

**ORDINANCE NO. \_\_\_\_\_**

An ordinance amending Sections 12.04, 12.20, 12.24 and 12.32 of Article 2 of Chapter 1 of the Los Angeles Municipal Code, and Sections 13.03, 13.18 and 13.19 of Article 3 of Chapter 1 of the Los Angeles Municipal Code in order to authorize the establishment of a Clean Up Green Up Supplemental Use District within Boyle Heights, Pacoima/Sun Valley, and Wilmington to reduce cumulative health impacts resulting from incompatible land uses, establish a citywide Conditional Use for asphalt manufacturing and refinery facilities, and increase the notification requirement for projects within a surface mining district.

**THE PEOPLE OF THE CITY OF LOS ANGELES  
DO HEREBY ORDAIN AS FOLLOWS:**

Section 1. Subsection D of Section 12.04 of Article 2 of Chapter 1 of the Los Angeles Municipal Code is amended to read as follows:

**D.** Certain portions of the City are also designated as being in one or more of the following districts, by the provisions of Article 3 of this chapter.

"O"	Oil Drilling District
"S"	Animal Slaughtering District
"G"	Surface Mining District
"RPD"	Residential Planned Development District
"K"	Equinekeeping District
"CA"	Commercial and Artcraft District
"POD"	Pedestrian Oriented District
"CDO"	Community Design Overlay District
"MU"	Mixed Use District
"FH"	Fence Height District
"SN"	Sign District
"RFA"	Residential Floor Area District
"NSO"	Neighborhood Stabilization Overlay District
"CPIO"	Community Plan Implementation Overlay District
"HS"	Hillside Standards Overlay District
"MPR"	Modified Parking Requirement District
"RIO"	River Improvement Overlay District
"CUGU"	Clean Up Green Up Overlay District

The "Zoning Map" is amended to indicate these districts and the boundaries of each district.

Land classified in an "O" Oil Drilling District, "S" Animal Slaughtering District, "G" Surface Mining District, "RPD" Residential Planned Development District, "K" Equinekeeping District, "CA" Commercial and Artcraft District, "POD" Pedestrian Oriented District, "CDO" Community Design Overlay District, "MU" Mixed Use

District, "FH" Fence Height District, "SN" Sign District, "RFA" Residential Floor Area District, "NSO" Neighborhood Stabilization Overlay District, "CPIO" Community Plan Implementation Overlay District, "RIO" River Improvement Overlay District, or "CUGU" Clean Up Green Up Overlay District is also classified in one or more zones, and land classified in the "P" Automobile Parking Zone may also be classified in an "A" or "R" Zone.

These classifications are indicated on the "Zoning Map," with a combination of symbols, e.g., R2-2-O, C2-4-S, M1-3-G, M1-1-P and R2-O, C2-G, etc., where height districts have not been established.

Sec. 2. Subdivision 5 of Subsection A of Section 12.20 of Article 2 of Chapter 1 of the Los Angeles Municipal Code is deleted, and Subdivisions 6 through 39 are renumbered 5 through 38, respectively.

Sec. 3. A new Subdivision 29 is added to Subsection U of Section 12.24 of Article 2 of Chapter 1 of the Los Angeles Municipal Code to read as follows:

29. **Petroleum-Based Oil Refineries** (production of petroleum-based fuels, asphalt, coke or similar products) in an M3 Zone:

(a) **Project Types.**

(1) New refineries;

(2) Existing refineries expanding operations beyond the current property lines.

(b) **Requirements.**

(1) Current compliance with all of the required Unified Programs (Unified Hazardous Waste and Hazardous Materials Management Regulatory Program). California Environmental Reporting System (CERS) database submittals may serve as proof of compliance.

(2) Submittal of a health impact assessment of the project for the surrounding vicinity identifying pollution and population indicators, such as, but not limited to, those analyzed in the California Communities Environmental Health Screening Tool; the number of people affected by the project; short term or permanent impacts caused by the project; likelihood that impacts will occur; and recommended mitigation measures.

(3) Submittal of a truck routing plan that minimizes the incidence of a commercial truck traveling past residences,

churches, schools, hospitals, public playgrounds, nursing homes, day care centers, and other similar uses.

Sec. 4. The district listing in Subdivision 2 of Subsection S of Section 12.32 of Article 2 of Chapter 1 of the Los Angeles Municipal Code is amended to read as follows:

2. **Districts.** In order to carry out the provisions of this Article, the following districts are established:

"O"	Oil Drilling District
"S"	Animal Slaughtering District
"G"	Surface Mining District
"RPD"	Residential Planned Development District
"K"	Equinekeeping District
"CA"	Commercial and Artcraft District
"POD"	Pedestrian Oriented District
"CDO"	Community Design Overlay District
"MU"	Mixed Use District
"FH"	Fence Height District
"SN"	Sign District
"RFA"	Residential Floor Area District
"NSO"	Neighborhood Stabilization Overlay District
"CPIO"	Community Plan Implementation Overlay District
"HS"	Hillside Standards Overlay District
"MPR"	Modified Parking Requirement District
"RIO"	River Improvement Overlay District
"CUGU"	Clean Up Green Up Overlay District

Sec. 5. Paragraph (b) of Subdivision 3 of Subsection S of Section 12.32 of Article 2 of Chapter 1 of the Los Angeles Municipal Code is amended to read as follows:

(b) **Additional Requirements for Application.** Except for CPIO Districts, which may not be established through the application procedure, one or more of the owners or lessees of property within the boundaries of the proposed district may submit a verified application for the establishment of a district. An application for the establishment of a Commercial and Artcraft District, a Pedestrian Oriented District, an Equinekeeping District, a Community Design Overlay District, a Mixed Use District, a Sign District, a Residential Floor Area District, a Neighborhood Stabilization Overlay District, a Hillside Standards Overlay District, a Modified Parking Requirement District, a River Improvement Overlay District, or a Clean Up Green Up Overlay District shall contain the signatures of at least 75 percent of the owners or lessees of property within the proposed district. An application for the establishment of a Fence Height District shall contain the signatures of at least 50 percent of the owners or lessees of property within the proposed district. An

application shall be accompanied by any information deemed necessary by the Department.

If establishment of a district is initiated by the City Council, City Planning Commission or Director of Planning, the signatures of the property owners or lessees shall not be required.

Sec. 6. Subparagraph (3) of Paragraph (c) of Subdivision 3 of Subsection S of Section 12.32 of Article 2 of Chapter 1 of the Los Angeles Municipal Code is amended to read as follows:

(3) **Time for Commission to Act on Application.** The City Planning Commission shall act on an application to establish an "O", "S", "G", "K", "CA", "POD", "CDO", "MU", "FH", "SN", "RFA", "NSO", "CPIO", "HS", "MPR", "RIO", or "CUGU" District within 75 days from the date of the filing of the application. The City Planning Commission shall act on an application to establish an "RPD" District within 75 days from receipt of the Subdivision Committee report and recommendation. The City Planning Commission shall act on proceedings initiated by the Council within 75 days of receipt of that action from the Council, or within the time that the Council may otherwise specify.

Sec. 7. Paragraph (c) of Subdivision 4 of Subsection S of Section 12.32 Article 2 of Chapter 1 of the Los Angeles Municipal Code is amended to read as follows:

(c) **Procedures.** An applicant for a Project that complies with the provisions of an adopted Commercial and Aircraft District, Pedestrian Oriented District, Community Design Overlay District, Mixed Use District, Community Plan Implementation Overlay District, River Improvement Overlay District, or Clean Up Green Up Overlay District shall submit plans to the Director for an Administrative Clearance. The Director or his/her designee shall review the Project for compliance with the applicable Supplemental Use District development regulations. A Project that does not qualify for Administrative Clearance shall follow the procedures set forth in the applicable Supplemental Use District.

