


## ANALYSIS

This ordinance amends Title 22 - Planning and Zoning of the Los Angeles County Code related to mixed use developments and joint live and work units in certain commercial zones.

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By 

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EML:di

5/29/08 (requested)

5/29/08 (revised)

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

An ordinance amending Title 22 - Planning and Zoning of the Los Angeles County Code related to mixed use developments and joint live and work units in certain commercial zones.

The Board of Supervisors of the County of Los Angeles hereby ordains as follows:

**SECTION 1.** Section 22.08.100 is hereby amended to add the following definition in alphabetical order as follows:

**22.08.100 J.**

— "Joint live and work unit" shall mean a dwelling unit comprised of both living space and work space, where either a residential use or a commercial use can be the primary use, and in which at least one resident of the living space is responsible for the commercial activity performed in the work space. The terms "living space" shall mean the area for the residential use and "working space" shall mean the area for the commercial use.

...

**SECTION 2.** Section 22.08.130 is hereby amended to add the following definition in alphabetical order as follows:

**22.08.130 M.**

...

— "Mixed use development," unless otherwise specified, shall mean a development that combines residential and commercial uses.

...

**SECTION 3.** Section 22.28.050 is hereby amended to add the following in alphabetical order as follows:

**22.28.050** **Uses subject to director's review and approval.** If site plans therefore are first submitted to and approved by the director, premises in C-H Zone may be used for:

...

- Joint live and work units, as provided in Part 19 of Chapter 22.52.
- Mixed use developments, as provided in Part 18 of Chapter 22.52.

...

**SECTION 4.** Sections 22.28.100.A, 22.28.150.A, and 22.28.200.A are hereby amended to add the following uses requiring director's review and approval in Zones C-1, C-2, C-3, respectively, as follows:

...

- Joint live and work units, as provided in Part 19 of Chapter 22.52.
- Live entertainment, accessory, in a legally established bar, cocktail lounge or restaurant having an occupant load of less than 200 people, where in full compliance with the conditions of Section 22.56.1754.
- Mixed use developments, as provided in Part 18 of Chapter 22.52.

...

**SECTION 5.** Section 22.28.260.A is hereby amended to add the following in alphabetical order as follows:

**22.28.260 Uses subject to permits.** Premises in C-M Zone may be used for:

A. The following uses, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

...

— Joint live and work units, as provided in Part 19 of Chapter 22.52 and in accordance with the minor conditional use permit procedure provided in Section 22.56.085.

...

— Mixed use developments, as provided in Part 18 of Chapter 22.52 and in accordance with the minor conditional use permit procedure provided in Section 2.56.085.

...

**SECTION 6.** Section 22.52.1145 is hereby added to read as follows:

**22.52.1145 Joint live and work units.** Each joint live and work unit shall have a minimum of two uncovered standard parking spaces.

**SECTION 7.** Part 18 of Chapter 22.52 is hereby added to read as follows:

**PART 18**

**MIXED USE DEVELOPMENTS**

**Sections:**

**22.52.1900 Purpose.**

**22.52.1910 Permitted areas.**

**22.52.1920 Use exceptions.**

**22.52.1930 Development standards.**

**22.52.1940 Performance standards.**

**22.52.1950 Covenant and agreement.**

**22.52.1960 Conversion of uses—Subject to permit.**

**22.52.1900 Purpose.** The purpose of this Part 18 is to facilitate the establishment of, and to ensure the compatibility of, residential and commercial uses within vertical mixed use developments by allowing such uses in certain commercial zones with appropriate development limitations and standards, and to streamline the permitting procedure for such uses. Joint live and work units may occupy portions of buildings designed for mixed use developments. A proposed mixed use development that does not comply with this Part 18 is subject to the regular conditional use permit procedure set forth in Part 1 of Chapter 22.56.

**22.52.1910 Permitted areas.**

A. Subject to the limitations set forth in subsection B below, and the exceptions and standards set forth in this chapter, mixed use developments shall be permitted in zones C-H (Commercial Highway), C-1 (Restricted Business), C-2 (Neighborhood Business), C-3 (Unlimited Commercial), and C-M (Commercial Manufacturing) provided that the applicant obtains one of the following:

1. A ministerial director's review and approval, as provided in Part 12 of Chapter 22.56 for mixed use developments in zones C-H, C-1, C-2, or C-3; or
2. A minor conditional use permit, as provided in Section 22.56.085 for mixed use developments in zone C-M.

