

Ordinance Fact Sheet

TO: CITY COUNCIL

DATE: March 10, 2008

FROM: CITY ATTORNEY

SUBJECT: AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17
(THE ZONING CODE) OF THE PASADENA MUNICIPAL CODE,
RELATING TO MASSAGE ESTABLISHMENTS

TITLE OF PROPOSE ORDINANCE:

AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17 (THE ZONING
CODE) OF THE PASADENA MUNICIPAL CODE, RELATING TO MASSAGE
ESTABLISHMENTS

PURPOSE OF ORDINANCE:

The proposed ordinance amends the Zoning Code to distinguish between different types of land uses that provide massage services, dependent on the percentage of the gross floor area dedicated to massage services. The proposed ordinance establishes a 250 foot separation requirement between massage establishments and residential districts, and a 500 foot separation requirement between massage establishments and certain other land uses.

BACKGROUND:

On April 30, 2007, the City Council approved an interim urgency ordinance temporarily prohibiting the issuance of permits for massage establishments. On June 11, 2007, this initial 45-day moratorium was extended to 10 months and 15 days (to April 26, 2008). During this moratorium, staff was instructed by the City Council to initiate a Zoning Code Amendment to review the potential secondary effect of massage uses on adjacent residentially zoned properties and to consider the creation of a distance separation requirement between massage establishments and residential uses. On February 4, 2008, the proposed ordinance amendments were approved by the City Council.

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03/17/2008
MEETING OF 03/10/2008
9.B.2.
AGENDA ITEM NO. 9-A-3-

City Council, pg 2
March 10, 2008

REASON WHY LEGISLATION IS NEEDED:

An ordinance is needed to amend the provision of Title 17 (the Zoning Code) of the Pasadena Municipal Code.

PROGRAM, DEPARTMENTS, OR GROUPS AFFECTED:

The Planning Division and the Police Department will be affected by the proposed ordinance.

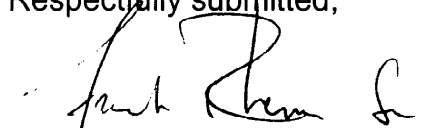
ENVIRONMENTAL:

An initial study was prepared for the proposed Zoning Code amendments and the determination for the proposal was a negative declaration. The initial study and the negative declaration were adopted by the City Council on February 4, 2008.

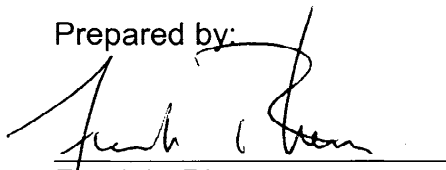
FISCAL IMPACT:

There will be no fiscal impact for the proposed ordinance.

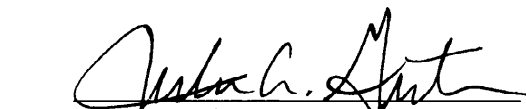
Respectfully submitted,


MICHELE BEAL BAGNERIS
City Attorney

Prepared by:


Frank L. Rhemrev
Sr. Assistant City Attorney

Concurrence:


Bernard K. Melekian
City Manager

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17
(THE ZONING CODE) OF THE PASADENA MUNICIPAL CODE,
REGARDING MASSAGE ESTABLISHMENTS**

The People of the City of Pasadena ordain as follows:

SECTION 1. This ordinance, due to its length and the corresponding cost of publication, will be published by title and summary as permitted in Section 508 of the Pasadena City Charter. The approved summary of this ordinance is as follows:

"SUMMARY

Ordinance No. _____ amends various provisions of Title 17, the Zoning Code, to distinguish between different types of land uses that provide massage services, dependent on the percentage of the gross floor area dedicated to massage services. The ordinance establishes a 250 foot separation requirement between the massage establishment and residential districts, and a 500 foot separation requirement between massage establishments and certain other land uses. The ordinance also establishes a permitting requirement and standards for massage technicians."

SECTION 2. Pasadena Municipal Code, Title 17, Article 2, Chapter 17.24, **TABLE 2-5 - ALLOWED USES AND PERMIT REQUIREMENTS FOR COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS** is amended as shown in Exhibit - 1, attached hereto and incorporated by this reference.

SECTION 3. Pasadena Municipal Code, Title 17, Article 3, Chapter 17.30, **TABLE 3-1 - ALLOWED USES AND PERMIT REQUIREMENTS FOR CD ZONING DISTRICTS** is amended as shown in Exhibit - 2, attached hereto and incorporated by this reference.

