involving only buildings or structures which would not require a building permit to replace such buildings or structures (but not including a mobile home park).

3 years

Mobile home park; mobile homes on individual lots

35 years

Use involving buildings or structures which would require a building permit to replace such buildings or structures.

20 years

Outdoor Advertising Signs in areas zoned Residential.

7 years after giving notice of removal requirement

B. The time period indicated in the following table measured from the date of construction of the most recently constructed main building or other major facilities which are designed or intended for the nonconforming use:

30.820.14

Structure Type According to Building Code

<u>Type of Structure</u>	<u>Old Classification</u>	<u>New Classification</u>	<u>Use</u>	<u>Allowable Life</u>
Light metal or wood frame	IV, V II-N, V	II (1-Hour) II-N, V	Nonresidential	25 years
Light metal or wood frame	IV, V	II (1-Hour) II-N, V	Residential, except single-family dwellings	30 years
Light metal or wood frame	IV, V	II (1-Hour) II-N, V	Single-family dwellings	35 years
Heavy timber, masonry, concrete	II, III	II (Fire Resistive) III, IV	All	40 years
Fire resistive Heavy steel and/or concrete	I	I	All	50 years

"A" frame signs, "sandwich" signs, portable signs, streamers, banners, pennants and similar signs.

Shall be removed within 10 days from 8/6/83.

Flashing and scintillating signs.

Shall be converted to a static sign within 60 days from 8/6/83.

Painted signs.

Shall be removed within 2 years from 8/6/83.

Freestanding signs.

Shall be removed within 7 years from 8/6/83.

All other signs.

Shall be removed or made conforming within 5 years from 8/6/83. Except, all nonconforming signs shall be made to conform or be removed within thirty (30) days of: a change of ownership of the business, or a building is renovated more than fifty (50) percent of its valuation within any one year period, or a nonconforming

sign is destroyed more than fifty (50) percent of its valuation. Furthermore, such nonconforming signs shall be permitted to continue past the amortization period if a Variance is granted by the Planning Commission.

30.820.15      Revocation of Nonconforming Use or Structure

The Council may, after notice and public hearing, revoke the right to continue a nonconforming use or structure, as follows:

A.      Notice

Notice shall be mailed to the recorded owner of the property not less than twenty (20) days before the date of the public hearing. The notice shall state the facts concerning the impending action and shall request appearance by said owner at the time and place specified for the hearing, to show cause why the permit should not be revoked.

B.      Council Action

Within thirty (30) days after the public hearing, the Council may by resolution revoke or modify the nonconforming status of the use or structure.

30.820.16      Public Utility Uses, Exemption

Nothing in this ordinance pertaining to nonconforming structures and uses shall be construed or applied so as to require the termination, discontinuance or removal or so as to prevent the expansion, modernization, replacement, repair, maintenance, alteration, reconstruction or rebuilding and continued use of public utility buildings, structures, equipment and facilities, provided that there be no change of use nor enlargement of those areas so used.

30.900 RELATIONSHIP OF ZONING REGULATIONS  
TO OTHER LAWS AND REGULATIONS

30.900.1 Continuity of Zoning Regulations

The provisions of this Chapter, insofar as they are substantially the same as previous provisions of the San Fernando Municipal Code or any other ordinance repealed, amended or superseded upon the enactment of the provisions of this Chapter, shall be construed as restatements and continuations of said previous provisions, and not as new enactments.

30.900.2 Pending Proceedings

Proceedings initiated under provisions repealed, amended or modified by the provisions of this Chapter, and any vested right, shall not be affected by the enactment of the provisions of this Chapter, except that subsequent proceedings shall conform to the provisions of this Chapter insofar as possible.

30.900.3 Rights Under Previous Approvals

A Special Use Permit or other approval previously granted by the City and which would be eligible for consideration as a Variance, Conditional Use Permit or other approval under this Chapter shall be deemed to be an approved Variance, Conditional Use Permit or other approval, respectively, under this Chapter, subject to the terms of such approval.