Sec. 8. The table of contents preceding Section 13.00 of Article 3 of Chapter 1 of the Los Angeles Municipal Code is amended to read as follows:

Section	
13.01	"O" Oil Drilling Districts.
13.02	"S" Animal Slaughtering Districts.
13.03	"G" Surface Mining Operations Districts.
13.04	"RPD" Residential Planned Development Districts.
13.05	"K" Equinekeeping Districts.

- 13.06 Commercial and Aircraft Districts.
- 13.07 Pedestrian Oriented District.
- 13.08 "CDO" Community Design Overlay District.
- 13.09 Mixed Use District.
- 13.10 Fence Heights District.
- 13.11 "SN" Sign District.
- 13.12 "NSO" Neighborhood Stabilization Overlay District.
- 13.13 "RFA" Residential Floor Area District.
- 13.14 "CPIO" Community Plan Implementation Overlay District.
- 13.15 "MRP" Modified Parking Requirement District.
- 13.16 "HS" Hillside Standards Overlay District.
- 13.17 "RIO" River Improvement Overlay District.
- 13.18 "CUGU" Clean Up Green Up Overlay District.
- 13.19 Violation.

Sec. 9. Subdivision 1 of Subsection F of Section 13.03 of Article 3 of Chapter 1 of the Los Angeles Municipal Code is amended to read as follows:

1. The application for Permit shall be processed as provided in Section 12.24 of this Code for conditional uses under the jurisdiction of the Commission, except that the notification radius shall be 1,500 feet from the exterior perimeter of the proposed project site. The application is further subject to the exceptions of Subdivisions 2 through 5 of this subsection (procedures for state review).

Sec. 10. Section 13.18 of Article 3 of Chapter 1 of the Los Angeles Municipal Code is deleted in its entirety and replaced as follows:

**SEC. 13.18. "CUGU" CLEAN UP GREEN UP DISTRICT.**

**A. Purpose.** This section sets forth procedures and standards for the establishment of the CUGU District. The purpose of the CUGU District is to reduce cumulative health impacts resulting from land uses including, but not limited to, concentrated industrial land use, on-road vehicle travel, and heavily freight-dominated transportation corridors, which are incompatible with the sensitive uses to which they are in close proximity, such as homes, schools and other sensitive uses.

**B. Relationship to other Zoning Regulations.** Wherever the provisions of the CUGU District conflict with any provisions of other Supplemental Use Districts, the underlying zone, or any other regulation, the more restrictive provision shall prevail.

**C. District Identification.** The provisions of this ordinance shall apply to all properties identified on the zoning map with a "CUGU" suffix on the zone classification. The CUGU District shall include all public and private land uses.

**D. Definitions.** For the purposes of this section, the following words and phrases are defined as follows:

1. **Adjacent Property.** A property next to, across the street or alley from, or having a common corner with the subject property.
2. **Abutting Property.** A property sharing a parcel or lot line.
3. **Freeway.** A divided arterial highway with full control of access and with grade separation at intersections.
4. **Fugitive Emissions.** Emissions not caught by a mechanically ventilated system or other capture system, which are often due to equipment leaks, evaporative processes and/or windblown disturbances.
5. **Hedge.** A row of bushes or small trees planted close together to form a fence or boundary; hedgerow.
6. **Landscape Practitioner.** Any person licensed by the State of California to design, install or maintain landscape or irrigation systems; or any person specifically exempted by the State from the licensing requirements in the field of landscape or land management; or any homeowner who designs, installs or maintains landscaping or irrigation systems on his or her own property.
7. **Publicly Habitable Spaces.** Any use containing one or more dwelling unit or guest room, as well as a school, park, recreation center, day care center, hospital, medical building and nursing home.

**E. Qualifying Criteria.** A project that satisfies at least one criterion under the "Project Type" list in Subdivision 1 below, and at least one criterion under the "Project Context" list in Subdivision 2 below shall comply with the provisions of this section.

1. **Project Type.**
  - (a) **NEW.** The construction of a new stand-alone building.
  - (b) **MAJOR IMPROVEMENT.** The alteration of any building(s) or structure(s) on a project site which does not expand the building(s) or structure(s), and for which the aggregate value of the alterations within any 24-month period exceeds 50 percent of the replacement cost of the building(s) and structure(s) on the project site, as determined by the Department of Building and Safety. Notwithstanding the provisions of Section 12.23, the existence of a Major Improvement on a project site shall require the entire project site to be upgraded in accordance with all applicable provisions of Section 13.18 of this Code.

(c) **ADDITION.** The expansion of any existing building(s) or structure(s), with or without other alterations to the building(s) or structure(s), on a project site in which the total aggregate value of work in any 24-month period exceeds 50 percent of the replacement cost of all buildings and structures on the entire project site, as determined by the Department of Building and Safety. Notwithstanding the provisions of Section 12.23, an addition shall be upgraded in accordance with all applicable provisions of Section 13.18 of this Code.

(d) **CHANGE OF USE.** The expansion of or change to a use on the Subject Use list.

**2. Project Context.**

(a) Project is a municipal project located within 1,000 feet of a Freeway or State Route specified in LAMC Section 13.18.F.4.

(b) Project is a Publicly Habitable Space adjacent to a Subject Use.

(c) Primary use of site is a Subject Use adjacent to a Publicly Habitable Space.

(d) Primary use of site is a Subject Use, as listed below:

**Subject Use List**

**AUTOMOTIVE USES**

Automobile Dismantling Yard	Automotive Painting, wholesale
Automobile Impound Yard	Automotive Repair
Automobile Parts	Automotive Sound Shop
Automobile Parts, repairing or rebuilding for wholesale	Automotive Undercoat Spraying, wholesale
Automobile Rebuilding or Reconditioning, wholesale	Automotive Upholstering
Automobile Rental	Automotive Upholstering, wholesale
Automobile Sales, used	Automotive Uses, other
Automobile Storage Area	Body and Fender Repairing, automotive
Automobile Storage Garage	Body and Fender Repairing, automotive, wholesale
Automobile Window Tinting	Bus Storage or Operating Yard
Automobile Wrecking	Car Wash
Automotive Assembly, wholesale	Commercial Vehicle Rental and Storage
Automotive Exhaust Test Station	Engine Testing
Automotive Fueling and Service Station and Fuel Store	Gasoline Station
Automotive Refueling Station	House Mover or Wrecker
Automotive Glass Shop	Household Moving Rental Trucks and Trailers, rental, storage,
Automotive Painting	

or storage for rental purposes  
 Household Moving Truck Repair and Storage  
 Motor Coach Repairing or Overhauling  
 Motorcycle or Motor Scooter Repair  
 Motorcycle or Motor Scooter Repair, wholesale  
 Motorcycle or Motor Scooter Sales, new  
 Motorcycle or Motor Scooter Sales, used  
 Motorcycle Storage Garage  
 Moving Van Storage or Operating Yard  
 Recreational Vehicle Sales, new  
 Recreational Vehicle Sales, used  
 Recreational Vehicle Storage  
 Tank Truck Parking or Storage  
 Temporary Storage of Abandoned, Partially Dismantled, Obsolete, or Wrecked Automobiles  
 Tire Retreading or Recapping  
 Tow Truck Dispatching  
 Tractor Rental Yard  
 Trailer (utility) Rental and Storage  
 Trailer Rental  
 Trailer Sales, new  
 Trailer Sales, used  
 Truck Rental  
 Truck Repairing or Overhauling  
 Truck Sales or Storage Yard  
 Trucking Yard or Terminal  
 U-Drive Business

