

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, REORGANIZING THE CHAPTERS OF TITLE 17 OF THE HAWTHORNE MUNICIPAL CODE, ADDING STATUTORY LANGUAGE RELATED TO AFFORDABLE HOUSING, AND DELETING SEVERAL OBSOLETE CHAPTERS, AND MAKING A FINDING OF EXEMPTION IN COMPLIANCE WITH CEQA IN CONNECTION THEREWITH

WHEREAS, the Hawthorne Municipal Code (HMC), Title 17 (Zoning), is the governing legislation that controls land uses in the City; and

WHEREAS, Title 17 of the Hawthorne Municipal Code was adopted in 1990 and was amended many times in the past 36 years; and

WHEREAS, amendments to Title 17 of the Hawthorne Municipal Code have not consistently conformed to the original logical organization of the Title; and

WHEREAS, Title 17 also contains several chapters that are no longer relevant or needed; and

WHEREAS, the City desires to reorganize the chapters of Title 17 in preparation for a future comprehensive textual review and comprehensive edit; and

WHEREAS, the California Department of Housing and Community Development (HCD) notified the City on October 13, 2025, that certain statutory language was not included in the ordinances that implemented the City’s 2021-2029 Housing Element (Ord Nos. 2240, 2241, and 2247); and

WHEREAS, California Government Code § 65583.2, Subdivisions (c) and (h) provide standards for development projects on lower-income shortfall sites; and

WHEREAS, consistent with California Government Code § 65583.2, Subdivision (c), projects with at least 20 percent or more units affordable to lower-income individuals are permitted by-right on sites identified in “Appendix A—Site Inventory” of the Hawthorne 2021-2029 Housing Element to accommodate the lower income Regional Housing Needs Allocation (RHNA). The phrase “by-right” means that the City’s review of the owner-occupied or multifamily residential use may not require a conditional use permit, planned unit development, or other discretionary review or approval that would constitute a “project” for purposes of Division 13 (commencing with § 21000) of the California Public Resources Code; and

WHEREAS, consistent with California Government Code § 65583.2, Subdivisions (c) and (h), to accommodate the lower-income RHNA, projects that contain 100 percent residential in the Housing Overlay or on R-3-zoned sites, identified in “Table B—

Candidate Sites Identified to be Rezoned to Accommodate Shortfall Housing Need” in the Hawthorne 2021-2029 Housing Element, are permitted by-right; and

WHEREAS, the City adheres to the above-referenced statutory language, and provided written assurance to HCD, this ordinance inserts said language into the appropriate sections of Title 17; and

WHEREAS, California Government Code §§ 66310-66342 describe the development standards and review procedures for Accessory Dwelling Units (ADUs); and

WHEREAS, HCD notified the City on November 21, 2025, that the City’s ADU ordinance (Ord. No. 2205) no longer conformed to state ADU law; and

WHEREAS, the City had a draft revised ADU ordinance prepared in 2023, but before it could be adopted the state ADU laws were amended again;

WHEREAS, the City adheres to California Government Code §§ 66310-66342 wherever Title 17 conflicts with state law; and

WHEREAS, HCD, nevertheless, formally requested that the City rescind its ADU chapter and adopt a new one that is fully compliant with current state laws; and

WHEREAS, this ordinance rescinds the City’s ADU Chapter in Title 17 while a new chapter is being drafted; and

WHEREAS, on May 6, 2026, the Planning Commission of the City of Hawthorne considered the zone text amendments and, after a duly noticed public hearing where all persons in support and in opposition were heard, adopted Resolution No. PC 2026-04 recommending approval of the ordinance to the City Council;

WHEREAS, on June 9, 2026, the City Council of the City of Hawthorne considered the zone text amendments and, after a duly noticed public hearing where all persons in support and in opposition were heard, introduced this ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HAWTHORNE DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council of the City of Hawthorne hereby incorporates by reference all the recitals herein.