All other Special Use Permits and other approvals or conditions thereof, not in conformance with the provisions of this Chapter, shall be deemed to be nonconforming privileges subject to the provisions of Division 2 of this Article.

Notwithstanding any other provisions of this Section, if a Special Use Permit or other approval deemed to be approved pursuant to this Section, or any condition thereof, has resulted in a nonconformity, such nonconformity shall be subject to the provisions of Division 2 of this Article.

30.900.4 Previous Violation or Conviction

Any violation of and/or conviction under any provision repealed, amended or modified by the provisions of this Chapter shall be considered as a violation of and/or conviction under this Chapter.

30.900.5        Severability

If any provision of this Chapter, and the application thereof, to any person or circumstance is held invalid, the remainder of this Chapter, and the application of such provision to other persons or circumstances, shall not be affected thereby.

30.900.6        Conflicting Regulations

Whenever any provisions of this Chapter covers the same subject matter, overlaps, conflicts with or is contradictory to any other law or regulation, that provision, law or regulation which is more restrictive or imposes the higher standard shall control, except as otherwise expressly provided.

30.900.7        Private Agreements

The provisions of this Chapter are not intended to abrogate, annul or impair any easement, covenant or other agreement between parties, except, where this Chapter imposes a greater restriction or higher standard than that required by private agreement, this Chapter shall control.

30.900.8        Nuisances

Neither the provisions of this Chapter nor any approval pursuant thereto authorizes the establishment or maintenance of any use or circumstances which constitutes a public or private nuisance.



# PROOF OF PUBLICATION

(2015.5 C.C.P.)

STATE OF CALIFORNIA,  
County of Los Angeles,

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the

San Fernando Sun

a newspaper of general circulation, printed and published Weekly

in the City of San Fernando County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of

California, under the date of 8/16, 19 45,

Case Number 503-894....; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

Aug. 28

all in the year 19 85.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at San Fernando

California, this 28 day of 8, 19 85

Thomas Cuenca  
Signature

Free copies of this blank form may be secured from:

CALIFORNIA NEWSPAPER SERVICE  
BUREAU, INC.

Legal Advertising Clearing House

P.O. Box 31

Los Angeles, CA 90053

Telephone 625-2541

Please request GENERAL Proof of Publication when ordering this form.

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## SUMMARY OF THE PROPOSED ZONING ORDINANCE FOR THE CITY OF SAN FERNANDO APPROVED BY THE CITY COUNCIL ON AUGUST 19, 1985

An Ordinance of the City Council of the City of San Fernando Repealing Ordinance No. 423 of the City of San Fernando as being the Comprehensive Zoning Ordinance of said City and Adopting the Zoning Ordinance of the City of San Fernando Ordinance No. 12.

Pursuant to Government Code Section No. 36933 (C) (1) a summary of the proposed Zoning Ordinance is as follows:

The purpose of the proposed Zoning Ordinance is to serve the public health, safety, comfort, convenience and general welfare by establishing land use districts designed to obtain the physical, environmental, economic and social advantages resulting from planned use of land in accordance with the General Plan of the City of San Fernando, and by establishing those regulations for the development and use of land and improvements within the various districts which will ensure that the growth and development of the City of San Fernando shall be orderly, attractive and efficient for the maximum benefit of its citizens.

The proposed Ordinance provides for the establishment of uniform property development standards within each zoning category; these include: setbacks, heights, etc.

The Ordinance also provides additional standards for landscaping, condominiums/townhouse development, satellite antennae, solar energy systems, and property maintenance standards throughout the city.

The proposed Ordinance modifies the parking standards to provide for the number, sizes, locations, width, depth, of all off-street parking for cars within the City, in addition provisions have been made for compact parking.

The proposed Zoning Ordinance deletes the existing "P" zoning designation and places those properties back to their original zoning designation as is consistent with the current Ordinance and General Plan.

A certified copy of the full text of this proposed Ordinance is posted in the Office of the City Clerk. Said copy is available for review at the City Clerk's office, 117 Macneil Street, San Fernando.

