ORDINANCE NO. CC 2026-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, APPROVING ZONE CHANGE 26-0002 (ZC26-0002) TO AMEND SECTIONS 18.04.030 (TERMS DEFINED), 18.06.040 (LAND USES), 18.12.140 (OUTDOOR SEATING AREA), 18.12.170 (SMOKING LOUNGES), 18.14.060 (NUMBER OF SPACES REQUIRED), 18.23.030 (SIGN MATRIX), 18.44.020 (USES), AND 18.62.020 (DEFINITIONS), AND ADD SECTION 18.12.190 (REMEDIATION SYSTEMS) TO TITLE 18 (ZONING) OF THE LA HABRA MUNICIPAL CODE IN ORDER TO ENABLE THE CITY TO IMPLEMENT MINOR CONDITIONAL USE PERMIT REGULATIONS, IMPROVE INTERNAL CONSISTENCY WITHIN TITLE 18 (ZONING), AND MODIFY VARIOUS REGULATIONS BY CLARIFYING AND CONSOLIDATING USE REQUIREMENTS AND MAKING A DETERMINATION THAT THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO SECTIONS 15378(b)(5) AND 15061(b)(3) OF THE CEQA GUIDELINES

THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA HEREBY FINDS AND DECLARES AS FOLLOWS:

WHEREAS, the Community and Economic Development Department is tasked with recommending updates to and implementing Title 18 (Zoning) of the La Habra Municipal Code (LHMC); and

WHEREAS, on June 17, 2024, following a staff report presented by Community and Economic Development Department staff regarding the initiation of amendments to the LHMC related to conditional use permits, the La Habra City Council initiated amendments to Title 18 of the LHMC related to conditional use permits (CUP) for non-residential uses in the City's commercial and industrial zones, including direction to establish a minor conditional use permit (MCUP); and

WHEREAS, on June 16, 2025, the City Council adopted Ordinance No. CC 2025-03, approving Zone Change 25-0001 repealing and replacing Chapter 18.66 (Conditional Use Permits) of Title 18 of the LHMC, thereby establishing procedures for minor conditional use permits; and

WHEREAS, on May 11, 2026, the Planning Commission held a duly noticed public hearing to consider the proposed amendments to Title 18 of the LHMC under Zone Change 26-0002, at which time it considered all material and evidence presented, whether written or oral; and

WHEREAS, at the close of the public hearing, the Planning Commission adopted Resolution No. 26-08 recommending that the City Council adopt this Ordinance, with the recommendation that commercial recreation uses should continue to require a conditional use permit; and

WHEREAS, on June 15, 2026, the City Council held a duly noticed public hearing to consider the Ordinance, at which time it considered all material and evidence presented, whether written or oral, including the Planning Commission's recommendation; and

WHEREAS, the proposed amendments to Title 18 of the LHMC under Zone Change 26-0002 are consistent with the City's General Plan; and

WHEREAS, all legal requirements prior to the adoption of this Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA DOES ORDAIN AS FOLLOWS:

SECTION 1. Recitals. The above recitals are true and correct and are adopted as the City Council's findings.

SECTION 2. Consistency with General Plan. The City Council finds and determines that the proposed amendments to Title 18 (Zoning) of the La Habra Municipal Code are consistent with the goals and objectives of the La Habra General Plan.

SECTION 3. California Environmental Quality Act. The City Council finds and determines that this Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15378(b)(5) and 15061(b)(3). The Zone Change is not a project pursuant to Section 15378(b)(5) of the CEQA Guidelines because it is an administrative activity of the City that will not result in direct or indirect physical changes in the environment. Even if the Zone Change were considered a project under CEQA, it would be exempt pursuant to Section 15061(b)(3) (Common Sense Exemption) of the CEQA Guidelines because the proposed amendments to the La Habra Municipal Code have no possibility of having a significant effect on the environment.

SECTION 4. Amendment to Section 18.04.030. Section 18.04.030 (Terms Defined) of Chapter 18.04 (Definitions) of Title 18 (Zoning) of the La Habra Municipal Code is hereby amended to read as follows:

"Accent window" means a window that provides an aesthetic value to a building. Window types include transom windows, dormer awning windows, picture windows, arch and circle windows, and art glass.

"Accessible parking space" means a parking space provided for use by persons with disabilities as described in the Americans with Disabilities Act (ADA) and the requirements established by the State of California.

"Accessory building" means a detached subordinate building, the use of which is customarily incidental to that of the main building or to the main use of the land and which is located on the same lot as the main building or use.

"Accessory dwelling unit" or "ADU" shall have the same meaning as in California Government Code Section 66313 as the same may be amended from time to time. As of the effective date of the ordinance establishing this definition, the term means an attached or a detached residential dwelling unit, or located within the living area of an existing primary dwelling unit that provides complete independent living facilities and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-unit or multi-unit dwelling is or will be situated. An ADU also includes the following: an efficiency unit; and a manufactured home, as defined in Section 18007 of the California Health and Safety Code. An ADU may also consist of space within the primary dwelling unit that is converted into an independent living unit.

"Accessory use" means a use naturally and normally incidental to, subordinate to and devoted exclusively to the main use of the premises.

"Administrative, professional and medical office" means an establishment used for administrative, executive, management, business, or professional services conducted primarily in an office setting. "Administrative, professional and medical office" includes, but is not limited to, general business offices, medical offices, offices for accounting, advertising, architecture, engineering, insurance, finance, real estate, legal services, consulting, government administration, and similar office-based service establishments.

"Affordable housing agreement" means an agreement between the applicant and the city guaranteeing the affordability of rental or ownership units.

"Affordable housing costs" means the amount set forth in California Health and Safety Code Sections 50052.5 and 50053, as the same may be amended from time to time.

"Affordable housing covenants" means the plan that is part of the affordable housing agreement which ensures the continued affordability of inclusionary housing units in a particular residential or mixed-use development and describes the real estate and financial terms and requirements of the inclusionary housing units.

"Affordable housing plan" means the plan that is part of the affordable housing agreement which provides the location of the inclusionary housing units within the overall residential development project.

"Alcoholic beverage manufacturing" means the manufacture or production of beer, wine, cider, distilled spirits, or other alcoholic beverages by a person licensed by the California Department of Alcoholic Beverage Control. "Alcoholic beverage manufacturing" includes, but is not limited to, bottling, blending, packaging, storage, distribution, and similar activities customarily associated with alcoholic beverage production, but does not include on-site tasting rooms or tap rooms.

"Alcoholic beverage manufacturing, with tasting room" means alcoholic beverage manufacturing that includes an area open to customers for on-site sale, service, or tasting of alcoholic beverages produced on the premises, including, but not limited to, a tasting room or tap room operated in conjunction with the alcoholic beverage manufacturing.

"Alcoholic beverage sales, on-premises" means the sale of alcoholic beverages to consumers for consumption within the building in which they are sold or in an accessory outdoor dining area in accordance with a valid on-sale license issued by the California Department of Alcoholic Beverage Control. Examples include bars and restaurants that serve alcoholic beverages.

"Alcoholic beverage sales, off-premises" means the sale of alcoholic beverages to consumers for consumption off the premises where sold, in original, unopened containers and in accordance with a valid off-sale license issued by the California Department of Alcoholic Beverage Control. Examples include grocery stores, markets, convenience stores, liquor stores, and similar retail establishments.

"Alley" means a public way not over 20 feet in width permanently reserved as a secondary means of access to abutting property.

"Animal care and services facility" means an indoor establishment that provides veterinary care, medical treatment, grooming, boarding, training, daycare, or similar services for animals. "Animal care and services facility" includes, but is not limited to, animal hospitals, veterinary clinics, pet grooming establishments, pet boarding facilities, animal training facilities, animal daycare facilities, and similar indoor animal care service establishments. "Animal care and services facility" does not include kennels or retail pet stores.

"Applicant" means a person, business, or organization filing an application pursuant to the requirements of this title.

"Approving body" or "approval authority" means the designated official or body with authority to approve, conditionally approve, or deny an application pursuant to this title.

"Arcade" means a roofed passageway or lane. A series of arches supported by columns, piers, or pillars, either freestanding or attached to a wall to form a gallery.

"Area median income" or "AMI" means the annual median income for Orange County, adjusted for household size, as published periodically in the California Code of Regulations, Title 25, Section 6932, or its successor provision, or as established by the City of La Habra in the event that such median income figures are no longer published periodically in the California Code of Regulations.

"Art galleries" means establishments engaged in the sale, loan, and/or display of paintings, sculptures, or other works of art.

"Automobile" means and includes passenger automobiles of every description, trucks, racing cars, off-road vehicles, dune buggies, horseless carriages, motorized golf carts, motor homes, motorbikes and recreational vehicles.

"Automobile, impound/tow yards" means a designated, secure storage facility where vehicles are towed and temporarily stored after being removed from the public right-of-way or private property.

"Automobile, sales and services" means establishments engaged in selling, leasing, or renting new or used automobiles and providing on-site repair, maintenance, and parts services.

"Automobile, service and repair" means a retail place of business serving vehicles. It provides services directly related to the operation and maintenance of the vehicle. All services must be performed entirely within a closed building and includes such services as follows: battery service, hand washing, waxing and polishing of automobiles, the sale and repair of tires (excluding recapping), cleaning and flushing of radiators, lubrication of automobiles, wheel balancing, testing, adjustment and replacement of carburetors, coils, condensers, distributor caps, fan belts, filters, generators, points, rotors, spark plugs, voltage regulators, water hoses and wiring and brake service limited to servicing and replacement of brake cylinders and brake shoes. No machine work, body work or paint spraying is permitted outside of an enclosed building. Internal motor or drive train repairs may be performed only when they are incidental to other repairs being performed and they may not be done as a regular repair service.

"Automobile, service stations" means a retail place of business serving vehicles. It is primarily engaged in the sale of motor fuels and lubricants, but it also provides incidental services directly related to the operation and maintenance of the vehicle. These incidental services include battery service, hand washing, waxing and polishing of automobiles, the sale and repair of tires (excluding recapping) and the cleaning and flushing of radiators (excluding steam cleaning and radiator repair). If performed entirely within an enclosed building, such services as lubrication of automobiles, wheel balancing, testing, adjustment and replacement of carburetors, coils, condensers, distributor caps, fan belts, filters, generators, points, rotors, spark plugs, voltage regulators, water hoses, wiring and brake service limited to servicing and replacement of brake cylinders and brake shoes are permitted. No machine work, body work or paint spraying is permitted. Internal motor or drive train repairs may be performed only when they are incidental to other repairs being performed and they may not be done as a regular repair service. Brake drum turning and the necessary machine work required to facilitate automotive brake repair and reconditioning is permitted if done within an enclosed building.

"Automobile, storage lots, including recreational vehicles" means any lot, contiguous lots, or land parcels under single management, either fenced or in buildings, where automobiles are kept for a fee.

"Automotive parking areas" means parking areas for use of motor vehicles for the owner(s), employees and customers of the allowed land use. "Automotive parking areas" as used in this title are not for the display of vehicles for sale or for the storage of vehicles.

"Automotive reconditioning" means a business primarily serving automobile dealers that is engaged in detail work, such as cleaning, waxing and polishing, upholstering, touchup painting and minor body repairing to improve the condition of an automobile for sale.

"Awning" means an architectural fabric or metal projection that provides weather protection, building identity, or decoration, and is wholly supported by the building to which it is attached. An awning is comprised of a lightweight frame structure over which a cover is attached.

"Balloon" means a flexible bag that can be inflated with a gas, such as helium, hydrogen, nitrous oxide, oxygen, and air.

"Bars and drinking establishments" means commercial establishments where the primary purpose is the sale of alcoholic beverages for consumption on the premises, with or without food service, and which is not operated as a bona fide eating place. Examples include, but are not limited to, bars, taverns, cocktail lounges, wine bars, microbreweries, and nightclubs, which may include entertainment or dancing. "Bars and drinking establishments" includes, but is not limited to, establishments operating pursuant to Type 23, Type 42, Type 48, Type 61 licenses issued by the California Department of Alcoholic Beverage Control.

"Beacon light" or "searchlight" means any light with one or more beams, capable of being directed in any direction or directions.

"Billiard/pool halls" means any premises in which there are two or more pool or billiard tables used for the purpose of playing pool or billiards or other game, for which a compensation of any kind is paid to the owner, proprietor, manager, lessee or possessor thereof. A premises in which there are no more than two coin-operated pool or billiard tables, which is used in conjunction with some other business, shall not be a pool or billiard hall for the purpose of this title.

"Boarding house" and "rooming house" mean a residence, dwelling or portion thereof, other than a hotel, which is used to accommodate with or without individual or group cooking facilities, for compensation, three or more individuals under separate rental, lease, or sublease agreements, either written or oral, whether or not the owner resides therein. The word "compensation" includes compensation in money, services or other things of value. This term shall not include group homes as defined by this chapter.