SECTION 2. The following Chapters shall be deleted in their entirety:

- Chapter 17.12 **Occupancy Permit**
- Chapter 17.21 **Accessory Dwelling Units**
- Chapter 17.23 **P—Automobile Parking Classification**
- Chapter 17.46 **Fallout Shelters**
- Chapter 17.64 **Mobile Home Park Relocation Impact Report**

Chapter 17.84 **Placement for Advertisements for Certain Adult Telephone Messages on Billboards**

SECTION 3. Title 17 (Zoning) of the Hawthorne Municipal Code shall be organized into the following chapters, the content of which shall be described beginning in Section 4 of this ordinance:

Chapter 17.01	General Provisions
Chapter 17.02	Definitions
Chapter 17.03	Administration, Interpretation, and Enforcement
Chapter 17.04	Zoning Map
Chapter 17.05a	Use Classification
Chapter 17.05b	Specific Plans
Chapter 17.05c	Airport Master Plan
Chapter 17.05d	Overlay Zones (Reserved)
Chapter 17.05e	Airport Overlay
Chapter 17.05f	Runway Protection Overlay
Chapter 17.05g	Housing Overlay
Chapter 17.05h	Mixed-use Overlay
Chapter 17.05i	Trucking-intensive Overlay
Chapter 17.05j	Billboard Overlay
Chapter 17.06a	Zoning Applications (Reserved)
Chapter 17.06b	Conditional Use Permits and Variances
Chapter 17.06c	Reasonable Accommodations
Chapter 17.06d	Residential Density Bonus
Chapter 17.06e	Yards
Chapter 17.07	Development Impact Fees
Chapter 17.10a	General Development Standards
Chapter 17.10b	Fences
Chapter 17.10c	Setback Lines
Chapter 17.10d	Trash Storage
Chapter 17.10e	Landscaping
Chapter 17.10f	Parking
Chapter 17.10g	Signs
Chapter 17.11	General Design Standards (Reserved)
Chapter 17.12	General Operational Standards (Reserved)
Chapter 17.13	Nonconformities
Chapter 17.20	Residential Zones (Reserved)
Chapter 17.20a	R-1 Zone
Chapter 17.20b	R-2 Zone
Chapter 17.20c	R-3 Zone
Chapter 17.20d	R-4 Zone
Chapter 17.21	Residential Development Standards
Chapter 17.22	Residential Design Standards
Chapter 17.23	Residential Operational Standards (Reserved)

- Chapter 17.24a **Additional Standards for Select Residential Uses**
(Reserved)
- Chapter 17.24b **Accessory Dwelling Units**
- Chapter 17.24c **Home Occupations**
- Chapter 17.24d **Family Day Care Homes**
- Chapter 17.24e **Short-term Rentals**
- Chapter 17.24f **Two-unit Residential Development and Urban Lot Splits**
- Chapter 17.30 **Commercial Zones** (Reserved)
- Chapter 17.30a **C-2 Zone**
- Chapter 17.30b **C-3 Zone**
- Chapter 17.30c **C-M Zone**
- Chapter 17.30d **C-R Zone**
- Chapter 17.31 **Commercial Development Standards**
- Chapter 17.32a **Commercial Design Guidelines**
- Chapter 17.32b **Security Standards**
- Chapter 17.33 **Commercial Operational Standards** (Reserved)
- Chapter 17.34a **Additional Standards for Select Commercial Uses**
- Chapter 17.34b **Alcohol Sales**
- Chapter 17.34c **Tattoo and Body Piercing**
- Chapter 17.34d **Commercial Cannabis Businesses**
- Chapter 17.40 **Industrial Zones** (Reserved)
- Chapter 17.40a **M-1 Zone**
- Chapter 17.40b **M-2 Zone**
- Chapter 17.41 **Industrial Development Standards** (Reserved)
- Chapter 17.42 **Industrial Design Guidelines** (Reserved)
- Chapter 17.43 **Industrial Operational Standards** (Reserved)
- Chapter 17.44a **Additional Standards for Select Industrial Uses**
(Reserved)
- Chapter 17.44b **Alcohol Beverage Manufacturing**
- Chapter 17.50 **Public Facilities Zone and Standards** (Reserved)
- Chapter 17.60 **Open Space Zone and Standards**
- Chapter 17.61 **Horticultural Zone**

SECTION 4. All sections and associated text of the following existing chapters in Title 17 shall be renumbered and moved as follows:

- Chapter 17.02 → New Chapter 17.01
- Chapter 17.04 → New Chapter 17.02
- Chapter 17.06 → New Chapter 17.03
- Chapter 17.08 → New Chapter 17.04
- Chapter 17.10 → New Chapter 17.05a
- Chapter 17.13 → New Chapter 17.61
- Chapter 17.14 → New Chapter 17.20a
- Chapter 17.16 → New Chapter 17.20b
- Chapter 17.17 → New Chapter 17.06d
- Chapter 17.18 → New Chapter 17.20c

Chapter 17.19	→ New Chapter 17.20d
Chapter 17.20	→ New Chapter 17.21
Chapter 17.22	→ New Chapter 17.05b
Chapter 17.22a	→ New Chapter 17.05c
Chapter 17.22b	→ New Chapter 17.05f
Chapter 17.22c	→ New Chapter 17.05e
Chapter 17.24	→ New Chapter 17.60
Chapter 17.25	→ New Chapter 17.30d
Chapter 17.26	→ New Chapter 17.30a
Chapter 17.28	→ New Chapter 17.30b
Chapter 17.29	→ New Chapter 17.30c
Chapter 17.30	→ New Chapter 17.31
Chapter 17.32	→ New Chapter 17.40a
Chapter 17.34	→ New Chapter 17.40b
Chapter 17.35	→ New Chapter 17.10g
Chapter 17.38	→ New Chapter 17.13
Chapter 17.40	→ New Chapter 17.06b
Chapter 17.41	→ New Chapter 17.06c
Chapter 17.42	→ New Chapter 17.06e
Chapter 17.44	→ New Chapter 17.10a
Chapter 17.48	→ New Chapter 17.10b
Chapter 17.52	→ New Chapter 17.10c
Chapter 17.54	→ New Chapter 17.10d
Chapter 17.58	→ New Chapter 17.10f
Chapter 17.66	→ New Chapter 17.07
Chapter 17.72	→ New Chapter 17.24c
Chapter 17.73	→ New Chapter 17.24d
Chapter 17.74	→ New Chapter 17.24e
Chapter 17.75	→ New Chapter 17.44b
Chapter 17.76	→ New Chapter 17.34b
Chapter 17.77	→ New Chapter 17.34c
Chapter 17.78	→ New Chapter 17.32b
Chapter 17.85	→ New Chapter 17.05g
Chapter 17.86	→ New Chapter 17.05i
Chapter 17.87	→ New Chapter 17.05h
Chapter 17.88	→ New Chapter 17.05j
Chapter 17.89	→ New Chapter 17.10e
Chapter 17.90	→ New Chapter 17.34d
Chapter 17.99	→ New Chapter 17.32a
Chapter 17.100	→ New Chapter 17.22
Chapter 17.101	→ New Chapter 17.34a
Chapter 17.102	→ New Chapter 17.24f

SECTION 5. The following definitions in Section 17.02.010 (Definitions) of Chapter 17.02 (Definitions) shall be amended as follows:

"Accessory building or structure"

means a physical structure that is incidental and subordinate to the primary building on the property and is physically detached from the primary building. Accessory buildings or structures include, but are not limited to, detached garages, sheds, playhouses, storage buildings, garden structures, pool houses, and cabanas. ~~An "accessory dwelling unit" is defined separately and addressed in Chapter 17.21.~~

"Density bonus housing agreement"

means a legally binding agreement between a developer and the ~~city~~ City to ensure that the requirements of ~~Chapter 17.17~~ this Title are satisfied. The agreement, among other things, shall establish the number of target units, their size, location, terms and conditions of affordability and production schedule.

"Density bonus units"

mean those residential units granted pursuant to the provisions of ~~Chapter 17.17~~ this Title that exceed the otherwise maximum residential density for the development site.

~~Dwelling unit, accessory. "Accessory dwelling unit" or "ADU" shall have the meaning set forth in Chapter 17.21.~~

~~Dwelling unit, accessory attached. "Accessory dwelling unit attached" shall have the meaning set forth in Chapter 17.21.~~

~~Dwelling unit, accessory detached. "Accessory dwelling unit detached" shall have the meaning set forth in Chapter 17.21.~~

~~Dwelling unit, accessory interior. "Accessory dwelling unit interior" shall have the meaning set forth in Chapter 17.21.~~

"Housing development"

means construction projects consisting of five or more residential units, including single-family, multifamily, and mobile homes, for sale or rent, pursuant to ~~Chapter 17.17~~ the Density Bonus section of this Title.