SECTION 4. Pasadena Municipal Code, Title 17, Article 3, Chapter 17.31, **TABLE 3-3 - ALLOWED USES AND PERMIT REQUIREMENTS FOR ECSP ZONING DISTRICTS** is amended as shown in Exhibit - 3, attached hereto and incorporated by this reference.

SECTION 5. Pasadena Municipal Code, Title 17, Article 3, Chapter 17.32, **TABLE 3-5 - ALLOWED USES AND PERMIT REQUIREMENTS FOR EAST PASADENA SPECIFIC PLAN (EPSP) SUBAREA D1 DISTRICTS, TABLE 3-6 - ALLOWED USES AND PERMIT REQUIREMENTS FOR EAST PASADENA SPECIFIC PLAN (EPSP) SUBAREA D2 AND D3 DISTRICTS,** are amended as shown in Exhibits - 4 and 5 attached hereto and incorporated by this reference.

SECTION 6. Pasadena Municipal Code, Title 17, Article 3, Chapter 17.33, **TABLE 3-14 - ALLOWED USES AND PERMIT REQUIREMENTS FOR FAIR OAKS/ORANGE GROVE CL, C-2 AND C-3 DISTRICTS** is amended as shown in Exhibit - 6, attached hereto and incorporated by this reference.

SECTION 7. Pasadena Municipal Code, Title 17, Article 4, Chapter 17.46, **TABLE 4-6 - OFF-STREET PARKING SPACE REQUIREMENTS** is amended as shown in Exhibit - 7 attached hereto and incorporated by this reference.

SECTION 8. Pasadena Municipal Code, Title 17, Article 5 is amended by adding the following new section as follows:

“17.50.155 – Massage Establishments.

A. 500-foot separation required. A massage establishment shall be a minimum of 500 feet from another massage establishment, personal services restricted use, pawnshop or sexually oriented business.

B. 250-foot separation required. A massage establishment shall be a minimum of 250 feet from a residential district. This requirement shall not apply to Planned Development zoning districts.

C. How to measure separation. The distance separation between the above identified uses shall be measured in a straight line, without regard to intervening structures, from the closest property line of the structure used as a massage establishment to the closest property line of another structure used as another massage establishment, personal services restricted use, pawnshop, sexually oriented business or residential district.

D. Other permit requirements. A massage establishment shall comply with the permit requirements of Chapter 5.48 (Massage Establishments).”

SECTION 9. Pasadena Municipal Code, Title 17, Article 5, Chapter 17.50, Section 17.50.200, Subsection A is amended as follows:

“A. 500-foot separation required. A personal services restricted use or pawnshop, ~~as these land use types may be defined in Article 8 (Glossary),~~ shall be a minimum of 500 feet from another personal services restricted use, ~~or pawnshop~~ or massage establishment.”

SECTION 10. Pasadena Municipal Code, Title 17, Article 8, Chapter 17.80,

Section 17.80.020 is amended as follows:

“A. By adding the following new definitions in the proper alphabetical sequence:

Day/Health Spa. Any premises, place of business or membership club providing facilities devoted especially to health, beauty, and relaxation that deals with the cosmetic, therapeutic, and/or holistic treatments, where people visit for professionally administered personal care treatments. Such treatment may include massage provided it is solely accessory to this use. A medical spa shall be classified as a Medical Office land use.

Massage Establishments (land use). Any premises, place of business or membership club where the primary use is providing or giving for a fee or other form of consideration a massage, fomentation, bath, manipulation of the body, electric or magnetic treatment, alcohol rub or other similar massage service or procedure. A use where accessory massage occurs shall not be classified as a massage establishment. The following professions and services shall not be classified as a massage establishment:

1. Any duly licensed medical physician, doctors, surgeon, osteopath, chiropractor, acupuncturist, registered nurse, or other persons licensed by the state while engaging in practices as part their license.

2. Any barber, beautician, manicurist, cosmetologist, and esthetician who are licensed under the laws of the State of California while engaging in practices as part their license. This exemption shall include hospitals, nursing homes, sanitariums, or any other health facility duly licensed by the State of California or to accredited high schools, junior colleges, colleges, or universities whose coaches and trainers are acting within the scope of their employment.

3. Physical therapist and trainers of amateur, semiprofessional, or professional athletes or athletic teams while engaging in their training responsibilities for and with athletes.

4. Any massage technicians offering massage services to a fully clothed client in public common areas where the primary use is not a massage establishment (i.e., chair massage services in a supermarket, massage services in the courtyard of an outdoor or indoor shopping center). These massage technicians shall comply with the permit requirements of Chapter 5.48 (Massage Establishments).