"Bracket" means a projection from a vertical surface providing structural or visual support under cornices, balconies, windows, or any other overhanging member.

"Building face" means any front, rear, or side vertical surface of a building elevation in which the business is located. The area of the face of a building shall be the total area of such surface, including the area of doors and windows which open into such surface.

"Building height" means the vertical distance from the average finished ground level of the site to the highest point of the structure.

"Building mass or massing" means the general shape and form as well as size of a building.

"Building site" means the ground area of a building or group of buildings together with all open spaces as required by this title.

"Building" means any structure having a roof supported by columns or walls for the housing or enclosure of persons, animals, chattels or property of any kind.

"Canopy" means a structural, ornamental, roof-like appendage, either freestanding or attached to a building.

"Carport" means a permanent roofed structure with not more than two enclosed sides used or intended to be used for automobile shelter and storage.

"Carwash, automated" means a facility that cleans vehicle exteriors using mechanized systems—such as conveyor tunnels, brushes, or high-pressure water jets—with minimal to no human intervention. These systems are designed for speed, usually completing the process in less than four minutes, and often feature automated payment kiosks.

"Carwash, full service" means a facility that provides a comprehensive, "inside and out" cleaning where attendants both wash the exterior and clean the interior, often including specialized detailing services. In addition to exterior car washing, attendants at these facilities typically provide services including hand drying, vacuuming, dashboard wiping, and window cleaning.

"Carwash, self-service" means a pay-per-use facility where customers wash their own vehicles using provided equipment, such as high-pressure hoses, soap dispensers, and foam brushes in a designated bay.

"Cemeteries" has the meaning set forth in California Health and Safety Code Section 7003, as the same may be amended from time to time. "Cemeteries" includes burial parks, as defined in California Health and Safety Code Section 7004, as the same may be amended from time to time, mausoleums, as defined in California Health and Safety Code Section 7005, as the same may be amended from time to time, crematories, as defined in California Health and Safety Code Section 7006, as the same may be amended from time to time, and columbariums, as defined in California Health and Safety Code Section 7007, as the same may be amended from time to time.

"Certificate of occupancy" means the permit issued by the city building and safety division authorizing the occupancy of a commercial or residential unit or development.

"Change of occupancy" means a discontinuance of an existing use and substitution therefore of a use of a different kind or class.

"Chief building official" means the manager of the building and safety division, or his/her designee.

"City" means the city of La Habra.

"Cladding" means an application of one material over another to add an extra skin or layer to the building. Commonly used exterior wall cladding materials include brick, vinyl, wood, stone, fiber cements, metal, concrete, and stucco.

"Club" means an association of persons, whether incorporated or unincorporated, for some common purpose, but not including groups organized primarily to render a service carried on as a business.

"Code" means the La Habra Municipal Code.

"Commercial coach" means a vehicle, with or without motive power, designed and equipped for human occupancy for industrial, professional or commercial purposes.

"Commercial recreation, fitness, and instruction" means a use conducted entirely within an enclosed building that provides recreation, fitness, amusement, enrichment, or instructional activities for participants, including, but not limited to, instruction, practice, training, classes, structured programs, equipment, or open play. "Commercial recreation, fitness, and instruction" includes, but is not limited to, batting cages, bowling alleys, tennis and pickleball courts, pool halls and billiard halls, fitness studios, dance studios, martial arts studios, gymnastics facilities, vocal or music instruction studios, indoor golf simulators, children's play or bounce facilities, parent-and-child enrichment programs, and similar indoor recreational or instructional uses. Commercial recreation, fitness, and instruction uses shall be classified as small or large based on gross floor area.

"Commercial recreation, fitness, and instruction, small" means a commercial recreation, fitness, and instruction use conducted entirely within an enclosed building containing less than three thousand square feet of gross floor area.

"Commercial recreation, fitness, and instruction, large" means a commercial recreation, fitness, and instruction use conducted entirely within an enclosed building containing three thousand square feet or more of gross floor area.

"Commercial recreation, fitness, and instruction, outdoors" means a commercial recreation, fitness, or instructional use that includes outdoor activity areas or regularly conducts recreation, fitness, training, classes, or other organized activities outdoors.

"Commercial recreation, fitness, and instruction, outdoors" includes, but is not limited to, outdoor sports courts, batting cages, sports training facilities, obstacle or fitness courses, and similar recreational, fitness, or instructional uses with outdoor components. "Commercial recreation, fitness, and instruction, outdoors" does not include parks, playgrounds, outdoor golf courses and driving ranges, or other uses separately defined in this title.

"Commercial repair" means and includes any repair, construction or assembly process conducted or performed for consideration, either monetary or in kind. Examples of this include, but are not limited to, lawn mower repair, engine and transmission rebuilding, boat repair, and trailer repair.

"Common interest development" means a condominium project as defined by Section 1351(f) of the California Civil Code, or a planned development as defined by Section 1351(k) of the California Civil Code, as the same may be amended from time to time.

"Community amenities" means any combination of indoor or outdoor spaces created to provide for both active and passive recreational/social activity space for the residents and their guests. Types of amenities include, but are not limited to, pools, spas, tot lots, outdoor exercise equipment, sports courts, barbeques, gazeboes, outdoor seating areas, workout rooms, clubhouse, meeting room, and business centers.

"Community and religious assembly" means a use providing meeting, assembly, or gathering space for civic, social, cultural, philanthropic, fraternal, nonprofit, or religious purposes, including lodges, clubs, fraternal organizations, churches, temples, synagogues, mosques, and other places of religious worship. This use may include customary accessory facilities such as offices, classrooms, meeting rooms, kitchens, dining areas, libraries, and similar support spaces. This definition does not include uses separately defined in this title, including schools, day care centers, emergency shelters, or other social service uses.

"Construction scheduling and phasing" means the estimated timing for each phase of the construction of a project (commercial, residential, and affordable housing).

"Contiguous property" means any parcel of land that is:

1. Touching another parcel at any point;
2. Separated from another parcel at any point only by a public right-of-way, private street or way, or public or private utility, service, or access easement; or
3. Separated from another parcel only by other real property of the applicant which is not subject to the requirements of this title at the time of the planning permit application by the applicant.

"Corbel" means a structural piece of stone, wood or metal jutting from a wall to carry a super-incumbent weight, a type of bracket.

"Corner lot" means a lot situated at the intersection of two or more streets having an angle of intersection of not more than one hundred thirty-five degrees.

"Cornice return" means a way to transition the eave and the main fascia board around the gable end of a house.

"Cornice" means a horizontal molding projecting along the top of a wall or building.

"Council" or "city council" means the elected legislative body of the city of La Habra.

"Day care center" means a facility or program, other than a family day care home, that provides nonmedical care, supervision, training, or assistance for children or adults for periods of less than 24 hours per day, and that is licensed or otherwise regulated by the State of California. "Day care center" includes, but is not limited to, child day care centers, preschools, nursery schools, after-school care programs, and adult day health care centers. Preschools, nursery schools, and similar early childhood programs that are limited in scale and operate primarily as licensed day care facilities shall be classified as day care centers.

"Density" means the development capacity of residential dwelling units per acre of land excluding street rights-of-way. The maximum permitted number of units shall be based on the implementing zone or the general plan land use designation of a site with the MX overlay.

"Department" means the community and economic development department of the city.

"Development site" means a parcel or group of contiguous parcels that are proposed for development as one project.

"Development standard" means and includes a site or construction condition, including, but not limited to, a height limitation, a setback requirement, a floor area ratio, an on-site open space requirement, or a parking ratio that applies to a residential, mixed use, and commercial development pursuant to any ordinance, general plan element, specific plan, or other local condition, law, policy, resolution, or regulation.

"Director" means director of community and economic development.

"Donation collection bin" means any unattended container, receptacle, box, trailer, or similar device used for the collection of donated clothing, household goods, recyclable materials, or other personal property for later pickup, processing, resale, recycling, or charitable distribution, whether located as a principal use or accessory to another use. "Donation collection bin" does not include indoor donation areas, attended donation collection conducted during the hours of operation of a lawful business or institution, or noncommercial book-sharing boxes.

"Dormer" means a projecting vertical window from a roof slope and has a roof of its own.

"Drive-through" mean a lane, window, or other service arrangement designed or operated to provide goods or services to patrons while they remain in an automobile or other motor vehicle.

"Drive-in restaurant" or "drive-in" means any premises or place of business where beverages, food or refreshments are served to patrons for consumption on the premises at tables or stands, in open or unenclosed areas, or for sale to or consumption by persons in any vehicle stopped, standing or parked in or upon the premises of such drive-in restaurant or drive-in, or in or upon any street, alley, lane, parking area or real property immediately adjacent to or adjoining any street or public right-of-way abutting such premises. If at least fifty percent of the premises is designed for, constructed for or used for the purposes enumerated herein, then such place of business shall be deemed to be a drive-in restaurant or a drive-in.

"Dwelling unit" means a single and independent habitable unit with living facilities which are used or intended to be used for living, sleeping, cooking and eating.

"Dwelling" means a building or portion thereof designed for or occupied for residential purposes, including single-unit, two-unit and multi-unit dwellings, but not including hotels, boardinghouses, lodging houses and trailers.

"Educational institutions, general" means a private school, college, university, or other private institution of learning that provides organized instruction or training on a regular basis, including primary, secondary, collegiate, graduate, cultural, religious, vocational, trade, business, technical, or similar education programs. Preschools, nursery schools, and similar early childhood programs may be classified as a general educational institution when their scale, intensity, or operational characteristics are more similar to a school use than a day care center. "Educational institutions, general" does not include "day care centers" or "educational institutions, tutoring" as defined in this chapter.

"Educational institutions, tutoring" means a facility providing supplemental academic instruction or learning assistance to students primarily through one-on-one or small-group instruction, and not as a full-scale school. "Educational institutions, tutoring" includes, but is not limited to, lower-intensity tutoring and learning centers, with no more than 10 students on-site and receiving instruction at any one time, and does not include facilities with regular classroom instruction, large group sessions, or other characteristics of a general educational institution.

"Eligible person" means an individual with a disability, a representative of such individual, or a developer of housing for individuals with disabilities.

"Emergency shelter" has the meaning set forth in subdivision (e) of Section 50801 of the California Health and Safety Code, and means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless

person. No individual or household may be denied emergency shelter because of an inability to pay.

"Employee housing" has the meaning set forth subdivision (b) of Section 17008 of the California Health and Safety Code.

"Erect" means to build, construct, attach, hang, place, suspend, or affix.

"Factory-built housing" has the same meaning as in California Health and Safety Code Section 19971 as the same may be amended from to time. As of the effective date of the ordinance establishing this definition, the term means a residential building, dwelling unit, or an individual dwelling room or combination of rooms thereof, or building component, assembly, or system manufactured in such a manner that all concealed parts or processes of manufacture cannot be inspected before installation at the building site without disassembly, damage, or destruction of the part, including units designed for use as part of an institution for resident or patient care, that is either wholly manufactured or is in substantial part manufactured at an offsite location to be wholly or partially assembled onsite in accordance with building standards published in the California Building Standards Code and other regulations adopted by the commission pursuant to California Health and Safety Code Section 19990. Factory-built housing does not include a mobilehome, as defined in California Health and Safety Code Section 18008, a recreational vehicle, as defined in California Health and Safety Code Section 18010.5, or a commercial modular, as defined in California Health and Safety Code Section 18012.5.

"Fair housing laws" means the Fair Housing Amendments Act of 1988 (42 U.S.C. Section 3601 et seq.), including reasonable accommodation required by 42 U.S.C. Section 3604(f)(B)(3), and the California Fair Employment and Housing Act (California Government Code Section 12900 et seq.), as any of these statutory provisions may be amended from time to time.

"Family daycare home" means a facility that regularly provides care, protection, and supervision for fourteen or fewer children, in the provider's own home, for periods of less than twenty-four hours per day, while the parents or guardians are away, and is either a large family daycare home or a small family daycare home that is licensed in accordance with the requirements of the California Health and Safety Code. A family daycare home includes a detached single-unit dwelling, a townhouse, a dwelling unit within a dwelling, or a dwelling unit within a covered multi-unit dwelling in which the underlying zoning allows for residential uses. A small family daycare home or large family daycare home is where the daycare provider resides, and includes a dwelling or a dwelling unit that is rented, leased, or owned. As used herein, a "small family daycare home" means a facility that provides care, protection, and supervision for eight or fewer children, including children under ten years of age who reside at the home, as set forth in Section 1597.44 of the California Health and Safety Code and as defined in implementing regulations. As used herein, a "large family daycare home" means a facility that provides care, protection, and supervision for seven to fourteen children, inclusive, including children under ten years of

age who reside at the home, as set forth in Section 1597.465 of the California Health and Safety Code and as defined in implementing regulations.