SECTION 6. Section 17.03.010 (Purpose—Review Authorities—City Exemption) of Chapter 17.03 (Administration, Interpretation, and Enforcement) shall be amended as follows:

§ 17.03.010 Purpose—Review authorities—City exemption.

This chapter establishes general regulations applicable to those planning applications for permits and other approvals listed in Table 17.0603-1. As described in the table, the three potential decision-making bodies are the ~~planning director~~ Director, the ~~planning commission~~ Planning Commission, and the ~~city council~~ City Council. This ~~title~~ Title shall apply to all land within the ~~city~~ City of Hawthorne, except for public streets and rights-of-

way, property owned or leased by state and federal agencies, and property owned or leased by the ~~city~~ City of Hawthorne.

Table 17.03-1 Table of Review Authority for Zoning Applications				
Zoning Application	Governed by Chapter	Authority's Role		
		Planning Director	Planning Commission	City Council
Administrative determination	17.06; 17.10; 17.38.030(D); 17.40; 17.41	Decision	Appeal	Appeal
Change of zone boundary	17.62	Recommend	Recommend	Decision
Change of zone classification	17.62	Recommend	Recommend	Decision
Conditional use permit	17.40; 17.76	Recommend	Decision	Appeal
Exterior color code	17.25; 17.26	Decision	Appeal	Appeal
Outdoor dining permit	17.25; 17.26	Decision	Appeal	Appeal
Site development plan	17.62	Recommend	Decision	Appeal
Variance	17.40	Recommend	Decision	Appeal
Zone text amendment	17.62	Recommend	Recommend	Decision

SECTION 7. Subsection D of Section 17.03.060 (Decision) of Chapter 17.03 (Administration, Interpretation, and Enforcement) shall be amended as follows:

- A. Effective Dates. Decisions become effective and final on the close of business of the ~~tenth~~ 10th day following the date of issuance of the decision, unless an appeal or a call for review is filed before the effective date. The filing of an appeal or a call for review has the effect of tolling the time period in which an appeal or call for review may be filed, with resumption of the day count at the time the appeal or call for review is withdrawn. Recommendations by the Planning Commission to the City Council for legislative applications, such as zone text amendments and changes of zone, are not appealable.

SECTION 8. Section 17.05a.090 (Zoning Status of Annexing Properties) of Chapter 17.05a (Use Classifications) shall be amended as follows:

§ 17.05a.090 Zoning Status of Annexing Properties.

- A. If a pre-zoning map for an area has been adopted, then such annexing property contained therein shall, upon becoming a part of the ~~city~~ City, possess the classification indicated on the detailed pre-zoning map, and such portions of the

detailed pre-zoning map governing properties so annexed shall become a part of the ~~city's~~ City's zoning map and thereafter be subject to all of the provisions of this ~~title~~ Title.

- B. If a pre-zoning map for an area has not been adopted, then such area shall, upon annexation, be deemed to be temporarily zoned as R-1 under this title until said land is classified after being processed as an amendment to the zoning map. However, the ~~council~~ City Council may, upon the recommendation of the ~~planning commission~~ Planning Commission, invoke a classification on such annexing properties other than R-1 by the adoption of an emergency interim ordinance when deemed necessary for the protection of the health, safety, and welfare of the ~~city~~ City and the property involved. Formal proceedings, however, must be instituted within one year from the effective date of the interim ordinance to properly amend the zoning ordinance in the manner set forth in ~~Chapter 17.62~~ this Title, and the interim ordinance repealed.

SECTION 9. Section 17.05a.110 (Regulations Subject to Sections 17.10.120 Through 17.10.270) of Chapter 17.05a (Use Classifications) shall be deleted in its entirety.

SECTION 10. Section 17.05a.120 (Uses in "C" or "M" Categories Shall Not Be Offensive) of Chapter 17.05a (Use Classifications) shall be amended as follows:

§ 17.05a.120 Limitations on Land Use.