Massage Technician. Any person, who in connection with the activities of a massage establishment or accessory massage, administers to another person a massage, alcoholic rub, fomentation, bath, electric or magnetic massage procedure, manipulation of the body or other similar procedure. All massage technicians operating in the City shall be licensed by the State of California and shall practice and engage in this licensed profession. A massage technician shall comply with the permit requirements of Chapter 5.48 (Massage Establishments).

Massage - Accessory. A use where massages occur either permanently or temporarily and the area where the massages occur covers less than 20 percent of the gross floor of the principal use.

B. By amending the following existing definitions:

Personal Services (land use). An establishment providing non-medical services to individuals as a primary use. Examples of these uses include:

~~barber and beauty shops~~

- barber shop
- beauty salon
- clothing rental
- day/health spa
- dry cleaning pick-up stores
- fortunetellers, psychics, and similar services
- hair salon
- home electronics and small appliance repair
- laundromats (self-service laundries)
- nail salon
- spas and hot tubs for rent
- shoe repair shops
- tanning salons
- tailors

These uses may also include the accessory retail sales of products related to the services provided.

Personal Services, Restricted (land use). A personal service establishment that may tend to have a blighting and/or deteriorating effect upon surrounding areas and that may need to be dispersed from other similar uses to minimize its adverse impacts, including:

- check-cashing services ~~massage services or parlors~~ tattooing, piercing, and similar services

SECTION 11. This ordinance shall take effect 30 days after its publication.

Signed and approved this _____ day of _____, 2008.

Bill Bogaard
Mayor of City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council of the City of Pasadena at its meeting held this _____ day of _____ 2008, by the following vote:

AYES:

NOES:

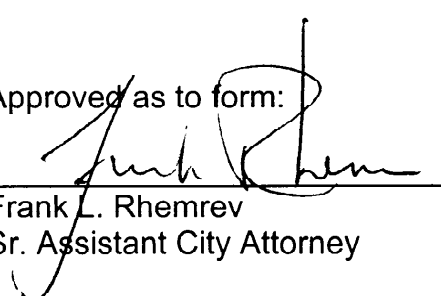
ABSENT:

ABSTAIN

Date Published:

Jane L. Rodriguez, CMC
City Clerk

Approved as to form:



Frank L. Rhemrev
Sr. Assistant City Attorney

EXHIBIT - 1

**TABLE 2-5 - ALLOWED USES AND PERMIT REQUIREMENTS
FOR COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS**

LAND USE (1)	PERMIT REQUIREMENT BY ZONE				Specific Use Standards
	CO	CL (2)	CG (2)	C	
SERVICES (Continued) (8, 10)					
Animal services - Hospitals	—	—	P (9)	P (9)	17.50.050
Catering services	—	P (9)	P (9)	P (9)	
Charitable institutions	C (3)	C (3)	C (3)	C (3)	
Child day-care centers	P	P	P	C	17.50.080
Child day care, large care homes, 9 to 14 persons	P	P	—	—	17.50.080
Child day care, small care homes, 1 to 8 persons	P	P	P	—	
Detention facilities	—	—	—	C (3)	
Drive-through business - Nonrestaurants	—	C	C	C	17.50.090
Drive-through business - Restaurants	—	C	C	C	17.50.090
Emergency shelters	—	—	MC	MC	
Filming, long-term	C	C	C	C	
Filming, short-term	P	P	P	P	
Laboratories	C (9)	P (9)	P (9)	P (9)	
Life/care facilities	—	C	C	—	17.50.120
Lodging - Bed and breakfast inns	C (9)	C (9)	C (9)	—	17.50.140
Lodging - Hotels, motels	—	—	C (9)	C (9)	17.50.150
Maintenance and repair services	—	P (9)	P (9)	P (9)	
<u>Massage establishments</u>	<u>—</u>	<u>—</u>	<u>C (9)</u>	<u>C (9)</u>	<u>17.50.155</u>
Medical services - Extended care	C (3)	C (3)	—	—	
Medical services - Hospitals	—	—	C (3) (12)	—	
Mortuaries, funeral homes	—	P (9)	P (9)	P (9)	
Personal improvement services	—	P (9)	P (9)	P (9)	
Personal services	—	P (9)	P (9)	P (9)	

Notes:

- (1) See Section 17.80.020 for definitions of the listed land uses.
- (2) Includes the CL and CG districts with all suffixes (e.g., CL-2, CG-1, CG-2).
- (3) Uses on sites greater than two acres that were established after June 30, 1985, shall require a zone change to PS (Public, Semi-Public).
- (4) Allowed subject to the development standards of the RS-6 district, Section 17.22.040.
- (5) The maximum interior or exterior area in which support services are offered or located shall not exceed 250 sq. ft.
- (6) A club, lodge, or private meeting hall established prior to September 9, 1996, shall be a permitted (P) use.
- (7) A minor conditional use permit is required to establish a new use. An existing use is a permitted (P) use.
- (8) Use subject to limitations on hours of operation. See Section 17.40.070 (Hours of Operation).
- (9) Conditional Use Permit approval required for a nonresidential project, or the nonresidential portion of a mixed-use project that exceeds 25,000 sq. ft. of gross floor area; except for a project with an approved master development plan, tenant improvements, or a project on the City's approved capital improvement budget.
- (10) No more than five large trucks (except trucks associated with vehicle services - sales and leasing) shall be stored on a lot. This shall apply to new uses or uses which expand by more than 30 percent of gross floor area.
- (11) Use is permitted only as an accessory use to a restaurant (including fast food and formula fast food) or food sales.
- (12) Use not permitted in the Lincoln Corridor, CG-1 district.
- (13) In the CG-1 district, this use is permitted only when accessory to another use and located within a building.
- (14) Use is conditionally permitted in the Lincoln Corridor, CG-1 district.

Underlined language added.

EXHIBIT - 2

**TABLE 3-1 - ALLOWED USES AND PERMIT REQUIREMENTS
FOR CD ZONING DISTRICTS**

LAND USE (1)	PERMIT REQUIREMENT BY ZONE						Specific Use Standards
	CD-1	CD-2	CD-3	CD-4	CD-5	CD-6	
SERVICES (Continued)							
Laboratories (13)	P	P	P (11)	P	P	P	
Life/care facilities	C	C	C	C	C	C	17.50.120
Lodging - bed and breakfast inns	P (13)	C (13)	C (13)	P (13)	C (13)	P (13)	17.50.140
Lodging - hotels, motels (13)	C	C	C (11)	C	C	C	17.50.150
Maintenance or repair services	P (13)	P (13)	P (13)	P (13)	P (13)	P (13)	
Medical services - hospital	—	—	—	—	—	C	
<u>Massage establishments</u>	<u>C (13)</u>	<u>—</u>	<u>—</u>	<u>C (13)</u>	<u>—</u>	<u>C (13)</u>	<u>17.50.155</u>
Mortuaries, funeral homes	—	—	—	—	—	C (13)	
Personal improvement services*	P (13)	P (13)	P (13)	P (13)	P (13)	P (13)	
Personal services *	P (13)	P (13)	P (13)	P (13)	P (13)	P (13)	
Personal services restricted	C (13)	—	—	C (13)	—	C (13)	17.50.200
Printing and publishing	C (13)	C (13)	—	C (13)	—	P (13)	
Printing and publishing, limited*	P	P	P (11)	P	P	P	
Public safety facilities	C	C	C	C	C	C	
Vehicle services - washing and detailing, small-scale	P	P	P (11)	P	P	P	17.50.290
Vehicle services - washing and detailing, temporary	P	P	P (11)	P	P	P	17.50.290

Notes:

- (1) See Section 17.80.020 for definitions of the listed land uses.
- (2) Permitted within the Ford Place/Fuller Seminary Precinct.
- (3) See Figure 3-4 - Central District Housing/Ground Floor Map for additional restrictions on residential uses.
- (4) Permitted within the Arroyo Corridor Transition Precinct.
- (5) Conditionally Permitted within 350 feet from the south curb line of Corson Street.
- (6) Conditionally Permitted within the West Downtown Transit Village Precinct.
- (7) Conditionally Permitted within the Civic Center Core Precinct.
- (8) Permitted within the Playhouse South/Green Street Precinct.
- (9) Conditionally Permitted within the Arroyo Entrance Corridor Precinct.
- (10) Not Permitted within the Arroyo Entrance Corridor Precinct.
- (11) Not permitted 140 feet north or south of Walnut Street in the Walnut Street Urban Village Precinct.
- (12) The maximum area (either interior or exterior) in which support services are offered or located shall not exceed 250 sq. ft.
- (13) Conditional Use Permit approval required for new nonresidential projects and nonresidential portions of mixed-use projects exceeding 25,000 sq.ft. of gross floor area. Projects within the Central District Transit-Oriented Development Area (Figure 3-5) shall meet the requirements of 17.50.340. This requirement does not apply to a project with an approved master development plan, government offices, tenant improvements, or projects in the City's approved capital improvement budget.
- (14) Allowed only as part of a mixed-use project when 140 feet south or north of Walnut Street.