B. Notwithstanding the above, no mixed use development approved in accordance with this Part 18 shall be allowed if any portion of the development would be located in a Significant Ecological Area (SEA); an Environmentally Sensitive Habitat Area (ESHA); a Very High Fire Hazard Severity Zone; an Airport Land Use influence area as depicted in the Los Angeles County Airport Land Use Plan; on land with a slope of 25 percent or more; or, on land not served by a public water or public sewer system.

**22.52.1920 Use exceptions.**

A. The commercial component of a mixed use development allowed pursuant to Section 22.52.1910, shall not include any of the following uses:

- Air pollution sampling stations.
- Assaying.
- Athletic fields.

- Auction houses.
- Automobile and other vehicle repair garages.
- Automobile battery service.
- Automobile brake repair shops.
- Automobile muffler shops.
- Automobile radiator shops.
- Automobile rental and leasing agencies.
- Automobile sales, sale of new and used motor vehicles.
- Automobile sightseeing agencies.
- Automobile service stations.
- Automobile supply stores.
- Bakery goods distributors.
- Beauty shops.
- Boat and other marine sales.
- Boat rentals.
- Car washes, automatic, coin operated, and hand wash.
- Communications equipment buildings.
- Dog training schools.
- Dry cleaning establishments.
- Electric distribution substations, including microwave facilities.
- Furniture and household goods, transfer and storage.
- Gas metering and control stations, public utility.

- Golf courses including the customary clubhouse and appurtenant facilities.
- Ice sales.
- Industrial uses listed in subsection B of Section 22.28.230.
- Laboratories, research, and testing.
- Laundry plants, wholesale.
- Lodge halls.
- Microwave stations.
- Mobilehome sales.
- Mortuaries.
- Motion picture studios and indoor sets, including the temporary use of domestic and wild animals in motion picture and television production.
- Motorcycle, motor scooter, and trail bike rentals.
- Motorcycle, motor scooter, and trail bike sales.
- Parcel delivery terminals.
- Pet grooming.
- Pet stores.
- Radio and television broadcasting studios.
- Recording studios.
- Recreational vehicle rentals.
- Recreational vehicle sales.



- Rental services, including:
  1. Furniture and appliance rentals;
  2. Hospital equipment and supply rentals;
  3. Party equipment rentals;
  4. Tool rentals, including rototillers, power mowers, sanders and saws, cement mixers, and other similar equipment, but excluding heavy machinery or trucks.
- Taxidermists.
- Telephone repeater stations.
- Tire retreading or recapping.
- Trailer rentals.
- Trailer sales.
- Truck rentals.

B. Mixed use developments approved in accordance with this Part 18 that require approval by the department of public works shall first be referred to the department of regional planning for review and approval in order to ensure that the use exceptions specified in this Part 18 are properly regulated.

**22.52.1930 Development standards.** All development standards in the zone in which mixed use developments are proposed in accordance with this Part 18 shall apply, in addition to the following:

A. Parking.

1. With the exception of fully subterranean structures, all parking areas shall:

a. Be located in the rear of the structure(s); and

b. Be completely screened with walls and/or landscaping so that they are not visible from the street that provides frontage, except that views of parking areas down or along access driveways need not be screened.

2. Separate commercial and residential parking spaces must be provided in compliance with Part 11 of Chapter 22.52, which spaces shall be separately designated by posting, pavement marking, and/or physical separation.

B. Loading/unloading. Off-street loading areas shall be located toward the rear of the structure(s) and shall not be visible from the street.

C. Trash/recycling. Areas for the collection and storage of refuse and recyclable materials shall be located on the site in locations that are convenient for both the residential and commercial uses. The trash enclosures shall be located toward the rear of the structure(s) and shall not be visible from the street.

D. Zone-specific standards:

1. Zones C-H, C-1, and C-2. Properties in Zones C-H, C-1, and C-2 developed with mixed use developments in accordance with this Part 18 shall not contain more than 17 dwelling units per net acre.

2. Zones C-3 and C-M.

a. Dwelling unit density. Properties in Zones C-3 and C-M developed with mixed use developments in accordance with this Part 18 shall not contain more than 50 dwelling units per net acre;

b. Height. A building or structure in a mixed use development approved in accordance with this Part 18 shall not exceed a height of 60 feet above grade, excluding chimneys and rooftop antennas.

**22.52.1940 Performance standards.** All performance standards in the zone in which mixed use developments are proposed in accordance with this Part 18 shall apply, in addition to the following:

A. Mixed use development type.

1. With the exception of entrance hallways and joint live and work units, commercial and residential uses shall not be located on the same floor;

2. With the exception of joint live and work units, the ground floor space shall be devoted solely to commercial uses;

3. With the exception of joint live and work units, all floor space above the ground floor shall be devoted solely to residential uses.