"Financial institution" means an establishment open to the public that provides financial services, including the deposit, withdrawal, exchange, transfer, lending, or cashing of money or financial instruments. "Financial institution" includes, but is not limited to, banks, credit unions, savings and loan associations, check cashing businesses, establishments that provide payday loan/cash advance services, money transmission services, and currency exchange services, and similar consumer-oriented financial service establishments, with or without automated teller machines.

"Flag" means a piece of cloth or similar material, typically oblong or square, attachable by one edge to a pole or rope and used as the symbol or emblem of a country or institution.

"Floor area ratio" means the ratio between gross floor area of all buildings on a lot and the total area of the lot. For the purposes of this definition, "gross floor area" means the amount of leasable floor area of the structure. Exception: mezzanines, as described by the Uniform Building Code, shall not be considered as floor area.

"Freeway" means a highway with respect to which the owners of abutting lands have no right of easement or access to or from their abutting lands, or in respect to which such owners have only limited or restricted easement or access and which is declared to be such in compliance with the California Streets and Highways Code.

"Front lot line" means the property line dividing a lot from a street. On a corner lot only one street line shall be considered as a front line and the shorter street frontage shall be considered the front lot line.

"Front yard" means a yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and a line parallel thereto on the lot.

"Frontage, building" means the portion of a building on, adjacent to, or oriented to a public right-of-way.

"Frontage, business" means the property lines or lease lines at the front of the building in which a business is located and on which the primary entrance, accessible to the general public, is located.

"Frontage, display" means the lineal footage of display frontage for those businesses where the principal display of merchandise is located outside of a main building.

"Frontage, lot" means the length of a lot along a public or private street or right-of-way, but not including such length along an alley, watercourse, or railroad.

"Gable roof" means a roof with two sloping planes supported at their ends by a trainable upward extension of two walls, so as to form a gable at each end.

"Garage sale" means the occasional public sale of secondhand household and other goods incidental to household uses by a person or persons from a residential property, also to include yard, estate, and other home-based sale.

"Garage" means an enclosed building or portion of a building in which motor vehicles used by the occupants or tenants of the main building or buildings on the premises are stored or kept.

"General plan" means the city of La Habra General Plan.

"Golf courses and driving ranges, outdoor" means an outdoor facility designed and used for the playing of golf or the outdoor practice of golf shots, including golf courses and outdoor driving ranges. This definition does not include indoor golf simulators, indoor driving ranges, or other indoor commercial recreation uses.

"Grade" means the lowest point of elevation of the graded surface of the ground, paving or sidewalk within the area between the building and the property line or, when the property line is more than five feet from the building, between the building and a line five feet from the building.

"Grand opening" means a promotional activity used by newly established businesses, to inform the public of their location and contribution to the community. Grand opening does not mean an annual or occasional promotion of retail sales by a business.

"Gross floor area" or "GFA" means the floor area within the perimeter of the exterior walls of the building. It is the sum of the gross areas of all floors including levels below grade.

"Gross leasable area" or "GLA" means the area within the inside perimeter of the exterior walls of the building under consideration, exclusive of vent shafts and courts, corridors, stairways, closets, the thickness of interior walls, columns or other features.

"Group homes" means housing shared by unrelated persons with disabilities that provide peer and other support for their residents' disability related needs and in which residents share cooking, dining, and living areas, and may, in some group homes, participate in cooking, housekeeping, and other communal living activities. This can include:

1. "Alcohol or other drug (AOD) facilities" means residential facilities that must obtain licenses from the California Department of Health Care Services (DHCS) because they provide alcoholism or drug addiction recovery and treatment services.
2. "Licensed group homes" means group homes that provide services that require licenses under state law.
3. "Recovery residences" or "sober living homes" means group homes for persons recovering from alcoholism or drug addiction in which the residents mutually support each other's recovery and sobriety and that do not require licenses from

DHCS because they do not provide alcoholism or drug addiction recovery and treatment services.

4. "Residential care facilities" means a facility licensed by the State of California to provide living accommodations or unlicensed, twenty-four-hour care for persons requiring personal services, supervision, protection, or assistance with daily tasks. Amenities may include shared living quarters, with or without a private bathroom or kitchen facilities. This classification includes those both for and not-for-profit institutions but excludes supportive housing and transitional housing.
   a. Small. A facility that provides care for six or fewer persons.
   b. Large. A facility that provides care for more than six persons.
5. "Unlicensed group homes" means group homes that may provide some supportive services for their residents but not services that require licenses under state law.

"Half story" means a story with at least two of its opposite sides situated in a sloping roof, the floor area of which does not exceed two-thirds of the floor area immediately below it.

"Hazardous waste facility" means all contiguous land and structures, other appurtenances, and improvements on the land serving more than one producer of hazardous waste and used for the treatment, transfer, storage, resource recovery, disposal, or recycling of hazardous waste. Examples include, but are not limited to, incineration facilities (i.e., rotary kiln, fluid bed, etc.), residual repositories (receives only residuals from hazardous waste treatment facilities), stabilization/solidification facilities, chemical oxidation facilities, neutralization/precipitation facilities, and transfer/storage facilities.

"Hipped roof" means a roof which slopes upward from all four sides of a building, requiring a hip rafter at each corner.

"Home occupation" means an accessory use of a dwelling unit conducted by the occupant of the dwelling unit for gainful employment involving the manufacture, provision or sale of goods and/or services.

"Hospitals/inpatient care facilities" means establishments that provide inpatient, surgical, emergency, rehabilitative, skilled nursing, post-acute, convalescent, or similar medical care, including facilities where patients or residents may be admitted for overnight stay, observation, treatment, recovery, or ongoing care. "Hospitals/inpatient care facilities" includes, but is not limited to, hospitals, convalescent hospitals, skilled nursing facilities, rehabilitation facilities, post-acute care facilities, and similar inpatient or residential health care establishments.

"Hotel" means any structure or any portion of any structure which is occupied or intended or designed for occupancy by transients for dwelling, lodging or sleeping purposes, for time periods limited to thirty consecutive days or less, and includes, but is not limited to, any hotel, inn, tourist home or house, motel, studio hotel, lodging house, rooming house, apartment house, dormitory, public or private club, but not used as the legal residence or principal dwelling place of the occupant(s), except for one or more caretaker/manager

residential unit(s) which conform to the requirements for multi-unit residential units in this title. "Hotel" does not mean any convalescent home or facility, home for the aged, hospital, jail, or military installation.

"Housekeeping unit" means any group of individuals living together in one dwelling unit where the residents may share household responsibilities and activities such as living expenses, chores, and eating meals together.

"Housing administrator" means the city staff person that reviews the affordable housing agreement and its affordable housing plan, inclusionary housing plan, and affordable housing covenants for any residential or mixed-use development that is required to provide inclusionary or affordable housing units.

"Inclusionary housing developer" means the developer that is selected by the city to construct the inclusionary housing units that may be required for a particular residential development in accordance with the provisions of this title.

"Inclusionary housing in-lieu fee fund" means the fund where all acquired in-lieu fees shall be deposited. Deposited fees are used by the city to enter into joint venture agreements with developers to construct the required inclusionary housing units. Collected fees could also be used for city staff that conduct periodic inspections to ensure that the constructed inclusionary housing units comply with the affordable housing agreement, affordable housing plan, inclusionary housing plan, affordable housing covenants, and all other city and zoning requirements.

"Inclusionary housing plan" means the plan that is part of the affordable housing agreement, which describes the design, features, and affordability of the inclusionary housing units as required by this title.

"Inclusionary housing unit" means a dwelling unit required by this title to be affordable to very low-, low-, or moderate-income households.

"Individual with a disability" means an individual who has a physical or mental impairment that limits one or more of that individual's major life activities; anyone who is regarded as having such impairment; or anyone who has a record of having such an impairment, but not including an impairment resulting from individual's current, illegal use of a controlled substance or other drug.

"Industrial park" means a planned development, often with a campus-like setting, designed for light manufacturing, research and development (R&D), warehousing, distribution, and associated corporate offices. Industrial parks prioritize aesthetic, high-quality development with landscaping, buffer zones from residential areas, and low-nuisance operations.

"Integrated development" means a development consisting of two or more interrelated business establishments designed around common driveways and common on-site parking facilities.

"Interior lot" means a lot other than a corner lot.

"Juliet balcony" means a balcony with a small platform with a French door or full-length window with railing on the outer-lower half of the wall plane that gives the appearance of a balcony when the window is fully open.

"Key lot" means the first interior lot to the rear of a reversed corner lot, whether or not separated by an alley.

"Ksf" means one thousand square feet.

"Land development project" means any residential tract or subdivision, or industrial or commercial development within the city. Subject development may include parcel improvements only, and the developer need not construct buildings thereupon.

"Laundries, self-service" means commercial, self-service facilities where customers pay per cycle using cash, coins, tokens, digital card systems or mobile devices to operate machines. These establishments provide high-capacity washing and drying machines, often in public and/or shared retail spaces.

"Libraries" means facilities containing collections of books, periodicals, and online resources for people to read, borrow, or refer to.

"Live/work unit" means a unit that combines a work space and incidental residential occupancy and used by a single household. The residential and commercial portions of the live/work units shall be developed in compliance with the California Building Code. The working space is reserved for and regularly used by an occupant of the unit. Living space includes, but is not limited to, a sleeping area, a food preparation area with reasonable work space, and a full bathroom including bathing and sanitary facilities which satisfy the provisions of applicable codes.

"Lot area" means the total horizontal area within the lot lines of a lot.

"Lot" means a parcel of real property as shown with a separate and distinct number or letter on a plot recorded or filed with the recorder of the county under procedures established by the city and state, or, a parcel of real property abutting upon at least one public street and held under separate ownership prior to the effective date of this title.

"Low barrier navigation center" means a housing-first, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income,

public benefits, health services, shelter, and housing. "Low barrier" means best practices to reduce barriers to entry, and may include, but is not limited to, the following:

1. The presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth.
2. Pets.
3. The storage of possessions.
4. Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms.

"Low-income household" has the definition given in California Health and Safety Code Section 50079.5.

"Manufacturing, light" means manufacturing, assembling, repairing, testing, processing, warehousing, wholesaling, and research or treatment of goods from fabricated items or raw materials within a completely enclosed building. These operations have negligible impacts on the surrounding environment, such as low noise, odor, dust, or vibration levels, and typically do not require heavy machinery or outdoor storage.

"Manufacturing, heavy" means moderate to heavy manufacturing, assembling, repairing, testing, processing, warehousing, wholesaling, and research or treatment of goods predominantly from raw materials where all operations are conducted entirely within an enclosed building. "Manufacturing, heavy" includes uses that could potentially generate excessive noise, fumes, odors or other operating conditions that would impact adjacent land uses, or operations involving large furnaces, plating, or lacquering and includes product distribution centers that are larger than two hundred thousand square feet.

"Manufactured home" has the definition given in California Health and Safety Code Section 18007 as the same may be amended from time to time. As of the effective date of the ordinance establishing this definition, the term means a structure that was constructed on or after June 15, 1976, is transportable in one or more sections, is eight body feet or more in width, or forty body feet or more in length, in the traveling mode, or, when erected on site, is three hundred twenty or more square feet, is built on a permanent chassis and designed to be used as a single-family dwelling with or without a foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. "Manufactured home" includes any structure that meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification and complies with the standards established under the National Manufactured Housing Construction and Safety Act of 1974 (42 U.S.C. Section 5401 et seq.).

"Marijuana related use and activity" means and includes dispensing, cultivation, manufacture, processing, storing, testing, labeling, relabeling, packaging, repackaging, transporting, delivery, distribution, provision, or sale, or any combination thereof, of marijuana, except as set forth in California Business and Professions Code Section 19319, related to qualifying patients. "Marijuana-related use and activity" also has the

same meaning as "commercial cannabis activity" set forth in California Business and Professions Code Section 19300.5(j).

"Market rate unit" means a new dwelling unit in a residential development that is not an inclusionary housing unit and can be purchased or rented at market rates. These units are not considered to be affordable units.

"Massage establishment" has the meaning set forth in Chapter 5.28 of this code.

"Medical offices" means an establishment that provides medical, dental, therapeutic, mental health, diagnostic, laboratory, imaging, or urgent care services on an outpatient basis, where patients are not admitted for overnight stay. This use includes doctor offices, dentist offices, outpatient clinics, urgent care facilities, medical laboratories, imaging centers, and similar outpatient health care service establishments.