EXHIBIT - 3

**TABLE 3-6 - ALLOWED USES AND PERMIT REQUIREMENTS
EAST PASADENA SPECIFIC PLAN (EPSP) SUBAREA D2 AND D3 DISTRICTS**

LAND USE (1)	PERMIT REQUIREMENT BY ZONE							Specific Use Standards
	Subarea D2					Subarea D3		
	CO	CL	CG	IG	PS	CO	CG	

SERVICES - CONTINUED (3, 10)

Charitable institutions	C(2)	C(2)	C(2)	C(2)	—	C(2)	C(2)	
Child day-care centers	P	P	P	P	C	P	P	17.50.080
Child day-care, large care homes, 9 to 14 persons	P	P	—	—	C	P	—	17.50.080
Child day-care, small care homes, 1 to 8 persons	P	P	—	—	C	P	—	
Drive-through business - Non-restaurants	—	C	C	C	—	—	C	17.50.090
Drive-through business - Restaurant	—	C	C	C	—	—	C	17.50.090
Emergency shelters	—	—	MC	MC	—	—	MC	
Filming, long-term	C	C	C	C	C	C	C	
Filming, short-term	P	P	P	P	P	P	P	
Laboratories	P (4)	P (4)	P (4)	P (4)	—	C (4)	P (4)	
Life/care facilities	—	C	C	C	—	—	C	17.50.130
Lodging - Bed and breakfast inns	C (4)	C (4)	—	—	—	C (4)	—	17.50.140
Lodging - Hotels, motels	—	—	C (4)	C (4)	—	—	C (4)	17.50.150
<u>Massage establishments</u>	—	—	<u>C (4)</u>	<u>C (4)</u>	—	—	<u>C (4)</u>	<u>17.50.155</u>
Medical services - Extended care	C (2)	C (2)	—	—	C	C (2)	—	
Medical services - Hospitals	—	—	C (2)	—	C	—	C (2)	
Mortuaries, funeral homes	—	P	C (4)	—	—	—	C (4)	
Personal improvement services	MC (4)	P (4)	P (4)	P (4)	—	—	P (4)	
Personal services	MC (4)	P (4)	P (4)	P (4)	—	—	P (4)	
Personal services - restricted	—	—	C (4)	C (4)	—	—	C (4)	17.50.200
Printing and publishing	—	P (4)	P (4)	P (4)	—	—	P (4)	
Printing and publishing - Limited	C	P	P	—	—	—	P	
Public maintenance & service facilities	C	P	P	—	C (5)	—	P	
Public safety facilities	C (2)	C (2)	C (2)	C (2)	C (2)	C (2)	C (2)	
Vehicle services - Washing/detailing	—	C (4)	C (4)	C (4)	—	—	—	17.50.290
Vehicle services - Washing/detailing, small scale	—	P	P	P	P	—	P	17.50.290

Notes:

- (1) See Section 17.80.020 for definitions of the listed land uses.
- (2) Uses on sites greater than two acres that were established after June 30, 1985, shall require a zone change to PS (Public, Semi-Public).
- (3) Use subject to limitations on hours of operation. See Section 17.40.070 (Hours of Operation).
- (4) Conditional Use Permit approval required for a nonresidential project or nonresidential portion of a mixed-use project exceeding 25,000 sq.ft. of gross floor area; except for a project with an approved master development plan, tenant improvements, or a project that is in the City's approved capital improvement budget.
- (5) Limited to accessory facilities of a principal use.
- (6) The maximum area (either interior or exterior) in which support services are offered or located shall not exceed 250 sq. ft.
- (7) A club or lodge established prior to September 9, 1996, is a permitted (P) use.
- (8) A Minor Conditional Use Permit is required to establish a new use. An existing use is a permitted (P) use.
- (9) Limited to sites south of Foothill Boulevard.
- (10) No more than five large trucks (except trucks associated with vehicle services - sales and leasing) shall be stored on each site. This restriction shall apply to new uses or uses which expand by more than 30 percent of gross floor.
- (11) Auto dismantling is not permitted.