Dated: August 22, 1985

Publish: San Fernando Sun

and Breeze

August 28, 1985

-#704



ORDINANCE NO. 1332

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO AMENDING ORDINANCE NO. 1270 BY CHANGING THE ZONING FROM SINGLE-FAMILY RESIDENTIAL (R-1) AND MULTIPLE-FAMILY (R-3) ZONES TO MULTIPLE-FAMILY DWELLING PRECISE DEVELOPMENT (R-2 PD) PROPERTY LOCATED AT THE AREA BETWEEN LUCAS STREET, GLENOAKS BOULEVARD, BRAND BOULEVARD AND THE ALLEY EAST OF MACLAY AVENUE AND ATTACHING CERTAIN CONDITIONS PRECEDENT TO THE CHANGE

THE CITY COUNCIL OF THE CITY OF SAN FERNANDO DOES HEREBY ORDAIN AS FOLLOWS:

Section 1: Amendment to the Official Zoning Map. The Official Zoning Map of the City of San Fernando is hereby amended by changing the zoning on property located at approximately the area between Lucas Street, Glenoaks Boulevard, Brand Boulevard and the alley east of MacLay Avenue, legally described in attachment "A" appended hereto from Single-Family Residential (R-1) and Multiple-Family (R-3) zones to Multiple-Family dwelling/Precise Development (R-2 PD.)

Section 2: Findings.

1. The proposed amendment is consistent with the objectives, policies, general land uses and programs of the San Fernando General Plan.

2. The adoption of the proposed amendment would not be detrimental to the public interest, health, safety, convenience of welfare.

3. The proposed Zone Change will not have a significant effect on the environment, as indicated in the Initial Study, and a Negative Declaration has been prepared, processed and considered according to the State Environmental Guidelines and the City of San Fernando CEQA provisions.

Section 3: Effective date. This Ordinance shall be in full force and effect thirty (30) days from and after its adoption.

PASSED AND ADOPTED by the City Council of the City of San Fernando at a regular meeting held on the 21st day of Feb., 1989.

Daniel Acuña  
Mayor Pro Tem

ATTEST:

Donald Penman  
City Clerk

APPROVED AS TO FORM:

Nolan S. Born  
City Attorney

STATE OF CALIFORNIA     )  
COUNTY OF LOS ANGELES   ) ss  
CITY OF SAN FERNANDO    )

I, Donald E. Penman, City Clerk of the City of San Fernando, do hereby certify that the foregoing Ordinance was adopted at a regular meeting of the City Council held on the 21st day of Feb., 1989, and was carried by the following roll call vote, to wit:

AYES:       Margarito, Hansen, Franco - 3

NOES:       Acuna - 1

ABSENT:     Richardson - 1

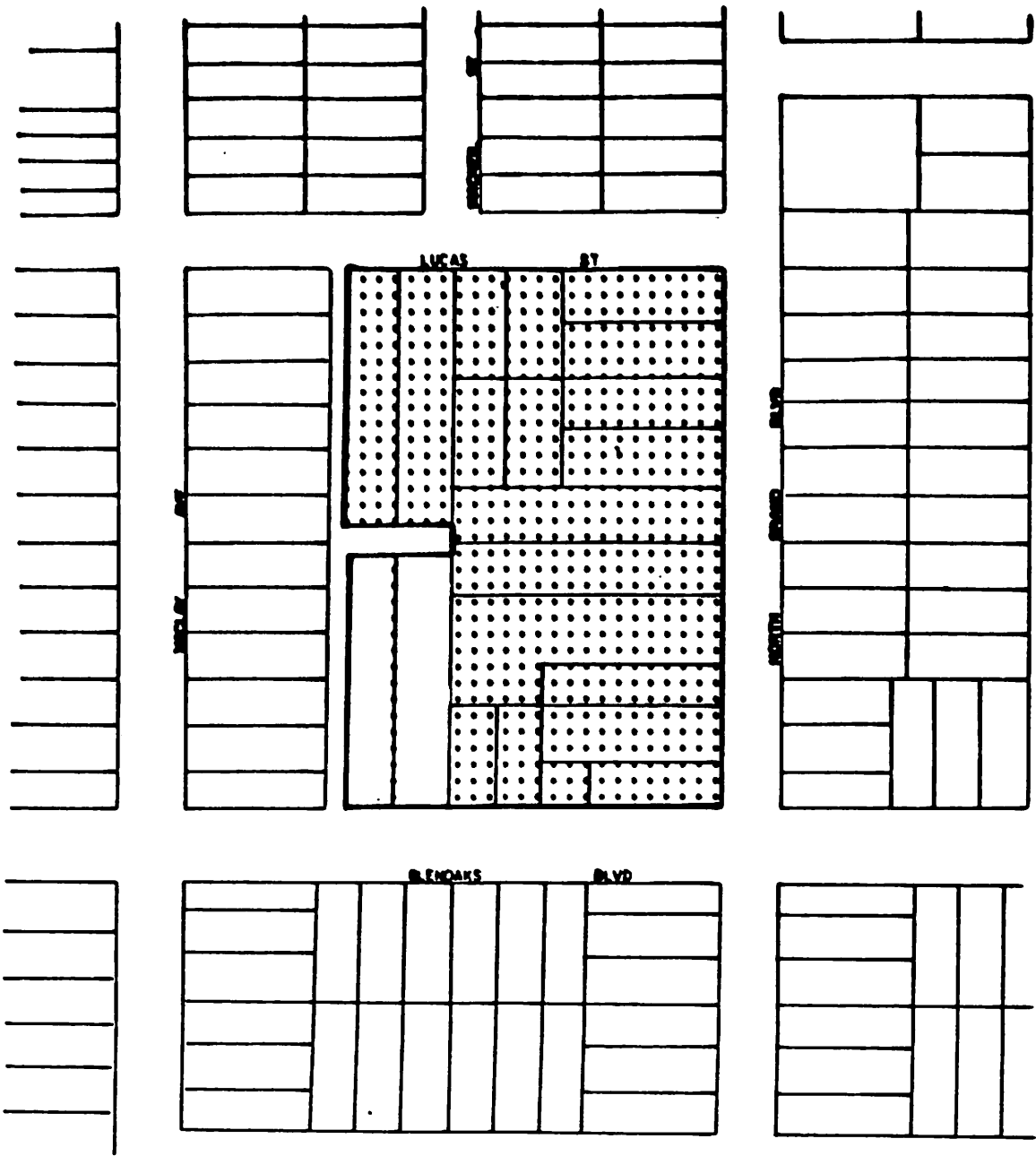
ABSTAIN:    None

Donald Penman  
City Clerk

RS10/06-2

# ZONE CHANGE 1987-02

## LUCAS STREET



### LEGEND

SCALE  
100'

PROPOSED ZONE CHANGE AREA





PROOF OF PUBLICATION  
(2015.5 C.C.P)

This space is for the County Clerk's Filing Stamp

STATE OF CALIFORNIA,  
COUNTY OF LOS ANGELES,

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the

SAN FERNANDO SUN

a newspaper of general circulation, printed and published WEEKLY

in the City of SAN FERNANDO County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California, under the

date of 8/16, 1945,

Case Number 503894; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

MARCH 1,

all in the year 1989.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at SAN FERNANDO

California, this 1 day of 3, 1989

Maryann Campos  
Signature

Free copies of this blank form may be secured from:  
California Newspaper Service Bureau, Inc.  
Advertising Clearing House  
P.O. Box 31  
Los Angeles, CA 90053 (213) 625-2541  
Please request GENERAL Proof of Publication  
when ordering this form.