~~Except as may otherwise be provided in Sections 17.10.130 through 17.10.270, Chapter 17.38 and Chapters 17.42 through 17.60, no~~ No building shall be erected, reconstructed or structurally altered, nor shall any building or land be used for any purpose other than is specifically permitted in the zone in which such building or land is located.

SECTION 11. Section 17.05a.140 (Main Building Status) of Chapter 17.05a (Use Classifications) shall be deleted in its entirety.

SECTION 12. Section 17.05a.160 (Potential Area Classification) of Chapter 17.05a (Use Classifications) shall be deleted in its entirety.

SECTION 13. Section 17.05a.210 (Uses in "C" or "M" Categories Shall Not Be Offensive) of Chapter 17.05a (Use Classifications) shall be amended as follows:

§ 17.05a.210 Uses in "C" or "M" Categories Shall Not Be Offensive.

Any action which has the effect of amending this ~~title, as defined in Section 17.62.010~~ Title, shall be taken only after it is determined that the effect that any use first permitted in classifications contained in the "C" or "M" categories is not offensive to the surrounding permitted uses by reason of noise, mud, steam, vibration, hazard or other causes, and any use the operation of which produces excessive odor, fumes (toxic or nontoxic), gases, airborne solids, or other atmospheric contaminants shall be allowed to locate only when conforming to limitations now or hereafter defined by law and shall have secured a permit to operate from the Air ~~Pollution Control~~ Quality Management District.

SECTION 14. Subsection (E) of Section 17.05b.040 (Required Plans and Materials) of Chapter 17.05b (Specific Plans) shall be amended as follows:

- E. Draft specific plan in compliance with §§ 65450 through 65457 of the Government Code and the applicable sections of the Hawthorne Municipal Code. The specific plan shall include a statement explaining the reasons that justify adoption of a specific plan in relation to the findings required by Section 17.22 ~~05b~~.050. The specific plan shall contain the detail as determined to be appropriate and necessary by the planning director, including, but not limited to: a description of the project at buildout; maximum units and nonresidential area; land uses, standards and criteria necessary for the development, maintenance and use of the property; infrastructure plan; proposed site plan, elevations, landscape plans; design standards; circulation and access; phasing plan; and other information necessary to address the particular aspects of the project.

SECTION 15. Section 17.05c.040 (Determination of Consistency) of Chapter 17.05c (Airport Master Plan) shall be amended as follows:

§ 17.05c.040 Determination of consistency.

All new construction, new additions to buildings, and any other exterior improvements that require issuance of a building permit within the ~~airport master plan~~ AMP area shall be subject to the provisions of the ~~airport master plan~~ AMP and shall be found compatible with the ~~airport master plan~~ AMP, including the ~~airport layout plan~~ ALP. Review of plans for consistency with the requirements of the ~~airport master plan~~ AMP shall be the responsibility of the ~~planning director~~ Director. Such items as building height, placement, and design shall be subject to the ~~planning director's~~ Director's review and approval for ~~airport master plan~~ AMP conformance and consistency. Review by other ~~city~~ City departments and agencies may be required depending on the nature of the proposed improvement.

Appeals on any administrative determination by the ~~planning director~~ Director shall be taken to the ~~planning commission~~ Planning Commission pursuant to the procedures as set forth in Section 17.40 ~~06b~~.190 of ~~the Hawthorne Municipal Code~~ this Title. ~~Appeals from the planning commission shall be taken to the city council as provided in Section 17.40.220 of the Hawthorne Municipal Code.~~

SECTION 16. Chapter 17.05e (Airport Overlay) shall be amended as follows:

17.05e.010 Purpose.

The purpose and intent of the airport overlay ~~zone~~ (AOZ) is to:

- A. Implement the Hawthorne Airport Master Plan (~~Master Plan~~ AMP) and Noise Compatibility Program (NCP) for the Hawthorne Municipal Airport (~~Airport~~) as approved by the Federal Aviation Administration (FAA).
- B. Implement the ~~city's~~ City's General Plan to ensure that proposed land uses and development within the AOZ are consistent with the NCP.
- C. Prohibit the introduction of new noise-sensitive uses that are incompatible with existing and future Airport operations.
- D. Ensure that the Airport remains a vital economic asset for the ~~city~~ City of Hawthorne.
- E. Require noise attenuated construction within the Airport environs.
- F. Comply with Part 150 of Title 14, Code of Federal Regulations.