EXHIBIT - 4

**TABLE 3-5 - ALLOWED USES AND PERMIT REQUIREMENTS
EAST PASADENA SPECIFIC PLAN (EPSP) SUBAREA D1 DISTRICTS**

LAND USE (1)	PERMIT REQUIREMENT BY DISTRICT				Special Use Standards
	CO	CL	CC	IG	
SERVICES - CONTINUED (3, 10)					
Charitable institutions	C (2)	C(2)	C(2)	C(2)	
Child day-care centers	P	P	P	C	17.50.080
Child day-care, large care homes, 9 to 14 persons	P	P	—	—	17.50.080
Child day-care, small care homes, 1 to 8 persons	P	P	—	—	
Detention facilities	—	—	—	C (2)	
Drive-through business - Non-restaurants	—	C	C	C	17.50.090
Drive-through business - Restaurants	—	C	C	C	17.50.090
Emergency shelters	—	—	MC	MC	
Filming, long-term	C	C	C	C	
Filming, short term	P	P	P	P	
Laboratories	C (4)	P (4)	P (4)	P (4)	
Life/care facilities	C	C	C	—	17.50.120
Lodging - Hotel, motel	—	—	C (4)	—	17.50.150
Maintenance and repair services	—	—	C (4)	C (4)	
<u>Massage establishments</u>	—	—	<u>C (4)</u>	—	<u>17.50.155</u>
Medical services - Extended care	—	C (2)	—	—	
Medical services - Hospitals	—	—	C (2)	—	
Mortuaries, funeral homes	—	P	P (4)	P (4)	
Personal improvement services	—	P (4)	P (4)	P (4)	
Personal services	—	P (4)	P (4)	P (4)	
Personal services - Restricted	—	—	C (4)	—	17.50.200
Printing and publishing	—	C (2)	P (4)	P (4)	
Printing and publishing - Limited	C	P	P	—	
Public maintenance & service facilities	—	—	C (4)	C (4)	
Public safety facilities	C	C (2)	C (2)	C (2)	
Sexually oriented business	—	—	P	—	17.50.295
Vehicle services - Vehicle/equipment repair	—	C (4)	C (4)	C (4)	
Vehicle services - Washing/detailing	—	—	C (4)	C (4)	17.50.290
Vehicle services - Washing/detailing, small scale	—	P	P	P	17.50.200

Notes:

- (1) See Section 17.80.020 for definitions of the listed land uses.
- (2) Uses on sites greater than two acres that were established after June 30, 1985, shall require a zone change to PS (Public, Semi-Public).
- (3) Use subject to limitations on hours of operation. See Section 17.40.070 (Hours of Operation).
- (4) Conditional Use Permit approval required for a nonresidential project or nonresidential portion of a mixed-use project exceeding 25,000 sq. ft. of gross floor area; except for a project with an approved master development plan, tenant improvements, or a project that is in the City's approved capital improvement budget.
- (5) Auto dismantling is not permitted.
- (6) Limited to accessory facilities of a principal use.
- (7) The maximum area (either interior or exterior) in which support services are offered or located shall not exceed 250 sq. ft.
- (8) A club or lodge established prior to September 9, 1996, is a permitted (P) use.
- (9) A minor conditional use permit is required to establish a new use. An existing use is a permitted (P) use.
- (10) No more than five large trucks (except trucks associated with vehicle services - sales and leasing) shall be stored on each site. This restriction shall apply to new uses or uses which expand by more than 30 percent of gross floor.

Underlined language added.

EXHIBIT - 5

**TABLE 3-6 - ALLOWED USES AND PERMIT REQUIREMENTS
EAST PASADENA SPECIFIC PLAN (EPSP) SUBAREA D2 AND D3 DISTRICTS**

LAND USE (1)	PERMIT REQUIREMENT BY ZONE							Specific Use Standards
	Subarea D2				Subarea D3			
	CO	CL	CG	IG	PS	CO	CG	

SERVICES - CONTINUED (3, 10)