Proof of Publication of

ORDINANCE # 1332

10,375

ORDINANCE NO. 1332  
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO AMENDING ORDINANCE NO. 1270 BY CHANGING THE ZONING FROM SINGLE-FAMILY RESIDENTIAL (R-1) AND MULTIPLE-FAMILY (R-3) ZONES TO MULTIPLE FAMILY DWELLING PRECISE DEVELOPMENT (R-2 PD) PROPERTY LOCATED AT THE AREA BETWEEN LUCAS STREET, GLENOAKS BOULEVARD, BRAND BOULEVARD AND THE ALLEY EAST OF MACLAY AVENUE AND ATTACHING CERTAIN CONDITIONS PRECEDENT TO THE CHANGE

THE CITY COUNCIL OF THE CITY OF SAN FERNANDO DOES HEREBY ORDAIN AS FOLLOWS:

Section 1: Amendment to the Official Zoning Map. The Official Zoning Map of the City of San Fernando is hereby amended by changing the zoning on property located at approximately the area between Lucas Street, Glenoaks Boulevard, Brand Boulevard and the alley east of MacLay Avenue, legally described in Attachment "A" appended hereto from Single-Family Residential (R-1) and Multiple Family (R-3) zones to Multiple Family dwelling/Precise Development (R-2 PD).

Section 2: Findings.  
1. The proposed amendment is consistent with the objectives, policies, general land uses and programs of the San Fernando General Plan, and Density Residential.

2. The adoption of the proposed amendment would not be detrimental to the public interest, health, safety, convenience or welfare.

3. The proposed Zone Change will not have a significant effect on the environment, as indicated in the Initial Study, and a Negative Declaration has been prepared, processed and considered according to the State Environmental Guidelines and the City of San Fernando CEQA provisions.

Section 3: Effective Date. This Ordinance shall be in full force and effect thirty (30) days from and after its adoption.

PASSED AND ADOPTED by the City Council of the City of San Fernando at a regular meeting held on the 21st day of Feb., 1989.

Signed: Daniel Acuna  
Mayor Pro Tem

Attest:  
Donald Penman, City Clerk.  
Approved as to form: Robert Bower,  
City Attorney.

State of California )  
County of Los Angeles ) ss  
City of San Fernando )