### **FABRICS**

Carpet and Rug Cleaning Plant  
 Cloth Shrinking, Sponging, or Waterproofing  
 Dry Cleaning Plant  
 Dry Cleaning Plant, wholesale  
 Dyeing Works Plant  
 Fabric Shrinking, Sponging, Waterproofing, or Dyeing  
 Flocking and Silk Screen Processing  
 Fur Cleaning  
 Garneting or Carding of Previously Produced Fibrous Materials  
 Knitting Mill  
 Laundry Plant  
 Laundry Plant, wholesale

Rug Cleaning Plant  
 Silk Screen Printing

### **FOOD & ANIMAL**

Cannery (except fish products or sauerkraut)  
 Cannery, fish or sauerkraut  
 Composting Facility  
 Curing Facility  
 Dehydrating of Food  
 Feeding Pen, stock  
 Fish Canning, Cleaning, or Curing  
 Fish Distributing, wholesale or stock wagon operators  
 Fish Smoking  
 Flour Mill  
 Food Commissary  
 Food Dehydrating Plant  
 Frozen Food Locker Rental  
 Fruit Cannery  
 Fruit Preserving  
 Grain Drying or Fermenting  
 Grain Elevator  
 Hatchery, poultry or fish  
 Hides (raw) Curing, Tanning, or Storage  
 Hog Ranch, Feed, or Sales Yard  
 Honey Processing and Packing  
 Kennel  
 Livestock Exhibition, Sale, or Stable  
 Meat Cutting Plant  
 Menagerie  
 Nut Roasting, Frying, or Candy Coating  
 Olive Oil Extraction  
 Packing Plant, fruit or vegetable  
 Pet Animal Crematory  
 Potato Chip Factory  
 Poultry Killing  
 Poultry Slaughterhouse, wholesale  
 Produce Market, wholesale  
 Produce Yard or Terminal  
 Rabbit Killing  
 Rabbit Slaughterhouse, wholesale  
 Retinning and Reconditioning of Milk  
 Shrimp (frozen) Cleaning, Breeding, Packaging, and Refreezing  
 Stockyard or Feeding Pen  
 Swine Ranch  
 Tanning, Curing, or Storing of Raw Hides or Skins

Vegetable Cannery

**MANUFACTURING USES**

Abrasives Manufacturing  
Acetylene Gas Manufacturing or Storage  
Acid Manufacturing  
Adhesive Manufacturing, liquid  
Advertising Structures Manufacturing  
Agar-Agar Manufacturing  
Alcohol Manufacturing  
Ammonia Manufacturing  
Ammunition Manufacturing  
Anti-Knock Compound (for gasoline) Manufacturing  
Asbestos Product Manufacturing  
Asphalt Roofing Paper or Shingle Manufacturing  
Automotive Body and Frame Manufacturing  
Awning Manufacturing  
Babbitt Metal Manufacturing  
Barrel or Drum (steel) Manufacturing or Reclaiming  
Bathing Cap Manufacturing  
Bathtub Manufacturing  
Battery Manufacturing  
Billboard Manufacturing  
Bleach Manufacturing  
Bolt Manufacturing  
Bone Products Manufacturing  
Boneblack Manufacturing  
Bottle Manufacturing  
Box Spring Manufacturing  
Brick Manufacturing  
Briquette Manufacturing  
Broom Manufacturing  
Brush Manufacturing  
Building Block Manufacturing  
By-Product Products Manufacturing, from fish, meat, or animals  
Can Manufacturing or Reconditioning  
Canvas Manufacturing  
Canvas Products Manufacturing, Cap Manufacturing  
Carbon Paper Manufacturing  
Carpet and Rug Manufacturing  
Cattle or Sheep Dip Manufacturing  
CD, DVD, Video Tape, or Cassette

Manufacturing  
Cellophane Products Manufacturing  
Cellulose Compound Manufacturing  
Cellulose Nitrate Products Manufacturing  
Cellulose Products Manufacturing  
Cement Manufacturing  
Cement Products Manufacturing  
Cesspool Block Manufacturing  
Chamois Skins Manufacturing  
Charcoal Manufacturing  
Chemical Manufacturing  
Chewing Tobacco Manufacturing  
Chlorine Gas Manufacturing  
Cigar Manufacturing  
Cigarette Manufacturing  
Cloth Manufacturing  
Cloth Products Manufacturing  
Clothing Manufacturing  
Coil Manufacturing, small  
Coil Spring Manufacturing  
Computer Manufacturing  
Concrete Products Manufacturing  
Condenser Manufacturing, small  
Cork Manufacturing  
Cork Products Manufacturing  
Cosmetics Manufacturing  
Creosote Manufacturing, Bulk Storage, or Treatment  
Creosote Products Manufacturing  
Crystal Holder Manufacturing  
Dextrin Manufacturing  
Disinfectant Manufacturing  
Dog and Cat Food Manufacturing  
Door Manufacturing  
Dress Manufacturing  
Drug Manufacturing  
Dye Stuff Manufacturing  
Electric Generator or Motor Manufacturing  
Assembly and Manufacturing  
Electric Parts  
Electrical Equipment Manufacturing  
Electrical Sign Manufacturing  
Electronic Instruments and Devices Manufacturing  
Electronic Products Assembly and Manufacturing  
Emery Cloth Manufacturing  
Excelsior Manufacturing  
Explosives Manufacturing

Feather Products Manufacturing  
Felt Manufacturing, burlap, fur, hair,  
or wood  
Felt Manufacturing, cotton  
Felt Products Manufacturing  
Fencing (wire) Manufacturing  
Fertilizer Manufacturing, liquid  
Fertilizer Manufacturing, Processing,  
or Packaging  
Fiber Manufacturing  
Firearm Manufacturing  
Fireworks Manufacturing or Storage  
Fish Oil or Fishmeal Manufacturing  
Food Products Manufacturing  
Frit or Glaze Manufacturing  
Fiber Products Manufacturing  
Fur Products Manufacturing  
Furniture Manufacturing  
Garment Manufacturing  
Gas Manufacturing  
Gelatin Manufacturing  
Glass Fiber Manufacturing  
Glass Manufacturing  
Glass Products Manufacturing  
Glove Manufacturing  
Glucose Manufacturing  
Glue Manufacturing  
Golf Balls Manufacturing  
Graphite Manufacturing  
Grease Manufacturing or Refining  
Guncotton Products Manufacturing  
Gunpowder Manufacturing and  
Storage  
Gutta-perche, treating or  
manufacturing products  
therefrom  
Gypsum Manufacturing, Processing,  
or Grinding  
Hair Care Products Manufacturing  
Hat Manufacturing  
Heating Equipment Manufacturing  
Heating Gas Manufacturing  
Horn Products Manufacturing  
Hosiery Manufacturing  
Hydrochloric Acid Manufacturing  
Ice Cream Manufacturing  
Ice Manufacturing or Distributing  
Incinerator Manufacturing  
Ink Manufacturing  
Inner Spring Manufacturing  
Jewelry Manufacturing