"Mixed-use projects" means projects that combine residential and commercial uses. Mixed-use projects may be arranged vertically (ground level commercial uses with residential units above) or horizontally (commercial uses on a portion of the property linked by pedestrian connections to residential units as part of a unified development project).

"Mobilehome" means a structure as defined by Section 18008 of the California Health and Safety Code as the same may be amended from time to time. As of the effective date of the ordinance establishing this definition, the term means a structure that was constructed prior to June 15, 1976, is transportable in one or more sections, is eight body feet or more in width, or forty body feet or more in length, in the traveling mode, or, when erected on site, is three hundred twenty or more square feet, is built on a permanent chassis and designed to be used as a single-unit dwelling with or without a foundation system when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. "Mobilehome" includes any structure that meets all the requirements of this paragraph and complies with the state standards for mobilehomes in effect at the time of construction. "Mobilehome" does not include a commercial modular, as defined in Section 18001.8 of the California Health and Safety Code, factory-built housing, as defined in Section 19971 of the California Health and Safety Code, a manufactured home, as defined in Section 18007 of the California Health and Safety Code, a multi-unit manufactured home, as defined in Section 18008.7 of the California Health and Safety Code, or a recreational vehicle, as defined in Section 18010 of the California Health and Safety Code.

"Moderate income household" has the definition given in California Health and Safety Code Section 50093(b), except that for the purposes of moderate income rental inclusionary units that are located upon the same site as the market rate residential development rental units, "moderate income household" means a household earning no more than eighty percent of area median income.

"Molding" means a projecting material that provides ornamental variations of outlines or contours to wall planes, windows, doors, or headers.

"Motel." See "Hotel."

"Multi-unit dwelling" means a building containing three or more independent dwelling units.

"Multiple-occupancy building" means a building wherein two or more separately independently owned or operated suites, units or occupancies are contained.

"Muntin" means a secondary framing member to hold panes in a window, window wall, or glazed door; an intermediate vertical member that divides panels of a door.

"Mural" means an artistic picture or scene applied or painted onto a building wall or other structure, but containing no advertising message and not associated with graffiti or related acts of vandalism.

"Museums" means buildings having public significance by reason of their architecture or former use or occupancy or a building serving as a repository for a collection of natural, scientific, or literary curiosities or objects of interest, or works of art, and arranged, intended, and designed to be used by members of the public for viewing, with or without an admission charge, and which may include as an accessory use the sale of goods to the public as gifts or for their own use.

"Natural resources management" means the planning, regulation, and stewardship of land, water, air, vegetation, and wildlife to balance ecological health with urban development, economic needs, and public use. It focuses on protecting remaining natural, cultural, and visual resources to enhance the quality of life for current and future generations, particularly in high-density areas.

"Nonconforming building" means a building or structure or portion thereof conflicting with the provisions of this title applicable to the zone in which it is situated.

"Nonconforming use" means the use of a structure or premises conflicting with the provisions of this title.

"Occupied" means and includes arranged, designed, built, altered, converted, rented or leased, or intended to be occupied.

"Pennant" means any lightweight plastic, fabric or other material, whether or not containing a message of any kind, suspended from a rope, wire or string, usually in series, designed to move in the wind.

"Person" means any individual, firm, co-partnership, joint adventure, association, club, fraternal organization, corporation, estate, trust, receiver, organization, syndicate, city,

county, municipality, district or other political subdivision, or any other group or combination acting as a unit.

"Persons and families of moderate income" means persons and families defined in Section 50093 of the California Health and Safety Code, as the same may be amended from time to time.

"Personal services" means an establishment primarily engaged in providing services and incidental sales of a personal nature, including personal care, grooming, wellness, aesthetic, lifestyle, or similar direct services to individuals. "Personal services" includes, but is not limited to, barber shops, beauty salons, nail salons, skin care and facial services, day spas, cosmetic services, tanning salons, and fortune telling. "Personal services" may include incidental wellness services that do not constitute a massage establishment under Chapter 5.28 of this code. This definition does not include medical services or massage establishments regulated pursuant to Chapter 5.28 of this code.

"Physical needs assessment" means a report by a qualified housing professional identifying those items that are necessary repairs, replacements and/or maintenance at the time of the assessment or that will likely require repair or replacement within three years of the assessment. Estimated cost of repairs should be included in the assessment. All required repairs must be completed prior to occupancy of the repaired inclusionary housing unit.

"Plate height" means the interior vertical distance from the ground surface of a floor to the floor ceiling.

"Primary zone" or "base zone" shall mean the zoning designation of a property.

"Private garage" means an enclosed building or portion of a building in which motor vehicles used by the occupants or tenants of the main building or buildings on the premises are stored or kept.

"Public utility or public service structure" means infrastructure for providing essential services—water, light, heat, power, sewage, or communication—to the public, managed by investor-owned or publicly-owned entities.

"Public garage" means an enclosed building or portion of a building, open to the public in which motor vehicles are stored or kept, either for a fee or as a courtesy.

"Qualified nonprofit housing corporation" means a nonprofit housing corporation organized pursuant to Section 501(c)(3) of the Internal Revenue Code that has received a welfare exemption under Section 214.15 of the California Revenue and Taxation Code for properties intended to be sold to low-income families who participate in a special no-interest loan program.

"Rafter tails" means the portion of the rafter that hangs over the wall.

"Rafter" means a structural component that is used as part of a roof construction.

"Rear lot line" means the line opposite the front lot line.

"Rear yard" means a yard extending across the full width of the lot between the most rear main building and the rear lot line. The depth of the required rear yard shall be measured horizontally from the nearest part of a main building toward the nearest part of the rear lot line.

"Recreational vehicle" means a vehicle, boat, vessel or other type of portable structure, with or without a mode of power, and without permanent foundation, which can be towed, hauled, sailed, flown or driven, and is designed, used, or maintained primarily for recreational purposes, such as, but not limited to, travel trailers, tent trailers, camping trailers, motor homes, buses converted to recreational or other noncommercial uses, vans, trucks with camper shells, campers, motorcycles, off-road vehicles, aircraft, boats or other vessels.

"Recycling center" means a facility that accepts recyclable materials from the public as either a donation, redemption or for sale. A recycling center may consist of mobile recycling containers, kiosk type units, bulk vending machines, automated and unattended recycling machines (also known as reverse vending machines), or unattended containers placed for the donation of recyclable materials.

"Recycling centers, reverse vending machines (indoors)" means an automated and mechanical recycling facility, not more than fifty square feet in floor area, which accepts one or more types of beverage containers made typically of glass, metal or plastic, and issues in return a cash refund or redeemable credit receipt with a value not less than the redemption worth of the container as determined by the state.

"Remediation systems" means engineered technologies used to remove, destroy, or stabilize contaminants in soil, groundwater, sediment, or water to meet environmental safety standards. These systems are essential for cleaning polluted areas and preventing the spread of harmful substances.

"Residential care facility for the elderly" has the meaning provided in California Health and Safety Code Section 1569.2 as the same may be amended from time to time. As of the effective date of the ordinance establishing this definition, the term means a housing arrangement chosen voluntarily by persons sixty years of age or over, or their authorized representative, where varying levels and intensities of care and supervision, protective supervision, personal care, or health-related services are provided, based upon their varying needs, as determined in order to be admitted and to remain in the facility. Persons under sixty years of age with compatible needs may be allowed to be admitted or retained in a residential care facility for the elderly as specified in California Health and Safety Code Section 1569.316.

"Restaurants" means establishments where food or beverages are prepared, served, or sold to customers for on-premises consumption, off-premises consumption, or both. "Restaurants" includes sit-down restaurants, quick-service restaurants, cafes, coffee shops, delicatessens, bakeries, ice cream or dessert shops, and similar food service establishments. This definition does not include drive-through facilities or other uses separately defined in this title.

"Restaurants, food-to-go" means any premises or retail place of business where beverages, food or refreshments are prepared, processed or treated for retail sale on the premises, with no more than five tables and ten seats for waiting for orders or for on-site consumption.

"Restaurants, with on-sale beer and wine" means a restaurant with a valid California Department of Alcoholic Beverage Control on-sale license authorizing the sale of beer and wine for consumption on the premises including brewpubs.

"Restaurants, with on-sale beer, wine, and distilled spirits" means a restaurant with a valid California Department of Alcoholic Beverage Control on-sale license authorizing the sale of beer, wine, and distilled spirits for consumption on the premises including brewpubs.

"Restaurants, with indoor entertainment" means a restaurant that provides entertainment, performances, or similar activities for patrons within a fully enclosed building in compliance with Chapter 5.32 of this code, as applicable.

"Restaurants, with outdoor entertainment" means a restaurant that provides entertainment, performances, or similar activities for patrons in an outdoor area, including enclosed outdoor patios, in compliance with Chapter 5.32 of this code, as applicable.

"Retail, general" means any establishment focusing on the sale or rental of merchandise to the public from an enclosed building. Examples of these establishments and merchandise include, but are not limited to, apparel, appliances, beauty supplies, bicycles, boutiques, candy, clothing, convenience goods, florists, groceries, hardware, health food, hobby stores, jewelry, pharmacies, photography, shoes, tobacco, sporting goods, stationery, toys, games, secondhand retail stores, thrift stores, and department stores.

"Retail, nursery" means a retail and service business which specializes in plants, shrubs, trees and various items for garden maintenance.

"Reversed corner lot" means a corner lot the side street line of which is substantially a continuation of the front lot line of the first lot to its rear.

"Roof line" means the top edge of a roof, mansard, or parapet wall of any building or other structure, which forms the top line of the building silhouette, exclusive of any sign tower, determined as a horizontal line projected from the top of the ridge, or in the case of flat or single-slope roofs, from the highest point of the rafter, roof beam or roof joist.

"Seasonal commercial sales" shall have the same meaning as in Section 5.04.610 of this code.

"Seat" as used in this title means eighteen lineal inches of seating space when arranged in bleachers, benches or pews. For uses with no permanent seats, a seat is equal to seven square feet of floor area.

"Self-storage" means the same as warehouse, mini. See definition for warehouse, mini.

"Senior housing" means age-restricted multi-unit housing with covenants in place to assure that the units will remain age-restricted for the life of the property.

"Setback line" means a space or area between any public right-of-way and an imaginary line on all properties within which no buildings or structures shall be erected, placed or located.

"Setback" means the minimum required distance from a structure to a property line on the subject lot. When required for landscaping purposes, setback means the distance from a street front property line to the depth of required landscape area.

"Shared parking" means the use of parking space by vehicles generated by two or more individual land uses without conflict. The ability to share parking is based on two conditions: (1) variation in times of use; and (2) relationship among the land uses that result in visiting multiple land uses on the same auto trip.

"Shingle" means a small, thin piece of building material often with one end thicker than the other for laying in overlapping rows as a covering for the roof or sides of a building.

"Short-term residential rental" means the rental of a residential dwelling unit by the owner thereof to another party for a continuous period of thirty days or less, in exchange for any form of monetary or non-monetary consideration such as, but not limited to, trade, fee, swap or any other in lieu of cash payment; and also means "hotel" as that term is defined in this section.

"Shutter" means a pair of hinged panels, often louvered, fixed inside or outside a window that can be closed for security or privacy or to keep out light.

"Side lot line" means any lot lines other than front lot lines or rear lot lines.

"Side yard" means a yard between the main building and the side lot line extending from the rear line of the required front yard, or the front lot line where no front yard is required, to the rear yard the width of which side yard shall be measured horizontally from, and at right angles to, the nearest point of a side lot line towards the nearest part of a main building.

"Siding" means an exterior wall covering of horizontal boards nailed to a wood frame.

"Sign area" means the entire area within a rectangle or series of rectangles enclosing the extreme limits of writing, representation, emblem, or any figure or similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed; excluding the necessary supports or uprights on which such sign is placed, and superficial, nonilluminated column covers, ornamental trim, and other such incidental objects attached thereto which are not designed to convey a message; and excluding a reasonable amount of nonencompassed open area. Where two such faces are placed back to back and are at no point more than two feet from one another, the area of the sign shall be taken as the area of one face, if the two are of unequal area. In the case of spherical or cylindrical signs, the area shall be one-half of the surface area of the signs. In the case of semi-cylindrical signs, the surface area shall be the total surface area.

"Sign copy" means any words, letters, numbers, figures, designs, or other symbolic representations incorporated into a sign.

"Sign height" means the vertical distance measured from the top of curb elevation adjacent to the sign to the highest point of the sign or sign structure(s).

"Sign structure" means the supports, uprights, bracing, and framework of a sign. The area of such structure shall not be included in computing the aggregate surface of the area of the sign which it supports.