§ 17.05e.020 Definitions.

For the purposes of this chapter, the following terms are defined:

Airport influence area. See "Airport overlay ~~zone~~ (AOZ)."

"Airport overlay ~~zone~~ (AOZ)" means an irregularly shaped area depicted on the official ~~zoning map~~ Zoning Map that denotes an area influenced by the presence of the Airport and within its 2012 60 and 65 CNEL noise contours. The AOZ is divided into the following two areas:

- 1. AOZ Area #1 (~~AOZ #1~~) follows the property borders that contain the boundaries of the 2012 65 CNEL noise contours for the Airport, as shown on the General Plan Map and the approved NCP.
- 2. AOZ Area #2 (~~AOZ #2~~) follows the property borders that contain the boundaries of the 2012 60 CNEL noise contours for the Airport as shown on the General Plan Map and the approved NCP.

"Existing land use" means a land use that either physically exists or else for which government approvals have been obtained through one or more of the following:

- 1. A valid building permit has been issued;

2. A legally valid development agreement has been approved and remains in effect pursuant to Government Code Section 65864 et seq.;
3. A tentative ~~parcel or tract~~ map has been approved and ~~the original period, excluding extensions,~~ has not expired;
4. A vesting tentative ~~parcel or tract~~ map has been approved, pursuant to Government Code Section 66498.1(b) which "confer a vested right to proceed with development in substantial compliance with the ordinances, policies, and standards in effect at the time the vesting tentative map is approved or conditionally approved"; or
5. A ~~parcel or~~ final map has been recorded.

"Noise compatibility program (NCP)" means a report prepared for the Airport and approved by the FAA to comply with Part 150 of Title 14, Code of Federal Regulations (CFR). The NCP describes the non-compatible land uses around the Airport based upon federal regulations, addresses measures to reduce the impact of noise, and prevents the introduction of new noise-sensitive uses within the 65 CNEL noise contour of the Airport.

"Noise-sensitive use" means any of the following:

1. Habitable living, eating, cooking, or sleeping areas of single-family or multifamily residences, not including enclosed garages/parking structures and unenclosed patios;
2. Hotels and motels;
3. Hospitals and nursing homes;
4. ~~Places of worship~~ Assembly uses, meeting halls, and mortuaries; and
5. Schools, libraries, and museums.

§ 17.05e.030 **Applicability.**

The provisions of this chapter shall apply to all lands located within the AOZ, as mapped on the official ~~zoning map~~ Zoning Map. The requirements vary depending upon the location of the property as noted below in Section 17. ~~22C05e~~.050 (Development standards).

§ 17.05e.040 **Permitted and Prohibited Uses.**

As permitted, conditionally permitted, or prohibited by the underlying zoning designation unless otherwise stated in this chapter.

§ 17.05e.050 **Development Standards.**

Projects subject to compliance with this chapter shall comply with the applicable standards of the AOZ Area in which the subject property is located, [as follows](#).

A. AOZ Area #1. The following provisions shall apply within AOZ Area #1:

1. Interior Noise Standard. Any structure inhabited or used by a noise-sensitive use, as defined in this chapter, shall be required to provide sound insulation within the newly constructed area to meet an interior noise level of 45 dB CNEL or less with all doors and windows closed, consistent with Title 24 of the California Code of Regulations. This provision applies to any new structure, new square footage/~~addition~~, and replacement of existing habitable building area used by a noise-sensitive use.
2. Real Estate Disclosure. The presence of the Airport and potential impacts related to the Airport shall be disclosed by the seller at the time that a sales contract is executed for all real property transactions per the State of California Disclosure Law [California Civil Code Sections 1353(a)(1) and 1103.4]. The disclosure must state that the property is located within the vicinity of the Airport and may be subject to some of the annoyances and inconveniences associated with airport operations, such as noise, vibration, or odors.
3. New Noise-Sensitive Uses. New noise-sensitive land uses shall not be introduced within AOZ Area #1. This applies to the introduction of new land uses other than an existing land use, as defined in this chapter, and does not apply to the replacement, reconstruction, improvement, or expansion of an existing noise-sensitive land use.