Juice Manufacturing  
Jute Products Manufacturing  
Lacquer Manufacturing  
Lampblack Manufacturing  
Lard Manufacturing  
Leather Machine Belt Manufacturing  
Leather Products Manufacturing  
Light Sheet Metal Products  
Manufacturing  
Lime Manufacturing  
Linoleum Manufacturing  
Linseed Oil Manufacturing  
Liquid Fertilizers Manufacturing  
Liquid Coating for Beverage Tanks,  
manufacturing of  
Machine Belt Manufacturing  
Machinery Manufacturing  
Mannequin Manufacturing  
Mat Manufacturing  
Match Manufacturing  
Match Manufacturing, safety paper  
Metals (precious or semi-precious),  
manufacturing products of  
Metal Stamp Manufacture  
Musical Instrument Manufacturing  
Nail Manufacturing  
Neon Light Manufacturing  
Neon Sign Manufacturing  
Nitric Acid Manufacturing  
Nitrogen Manufacturing,  
Compressing, and Bulk Storage  
Novelties Manufacturing  
Oil Manufacture (vegetable)  
Optical Goods Manufacturing  
Orthopedic or Surgical Supplies  
Manufacturing  
Oxygen Manufacturing, Compressing,  
and Bulk Storage  
Paint Manufacturing  
Paint Products Manufacturing  
Paper Manufacturing or Converting  
Paper Products Manufacturing  
Pectin Manufacturing  
Perfume Manufacturing  
Perfumed Toilet Soap Manufacturing  
Petroleum Manufacturing  
Pharmaceuticals Manufacturing  
Phenol Manufacturing  
Phenol Products Manufacturing  
Pickle Manufacturing  
Pie Manufacturing

Plaster of Paris Manufacturing  
Plastic Manufacturing  
Plastic Products Manufacturing  
Point Manufacturing  
Polish Manufacturing  
Potash Manufacturing  
Pottery Manufacturing  
Powdered Metal Parts or Articles  
Manufacturing  
Pulp or Paper Manufacturing  
Pyrotechnics Manufacturing  
Pyroxylin Manufacturing  
Rubber Cement Manufacturing  
Rubber Products Manufacturing  
Rubber Stamp Manufacturing  
Rug Manufacturing  
Sandpaper Manufacturing  
Sash Manufacturing  
Sauerkraut Manufacturing  
Sausage Manufacturing  
Scientific Instrument and Equipment  
Manufacturing  
Screw Machine Products  
Manufacturing  
Sheet Metal Products  
Manufacturing, light  
Shell Manufacturing  
Shellac Manufacturing  
Shoddy Manufacturing  
Shoe Manufacturing  
Shoe Polish Manufacturing  
Sign Manufacturing  
Size Manufacturing  
Soap Manufacturing  
Sodium Compounds Manufacturing  
Stamp Manufacturing  
Starch Manufacturing  
Statuary Manufacturing  
Steel Pipe Manufacturing  
Stencil Manufacturing  
Stereo Equipment Manufacturing  
Stones (Precious or Semi-Precious),  
manufacturing products of  
Stove Manufacturing  
Stove Polish Manufacturing  
Sulfuric Acid Manufacturing  
Sulfurous Acid Manufacturing  
Synthetic Rubber Products  
Manufacturing  
Tallow Manufacturing  
Tank Coating Manufacturing

Tank Retinning and Manufacturing  
Tar Products Manufacturing  
Tar Roofing Manufacturing  
Tar Waterproofing Manufacturing  
Textile Manufacturing  
Textile Product Manufacturing  
Tire Manufacturing  
Tobacco Products Manufacturing  
Toiletries Manufacturing  
Tool Manufacturing  
Toy Manufacturing  
Trailer Manufacturing  
Transformer Manufacturing, small  
Turpentine Manufacturing  
Typewriter Ribbon Manufacturing  
Varnish Manufacturing  
Vegetable Oil Manufacturing  
Venetian Blind Manufacturing  
Ventilating Duct Manufacturing  
Vinegar Manufacturing  
Wall Board Manufacturing  
Washer Manufacturing  
Waterproofing Compound  
Manufacturing  
Window Manufacturing  
Window Shade Manufacturing, cloth  
Window Shade Manufacturing, wood  
or metal  
Wire Fencing Manufacturing  
Wire Manufacturing  
Wood Products Manufacturing  
Wool Products Manufacturing  
Woven Wire Manufacturing  
Yarn Products Manufacturing  
Yeast Manufacturing

#### **METALS**

Blacksmith Shop  
Blast Furnace  
Blending and Mixing of Compounds  
for Case Hardening, Tempering  
Boiler Works  
Bolt or Screw Thread Rolling or  
Cutting  
Brass Foundry  
Bronze Casting  
Case Hardening  
Casting, heavyweight  
Die Casting  
Drop Forge Industry  
Fabrication of Iron or Steel

Fabrication of Light Weight Steel  
 Forge Plant  
 Foundry (except iron, steel, brass,  
 manganese, bronze and zinc)  
 Foundry, iron, steel, brass,  
 manganese, bronze and zinc  
 Galvanizing of Metal or Metal  
 Products  
 Heat Treating  
 Iron Foundry or Fabrication Plant  
 Iron Ore Pellet Loading and  
 Unloading Facility  
 Iron Storage, Sorting, Collecting, or  
 Baling  
 Iron Works, ornamental  
 Metal Products Inspection by X-Ray  
 Metal Roll Forming  
 Metal Spinning  
 Ore Reduction Plant  
 Quarry  
 Roll Forming of Metals, cold process  
 Rolling Mill  
 Screw Thread Rolling or Cutting  
 Sharpening or Grinding of Tools or  
 Cutlery  
 Smelter, tin, copper, zinc, or iron  
 ores  
 Steel Foundry or Fabrication Plant  
 and Heavyweight Casting  
 Steel Mill  
 Tempering  
 Welding, acetylene or electric

**OTHER**

Aerosol Packaging  
 Asbestos Processing or Grinding  
 Battery Rebuilding  
 Blending and Mixing of Compounds  
 for Water Softening, Boiler Cleaning  
 Book Bindery  
 Bottling Plant  
 Box and Crate Assembly  
 Box Factory or Cooperage  
 Building Materials Sales Yard  
 Cement Mixer Rental  
 Central Steam (heated, or chilled  
 water)  
 Concrete Batching Plant  
 Cooperage Works  
 Cornice Works  
 Distillation of Bones

Earth or Soil Stockpiling,  
 Distribution, or Excavating  
 Electric Appliance Assembly  
 Electric Foundry  
 Electric Motor Repair  
 Electronic Instruments and Devices  
 Assembly  
 Electroplating of Small Articles  
 Electroplating Works  
 Embalming  
 Enameling Works  
 Engraving  
 Film Development / Printing  
 Machines  
 Film Laboratory  
 Fumigating Plant  
 Funeral Parlor  
 Furniture Assembly Plant  
 Furniture Cleaning  
 Granite (decomposed) Excavating or  
 Stockpiling  
 Granite Grinding, Dressing, or  
 Cutting  
 Gravel Plant  
 Insecticide or Pesticide Blending or  
 Mixing  
 Lapidary Shop  
 Liquor or Spirits Rectifying  
 Lubricating Oil Canning and  
 Packaging  
 Lumber Yard, retail  
 Machine Shop  
 Machine Shop, precision  
 Machinery (farm) Repairing and  
 Overhauling  
 Marble Grinding, Dressing, or  
 Cutting  
 Mattress Factory or Renovating  
 Mausoleum  
 Monument Works  
 Morgue  
 Mortuary or Mortuary School  
 Oxygen, storage of compressed  
 Packaging Business  
 Paint Mixing  
 Phonograph Assembly  
 Photo Developing and Finishing  
 Pipe Reclaiming  
 Pipe Storage Yard  
 Planing Mill  
 Plaster Staff Works