"Sign" means any means any device, fixture, surface, or structure of any kind or character, made of any material whatsoever, displaying letters, words, texts, illustrations, symbols, forms, patterns, colors, textures, shadows, or lights, or any other illustrative or graphic display designated, constructed, or placed on the ground, on a building canopy, wall, post, or structure of any kind, in a window, or on any other object for the purpose of advertising, identifying, or calling visual attention to any place, structure, firm, enterprise, profession, business, service, product, commodity, person or activity, whether located on the site, in any structure on the site, or in any other location.

"Sign, animated" means any sign which is designed and constructed to give a message or image through a sequence of progressive changes of parts by either action and motion, flashing or color changes requiring electric, wind, or manual energy.

"Sign, attached" means any sign which is supported wholly by a building wall or structure, other than by a sign structure.

"Sign, awning" means a sign painted or printed onto the canvas or valance of an awning.

"Sign, banner" means any sign of fabric, plastic or similar material, whether or not enclosed in a rigid frame, that is attached by one or more edges or corners to a building, structure or pole.

"Sign, bench" means any sign which is located on any part of the surface of a bench or seat placed on or adjacent to a public right-of-way.

"Sign, billboard" means any sign not advertising the business, industry or pursuit conducted on the premises on which the sign is erected or maintained. This definition does not include a noncommercial sign or city-posted public information sign or temporary real estate signs.

"Sign, bulletin board" means a board for displaying notices, posters, cards, sheets, or other printed, illustrated, or written matter.

"Sign, campaign" means a sign indicating the name and/or picture of an individual seeking election to a public office, or relating to a forthcoming public election, referendum, or initiative.

"Sign, can or cabinet" means a metal framed sign with a plastic or similar material face and lettering and utilizing internal illumination.

"Sign, canopy" means any sign placed on or supported entirely by a rigid shelter or other structure projecting out from any exterior wall or portion of a building or other structure.

"Sign, changeable copy" means a sign that is designed so that characters, letters or illustrations can be changed or rearranged without altering the face or the surface of the sign. This sign type does not include digital display signs or billboards.

"Sign, channel letter" means an individual sign can for each letter of sign copy.

"Sign, commercial" means any sign that does not meet the definition of a noncommercial sign.

"Sign, construction" means any sign stating the name and address of those individuals or firms directly connected with a construction project and the name of the owner or developer.

"Sign, convenience" means a sign not larger than two square feet which conveys information such as "restrooms," "no parking," "entrance," and the like but does not contain land, trade, advertising or business identification and is designed to be viewed on site by customers and pedestrians.

"Sign, digital display" means display methods utilizing light emitting diode (LED), liquid crystal display (LCD), plasma, projected images, or any functionally equivalent technology, and which is capable of automated remote or computer control to change the image, either in a "slide show" manner (series of still images), or full motion animation, or any combination of them. Also known as dynamic signs and commercial electronic variable message signs (CEVMS).

"Sign, directory" means a sign on which the names and locations of occupants or the use of a building(s) is given.

"Sign, double-face" means a single sign structure with two parallel sign faces back to back.

"Sign, electric" means any sign containing electrical wiring for the purpose of illumination, but not including signs illuminated by an exterior light source.

"Sign, electronic message" means a sign whose primary advertising focus is the intermittent display, stream, or movement of electronic, computerized, digital or similarly produced letters, numerals, words, or messages as part of the advertising message. Any sign, or portion of a sign, that uses changing lights to form a sign message or messages in text form where the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes. An electronic message sign is different from an illuminated or electric sign in that the illumination of the display creates the message, rather than an internal or external light source illuminating the message.

"Sign, feather" means a type of freestanding temporary portable sign of flexible material that is plain or includes copy and/or graphics and is supported by a horizontal or vertical pole, including but not limited to feather, flutter, bow, and tear drop flag signs.

"Sign, flashing" means any sign which contains or is illuminated by lights which are intermittently on and off, which change intensity, or which create the illusion of motion in any manner. This type of sign is also referred to as a "running" or "blinking" sign.

"Sign, freestanding" means any sign that is wholly self-supported by one or more uprights or columns anchored in the ground and not attached to any building. Freestanding signs include, monument, pylon and pole signs.

"Sign, future development" means any temporary sign that advertises a new business or development project prior to or during the construction phase of that project.

"Sign, human advertisement" means any person who is located anywhere within the city, and whose intent is to advertise, and whose actions do advertise, a business or service, by way of his or her actions, including, but not limited to, by holding a temporary sign, wearing a costume, or wearing body paint.

"Sign, illegal" means any sign which was erected in noncompliance with any provision of this code pertaining to signs which were in effect at the time such sign was erected.

"Sign, illuminated" means any sign which has characters, figures, letters, designs or outlines illuminated internally or externally by electric lights or luminous tubes as a part of the sign proper.

"Sign, indirectly illuminated" means a sign for which illumination is reflected from its source by the sign display surface to the viewer's eyes, the source of light not being visible from the street or from abutting property, or any sign for which the light travels through a shield or material other than the bulb or tubing necessary to enclose the light source, which shield or material has the effect of dispersing the light before it strikes the eye of the viewer.

"Sign, inflatable advertising device" means any device constructed of vinyl, fabric, rubber or plastic or other air-tight material, which relies for its shape and support on inflation by a compressed gas or by an air blower or fan conducting air into it, and which uses any color, form, graphic, symbol or writing to identify or communicate a commercial or noncommercial message, announce the purpose of or identify the purpose of a person or entity, or to communicate information of any kind to the public.

"Sign, inflatable character" means an inflatable, balloon-like character, character representation, logo, or other design, generally tethered to the ground or to the roof of a structure.

"Sign, logo" means a visual symbol identifying the business or service provided, which may be all or part of a sign.

"Sign, marquee" means a sign constructed within, or a wall sign attached to, the face of a permanent, roofed structure attached to and supported by the building and projecting over public property or over a walkway located on private property, but used by the public.

"Sign, memorial" means a sign or tablet, containing the name of a building, and/or date of erection when cut into any masonry surface or when constructed of bronze or other incombustible materials mounted on the face of a building or wall.

"Sign, menu board" means any wall or monument sign displaying a list of items available at a drive-through business for the purpose of taking drive-through orders.

"Sign, monument" means a low-profile freestanding sign connected to the ground with a solid base and which reflects and complements the architectural theme of the buildings on the same property, and on which copy is limited to identification of the center and/or businesses located on the premises.
"Sign, multi-tenant" means a sign used to advertise businesses that occupy a commercial or industrial center or complex of two or more tenants.

"Sign, nameplate" means a sign serving to designate only the name, or the name and professional occupation, of a person or persons residing in or occupying space in a building located on the premises upon which the sign is located.

"Sign, neon or neon lighting" means any electric gas tube lighting or any sign containing argon, neon, krypton, helium, or xenon.

"Sign, non-advertising or non-commercial" means any sign posted on private property upon which no advertising matter is displayed.

"Sign, non-appurtenant" means a sign which advertises a business, products, services or other uses which are not associated with the premises where the sign is located.

"Sign, nonconforming" means any lawfully erected sign, which does not fully comply with all provisions of this code. This definition does not include any sign that has been illegally erected, or maintained in violation of any safety or health provision of this code, or that otherwise constitutes a danger to health or safety.

"Sign, off-site or off-premises" means a sign which advertises or directs attention to products or activities that are not provided on the site upon which the sign is located.

"Sign, on-site or on-premises" means a sign which advertises or directs attention to products or activities that are provided on the site upon which the sign is located.

"Sign, one-time event (residential)" means a sign displayed at a residential property during the occurrence of a one-time event held at the property such as, a yard, garage or estate sale, birthday party, or wedding reception.

"Sign, painted" means any sign or representation painted directly on the exterior surface of any building or structure, except on the vertical face or valance of an awning or canopy.

"Sign, portable" means any moveable outdoor sign that is not permanently secured or attached to the ground or to an approved sign structure or building.

"Sign, projecting" means any sign which is affixed or attached to, and is supported solely by, a building wall or structure, and extends beyond the building structure or any part thereof more than eighteen inches. No projecting sign shall have a clearance less than eight feet above finished grade or the walkway below.

"Sign, pump-top video display terminal" means any video screen or electronic display, monitor or terminal that is located on, or affixed to, a fuel-dispensing pump that broadcasts, displays, emits, exhibits or shows audio and/or visual content or material.

"Sign, real estate" means a sign that indicates a property that is for sale, lease, or rent and/or to advertise the opportunity to view the property (an "open house").

"Sign, revolving" means a sign which completely or partially rotates, either on an intermittent or continuous basis.

"Sign, roof" means any sign erected, constructed and maintained wholly upon or over the roof of any building and which is principally supported from or upon the roof structure.

"Sign, seasonal commercial sales lot" means a temporary sign that is erected in conjunction with a special event permit for a seasonal commercial sales lot for seasonal items such as pumpkins or Christmas trees.

"Sign, subdivision" means a temporary sign that indicates the name of the subdivision, the names of the architects, engineers, landscape architects, contractors, or similar artisans and the owners, financial supporters, sponsors, and similar individuals or firms having a role or interest with respect to the project.

"Sign, temporary" means any sign constructed of wood, paper, cloth, canvas, or other similar lightweight material, with or without frames, and all others including painted windows intended to be displayed for a limited period of time.

"Sign, under canopy" means a permanent sign installed suspended below the canopy of a building.

"Sign, vehicle" means a sign which is attached to, or painted on, a vehicle or trailer and placed on any property so as to attract attention to a product, activity or business by such means as advertisement of sales prices, provision of direction to the business or activity, or similar promotional copy.

"Sign, wall" means any sign attached to or erected against the wall of a building or structure with the exposed surface of the sign in a plane parallel with the plane of the wall and extending not more than eighteen inches from the face of the building, having the advertisement either of solid face construction or individual letters. Wall signs shall extend no higher than the roofline or the top of the front parapet, whichever is higher.

"Sign, window" means a sign painted, attached, glued, or otherwise affixed to either the exterior or interior side of a window or door, having copy visible from a public street, right-of-way, or parking lot.

"Single-room occupancy housing" or "SRO" means a cluster of guest units within a residential hotel providing sleeping and living facilities restricted by an agreement approved by the city for occupancy by low and very low-income individuals, designed for occupancy for periods of one month or longer.

"Single-unit dwelling" means a stand-alone dwelling unit designed and/or used for a single household occupancy.

"Smoking lounges" means a business establishment that is dedicated, in whole or in part, to the smoking of tobacco, including, but not limited to, cigar lounges, hookah cafes, tobacco clubs or tobacco bars.

"Special event" means any organized activity of limited duration on private property or in the public right-of-way which may not meet the normal development or use standards of the applicable zoning district, but may otherwise be acceptable because of the temporary

nature of the activity, or which exceeds the scope of the business licensed and approved for the premises on which the event is to be held. Special events may be one-time or recurring, subject to the limitations set forth in Chapter 18.65 of this code. Examples of a special event include, but are not limited to: block parties; sidewalk sales; carnivals, circuses, fairs, festivals and other similar activities; parades; grand openings; and farmers' markets and other seasonal commercial sales.

"Special event, large" or "Large special event" means a special event that includes any of the following:

1. Anticipated to have two hundred fifty or more attendees;
2. A duration of five or more days;
3. Temporary removal of more than twenty-five percent of the available on-site parking;
4. Closure of one or more public street(s); or
5. Use of an inflatable structure, including, but not limited to, a bounce house, larger than two hundred square feet in size.

"Special event, small" or "Small special event" means a special event that does not qualify as a large special event.

"Storage garage" means an enclosed building or a portion of a building in which motor vehicles are stored.

"Storage yard, incidental" means an outdoor area used for the storage of equipment, vehicles, materials, supplies, or similar items that is accessory and incidental to the principal use on the same site. As used in this definition, "incidental to the principal use" means the storage occupies less than fifty percent of the site area and is limited to items owned by, used by, or customarily associated with the principal use conducted on the site.

"Storage yard, primary" means a site or portion of a site used for the primary purpose of storing, keeping, or maintaining equipment, vehicles, materials, supplies, stockpiles, or similar items outside, whether on a temporary or permanent basis. "Storage yard, primary" includes outdoor storage yards operated as a principal land use and does not include storage that is accessory and incidental to a lawful principal use on the same site.

"Story" means that portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between such floor and the ceiling next above it.

"Street" means a public thoroughfare other than an alley which affords the principal means of access to abutting property.

"Structure" means anything constructed or erected, which requires location on the ground or attached to something having a location on the ground, but not including fences or walls used as fences less than six feet in height.

"Student housing" means housing for university or college students as an alternative to on-campus housing. This includes dormitories, fraternity houses, and sorority houses.

"Supportive housing" means housing with no limit on length of stay, that is occupied by the target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community as specified in California Government Code Section 65582.

"Target population" means persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 4.5 commencing with Section 4500 of the California Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people.