B. AOZ Area #2. The following provisions shall apply within AOZ Area #2:

1. Real Estate Disclosure. The presence of the Airport and potential impacts related to the Airport shall be disclosed by the seller at the time that a sales contract is executed for all real property transactions per the State of California Disclosure Law [California Civil Code Sections ~~1353(a)(1)~~ [4250\(a\)](#) and 1103.4]. The disclosure must state that the property is located within the vicinity of the Airport and may be subject to some of the annoyances and inconveniences associated with airport operations, such as noise, vibration, or odors.

§ 17.05e.060 **Procedures.**

Ministerial and discretionary actions for development in the AOZ shall be reviewed by the ~~city~~ [City](#) for compliance with the provisions of this chapter and the NCP prior to approval as follows:

- A. Supplemental Application Form. A supplemental application, on a form prepared by the ~~city~~ City of Hawthorne, shall be submitted with any application for a discretionary permit or building permit on property located in the AOZ. The supplemental application form shall be used to verify that the proposed building permit or change of use complies with the provisions of this chapter. The ~~director~~ Director shall have the authority to waive the requirement where it can be determined with certainty that there is no question that the alterations to the property will not conflict with the standards of this chapter (e.g., wall sign, reroof, new windows, interior improvements, and landscaping).
1. Application Submittal Requirements.
 - a. Type of land use.
 - b. Applicable underlying zoning designation.
 - c. Applicable AOZ Area (Area #1 or Area #2).
 - d. Complete building or discretionary permit application including information deemed sufficient by the ~~department of building and safety~~ Department of Building Safety to show that the project complies with the interior noise provisions of this chapter, if applicable.
- B. Compliance with the ~~airport overlay zone~~ AO project review checklist.
- C. If, during the course of review, the ~~city~~ City identifies potential airport related concerns, the ~~director of planning and community development~~ Director has the authority to require that the project be referred to the ~~airport zoning commission~~ Airport Zoning Commission for review.

SECTION 17. Chapter 17.05f (Runway Protection Overlay) shall be amended as follows:

§ 17.05f.010 Purpose.

The purpose of this chapter is to minimize exposure to safety hazards that would result from the introduction of new or modified incompatible land uses and structures within the Runway Protection Zone (-RPZ) on the eastern side of the Hawthorne Municipal Airport; to protect the Hawthorne Municipal Airport from potential encroachment of incompatible land use and structures that may impair the planned development and use of the Airport; to create consistency with and strengthen the Airport Master Plan (AMP); to minimize the creation of non-conforming uses and structures on the eastern side of the Hawthorne Municipal Airport; and to establish allowable uses and development standards in the RPZ.

§ 17.05f.020 **Definition.**

"Runway protection zone (RPZ)" means a trapezoidal area off the end of the runway on the eastern side of airport (Runway 25) that serves to enhance the protection of people and property on the ground as depicted in the ~~Airport Master Plan~~ AMP for the Hawthorne Municipal Airport.

§ 17.05f.030 **Applicability.**

The Runway Protection ~~Zone~~ Overlay (~~RPZ overlay~~ RPO) follows the boundaries of the RPZ on the eastern side of the Hawthorne Municipal Airport, as established in the ~~Airport Master Plan~~ AMP and as may be amended from time to time. This chapter applies to new or modified buildings ~~and uses~~, construction, uses of land, and land division of property located within the ~~RPZ overlay~~ RPO. The ~~RPZ overlay~~ RPO does not apply to any portion of a property, use, ~~and or~~ structure located outside of the ~~RPZ overlay~~ RPO.

§ 17.05f.040 **Permitted Uses.**

- Automobile parking.
- Underground facilities.
- Other similar uses and structures as determined by the ~~planning director~~ Director and approved by the FAA to not interfere with navigational aids and not constitute public assembly.

§ 17.05f.050 **Prohibited Uses.**

- Churches.
- Hospitals.
- Office and retail buildings.
- ~~Parking meters and charging stations.~~
- Public assembly uses.
- Schools.
- Shopping centers.
- Major above-ground utilities (electrical substations, cell towers, fuel storage, waste treatment facilities).