Polish Mixing, automobile or furniture  
Printing Establishment  
Printing Establishment, wholesale  
Printing or Stenciling Designs on Fabric, Cloth, or Wallpaper  
Public Utilities Service Yard  
Publishing Establishment  
Publishing Establishment, wholesale  
Pumping Plant  
Radio and Television Assembly  
Railroad Repair Shop  
Repair Garage  
Repair Shop  
Research and Development Center Containers  
Rock, Sand, Gravel, or Earth Distribution or Storage  
Roofing Material Factory  
Rope Factory  
Roundhouse  
Safe and Vault Repairing and Servicing  
Salt Works  
Salvage Business  
Sand Blasting  
Sand Pit  
Saw Mill  
Secondhand Box or Container Storage, Display, Processing, or Sales  
Secondhand Furniture and Appliance Storage, Display, Processing, or Sales  
Shellac Mixing  
Shingle Mill  
Starch (liquid) Mixing and Bottling  
Stereo Equipment Assembly  
Stone Mill or Quarry  
Stone Monument Works  
Sugar Refining  
Testing Laboratory  
Top Soil Stripping, Removing, or Stockpiling  
Tree Wrecking Yard  
Undertaking  
Upholstery Shop  
Water Softening Unit, servicing and refrigeration plant  
Wax Polish Blending, Mixing, and Packaging

Wiping Rag Storage  
Wire, application of rubber to  
Wood Pulling or Scouring  
Wood Yard  
Woodworking Equipment Rental Shop  
Woodworking Shop  
Xeroxing

#### **OTHER TRANSPORTATION**

Aircraft Engine or Aircraft Part Repairing, Reconditioning, or Rebuilding  
Aircraft Engine Testing  
Aircraft Factory  
Aircraft Fueling Station  
Aircraft Hangar  
Aircraft Landing Field  
Aircraft Repairing  
Airport  
Boat Building, small  
Draying Yard or Terminal  
Electric Railroad Yard  
Freight Classification Yard, railroad  
Freight Forwarding Station or Terminal  
Freighting Yard or Terminal  
Marine Cargo Loading or Unloading, wharf or dock  
Parcel Delivery Service  
Railroad Yard  
Shipbuilding  
Train Station  
Wharf or Dock for Marine Cargo

#### **PETROLEUM-RELATED USES**

Booster Pump Station, with in-line heater system for oil pipeline  
Butane Gas Filling Station  
Compressed Natural Gas Automotive Refueling Station  
Fuel Yard  
Gas Storage  
Oil Drilling Equipment Yard  
Oil Drilling or Pumping and Oil Pipeline Booster Pump Station  
Oil Reclaiming  
Petroleum Product Bulk Distributing Station  
Petroleum Pumping

**WAREHOUSE / DISTRIBUTION**

Agricultural Equipment Sales Yard, wholesale  
 Appliances (secondhand) Storage, Display, Processing, or Sales  
 Barrel or Drum (secondhand) Storage, Display, Processing, or Sale  
 Barrel Storage, empty  
 Bottle Washing, Collection, or Storage  
 Boxes and Crates (secondhand) Storage, Display, Processing, or Sales  
 Cement (bulk) Transfer  
 Cement (bulk) Unloading and Distribution  
 Distributing Plant  
 Equipment Storage Yard  
 Clay Products Storage  
 Clay Products Storage Yard  
 Cold Storage Plant  
 Contractor's Equipment Rental Yard or Plant  
 Contractor's Equipment Storage Yard or Plant  
 Distribution Center, Plant, or Warehouse  
 Egg Candling and Distribution  
 Electric Motor Repair, wholesale  
 Feed Storage and Sales Yard  
 Fertilizer Sales, wholesale  
 Furniture (secondhand) Storage, Display, Processing, or Sales  
 Gravel Distribution  
 Hay Barn  
 Ice and Cold Storage Plant  
 Ice Storage Plant  
 Lumber Yard, wholesale  
 Milk Bottling or Distributing Station  
 Open Storage  
 Paper Collecting, Sorting, Storage, or Baling  
 Refrigeration Plant, storage  
 Sack Storage, Sorting, Collection, or Baling  
 Sand Distribution Plant  
 Storage Building  
 Storage Building for Household Goods, including truck rentals  
 Storage, open

## Warehouse

**WASTE DISPOSAL / MANAGEMENT**

Building Materials Salvage Yard  
 Cesspool Pumping, Cleaning, and Draining  
 Chipping and Grinding Activities  
 Garbage Incineration, Reduction, or Dumping  
 Garbage, Fat, Offal, or Dead Animal Reduction or Rendering  
 Gardener's Refuse Collection Yard or Station  
 Hazardous Waste Facility, disposal  
 Hazardous Waste Facility, storage and/or treatment  
 Junk Yard  
 Junk Collection, Sorting, Storage, or Baling  
 Leaf Mold Storage, Composting, and Packaging  
 Lumber Yard, used materials and salvaging  
 Machinery Wrecking or Storage Yard  
 Manure Storage or Processing  
 Medical Waste Treatment  
 Mulching Facility  
 Offal or Dead Animal Dumping  
 Paper Scrap or Waste Storage  
 Storage, Sorting, Collecting, or Baling  
 Recyclable Materials Collection, Buyback Centers, Mobile Recycling Centers  
 Recycling Material Processing Facility  
 Refuse Dump  
 Refuse Transfer Station  
 Rubbish Incinerator or Storage  
 Sanitary Landfill  
 Scrap Iron Collection, Sorting, Storage, or Baling  
 Scrap Metal Collection, Sorting, Storage, or Baling  
 Scrap Metal Processing Yard  
 Sewage Treatment Facility  
 Sewage Disposal or Treatment Plant  
 Solid Waste Alternative Technology Processing Facility

**F. Development Regulations.** A project shall be subject to the following development regulations. A project that has been granted vested rights under Section 12.26.A.3 of this Code prior to the effective date of this ordinance is exempt.

(Table 1 below provides a cross reference of development regulations by applicable project context. The regulation for a project within 1,000 feet of a Freeway or specified State Route shall be found in Section 13.18.F.4. of this Code.)

Table 1: Development Regulations by Applicable Project Context

Development Regulations	Subject Use		Subject Use Adjacent to Publicly Habitable Spaces		Publicly Habitable Spaces Adjacent to Subject Use	
	Applicability	Reference	Applicability	Reference	Applicability	Reference
Site Planning	✓	13.18 F.1(a)	✓	13.18 F.2(a)	✓	13.18 F.3(a)
Signage			✓	13.18 F.2(b)		
Lighting	✓	13.18 F.1(b)	✓	13.18 F.2(a)		
Enclosure	✓	13.18 F.1(c)	✓	13.18 F.2(e)		
Fencing			✓	13.18 F.2(d)		
Distancing Requirement			✓	13.18 F.2(e)		
Building Height			✓	13.18 F.2(f),13.18 F.2(g)		
Yard Setback			✓	13.18 F.2(h)		
Landscaping			✓	13.18 F.2(i)	✓	13.18 F.3(b)
Parking Design			✓	13.18 F.2(j)	✓	13.18 F.3(c)
Driveway			✓	13.18 F.2(k)		
Noise			✓	13.18 F.2(l)		
Storage of Merchandise			✓	13.18 F.2(m)		

1. **Subject Use.** Any Subject Use, as listed in 13.18. E.2.(d) of this Code, shall comply with the following development standards if the Project Type (pursuant to 13.18.E.1) is applicable.

(a) **Site Planning** (applies to project types: NEW, MAJOR IMPROVEMENT, ADDITION, CHANGE OF USE)

(1) All trash receptacles shall be located within a gated, covered enclosure at least six feet in height.

(2) Chain link, barbed wire, and concertina wire fences are prohibited at the perimeter of the property.