"Tattoo parlor" means any establishment where the principal activity is the indelible marking or coloring of the skin with a needle injecting ink, dye or other coloring material upon or under the skin so as to leave permanent marks or designs on the skin. "Tattoo parlor" does not include tattooing performed by a licensed dermatologist on premises licensed as a dermatology office, hospital, or similarly state-licensed institution.

"Temporary commercial enterprise" means any activity involving commercial use of property located within the city which continues for a period of forty-five days or less.

"Through lot" means a lot having frontage on two parallel or approximately parallel streets.

"Traffic index" or "TI" "is a single number used to express the total weight expected to be borne through tires onto the roadway surface during the design lifetime of the pavement.

"Trailer park or camp" means any area or premises where two or more house trailers are located and used as living or sleeping quarters.

"Transitional housing" means buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance as specified in California Government Code Section 65582.

"Two-unit dwelling" or "duplex" means either a building containing two-attached independent dwelling units or two-detached single-unit dwellings.

"Upholstery shop" means an establishment or retail service for the upholstery and re-upholstery of furniture.

"Use" means the purpose for which land or a building is designed, arranged or intended, or for which either is or may be occupied or maintained.

"Vending machine" means any device that dispenses product(s) for monetary reimbursement.

"Very low-income households" means households defined in Section 50105 of the California Health and Safety Code, as the same may be amended from time to time.

"Warehouse" means a facility used primarily for the storage of commercial goods, including documents.

"Warehouse, mini" means a storage facility that is characterized by individual separate spaces which are accessible by customers for the storing and retrieval of personal effects and household goods.

"Wholesaling facilities" means facilities used primarily for selling or distributing goods to retailers, contractors, commercial purchasers or other wholesalers, or to the branch or local offices of a company or organization.

"Wireless, antenna" means an apparatus designed for the purpose of emitting radio frequency radiation, to be operated or operating from a fixed location pursuant to Federal Communications Commission (FCC) authorization, for the transmission of writing, signs, signals, data, images, pictures, and sounds of all kinds, including the transmitting device and any on-site equipment, switches, wiring, cabling, power sources, shelters or cabinets associated with that antenna and added to a wireless communications facility, structure, or building as part of the original installation of the antenna. For most services, an antenna will be mounted on or in, and is distinct from, a supporting structure such as a wireless communications facility, structure or building. However, in the case of AM broadcast stations, the entire wireless communications facility or group of wireless communications facilities constitutes the antenna for that station. "Wireless, antenna" shall also include, but not be limited to:

1. "Dish antenna," a dish-like antenna used to link communications sites together by wireless transmission of voice or data. Also called microwave antenna or microwave dish antenna.
2. "Panel antenna," an antenna or array of antennas designed to concentrate a radio signal in a particular area. Panel antennae are typically flat, rectangular devices approximately six square feet in size. Also called directional antennae.
3. "Whip antenna," an antenna that transmits signals in three hundred sixty degrees. Whip antennae are typically cylindrical in shape and are less than six inches in diameter and measure up to eighteen feet in height. Also called omnidirectional, stick, or pipe antennas.

"Wireless, base station" shall have the same meaning as set forth in Section 1.6100 of Title 47 of the Code of Federal Regulations.

"Wireless, cell site" means a geographical area with a radius of up to eight miles that contains both transmitting and receiving antennae.

"Wireless, clustering" means locating one or more providers' facilities in the same geographical area.

"Wireless, co-location" or "collocation" shall have the same meaning as set forth in Section 1.6100 of Title 47 of the Code of Federal Regulations and shall include locating wireless communication equipment for more than one provider on a single site.

"Wireless communications facilities" means equipment and network components such as towers, utility poles, transmitters, base stations, and emergency power systems that are integral to providing wireless telecommunications services.

"Wireless communication facilities, discretionary" means wireless communication facilities subject to discretionary review and approval pursuant to Chapter 18.62 of this title, including facilities requiring a conditional use permit and any modification or installation not eligible for ministerial approval under Chapter 18.62.

"Wireless communication facilities, ministerial" means wireless communication facilities or modifications eligible for ministerial approval pursuant to Chapter 18.62 of this title.

"Wireless, emergency standby generator" means a stationary generator used for the generation of electricity that meets the criteria set forth in paragraph (29) of subdivision (a) of Section 93115.4 of Title 17 of the California Code of Regulations.

"Wireless, interference" means disturbances to reception caused by radio frequency waves or other electronic fields.

"Wireless, macro cell tower site" means the place where wireless telecommunications equipment and network components, including towers, transmitters, base stations, and emergency powers necessary for providing wide area outdoor service, are located. A macro cell tower site does not include rooftop, small cell, or outdoor and indoor distributed antenna system sites.

"Wireless, monopole" means a structure composed of a single spire used to support communications equipment.

"Wireless, substantial change" shall have the same meaning as set forth in Section 1.6100 of Title 47 of the Code of Federal Regulations.

"Wireless, tower" shall have the same meaning as set forth in Section 1.6100 of Title 47 of the Code of Federal Regulations.

"Wrecking yard" means a place of business that buys, sells, or deals in wrecked, damaged, or inoperative motor vehicles for the purpose of dismantling, disassembling, or salvaging them for parts or scrap metal.

"Yard" means an open space on a lot, unoccupied and unobstructed from the ground upward, except as otherwise provided in this title. Covered patios, gazebos, cabanas, and shade structures, provided they are not enclosed and comply with the required setbacks may occupy up to twenty-five percent of the required usable yard area.

SECTION 5. Amendment to Table 18.06.040.A. Table 18.06.040.A (Land Use Matrix) of Section 18.06.040 (Land Uses) of Chapter 18.06 (Zones Established-Zoning Map Boundaries and Land Uses) of Title 18 (Zoning) of the La Habra Municipal Code is hereby amended to read as set forth in Exhibit A.

SECTION 6. Amendment to Section 18.12.140.A. Subsection A (Permit Requirement) of Section 18.12.140 (Outdoor Seating Area) of Chapter 18.12 (Special Development Standards) of Title 18 (Zoning) of the La Habra Municipal Code is hereby amended to read as follows:

§ 18.12.140. Outdoor seating area.

A. Permit Requirement. Permanent outdoor seating/dining areas are permitted for restaurants on private property subject to the following requirements:

   1. Where a restaurant is subject to the approval of a conditional use permit, minor conditional use permit, or other discretionary entitlement pursuant to this title, any proposed outdoor dining area shall be reviewed as part of that application and no separate entitlement for the outdoor dining area shall be required.

   2. Where a restaurant is not otherwise subject to a discretionary entitlement pursuant to this title, an outdoor dining area that is less than or equal to fifty percent of the restaurant's total floor area shall be subject to the approval of a minor conditional use permit.

   3. Where a restaurant is not otherwise subject to a discretionary entitlement pursuant to this title, an outdoor dining area that is greater than fifty percent of the restaurant's total floor area shall be subject to the approval of a conditional use permit.

SECTION 7. Amendment to Section 18.12.140.E. Section 18.12.140 (Outdoor Seating Area) of Chapter 18.12 (Special Development Standards) of Title 18 (Zoning) of the La Habra Municipal Code is hereby amended to delete subsection E (Violations) in its entirety.

SECTION 8. Amendment to Section 18.12.170. Section 18.12.170 (Smoking Lounges) of Chapter 18.12 (Special Development Standards) of Title 18 (Zoning) of the La Habra Municipal Code is hereby amended to read as follows:

§ 18.12.140. Smoking lounges.

A. Definitions. See Chapter 18.04 (Definitions)

B. Location Restrictions.

1. The tenant space shall not be located within two hundred feet of any residential zone boundary within the city.

2. The tenant space shall be a minimum distance of one thousand feet from any educational institution within the city.

C. Operational Restrictions.

1. The business shall be owner-operated or otherwise exempt from the prohibition of smoking in the workplace set forth in California Labor Code Section 6404.5.

2. No alcoholic beverages shall be sold or consumed on the business premises within any area where the smoking of tobacco or other substances is allowed, including any outdoor seating area. Should food service be proposed, the owner-operator shall comply with California Labor Code Section 6404.5.

3. No person under eighteen years of age shall be permitted within any portion of the business premises where the smoking of tobacco or other substances is allowed.

4. No live entertainment, including, but not limited to, singers, DJs, dancers, and comedians, shall be permitted within the business except as authorized pursuant to Chapter 5.32 (Entertainment, Amusement and Dance Permits) of this code.

5. All business related activities shall be conducted wholly within a building, with the exception of outdoor seating areas approved as part of the conditional use permit. Operation of outdoor barbeques or braziers or lighting coals shall not be permitted.

6. No admittance fee, cover charge, or requirement of any charge or minimum payment as a condition of entry shall be permitted.

7. Uniformed security guards shall be provided as deemed necessary by the chief of police.

8. No window coverings shall prevent visibility of the interior of the tenant space from outside the premises during operating hours. Any proposed window tint shall be approved in advance by the director.

9. The interior of the business shall be maintained and adequately illuminated to make the conduct of patrons within the premises readily discernable to persons of normal visual acuity.

10. Adequate ventilation shall be provided for the heating of coals in accordance with all requirements imposed by the chief building official and fire chief, or as otherwise required by state or federal law.

11. Parking shall be provided in accordance with Section 18.14.060 of this title.

12. The business shall conform to all other city, state, and federal laws.

D. Application Requirements.

1. An application for a conditional use permit shall be filed in accordance with Chapter 18.66 (Conditional Use Permits) of this title;

2. The application shall include:

   a. The exact nature and location of the activity for which the conditional use permit is requested and an estimate of the numbers of patrons of the establishment;

   b. A security plan for control of customers;

   c. A plan for control of noise affecting nearby premises;

   d. The business plan, including the hours of operation of the establishment; and

   e. Such other information pertaining to public health and safety as may be required by the director to ensure compliance with the provisions of this section.

SECTION 9. Addition of Section 18.12.190. Chapter 18.12 (Special Development Standards) of Title 18 (Zoning) of the La Habra Municipal Code is hereby amended to add a new Section 18.12.190 (Remediation Systems) to read as follows:

§ 18.12.190. Remediation systems.

A. Permitted by Right; Exception. Remediation systems shall be permitted by right in any zone, subject to compliance with the standards of this section and all other applicable local, state, and federal laws and regulations. Notwithstanding the foregoing, a remediation system shall require approval of a conditional use permit where the proposed remediation system does not comply with one or more of the development and design standards of this section, or where deviations from such standards are requested.

B. Development and Design Standards. Remediation systems shall comply with the following development and design standards:

1. The remediation system shall be temporary in nature and shall remain on the property only for such period as necessary to complete remediation activities, as determined by the applicable regulatory agency with jurisdiction over the remediation effort.

2. The remediation system, including all associated equipment, shall not exceed eight feet in height or one hundred fifty square feet in site area, and shall be located so as to avoid prominent visibility from the public right-of-way, as determined by the director or designee.

3. The remediation system shall be located and operated so that it does not obstruct required parking spaces, drive aisles, pedestrian walkways, accessible paths of travel, fire lanes, building exits, or emergency access areas.

4. The remediation system shall be screened from public view by a view-obscuring enclosure, wall, fence, gate, or combination of landscaping and screening materials approved by the director or designee. Chain link fencing, with or without slats, shall not satisfy this requirement.

5. The area surrounding the remediation system shall be maintained in a clean, orderly, and safe condition at all times.

6. Upon completion of remediation activities, or upon direction of the agency with jurisdiction over the remediation effort, the property owner and/or business operator shall promptly remove all remediation equipment and shall restore the affected area of the site to its prior condition or to another condition approved by the director or designee.

C. Permitting and Operational Requirements. Remediation systems shall comply with the following permitting and operational requirements:

1. The property owner and/or business operator shall obtain all permits and approvals required by any agency with jurisdiction over the remediation system, including, but not limited to, the Orange County Health Care Agency, the South Coast Air Quality Management District, and the city's building division, as applicable.

2. The remediation system shall comply with Chapter 9.32 (Noise Control) of this code at all times. Prior to operation of the remediation system or final inspection, whichever occurs first, the property owner and/or business operator shall provide the planning division with a post-installation noise analysis prepared by a licensed professional verifying that the noise output complies with Chapter 9.32. If the noise analysis identifies noncompliance, the property owner and/or business operator

shall implement the necessary mitigation measures prior to commencement or continuation of remediation activities.

3. A sign shall be posted on-site prior to operation of the remediation system identifying the name and telephone number of the responsible contact person in the event of an emergency. The sign shall remain in place for the duration of remediation activities.

4. If requested by the planning division, the property owner and/or business operator shall provide copies of any progress reports submitted to or required by the agency with jurisdiction over the remediation effort on a quarterly basis.