B. Hours of operation. The hours of operation for commercial uses shall be no earlier than 7:00 a.m., and no later than 10:00 p.m., daily.

C. Operating activities prohibited. The following operating activities shall be prohibited:

1. Storage or shipping of flammable liquids or hazardous materials beyond that normally associated with a residential use;

2. Welding, machining, or open flame work.

**22.52.1950 Covenant and agreement.** The applicant shall record in the office of the county recorder, an agreement that the mixed use developments will be maintained in accordance with this Part as a covenant running with the land for the benefit of the County of Los Angeles, and the covenant shall also declare that any violation thereof shall be subject to the enforcement procedures of Part 6 of Chapter 22.60.

**22.52.1960 Conversion of uses—Subject to permit.** Conversion from a mixed use development to an exclusive residential use shall require a regular conditional use permit as provided in Part 1 of Chapter 22.56.

**SECTION 8.** Part 19 of Chapter 22.52 is hereby added to read as follows:

#### **PART 19**

#### **JOINT LIVE AND WORK UNITS**

**Sections:**

- |                   |  |
|-------------------|--|
| <b>22.52.2000</b> | <b>Purpose.</b>                              |
| <b>22.52.2010</b> | <b>Permitted areas.</b>                      |
| <b>22.52.2020</b> | <b>Permitted uses.</b>                       |
| <b>22.52.2030</b> | <b>Development standards.</b>                |
| <b>22.52.2040</b> | <b>Performance standards.</b>                |
| <b>22.52.2050</b> | <b>Covenant and agreement.</b>               |
| <b>22.52.2060</b> | <b>Conversion of uses—Subject to permit.</b> |

**2.52.2000**                    **Purpose.** The purpose of this Part 19 is to facilitate the establishment of, and to ensure the compatibility of, residential and commercial uses within joint live and work units by allowing such uses in certain commercial zones with appropriate development limitations and standards, and to streamline the permitting procedure for such uses. Joint live and work units may occupy portions of buildings designed for mixed use developments. A joint live and work unit that does not comply with this Part 19 is subject to the regular conditional use permit procedure set forth in Part 1 of Chapter 22.56.

**22.52.2010**                    **Permitted areas.**

A.     Subject to the limitations set forth in subsection B below, and the standards set forth in this chapter, joint live and work units shall be permitted in zones C-H (Commercial Highway), C-1 (Restricted Business), C-2 (Neighborhood Business), C-3 (Unlimited Commercial), and C-M (Commercial Manufacturing) provided that the applicant obtains one of the following:

1.     A ministerial director's review and approval, as provided in Part 12 of Chapter 22.56, for joint live and work units in zones C-H, C-1, C-2, or C-3; or
2.     A minor conditional use permit as provided in Section 22.56.085 for joint live and work units in zone C-M.

B.     Notwithstanding the above, no joint live work unit approved in accordance with this Part 19 shall be allowed if any portion of the development would be located in a Significant Ecological Area (SEA); Environmentally Sensitive Habitat Area (ESHA); a Very High Fire Hazard Severity Zones; an Airport Land Use influence

area as depicted in the Los Angeles County Airport Land Use Plan; on land with a slope of 25 percent or more; or, on land not served by a public water and sewer system.

**22.52.2020 Permitted uses.**

A. Notwithstanding the uses otherwise permitted in the basic zone, the commercial component of the joint live and work units approved in accordance with this Part 19 shall only include the following uses:

1. In zones C-H, C-1, C-2, C-3, and C-M:
  - Antiques, the restoration of genuine antiques.
  - Architecture and building design.
  - Art studio, including painting and sculpturing.
  - Bookbinding.
  - Cartooning and animation.
  - Ceramics, the making of.
  - Clothing, the design and sewing of.
  - Commercial art.
  - Costume designing.
  - Engraving of metal products.
  - Furniture, the crafting and assembly of, including custom upholstery.
  - Glass, the hand production of, including glass blowing, glass, crystal, and art novelties, and the assembly of stained art glass.

- Graphic design and display studio.
- Interior decorating.
- Jewelry, the creation of.
- Leatherwork, using previously tanned leather.
- Musical instruments, the creation and assembly of.
- Offices, business or professional.
- Ornamental metal, provided that there are no forging works or any process used in bending or shaping.
- Photography studio.
- Picture mounting and framing.
- Pottery, the throwing of.
- Printing and publishing.
- Shoes, footwear, the fabrication of.
- Silk screen processing.
- Textile weaving, hand looms only.
- Toys, the production of.
- Transcription studios.
- Watch making.
- Woodcarving.
- Wood products, the crafting of.