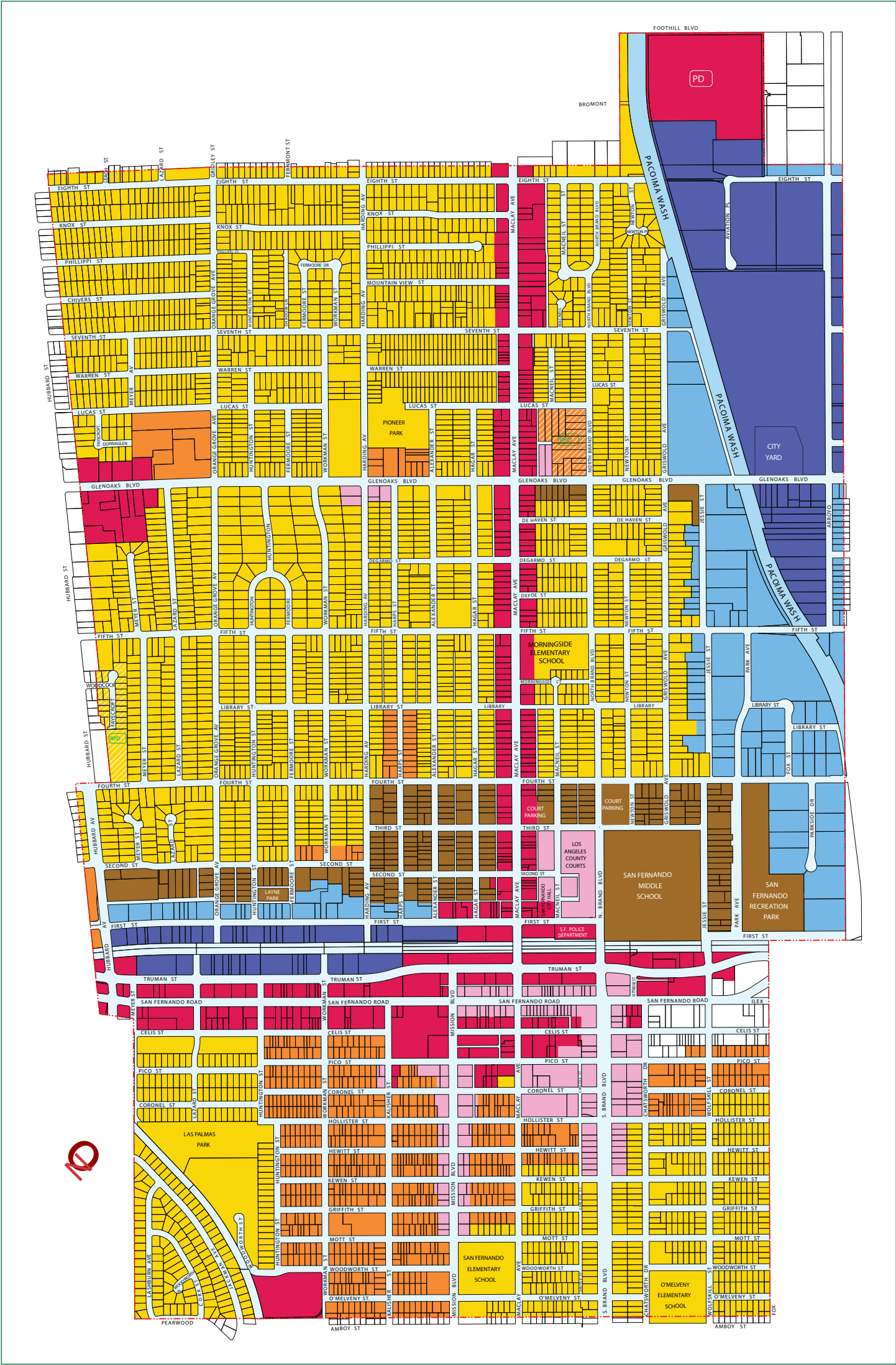
I, Donald E. Penman, City Clerk of the City of San Fernando, do hereby certify that the foregoing Ordinance was adopted at a regular meeting of the City Council held on the 21st day of Feb. 1989, and was carried by the following roll call vote, to-wit:

Ayes: Margarito, Hansen, Franco - 3  
Noes: Acuna - 1

Absent: Richardson - 1

Abstain: None

Signed Donald Penman, City



CITY OF SAN FERNANDO ZONING MAP

R-1

Single Family Residential

R-2

Multiple Family Dwelling

R-3

Multiple Family

C-1

Limited Commercial

C-2

Commercial

SC

Service Commercial

M-1

Limited Industrial

M-2

Light Industrial

RPD

Residential Planned Development

PD

Precise Development Overlay

SCALE (Feet)

0

200

400

600

800

1000

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## AGENDA REPORT

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**To:** Planning and Preservation Commission

**From:** Erika Ramirez, Director of Community Development

**Date:** June 10, 2024

**Subject:** Planning and Preservation Commission Reorganization

### **RECOMMENDATION:**

Staff recommends that the Planning and Preservation Commission:

1. Discuss Commission Chair vacancy; and
2. Pending discussion appoint a Chair and Vice Chair to preside over the Commission meetings through the 2024 calendar year.

### **ANALYSIS:**

The Planning and Preservation Commission appoint two Commissioners to serve as Chair and Vice Chair annually. Chair and Vice Chair were selected March 11, 2024; however, the Chair position was recently vacated due to the election of a new Council member. If the Commission decides to appoint a Chair and/or Vice Chair, they will preside over the Commission meetings for the remainder of the 2024 calendar year.

### **ATTACHMENT:**

- A. Planning and Preservation Commission Bylaws and Rules of Procedures

**CITY OF SAN FERNANDO  
PLANNING AND PRESERVATION COMMISSION**

**BYLAWS AND RULES OF PROCEDURES  
(Adopted March 2024)**

**ORGANIZATION AND OFFICERS**

**A. Organization**

The Planning and Preservation Commission (Commission) shall consist of five (5) regular members, each with full participation and voting rights.