D. Additional Information. The director or designee may require additional site plan information, operational details, or technical documentation necessary to verify compliance with this section.

SECTION 10. Amendment to Section 18.14.060.B. Subsection B (Commercial) of Section 18.14.060 (Number of Spaces Required) of Chapter 18.14 (Off-Street Parking Requirements) of Title 18 (Zoning) of the La Habra Municipal Code is hereby amended to read as follows:

B. Commercial.

1. Recreational. For each facility there shall be provided the following minimum parking spaces:

Table 18.14.060.B.1	
Use	Minimum Parking Spaces Required
Adult business	Parking study required
Commercial recreation, fitness, and instruction (stand alone or in a retail center with four storefronts or less)	10 per ksf GFA or by parking study
Commercial recreation, fitness, and instruction (in a retail center with at least five storefronts)	7 per ksf or by parking study
Golf courses and driving ranges	Parking study required
Theaters, cinemas, and auditoriums (public assembly)	0.4 per every fixed seat within any assembly area or by parking study

2. Institutional. For each facility there shall be provided the following minimum parking spaces:

Table 18.14.060.B.2	
Use	Minimum Parking Spaces Required
Art galleries	4 per ksf GFA
Community and religious assembly	0.4 per every fixed seat within an assembly area or by parking study
Day care center	0.20 per person (licensed capacity)
Educational institutions, general	Parking study required
Educational institutions, tutoring	4 per ksf GFA
Hospitals/inpatient care facilities	Parking study required
Libraries	4.5 per ksf GFA
Museums	2 per ksf GFA
Public buildings	4 per ksf GFA

3. Retail and Restaurants. For each facility there shall be provided the following minimum parking spaces:

Table 18.14.060.B.4	
Use	Minimum Parking Spaces Required
Alcoholic beverage sales, off-premises	No additional parking required beyond that required for the primary use
Alcoholic beverage sales, on premises, incidental	No additional parking required beyond that required for the primary use
Bars and drinking establishments	12 per ksf GFA
Retail, general (standalone)	4 per ksf GFA
Retail, general (in a retail center with four storefronts or less)	4 per ksf GFA or by parking study
Retail, general (in a retail center with at least five storefronts)	3.3 per ksf GFA or by parking study
Retail, nursery (garden center)	4 per ksf GFA plus 1/2 per ksf outdoor sales area
Restaurants (standalone or more than 20 seats)	10 per ksf GFA
Restaurants (20 seats or less in a retail center with four storefronts or less)	4 per ksf GFA

Restaurants (20 seats or less in a retail center with at least five storefronts)	3.3 per ksf GFA
Smoking Lounges	12 per ksf GFA
Temporary commercial enterprises and seasonal commercial sales lots	Minimum of 4 spaces plus 4 per ksf GFA of display area

4. Services and Offices. For each facility there shall be provided the following minimum parking spaces:

Table 18.14.060.B.5	
Use	Minimum Parking Spaces Required
Administrative, professional and medical office	4 per ksf GFA
Animal care and services facility	4 per ksf GFA
Automobile sales and service	2.7 per ksf GFA interior sales and office area, plus 1.5 ksf GFA storage/display area, plus 2 per service bay
Automobile service/repair	2 per bay plus 2.7 per ksf office
Automobile service station	2 spaces plus 4 per GFA
Car wash (self-serve)	1 space per bay
Car wash (automated)	2 spaces per facility
Car wash (full service)	Parking study required
Drive-through services	No additional parking required beyond that required for the primary use
Financial institutions	4 per ksf GFA
Funeral parlors/mortuaries	Parking study required
Laundry, self-service	1 per 2 machines
Laundry, dry cleaning, pressing and tailoring businesses	2 per ksf GFA
Massage establishments	4 per ksf GFA
Personal services	4 per ksf GFA
Tattoo parlors	4 per ksf GFA
Upholstery shops	2 per ksf GFA

C. Industrial and Specialty Uses. For each facility there shall be provided the following minimum parking spaces:

Table 18.14.060.B.5	
Use	Minimum Parking Spaces Required
Alcoholic beverage manufacturing	1.5 per ksf GFA
Alcoholic beverage manufacturing, with tasting room	1.5 per ksf GFA plus 4 per ksf for tasting room
Automobile impound/tow yards	Parking study required
Automobile storage lots, including recreational vehicles	Parking study required
Cemeteries, columbarium, crematories and mausoleums	Parking study required
Hazardous waste facility	Parking study required
Industrial park	2 per ksf GFA
Manufacturing/light industrial	1.5 per ksf GFA
Mini-warehouse/self-storage	0.1 per ksf GFA
Natural resources development	Parking study required
Public utility or public service structures and uses	Parking study required
Recycling centers	Parking study required
Recycling centers – Reverse vending machine (indoors)	No additional parking required beyond that required for the primary use
Storage yards, incidental	No additional parking required beyond that required for the primary use
Storage yards, primary	Parking study required
Warehouse	1 per ksf GFA
Wholesaling facilities	1 per ksf GFA
Wireless communication facilities, discretionary	Parking study required
Wireless communication facilities, ministerial	Parking study required
Wrecking yard	Parking study required

SECTION 11. Amendment to Table 18.23.030.A. Table 18.23.030.A (Sign Matrix) of Section 18.23.030 (Sign Matrix) of Chapter 18.23 (Sign Standards) of Title 18 (Zoning) of the La Habra Municipal Code is hereby amended to delete the following row relating to menu boards:

	Single-Unit Residential	Multi-Unit Residential	Mobilehome Park	Mixed-Use Residential	Nonresidential
Menu board	–	–	–	–	CUP

SECTION 12. Amendment to Section 18.44.020. Section 18.44.040 (Uses) of Chapter 18.44 (SP-1 La Habra Boulevard Specific Plan Zone) of Chapter 18 (Zoning) of the La Habra Municipal Code is hereby amended to read as set forth in Exhibit B.

SECTION 13. Amendment to Section 18.62.020. Section 18.62.020 (Definitions) of Chapter 18.62 (Wireless Communications Facilities) of Title 18 (Zoning) is hereby amended to read as follows:

See Chapter 18.04 (Definitions).

SECTION 14. Inconsistencies. Any provision of the La Habra Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to affect the provisions of this Ordinance.

SECTION 15. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of La Habra declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

SECTION 16. Effective Date. This Ordinance shall take effect thirty (30) days after its final passage.

SECTION 17. Certification. The City Clerk shall certify to the passage and adoption of this Ordinance, and shall cause the same to be published or posted in the manner required by law.

PASSED, APPROVED, AND ADOPTED this 20th day of July, 2026.

José Medrano,
Mayor

ATTEST:

Rhonda J. Barone.

Rhonda J. Barone, CMC
City Clerk

STATE OF CALIFORNIA }
COUNTY OF ORANGE } SS.
CITY OF LA HABRA }

I, Rhonda J. Barone, CMC, City Clerk of the City of La Habra, do hereby certify that the above and foregoing is a true and correct copy of Ordinance No. CC 2026-05 introduced at a regular meeting of the City Council of the City of La Habra held on the 15th day of June, 2026, and was thereafter adopted at a regular meeting held on the 20th day of July, 2026, by the following vote:

AYES:	COUNCILMEMBERS:	Medrano, Gomez, Espinoza, Nigsarian, Lampkin
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

Said ordinance has been published or posted pursuant to law.

Witness my hand and the official seal of the City of La Habra this 20th day of July, 2026.

Rhonda J. Barone.

Rhonda J. Barone, CMC
City Clerk

EXHIBIT A

AMENDED LAND USE MATRIX

Permitted = P Conditional Use Permit = CUP Minor Conditional Use Permit = MCUP Not Permitted = — Special Event Permit = S Home Occupation Permit = H	R-1a R-1b R-1c	R-2 R-3 R-4	R-5 R-6 R-7	MHP	C-R	C-P	C-1	C-2s C-2sH	C-2	C-3	OS	PC-1	M-1(5)	MX Overlay
RESIDENTIAL														
A single-unit dwelling	P	P	P	P	—	—	—	—	—	—	—	—	—	P
A single mobile home	—	—	—	P	—	—	—	—	—	—	—	—	—	P
A two-unit dwelling (duplex) or 2 detached single-unit dwellings	—	P	P	—	P	—	—	—	—	—	—	—	—	P
Multi-unit dwellings	—	P	P	—	P	—	—	—	—	—	—	—	—	P
Mobile home park (See Gov't Code § 65852.7, Health & Safety Code § 18214).	CUP (4)	CUP (4)	CUP (4)	CUP	—	—	—	—	—	—	—	—	—	—
Accessory dwelling unit or junior accessory dwelling unit	P	P	P	P	P (1)	—	—	—	—	—	—	—	—	P (1)
Factory-built housing or manufactured home (less than 10 years old)	P	P	P	P	P	—	—	—	—	—	—	—	—	P (2)
Home occupations	H	H	H	H	H (1)	—	—	—	—	—	—	—	—	H
Boarding and rooming houses (3 or more individuals)	CUP	CUP	CUP	CUP	CUP	—	—	—	—	—	—	—	—	CUP
Student housing	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	—	—	—	CUP
Hotels motels (provided not more than 20% of the units contain kitchen kitchenettes)	—	—	—	—	—	CUP	CUP	CUP	CUP	CUP	—	CUP	—	CUP
Group homes	P	P	P	P	P	—	—	—	—	—	—	—	—	P (1)
Residential care facilities for the elderly (serving 6 or fewer persons, allowed per Health & Safety Code § 1569.85)	P	P	P	P	P (1)	—	—	—	—	—	—	—	—	P (1)
Residential care facilities for the elderly (serving 7 or more persons, allowed per Health & Safety Code § 1569.85)	CUP	CUP	CUP	CUP	CUP	—	CUP	CUP	CUP	CUP	—	—	—	CUP

Permitted = P Conditional Use Permit = CUP Minor Conditional Use Permit = MCUP Not Permitted = — Special Event Permit = S Home Occupation Permit = H	R-1a R-1b R-1c	R-2 R-3 R-4	R-5 R-6 R-7	MHP	C-R	C-P	C-1	C-2s C-2sH	C-2	C-3	OS	PC-1	M-1(5)	MX Overlay
Short term residential rentals	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Family day care home (per Health and Safety Code § 1597.45)	P	P	P	P	P	—	—	—	—	—	—	—	—	P (1)
Small family home (22 C.C.R. § 80001(a)(5))	P	P (1)	P (1)	—	—	—	—	—	—	—	—	—	—	P (1)
Sports courts (residential) with lights (tennis, basketball, handball, etc.)	CUP	CUP	CUP	CUP	CUP	—	—	—	—	—	—	—	—	P (1)
Single-room occupancy housing	—	CUP	CUP	—	CUP	—	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Supportive housing	P	P	P	P	P (1)	—	—	—	—	—	—	—	—	P (1)
Transitional housing	P	P	P	P	P (1)	—	—	—	—	—	—	—	—	P (1)
Emergency shelter	—	—	—	—	—	—	—	—	—	—	—	—	P (3)	—
Low barrier navigation center	—	P	P	P	P	—	—	—	—	—	—	—	—	P
Employee housing for six or fewer employees (Health & Safety Code § 17021.5)	P	P	P	P	P (1)	—	—	—	—	—	—	—	—	P (1)
COMMERCIAL – RECREATIONAL														
Adult cabaret	—	—	—	—	—	—	—	CUP	CUP	CUP	—		CUP	—
Commercial recreation, fitness, and instruction, large (6)	—	—	—	—	—	—	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Commercial recreation, fitness, and instruction, small (6)	—	—	—	—	—	—	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP
Commercial recreation, fitness, and instruction, outdoors (6)	—	—	—	—	—	—	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Golf courses and driving ranges (outdoor)	—	—	—	—	—	—	—	—	—	—	CUP	—	—	—
Theaters, cinemas, and auditoriums (public assembly)	—	—	—	—	—	—	CUP	CUP	CUP	CUP	—	CUP	CUP	CUP
COMMERCIAL – INSTITUTIONAL														
Art galleries	—	—	—	—	—	P	P	P	P	P	—	MCUP	—	P
Community and religious assembly	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	—	CUP	CUP	CUP