2. In C-M Zone, in addition to the uses specified in subsection A.1, the following assembly and manufacture uses involving previously prepared materials, and

excluding the use of drop hammers, automatic screw machines, punch presses exceeding five tons capacity and motors exceeding one horsepower capacity that are used to operate lathes, drill presses, grinders or metal cutters, are permitted provided that all activities are conducted within an enclosed building:

- Aluminum products.
- Appliance assembly, electrical, electronic and electromechanical.
- Bone products.
- Canvas products.
- Cellophane products.
- Cloth products.
- Cosmetics, excluding soap.
- Equipment assembly, electrical, electronic and electromechanical.
- Felt products.
- Fur products.
- Glass products and stained-glass assembly, provided no individual crucible shall exceed a capacity of 16 square feet.
- Instrument assembly, electrical, electronic and electromechanical, including precision machine shops.
- Jewelry manufacture.
- Leather products, excluding machine belting.
- Metals, working and casting of rare, precious, or semiprecious metals.



- Optical goods manufacture.
- Paper products.
- Perfume manufacture.
- Plastic products.
- Shell products.
- Stone products.
- Textile products.
- Toiletries, excluding soap.
- Wicker and bamboo products.
- Yarn products, excluding dyeing of yarn.

B. All joint live and work units approved in accordance with this Part 19 that require approval by the department of public works shall first be referred to the department of regional planning for review and approval in order to ensure that the use exceptions specified in this Part 19 are properly evaluated.

**22.52.2030 Development standards.** In addition to the development standards specified in Section 22.52.1930, the following development standards for proposed joint live and work units approved pursuant to this Part shall apply:

A. **Parking.** Parking for joint live and work units shall comply with the provisions of Section 22.52.1145.

B. **Minimum size.** The minimum size of a joint live and work unit shall be 1,000 square feet.

**22.52.2040**            **Performance standards.** In addition to the performance standards specified in Section 22.52.1940, the following performance standards for proposed joint live and work units approved pursuant to this Part shall apply:

- A.     At least one resident of the living space shall perform or oversee the commercial activity performed in the working space.
- B.     The living and working spaces within a joint live and work unit shall not be rented, leased, or sold separately.
- C.     The maximum number of employees who do not reside within a joint live and work unit is two.
- D.     For a multi-story joint live and work unit that is located partially on the ground floor, the working space shall be located on the ground floor.
- E.     The minimum floor area for working space shall be 250 square feet.
- F.     Where a ground-floor joint live and work unit fronts upon a street, the working space shall be oriented to the street.
- G.     The joint live and work unit shall have at least one shared external entrance/exit for the working space and the living space.
- H.     There shall be direct access between the living space and working space.

**22.52.2050**            **Covenant and agreement.** The applicant shall record in the office of the county recorder, an agreement that the joint live and work units will be maintained in accordance with this Part as a covenant running with the land for the benefit of the county of Los Angeles, and the covenant shall also declare that any

violation thereof shall be subject to the enforcement procedures of Part 6 of Chapter 22.60.

**22.52.2060 Conversion of uses—Subject to permit.** Conversion from a joint live and work unit, which is not located on the ground floor of a building, to a commercial use which is permitted in the underlying zone, or conversion of any joint live and work unit to an exclusive residential use shall require a regular conditional use permit as provided in Part 1 of Chapter 22.56.

**SECTION 9.** Section 22.56.085 is hereby amended to read as follows:

**22.56.085 Grant or denial of minor conditional use permit by director.**

A. Any person filing an application for a conditional use permit may request the director to consider the application in accordance with this section for the following uses:

- Joint live and work units, as provided in Part 19 of Chapter 22.52.
- Mixed use developments, as provided in Part 18 of Chapter 22.52.
- Wind energy conversion system, non-commercial (WECS-N).
- ...

**SECTION 10.** Section 22.60.100 is hereby amended to read as follows:

**22.60.100 Filing fees and deposits.\***

A. For the purpose of defraying the expense involved in connection with any application or petition required or authorized by this Title 22, the following fees shall accompany the application or petition:

...

— ~~Conditional Use Permit for Wind Energy Conversion System~~

~~(WECS-N) \$5,369.00, except that, Minor where a request for consideration under Section 22.56.085 is made, the initial fee shall be \$967.00 and an additional fee of \$4,402.00 shall be imposed in the event a public hearing is required by Section 22.56.070.~~

...

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