**B. Officers**

**1. Selection**

- a. A Chair and Vice-Chair shall be elected annually from among the Commission's membership at the January meeting to serve at the pleasure of the Commission.
- b. The Vice-Chair shall succeed the Chair if he/she vacates his/her office before his/her term is completed, the Vice-Chair to serve the unexpired term of the vacated office. A new Vice-Chair shall be elected at the next regular meeting.
- c. In the absence of the Chair and Vice-Chair, any other member shall call the Commission to order, whereupon a chair shall be elected from the members present to preside.

**2. Responsibilities**

The responsibilities and powers of the members of the Commission shall be as follows:

- a. **Chair**
  - (1) Preside at all meeting of the Commission.
  - (2) Call special meetings of the Commission in accordance with legal requirements and the rules of Procedure.
  - (3) Sign documents of the Commission.
  - (4) See that all actions of the Commission are properly taken.

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- (5) The Chair shall be an ex officio member of all committees with voice but not vote.

### b. Vice-Chair

During the absence, disability or disqualification of the Chair the Vice-Chair shall exercise or perform all the duties and be subject to all the responsibilities.

## C. Duties and Powers

1. The Commission shall have the power to recommend to the City Council, after a public hearing, the adoption of or amendments to elements of a General Plan, or any part thereof, for the physical development of the City.
2. The Commission shall exercise such functions with respect to land subdivision, planning, and zoning as may be prescribed by ordinance.
3. Deleted (1/95)

## D. Rules of Order

Except as otherwise provided in these Rules of Procedure, "Parliamentary Procedure at a glance, new edition, O. Garfield Hones, Based on Robert's Rules of Order" shall be used as a guide to the conduct of the meetings of the Commission provided, however, that the failure of the Commission to conform to said rules of order shall not in any instance, be deemed to invalidate the action taken.

Each Commission member should do his/her part to treat each fellow Commission member with respect and to ensure that meetings proceed in an orderly and constructive manner.

## MEETINGS

### A. Public Meetings

All meetings shall be held in full compliance with the provision of State law, Ordinances of the City, and these Rules of Procedure

### B. Regular Meetings

1. All meetings shall be held on the 2<sup>nd</sup> Monday of the month at 6:00 p.m. in the Council Chambers of the City Hall.
2. Whenever a regular meeting falls on a public holiday or regular Council meeting, no regular meeting shall be held on that day. Such regular meeting may be

## Exhibit A

rescheduled to the next business day, another day, or canceled by motion adopted by the Commission.

### **C. Adjourned Meetings**

In the event it is the wish of the Commission to adjourn its meeting to a certain hour on another day, a specific date, time, and place must be set by the Commission prior to the regular motion to adjourn.

### **D. Special Meetings**

Special meetings of the Commission may be held at any time upon the call of the Chair or by a majority of the voting members of the Commission or upon request of the City Council following at least 24 hours' notice to each member of the Commission. The time and place of the special meeting shall be determined by the convening authority.

### **E. Study Sessions/Workshops**

1. The Commission may be convened as a whole or as a committee of the whole in the same manner as prescribed for the calling of a special meeting for the purpose of holding a study session provided that no official action shall be taken and no quorum shall be required.
2. Such meetings shall be open to the public; but, unless the Commission invites evidence or comments to be given, participation by interested members of the public shall not take place at such study sessions.

### **F. Agenda**

1. An agenda for each meeting of the Commission shall be prepared by the Community Development Director or his/her staff person.
2. There shall be attached to each agenda a report of matters pending action by the Commission.
3. A copy of the agenda shall be posted at City Hall and on the City's website for a period of three calendar days not counting the day of meeting or the day of posting.

### **G. Order of Meetings**

#### **1. The Order of Business Shall Be as Follows:**

- a. The Chair shall take the chair precisely at the hours appointed for the meeting and shall immediately call the Commission to order.
- b. Members present and absent shall be recorded.