Charitable institutions	C(2)	C(2)	C(2)	C(2)	—	C(2)	C(2)	
Child day-care centers	P	P	P	P	C	P	P	17.50.080
Child day-care, large care homes, 9 to 14 persons	P	P	—	—	C	P	—	17.50.080
Child day-care, small care homes, 1 to 8 persons	P	P	—	—	C	P	—	
Drive-through business - Non-restaurants	—	C	C	C	—	—	C	17.50.090
Drive-through business - Restaurant	—	C	C	C	—	—	C	17.50.090
Emergency shelters	—	—	MC	MC	—	—	MC	
Filming, long-term	C	C	C	C	C	C	C	
Filming, short-term	P	P	P	P	P	P	P	
Laboratories	P (4)	P (4)	P (4)	P (4)	—	C (4)	P (4)	
Life/care facilities	—	C	C	C	—	—	C	17.50.130
Lodging - Bed and breakfast inns	C (4)	C (4)	—	—	—	C (4)	—	17.50.140
Lodging - Hotels, motels	—	—	C (4)	C (4)	—	—	C (4)	17.50.150
Massage establishments	—	—	C (4)	C (4)	—	—	C (4)	17.50.155
Medical services - Extended care	C (2)	C (2)	—	—	C	C (2)	—	
Medical services - Hospitals	—	—	C (2)	—	C	—	C (2)	
Mortuaries, funeral homes	—	P	C (4)	—	—	—	C (4)	
Personal improvement services	MC (4)	P (4)	P (4)	P (4)	—	—	P (4)	
Personal services	MC (4)	P (4)	P (4)	P (4)	—	—	P (4)	
Personal services - restricted	—	—	C (4)	C (4)	—	—	C (4)	17.50.200
Printing and publishing	—	P (4)	P (4)	P (4)	—	—	P (4)	
Printing and publishing - Limited	C	P	P	—	—	—	P	
Public maintenance & service facilities	C	P	P	—	C (5)	—	P	
Public safety facilities	C (2)	C (2)	C (2)	C (2)	C (2)	C (2)	C (2)	
Vehicle services - Washing/detailing	—	C (4)	C (4)	C (4)	—	—	—	17.50.290
Vehicle services - Washing/detailing, small scale	—	P	P	P	P	—	P	17.50.290

Notes:

- (1) See Section 17.80.020 for definitions of the listed land uses.
- (2) Uses on sites greater than two acres that were established after June 30, 1985, shall require a zone change to PS (Public, Semi-Public).
- (3) Use subject to limitations on hours of operation. See Section 17.40.070 (Hours of Operation).
- (4) Conditional Use Permit approval required for a nonresidential project or nonresidential portion of a mixed-use project exceeding 25,000 sq.ft. of gross floor area; except for a project with an approved master development plan, tenant improvements, or a project that is in the City's approved capital improvement budget.
- (5) Limited to accessory facilities of a principal use.
- (6) The maximum area (either interior or exterior) in which support services are offered or located shall not exceed 250 sq. ft.
- (7) A club or lodge established prior to September 9, 1996, is a permitted (P) use.
- (8) A Minor Conditional Use Permit is required to establish a new use. An existing use is a permitted (P) use.
- (9) Limited to sites south of Foothill Boulevard.
- (10) No more than five large trucks (except trucks associated with vehicle services - sales and leasing) shall be stored on each site. This restriction shall apply to new uses or uses which expand by more than 30 percent of gross floor.
- (11) Auto dismantling is not permitted.

EXHIBIT - 6

**TABLE 3-14 - ALLOWED USES AND PERMIT REQUIREMENTS
FAIR OAKS/ORANGE GROVE CL, C-2, AND C-3 DISTRICTS**

LAND USE (1)	PERMIT REQUIREMENTS BY ZONE					SPECIAL DISTRICT
	RGSF					
	CL-1a	CL-1b	C-2	C-3	C-3d	

SERVICES (Continued) (2, 9, 10)

Charitable institution (2, 4)	C	C	C	C	C	
Child day-care centers	P	P	P	P	P	17.50.080
Child day-care, large care homes, 9 to 14 persons	—	P	—	P	—	17.50.080
Child day-care, small care homes, 1 to 8 persons	—	P	—	P	—	
Drive-through business - nonrestaurants	C	C	C	C	C	17.50.090
Drive-through business - restaurants	C	C	C	C	C	17.50.090
Laboratories	P (3)	P (3)	P (3)	P (3)	P (3)	
<u>Massage establishments</u>	<u>C (3)</u>	<u>C (3)</u>	<u>C (3)</u>	<u>C (3)</u>	<u>C (3)</u>	<u>17.50.155</u>
Maintenance or repair services	P (3)	P (3)	P (3)	P (3)	P (3)	
Personal improvement services	P (3)	P (3)	P (3)	P (3)	P (3)	
Personal services	P (3)	P (3)	P (3)	P (3)	P (3)	
Personal services - Restricted	C (3)	C (3)	C (3)	C (3)	C (3)	17.50.200
Printing and publishing	C (3)	C (3)	P (3)	P (3)	P (3)	
Printing and publishing, limited	P (3)	P (3)	P (3)	P (3)	P (3)	
Public safety facilities	C(4)	C(4)	C(4)	C(4)	C(4)	
Vehicle services - Washing/detailing, small scale	P	P	P	P	P	17.50.290