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Day care center	—	—	—	—	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	—	CUP	CUP	MCUP
Educational institutions, general	—	—	—	—	CUP	CUP	CUP	CUP	CUP	CUP	—	CUP	CUP	CUP
Educational institutions, tutoring	—	—	—	—	P	P	P	P	P	P	—	P	P	P
Hospitals and inpatient care facilities	—	—	—	—	—	CUP	CUP	CUP	CUP	CUP	—	CUP	CUP	—
Libraries, museums and public buildings	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
COMMERCIAL – RETAIL AND RESTAURANTS														
Alcoholic beverage sales, off-premises	—	—	—	—	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Alcoholic beverage sales, on-premises, incidental					MCUP	MCUP	MCUP	MCUP	MCUP	MCUP		MCUP	MCUP	MCUP
Bars and drinking establishments	—	—	—	—	—	CUP	CUP	CUP	CUP	CUP	—	CUP	CUP	CUP
Restaurants	—	—	—	—	P	P	P	P	P	P	MCUP	MCUP	MCUP	P
Restaurants, drive-through	—	—	—	—	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Restaurants, with on-sale beer and wine	—	—	—	—	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	CUP	CUP	CUP	MCUP
Restaurants, with on-sale beer, wine, and distilled spirits	—	—	—	—	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Restaurants, with indoor entertainment	—	—	—	—	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	CUP	CUP	CUP	MCUP
Restaurants, with outdoor entertainment	—	—	—	—	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Retail, general	—	—	—	—	—	—	P	P	P	P	—	P	CUP	P
Retail, nursery (garden center)	—	—	—	—	—	CUP	CUP	CUP	CUP	CUP	—	CUP	CUP	CUP
Smoking lounges (subject to Section 18.12.170)	—	—	—	—	CUP	CUP	CUP	CUP	CUP	CUP	—	—	—	—
Temporary commercial enterprises and seasonal commercial sales lots	—	—	—	—	—	S	S	S	S	S	—	S	S	S

Permitted = P Conditional Use Permit = CUP Minor Conditional Use Permit = MCUP Not Permitted = — Special Event Permit = S Home Occupation Permit = H	R-1a R-1b R-1c	R-2 R-3 R-4	R-5 R-6 R-7	MHP	C-R	C-P	C-1	C-2s C-2sH	C-2	C-3	OS	PC-1	M-1(5)	MX Overlay
COMMERCIAL – SERVICES AND OFFICES														
Administrative, professional, and medical offices	—	—	—	—	P	P	P	P	P	P	—	P	P	P
Automobile sales and services	—	—	—	—	—	—	CUP	CUP	CUP	CUP	—	CUP	CUP	—
Automobile service repair	—	—	—	—	—	—	—	—	CUP	CUP	—	CUP	P	—
Automobile service stations	—	—	—	—	—	—	CUP	CUP	CUP	CUP	—	CUP	CUP	CUP
Car wash, self-service and automated	—	—	—	—	—	—	—	—	CUP	CUP	—	CUP	P	—
Commercial repairs	—	—	—	—	—	—	CUP	CUP	CUP	CUP	—	CUP	P	CUP
Donation collection bins	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Drive-through services	—	—	—	—	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Dry cleaning, pressing and laundry businesses	—	—	—	—	—	P	P	P	P	P	—	P	CUP	P
Financial institutions	—	—	—	—	—	P	P	P	P	P	—	P	CUP	P
Funeral parlors/ mortuaries	—	—	—	—	—	CUP	CUP	CUP	CUP	CUP	—	CUP	CUP	CUP
Massage establishments, (subject to Chapter 5.28)	—	—	—	—	—	—	P	P	P	P	—	P	CUP	P
Personal services	—	—	—	—	P	P	P	P	P	P	—	P	CUP	P
Upholstery shops (excluding furniture refinishing)	—	—	—	—	—	—	CUP	CUP	CUP	CUP	—	CUP	P	CUP
INDUSTRIAL														
Alcoholic beverage manufacturing	—	—	—	—	—	—	—	—	—	—	—	—	P	—
Alcoholic beverage manufacturing, with tasting room	—	—	—	—	—	—	—	—	—	—	—	MCUP	MCUP	—
Automobile impound/ tow yards	—	—	—	—	—	—	—	—	—	—	—	CUP	CUP	—
Automobile storage lots, including recreational vehicles	—	—	—	—	—	—	—	—	CUP	CUP	—	CUP	CUP	—
Hazardous waste facilities (subject to Chapter 18.58)	—	—	—	—	—	—	—	—	—	—	—	CUP	CUP	—

Permitted = P Conditional Use Permit = CUP Minor Conditional Use Permit = MCUP Not Permitted = — Special Event Permit = S Home Occupation Permit = H	R-1a R-1b R-1c	R-2 R-3 R-4	R-5 R-6 R-7	MHP	C-R	C-P	C-1	C-2s C-2sH	C-2	C-3	OS	PC-1	M-1(5)	MX Overlay
Industrial parks (multiple or mix of services and warehousing)	—	—	—	—	—	—	—	—	—	—	—	P	P	—
Manufacturing heavy	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Manufacturing light	—	—	—	—	—	—	—	—	—	—	—	P	P	—
Mini-warehouse self-storage	—	—	—	—	—	—	—	—	—	CUP	—	CUP	CUP	—
Storage yards, incidental	—	—	—	—	—	—	—	—	—	—	—	—	P	—
Storage yards, primary	—	—	—	—	—	—	—	—	—	—	—	—	CUP	—
Warehouses	—	—	—	—	—	—	—	—	—	—	—	P	P	CUP
Wholesaling facilities	—	—	—	—	—	—	CUP	CUP	CUP	CUP	—	P	P	—
Wrecking yards	—	—	—	—	—	—	—	—	—	—	—	—	—	—
SPECIALTY USES														
Animal care and services facilities	—	—	—	—	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	—	MCUP	MCUP	MCUP
Cemeteries, columbarium, crematories and mausoleums	—	—	—	—	—	—	—	—	CUP	CUP	—	—	—	—
Natural resources development	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	—
Public utility or public service structures and uses	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Recycling centers	—	—	—	—	—	CUP	CUP	CUP	CUP	CUP	—	CUP	CUP	—
Recycling centers—Reverse vending machine (indoors)	—	—	—	—	—	P	P	P	P	P	—	P	P	—
Retail, outdoor sales (including vending machines)	—	—	—	—	—	CUP	CUP	CUP	CUP	CUP	—	CUP	—	CUP
Retail, temporary	—	—	—	—	—	S	S	S	S	S	—	S	S	S
Special event—Small and large	—	—	—	—	—	S	S	S	S	S	—	S	S	S
Tattoo parlors	—	—	—	—	—	—	—	CUP	CUP	CUP	—	CUP	CUP	CUP
Wireless communication facilities, discretionary	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Wireless communication facilities, ministerial	P	P	P	P	P	P	P	P	P	P	P	P	P	P

Notes:
1. For a lot developed with a residence 2. For a lot meeting General Plan requirements for residential uses 3. For a lot within the ES overlay zone 4. A mobile home park in a residential zone must comply with Chapter 18.28 as if it were in an MHP zone 5. For lots with the ES overlay, residential uses shall be allowed as permitted in the MHP zone. 6. Certain uses within the "commercial recreation, fitness, and instruction" land use classification may also be subject to Chapter 5.32 (Entertainment, Amusement and Dance Permits).

EXHIBIT B

AMENDMENT TO SECTION 18.44.020.B

Permitted = P Conditional Use Permit = CUP Not Permitted = — Special Event Permit = S Home Occupation Permit = H	SP-1
RESIDENTIAL	
A single-unit dwelling	—
A single mobile home	—
A two-unit dwelling (duplex) or 2 detached single-unit dwellings	—
Multi-unit dwellings	—
Mobile home park (See Gov't Code § 65852.7, Health & Safety Code § 18214).	—
Accessory dwelling unit or junior accessory dwelling unit	P (1)
Factory-built housing or manufactured home (less than 10 years old)	P (2)
Home occupations	H (1)
Boarding and rooming houses (3 or more individuals)	CUP (1)
Student housing	CUP
Hotels/motels (provided not more than 20% of the units contain kitchen/kitchenettes)	CUP
Group homes	P (1)
Residential care facilities for the elderly (serving 6 or fewer persons, allowed per Health & Safety Code § 1569.85)	P (1)
Residential care facilities for the elderly (serving 7 or more persons, allowed per Health & Safety Code § 1569.85)	CUP
Short term residential rentals	—
Family day care home (per Health and Safety Code § 1597.45)	P (1)

Permitted = P Conditional Use Permit = CUP Not Permitted = — Special Event Permit = S Home Occupation Permit = H	SP-1
Small family home (22 C.C.R. § 80001(s)(5))	P (1)
Sports courts (residential) with lights (tennis, basketball, handball, etc.)	CUP (1)
Single-room occupancy housing	CUP (2)
Supportive housing	P (1)
Transitional housing	P (1)
Emergency shelter	—
Low barrier navigation center	P
Employee housing for six or fewer employees (Health & Safety Code § 17021.5)	P (1)
COMMERCIAL – RECREATIONAL	
Adult cabaret	—
Batting cages	—
Bowling alleys	—
Commercial recreation	CUP
Pool halls and billiard halls	CUP
Health clubs/spa	CUP
Golf courses	—
Golf driving ranges (indoor or outdoor)	CUP
Tennis courts (commercial)	—
Theaters, cinemas, and auditoriums (public assembly)	CUP
COMMERCIAL – INSTITUTIONAL	
Art galleries, exhibit halls (commercial and industrial)	CUP
Churches, or other places used for religious worship	CUP
Educational institutions including private schools, elementary, middle, and high schools, colleges, and universities, daycare, tutoring	CUP
Commercial schools (dance studios, martial arts, music and vocal instruction, etc.)	CUP

Permitted = P Conditional Use Permit = CUP Not Permitted = — Special Event Permit = S Home Occupation Permit = H SP-1	SP-1
Institutions of a philanthropic or eleemosynary nature	CUP
Lodges, clubs and fraternal organizations	CUP
Hospitals/ medical centers	CUP
Libraries, museums and public buildings	CUP
COMMERCIAL – MEDICAL	
Animal hospital/ veterinary clinic	CUP
Clinic/urgent care facility (medical offices with outpatient treatment; no overnight stays)	CUP
Convalescent hospitals	CUP
Hospitals/ medical centers	CUP
Doctor/dentist office	P
Medical laboratories (not part of a medical office)	P
COMMERCIAL -- OFFICES	
Administrative, medical and professional offices	P
General business offices	CUP
COMMERCIAL – RETAIL	
Bakeries with less than 10 employees on premises	P
Banks (with or without ATM machines)	P
Coin-operated laundries	CUP
General retail	P
Motor vehicle sales and services (as defined in the California Vehicle Code)	CUP
Retail nursery (garden center)	CUP
Retail stores selling pre-owned merchandise	CUP
Smoking lounges	CUP
Temporary commercial enterprises and seasonal commercial sales lots	S

Permitted = P Conditional Use Permit = CUP Not Permitted = — Special Event Permit = S Home Occupation Permit = H	SP-1
COMMERCIAL – SERVICES	
Automobile service/repair	CUP
Automobile service stations	CUP
Check cashing or payday advance	CUP
Commercial repair	CUP
Car wash, coin- operated and automated	CUP
Day spa	CUP
Dry cleaning, pressing and laundry businesses	P
Fortunetelling establishments	P
Banks (with or without ATM machines)	P
Funeral parlors/ mortuaries	CUP
Restaurants	CUP
Restaurants - food to go	P
Upholstery shops (excluding furniture refinishing)	CUP
Vehicle impound/ tow yards	—
Vehicle storage lots, including recreational vehicles	—
INDUSTRIAL	
Hazardous waste facility	—
Industrial park (multiple or mix of services and warehousing)	—
Manufacturing/ heavy industrial (any process that creates toxins, odors, byproducts or processing of any byproducts)	—
Manufacturing/ light industrial	—
Mini-warehouse/ self-storage	—
Storage yards	—
Vehicle impound/ tow yards	—
Vehicle storage lots, including recreational vehicles	—

Permitted = P Conditional Use Permit = CUP Not Permitted = — Special Event Permit = S Home Occupation Permit = H	SP-1
Warehouse	—
Wholesaling uses	—
Wrecking yard	—
SPECIALTY USES	
Alcoholic beverage sales and services	CUP
Cemeteries, columbarium, crematories and mausoleums	—
Dog kennels	CUP
Mobile home sales areas (modular housing)	—
Model homes sales offices	—
Natural resources development	CUP
Outdoor sales (including vending machines)	CUP
Outdoor sales—Temporary (small event)	S
Outdoor sales—Temporary (large event)	S
Parks, playgrounds and community buildings	CUP
Public utility or public service structures and uses	CUP
Radio and television transmitters	CUP
Recycling centers	—
Recycling centers—Reverse vending machine (indoors)	P
Remediation systems	CUP
Showrooms	CUP
Special event—Small and large	S
Tattoo parlors	CUP
Wireless communication facilities	CUP

Notes:

1. For a lot developed with a residence
2. For a lot meeting General Plan requirements for residential uses
3. For a lot within the ES overlay zone
4. A mobile home park in a residential zone must comply with Chapter 18.28 as if it were in an MHP zone
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