(b) **Lighting** (applies to project types: NEW, MAJOR IMPROVEMENT, ADDITION, CHANGE OF USE)

All outdoor lighting systems shall be directed away from the window of any residential uses and shall comply with the non-residential Light Pollution Reduction standards in the Green Building Code of this Code.

(c) **Enclosure** (applies to project types: NEW, ADDITION, CHANGE OF USE)

A use, material or equipment that emits or generates dust, smoke, gas, fumes, cinder or refuse matter shall be completely enclosed with mechanical ventilation to prevent fugitive emissions unless another regulatory agency requires natural ventilation. A stack, vent or flare is exempt from this enclosure requirement.

## 2. **Subject Use Adjacent to Publicly Habitable Spaces**

(a) All the standards in Section 13.18.F.1(a) and 13.18.F.1(b) (applies to project types: NEW, MAJOR IMPROVEMENT, ADDITION, CHANGE OF USE)

(b) **Signage** (applies to project types: NEW, MAJOR IMPROVEMENTS, ADDITION, CHANGE OF USE)

Any use adjacent to Publicly Habitable Spaces with commercial vehicles, as defined by California Code of Regulations Title 13 Chapter 10 Section 2480 and 2485, shall post "No Idling" signage onsite at the back of the curb and adjacent to the entrance of at least one driveway where truck loading, staging or parking occurs.

(c) **Enclosure** (applies to project types: NEW, MAJOR IMPROVEMENT, ADDITION, CHANGE OF USE)

A use, material or equipment that emits or generates dust, smoke, gas, fumes, cinder or refuse matter shall be completely enclosed with mechanical ventilation for the improved portions of the project to prevent fugitive emissions, unless another regulatory agency requires natural ventilation. A stack, vent and flare is exempt from this enclosure requirement.

(d) **Fencing** (applies to project types: NEW, MAJOR IMPROVEMENT, ADDITION, CHANGE OF USE)

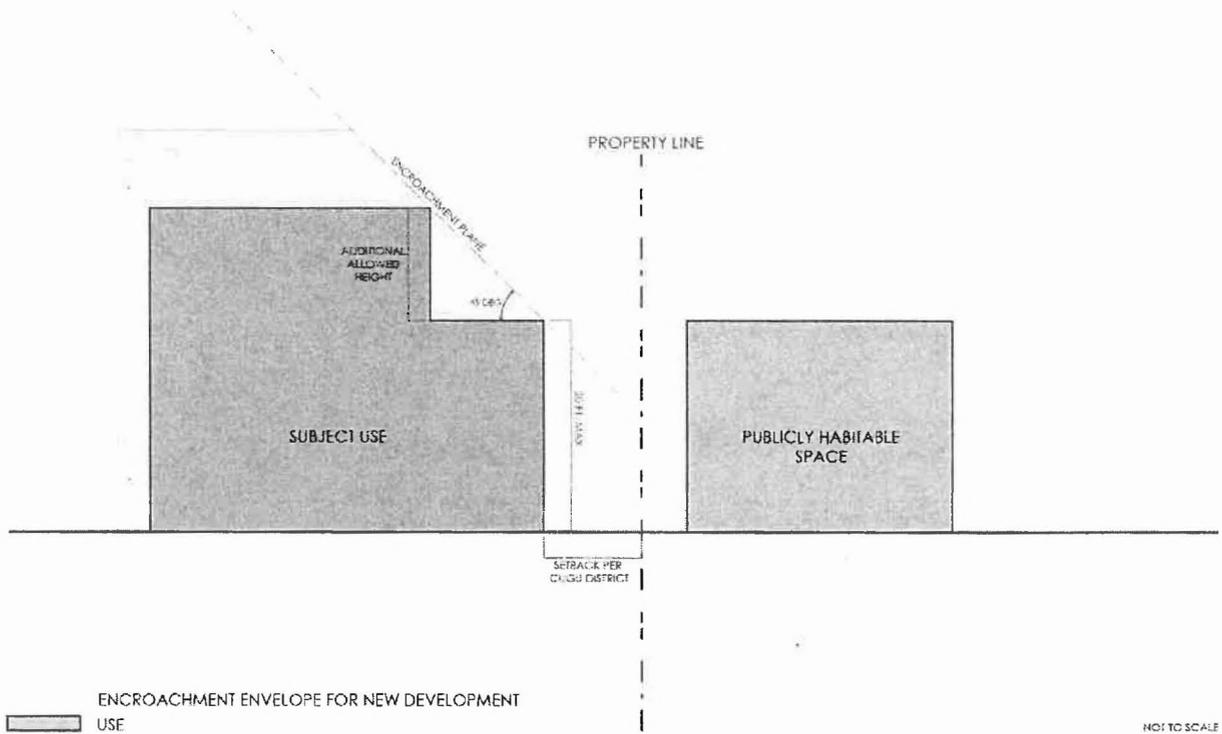
A use that abuts a Publicly Habitable Space shall construct a 6-foot high solid concrete or masonry wall for the entire length of the property line in the following zones: C2, C4, CM, MR1, M1, MR2, M2 and M3. The wall shall be without openings and shall have a minimum nominal thickness of 6 inches.

(e) **Distancing Requirement** (applies to project types: NEW, CHANGE OF USE)

Any new automobile dismantling yard, exhaust test station, automobile laundries (car wash), automotive repair, used auto retail sales, assembly of auto parts and accessories, tire shop, tire repair, and wholesale auto parts and accessory facilities are prohibited within 500 feet of a residential zone.

(f) **Building Height** (applies to project types: NEW)

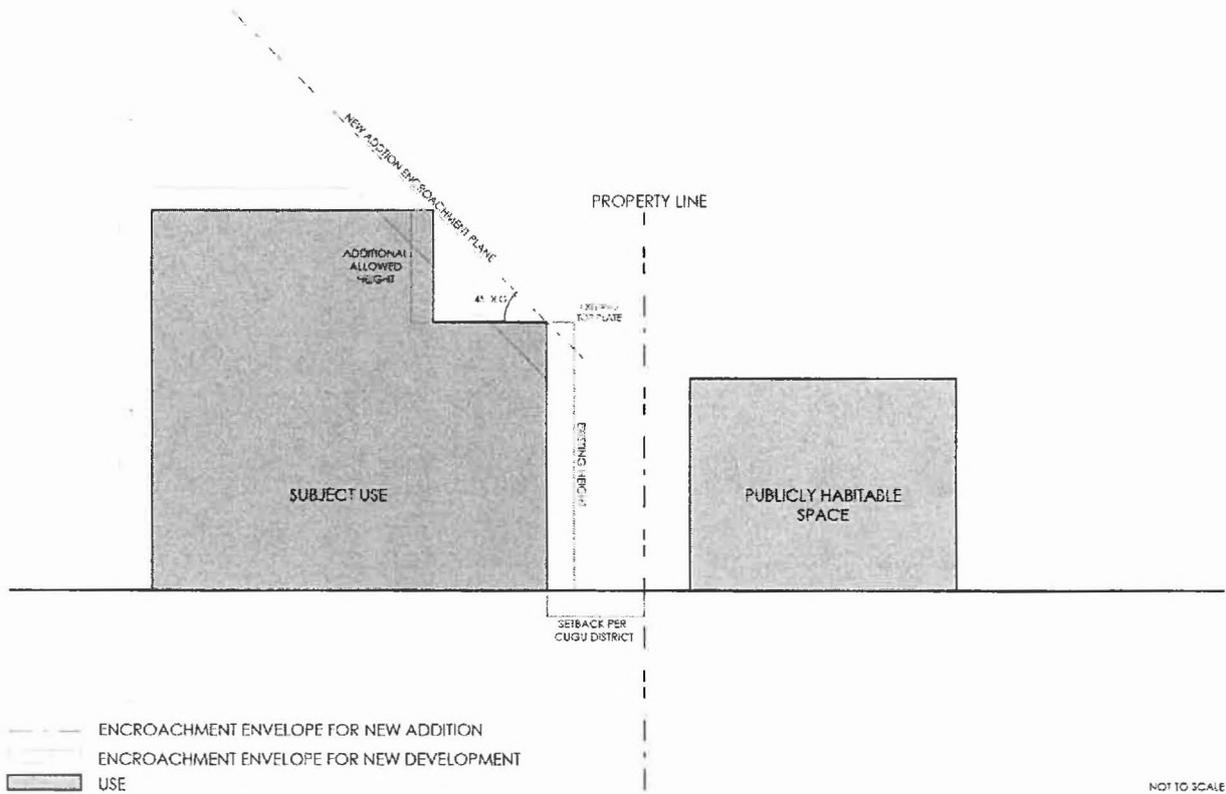
Any new building or structure shall be within an encroachment plane sloping upward and inward at a 45 degree angle commencing 20 feet above the existing grade at the inside line of the side yard setback as illustrated below:



Encroachment plane standards shall only be required when a Subject Use is abutting a Publicly Habitable Space.

(g) **Building Height** (applies to project types: ADDITIONS)

Any additions to an existing building or structure shall be within an encroachment plane sloping upward and inward at a 45 degree angle commencing above the existing roof at the inside of the side yard setback as illustrated below:



Encroachment plane standards shall only be required when a Subject Use is abutting a Publicly Habitable Space.

(h) **Yard Setback** (applies to project types: NEW, ADDITION)

A new building, structure or addition shall provide the following setbacks indicated in Table 2 when abutting a Publicly Habitable Space. This regulation is not eligible for an Adjustment pursuant to Section 13.18.G.3(c) of this Code.

Table 2: Manufacturing Zone Setbacks

	<b>MR1   M1   MR2   M2</b>	<b>M3</b>
Front	lot depth ≤ 100 ft: 5 ft lot depth > 100 ft: 15 ft	5% of lot depth, 5% of lot width; no less than 15 ft if within 500 ft if a PHS
Side	lot width ≤ 30 ft: 3 ft lot width > 30, < 50 ft: 5 ft lot width ≥ 50: 15 ft	
Rear	lot depth ≤ 100 ft: 5 ft lot depth > 100 ft: 15 ft	

(i) **Landscaping** (applies to project types: NEW, MAJOR IMPROVEMENT, ADDITION, CHANGE of USE)

(1) Setbacks. All required side and back yard setbacks in Section 13.18.F.2(h) abutting a Publicly Habitable Space shall be landscaped to provide a buffer.

(2) Planting. A Landscape Practitioner shall select trees or hedges that are between 6 and 8 feet high, low in water use, low in biogenic emissions, high in carbon and particulate matter filtration qualities, and retain foliage for most months of the year. Trees shall be limited to selections from the Department of Public Works Bureau of Street Services, Street Tree Selection Guide, except non-drought tolerant trees and Palms shall be prohibited. A minimum of one tree shall be planted and maintained every 10 linear feet within the setback. A list of preferred trees is also provided in the CUGU application packet available at the Planning Department's Development Services Counter. Landscape Plans shall be submitted to the Department of City Planning for approval.

(3) Irrigation. Project applicants shall design and install irrigation systems pursuant to Guidelines BB – Irrigation Specification, promulgated pursuant to Section 12.41 B.2 of this Code.

(j) **Surface Parking Lot Design** (applies to project types: NEW, MAJOR IMPROVEMENT, ADDITION, CHANGE of USE)

(1) Layout. New on-site parking and loading areas (including service bays) shall be at the rear or side of the building.

(2) Screening. An existing or new parking lot that abuts a public right-of-way with five or more new spaces shall be screened at the perimeter by either landscape or hardscape.

(i) A landscaped screen shall be a combination of trees and shrubs. One tree shall be planted and maintained every 15 linear feet in accordance with Section 13.18.F.2(i)(2) of this Code. Shrubs shall be planted and maintained between trees to create a visual screen. Illustrations of this requirement are provided in the CUGU application packet.

(ii) A hardscape screen shall be a wall, barrier, or fence of uniform appearance that is opaque or perforated (provided no more than 50 percent of the face is open). The structure shall be no less than 3 feet 6 inches in height. Chain link, barbed wire and concertina wire fences are prohibited.

(3) Tree Planting. One tree for every 4 new parking spaces shall be planted within the surface parking lot. When the application of these regulations results in the requirement of a fractional of a tree, any fraction over one-half shall be construed as requiring a whole tree. Parking spaces covered by solar carports functioning as shade structures are exempt from the calculation. Non-solar carports are not exempt from the calculation.

(i) The surface lot shall be graded to allow for ground water recharge into a minimum 3-foot by 3-foot unpaved planting area. This unpaved area shall be concave in design to receive runoff per Bureau of Engineering specifications.

(k) **Driveway** (applies to project types: NEW, MAJOR IMPROVEMENT, ADDITION, CHANGE OF USE)

(1) A new driveway shall maintain the minimum width required by Section 12.21.A.5(f) of the LAMC, unless otherwise required by the Department of Transportation or Fire Department.

(2) For parcels less than 100 feet in width, the total sum of any new and existing driveway shall be no more than 30 percent of the total street frontage of the property. If existing conditions exceed 30 percent, no new driveway shall be added.

(3) For parcels equal to or greater than 100 feet in width, the total sum of any new and existing driveway shall be no more than 20 percent of the total street frontage of the property. If existing conditions exceed 30 percent, no new driveway shall be added.

(l) **Noise** (applies to project types: NEW, MAJOR IMPROVEMENT, ADDITION, CHANGE OF USE)

(1) A noise generating use or activity shall not exceed the presumed ambient noise level specified by zone in Table II of Section 111.03 of the LAMC.

(i) An applicant shall submit to the Department of City Planning an acoustic evaluation report issued by a licensed noise consulting professional which identifies compliance options for noise mitigation. An applicant shall comply with the stated performance-based mitigation measures.

(ii) Baseline and other ambient noise levels shall be measured at the property line. If the ambient sound levels at the site exceed the allowable ambient levels in Table II, the existing site's ambient level becomes the new allowable baseline and no increase in that level shall be allowed.

(2) An applicant whose project include a noise generating use or activity shall submit an acoustic evaluation report prepared by a licensed consulting professional which includes current and projected noise levels at the site. The report shall include compliance options for noise mitigation measures. An applicant shall comply with all mitigated measures. Noise levels shall be measured per Section 13.18.F.2(l)(1)(ii) of this Code.

(m) **Storage of Merchandise and Materials** (applies to project types: NEW, MAJOR IMPROVEMENT, ADDITION, CHANGE OF USE)

(1) All open air storage of merchandise or materials shall be confined within a storage area enclosed by a solid, non-combustible wall with self-closing gates, except for construction equipment.

(i) All outdoor storage shall comply with the height restrictions for materials and equipment per Section 12.19.A.4(b)(3) of this Code.

(2) Materials that are subject to releasing dust or particulate matter shall be covered or completely enclosed.

(3) Barbed wire, chain linked and concertina wire fences are prohibited at the perimeter of the property.

3. **Publicly Habitable Spaces Adjacent to Subject Uses.**

(a) **Site Plan** (applies to project types: NEW)

Required and/or voluntary open space shall be fully buffered from a Subject Use or freeway by a building on the same project site.