Notes:

- (1) See Section 17.80.030 for definitions of the listed land uses.
- (2) Uses subject to limitations on hours of operation. See Section 17.40.070 (Hours of Operation).
- (3) Conditional Use Permit approval is required for a nonresidential project or nonresidential portion of a mixed-use project that exceeds 25,000 sq. ft. of gross floor area, except for a project with an approved master development plan, tenant improvements, and a project that is on the approved capital improvement budget.
- (4) Uses on a site greater than two acres that were established after June 30, 1985, shall require a zone change to PS (Public, Semi-Public).
- (5) A club or lodge established prior to September 9, 1996 is a permitted (P) use.
- (6) Alcohol sales is limited to sales for on-site consumption that is accessory to a principal use such as a restaurant. Alcohol sales in conjunction with the following uses is prohibited: nightclubs (commercial entertainment) and billiard parlors (commercial recreation - indoor).
- (7) Vehicle/equipment repair is limited to uses which provide limited services such as oil changes, window tinting, replacement of air filters, installation of car stereos and alarms, and other related services. All repairs shall occur within an enclosed building, overnight parking or storing of vehicles receiving services shall be within an enclosed building.
- (8) An industrial use established prior to December 29, 2002, is a permitted (P) use.
- (9) If within 300 feet of an R District this use shall be limited to 10 one-way truck trips by large trucks per day per 6-day work week. This restriction shall apply to new uses and uses that expand by more than 30 percent of the gross floor area. This restriction shall not apply if the site or the adjacent R District is within 500 feet of a freeway.
- (10) No more than five large trucks (except trucks associated with vehicle services - sales and leasing) shall be stored on each lot. This restriction shall apply to new uses or uses which expand by more than 30 percent of gross floor.
- (11) The residential component of a work/live unit shall be counted as part of the allowable density.
- (12) In C-3d multi-family housing is permitted.
- (13) Fair Oaks Ave: allowed on the west side, south of Orange Grove Bl. and allowed on both sides, north of Orange Grove Bl., Orange Grove Bl.: allowed on both sides, west of Fair Oaks Ave. Incidental maintenance is not allowed.

Underlined language added.

EXHIBIT - 7

TABLE 4-6 - OFF-STREET PARKING SPACE REQUIREMENTS

Use Classification	Minimum Parking
Services	
Adult Day-Care, General	2 spaces per 1,000 sq. ft.
Animal Sales and Services	2.5 spaces per 1,000 sq. ft.
Catering Services	2.5 spaces per 1,000 sq. ft.
Charitable Institutions	As specified by Conditional Use Permit.
Child Day-Care Center	2 spaces per 1,000 sq. ft.
Detention Facilities	As specified by Conditional Use Permit.
Emergency Shelter	1 space for every 4 beds.
Hospitality Home	As specified by Conditional Use Permit.
Laboratories	2 spaces per 1,000 sq. ft.
Life/Care Facilities	As specified by Conditional Use Permit.
Lodging – Bed and Breakfast Inns	1 space per guest room; plus 2 spaces.
Lodging - Hotels and Motels	1 space per guest room; plus 10 spaces per 1,000 sq. ft. of banquet, assembly, meeting or restaurant seating area or 1 space per 8 fixed seats. Accessory retail uses greater than 5,000 sq. ft. gross: 2.5 spaces per 1,000 sq. ft.
Maintenance and Repair Service	2 spaces per 1,000 sq. ft.
<u>Massage Establishments</u>	<u>3 spaces per 1,000 sq. ft.</u>
Medical Services - Extended Care	1 space per 5 patient beds the facility is licensed to accommodate.
Medical Services – Hospitals	3 spaces per bed the facility is licensed to accommodate.
Mortuaries, Funeral Homes	1 space per 5 fixed seats in main assembly area, or 28 spaces per 1,000 sq. ft. of seating area if there are no fixed seats.
Personal Improvement Services	3 spaces per 1,000 sq. ft.
Physical Fitness Clubs	5 spaces per 1,000 sq. ft.
Personal Services	3 spaces per 1,000 sq. ft.
Personal Services, Restricted	3 spaces per 1,000 sq. ft.
Printing and Publishing	2 spaces per 1,000 sq. ft.
Printing and Publishing, Limited	2 spaces per 1,000 sq. ft.
Public Maintenance & Service Facilities	1 space per 500 sq. ft.
Public Safety Facilities	As specified by Conditional Use Permit.

Underlined language added.