## Exhibit A

- c. The agenda shall be approved as submitted or revised.
- d. The minutes of any proceeding meeting shall be submitted for approval.
- e. The public shall be advised of the procedures to be followed in the meeting.
- f. The Commission shall then hear and act upon those proposals scheduled for consideration or public hearing, together with such other matters of business and report as the Commission finds to require Commission consideration.
- g. Any member of the audience may comment on any matter which is not listed on the agenda.
- h. Adjournment.

### 2. Presentation of Hearing of Proposals (Optional)

The following shall be the order of procedure for public hearings:

- a. The Chair shall announce the subject of the public hearing, as advertised.
- b. If a request is made for continuance, a motion may be made and voted upon to continue the public hearing to a definite time and date.
- c. The staff shall be asked to present the substance of the application, staff report and recommendation, and to answer technical questions of the Commission.
- d. **Order of Testimony and Time Allotment.** The order of testimony and time allotment shall be as follows:
  - (1) Applicants/Proponents' statements (Maximum time allocation of 15 minutes)
  - (2) Opponents' statements (Maximum time allocation of 15 minutes)
  - (3) If necessary, a rebuttal from either side (Maximum time allocation of 5 minutes each for either side)
  - (4) Public hearing closed
  - (5) The Commission shall then deliberate and either determine the matter or continue the matter to another date and time certain.
- e. **Rules of Testimony.** The rules of testimony shall be as follows:
  - (1) Persons presenting testimony to the Commission are requested to give their name and address for the record.
  - (2) If there are numerous people in the audience who wish to participate on the issue, and it is known that all represent the same opinion, a spokesman should be selected to speak for the entire group. The spokesman will thus have the opportunity of speaking for a reasonable length of time and presenting a complete case.
  - (3) To avoid unnecessary cumulative evidence, the Chair may limit the number of witnesses or the time of testimony on a particular issue.
  - (4) Irrelevant and off-the-subject comments will be ruled out of order.
  - (5) The Chair will not permit any complaints regarding the staff or individual commissioners during a public hearing. Complaints

## Exhibit A

should be submitted in writing or presented verbally as a separate item on the agenda.

- (6) No person shall address the Commission without first securing the permission of the Chair to do so.
- (7) All comments shall be addressed to the Commission. All questions shall be placed through the Chair.

### **H. Motions**

- 1. A motion to adjourn shall always be in order except during roll call.
- 2. The Chair, or other presiding officer, may make and second motions and debate from the chair subject only to such limitations of debate as are imposed on all members of the Commission.

### **I. Voting**

#### **1. Voting Requirements**

- a. A quorum shall consist of a majority of the Commission membership.
- b. A majority vote of the Commission present is necessary for it to take action.
- c. When a member of the Commission abstains from voting on any matter before it because of a potential conflict of interest, said vote shall not constitute nor be considered as either a vote in favor of or opposition to the matter being considered. When a member of the Commission abstains from voting for any reason other than a potential conflict of interest, the abstention shall be counted as affirmative vote.

#### **2. Voting Order**

The Chair will ask for a motion, than a second than a roll call vote will be taken with Chair voting last.

#### **3. Recording of Votes**

The minutes of the Commission's proceeding shall show the vote of each member, including if they were absent or failed to vote on a matter considered.

#### **4. Disqualification from Voting**

A member shall disqualify himself/herself from voting in accordance with the Government code §87100 et seq, Financial Conflicts of Interest and §1090 et seq, Financial Interest in Contracts. When a person disqualifies (recuse) himself/herself, he/she shall state prior to the consideration of such matter by the Commission that he/she is disqualifying him/herself due to a possible conflict of interest and shall then leave the voting area.



## **REVIEW AND AMENDMENTS PROCEDURE**

- A. The rules of Procedure shall be reviewed in July of each year by a subcommittee appointed by the Chair with the general agreement of the Commission. The review subcommittee shall present their recommendation for amending, or not amending, these rules.
- B. In addition, these Rules of Procedure may be amended at any meeting of the Commission by a majority of the membership of the Commission provided that notice of the proposed amendment is received by each commissioner not less than 5 days prior to said meeting.

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