(b) **Landscaping** (applies to project types: NEW, MAJOR IMPROVEMENT, ADDITION, CHANGE OF USE)

(1) Except for front yards, all required yards abutting a Subject Use shall be landscaped as follows:

(i) A Landscape Practitioner shall select trees or shrubs that will grow to be between six and eight feet high when mature, low in water use, low in biogenic emissions, high in carbon and particulate matter filtration qualities, and retain foliage for most months of the year. Trees shall be limited to selections from the Department of Public Works Bureau of Street Services, Street Tree Selection Guide, except for non-drought tolerant trees and Palms. A list of preferred trees is also provided in the CUGU application packet.

(ii) Irrigation. Project applicants shall design and install irrigation systems pursuant to Guidelines BB-Irrigation Specification of Section 12.41 B.2 of the LAMC.

(c) **Parking Design** (applies to project types: NEW, ADDITIONS, MAJOR IMPROVEMENT, CHANGE OF USE)

Any parking lots with five or more parking stalls shall comply with the requirements in Section 13.18.F.2 (j) of this Code.

4. **Municipal Projects Adjacent to Freeway and State Route 47.**

(a) **Signage** (applies to project types: NEW, MAJOR IMPROVEMENT, ADDITION, CHANGE OF USE)

Any municipal buildings open to the public and located within 1,000 feet of a freeway shall post a sign to notify the public as follows:

“NOTICE: Air pollution studies show a strong link between the chronic exposure of populations to vehicle exhaust and particulate matter from major roads and freeways and elevated risk of adverse health impacts, particularly in sensitive populations such as young children and older adults. Areas located within 500 feet of the freeway are known to experience the greatest concentration of ultrafine particulate matter and other pollutants implicated in asthma and other health conditions.”

The sign shall be posted at a shared main entrance or shared facility. Public parks shall post signage in restrooms. The sign must meet the following requirements:

- (1) A minimum size of 8.5” x 11”;
- (2) Garamond bold condensed font type at 28 point font size;
- (3) English or English and Spanish;
- (4) Durable sign made from plastic or aluminum or other hard surface; and
- (5) Fixed to a wall, door, or other physical structure.

**G. Issuance of Building Permits.** For any Project within a CUGU District, the Department of Building and Safety shall not issue any permits, including, but not limited to, grading, shoring or building unless an Administrative Clearance, CUGU Adjustment, or CUGU Exception has been obtained pursuant to the applicable procedures in Section 13.18.G of this Code.

**H. Review Procedures for Projects within CUGU District.**

1. **Application.** All Projects proposed within a CUGU District shall be submitted for approval with a CUGU application and form available at the Planning Department’s Development Services Counter. Prior to deeming the whether the application is complete, the Director shall determine and advise the applicant, if necessary, of the processes to be followed, materials to be

submitted, and fees to be paid. The granting of the CUGU approval shall not imply or be deemed to constitute compliance within any other applicable provisions of this Code.

2. **Administrative Clearance - Authority of the Director.** An applicant who complies with the CUGU District regulations shall submit plans to the Director for an Administrative Clearance pursuant to Section 12.32.S.4 of this Code. Applicants requesting an Adjustment shall submit plans per Subdivision 3 below. A project that cannot comply with the requirements of the CUGU District may request relief through the Exception procedures set forth in Subdivision 4 of this section.

3. **Adjustments - Director Authority with Appeal to the Area Planning Commission.** The Director or the Director's designee shall have initial decision-making authority to grant a CUGU Adjustment with an appeal to the Area Planning Commission in accordance with the procedures set forth in Section 11.5.7.C.4-6. of this Code.

(a) **Limitations.** Unless otherwise limited by the CUGU District, a CUGU Adjustment shall be limited to deviations of up to 20 percent from each of the quantitative development regulations.

If applicable, each adopted CUGU District shall indicate those development regulations which are not eligible for an Adjustment through this section. If an application requests more than one CUGU Adjustment, the Director may advise the applicant, prior to the application being deemed complete, that the request be filed and processed as a CUGU Exception, pursuant to Subdivision 4 of this section.

(b) **Findings.** The Director may grant an Adjustment upon making all of the following findings:

(1) Special circumstances applicable to the Project or project site exist which make the strict application of the CUGU regulation(s) impractical;

(2) The Project, as approved, is consistent with the purpose and intent of the CUGU District and substantially complies with the applicable CUGU regulations; and

(3) In granting the Adjustment, the Director has considered and finds no detrimental effects of the Adjustment on surrounding properties, the public, or public rights-of-way.

(c) All Projects seeking relief from any development regulation designated in the CUGU District as not eligible for Adjustment shall be

processed through the CUGU Exception procedures listed in Subdivision 4 of this section.

#### **4. Exceptions – Area Planning Commission Authority with Appeals to the City Council.**

(a) **Authority.** The Area Planning Commission shall have initial decision-making authority for granting an Exception from the CUGU District regulations with an appeal to the City Council in accordance with the procedures set forth in Section 11.5.7.F.3.-8. of this Code.

In granting an Exception from CUGU regulations, the Area Planning Commission shall impose conditions to protect the public health, safety, and welfare; and to assure compliance with the objectives of the General Plan and the purpose and intent of the CUGU District. An Exception from a CUGU regulation shall not be used to grant a special privilege, nor to grant relief from a self-imposed hardship.

(b) **Findings.** The Area Planning Commission may permit an Exception from a CUGU regulation if it makes all the following findings:

(1) The strict application of the CUGU regulations to the subject property would result in practical difficulties or an unnecessary hardship inconsistent with the general purpose and intent of the CUGU District and its regulations;

(2) Exceptional circumstances or conditions applicable to the subject property involved or to the intended use or development of the subject property exist that do not apply generally to other properties in the CUGU District;

(3) An Exception from the CUGU regulation is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property within the CUGU District and in the same zone and vicinity but which, because of a special circumstance and practical difficulties or unnecessary hardship, is denied to the property in question;

(4) The granting of an Exception will not be detrimental to the public welfare or injurious to the property or improvements adjacent to, or in the vicinity of, the subject property; and

(5) The granting of an exception will be consistent with the principles, intent and goals of the CUGU District and any applicable element of the General Plan.

**I. Severability.** If any provision of this ordinance is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect the remaining provisions of this ordinance, which can be implemented without the invalid provisions and, to this end, the provisions of this ordinance are declared to be severable. The City Council hereby declares that it would have adopted each and every provision and portion thereof not declared invalid or unconstitutional, without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

Sec. 11. A new Section 13.19 of Article 3 of Chapter 1 of the Los Angeles Municipal Code is added to read as follows:

**SEC. 13.19. VIOLATION.**

The violation of any condition imposed by a Zoning Administrator, Director of Planning, the Area Planning Commission, City Planning Commission or City Council in approving the site requirements, methods of operation, development plans or other actions taken pursuant to the authority contained in this article shall constitute a violation of this Code.

Sec. 12. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of \_\_\_\_\_.

HOLLY L. WOLCOTT, City Clerk

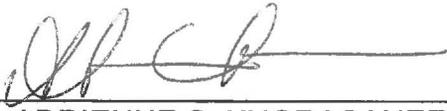
By \_\_\_\_\_  
Deputy

Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By   
ADRIENNE S. KHORASANEE  
Deputy City Attorney

Date March 30, 2016

File No(s). CF 15-1026

Pursuant to Charter Section 559, I approve this ordinance on behalf of the City Planning Commission and recommend that it be adopted . . . . .

March 30, 2016

See attached report.

  
Vince Bertoni  
Director of Planning