- Any new/ or modified uses and structures that conflict with the ~~Airport Master Plan AMP~~, or interfere with navigation as determined by the ~~Planning Director~~, are Director and not approved by the FAA.
- All uses not listed in Section 17. ~~22B05f~~.040.

§ 17.05f.060 Development Standards.

Applicants for development proposals within the ~~RPZ RPO~~ overlay shall submit a written justification that demonstrates that the proposed development or alteration to an existing facility will not be a hazard to air navigation and will comply with the ~~Airport Master Plan AMP~~. The ~~planning director~~ Director may request that the applicant provide written authorization from the FAA National Airport Planning and Environmental Division approving the proposed use and/or development prior to rendering a determination.

§ 17.05f.070 Nonconforming Uses and Structures.

- A. Existing uses and structures that are listed as prohibited in Section 17. ~~22B05f~~.050 and are located within the ~~RPZ overlay~~ RPO at the time of the adoption of the ordinance codified in this chapter are considered legal nonconforming and subject to the ~~following~~ Nonconformities chapter.
1. A nonconforming use or structure may be maintained and continued, except as restricted by this chapter.
 2. Maintenance, repair, and incidental alteration, including such modifications as new paint, siding, roof, and sign replacement, of a nonconforming structure are permitted.
 3. A nonconforming use or structure shall not be expanded, enlarged, or intensified in any manner.
- B. The portions of the property and structure that are located outside of the ~~RPZ overlay are~~ RPO may be considered conforming and subject to the applicable standards of the base ~~Zoning District~~ zone and height restrictions imposed by the proximity to the Hawthorne Municipal Airport.

SECTION 18. Section 17.05g.020 (Applicability) of Chapter 17.05g (Housing Overlay) shall be amended as follows:

§ 17.05g.020 Applicability.

- A. The provisions of this chapter shall apply to all sites identified within the Housing Overlay on the Hawthorne Zoning Map. This chapter's provisions are elective,

and an applicant may choose to apply under this chapter's provisions or that of the base zone.

- B. Residential uses allowed by the Housing Overlay are by-right, meaning new applications shall comply with the development standards of this chapter, Chapter 17.10224f, and shall not be required to enter a discretionary hearing process.

SECTION 19. The preamble to Section 17.05g.040 (Development Standards) of Chapter 17.05g (Housing Overlay) shall be amended as follows:

§ 17.05g.040 Development Standards.

The property development standards set forth in this section, as well as those specified in Chapter 17.10022, ~~Multifamily and Mixed Use Objective~~ Residential Design Standards, shall apply to all land and buildings built within the ~~housing overlay zone~~ Housing Overlay.

SECTION 20 Chapter 17.05h (Mixed-use Overlay) shall be amended as follows:

§ 17.05h.010 Purpose.

Mixed-use projects are characterized by the integration of compatible residential and commercial uses, whereby such uses share the same building or lot. Such mixed-use projects are intended to allow greater flexibility of development alternatives, especially attractive, mixed-income higher-density residential development, in appropriate areas of the ~~city~~ City.

Mixed-use developments can be horizontally or vertically integrated. Horizontal mixed-use development consists of two or more attached or detached buildings of differing use categories (e.g., residential and commercial) within the same project area. Such buildings do not need to be on the same parcel or even on the same block, but must be within the same project area. Vertical mixed-use development consists of one or more different uses placed over another use within the same building (e.g., residential over commercial). A project area shall encompass a single parcel or multiple parcels, planned and constructed as one, coordinated, and unified project.

More specifically, the intent of the ~~mixed-use overlay zone~~ Mixed-use Overlay (MUO) is to accomplish the following objectives:

- A. Encourage mixed-use, mixed-income projects that combine residential and nonresidential uses in the same building or building site area to enhance and build upon the ~~city's~~ City's commercial/ and retail base;
- B. Ensure additional housing options for people, including, but not limited to, young professionals and older people, who want to live near their workplace ~~and/or~~ retail, and other nonresidential uses;
- C. Reduce the need for automobile travel by promoting transit-oriented residential and commercial uses in close proximity to Metro stations;
- D. Ensure on-site compatibility of residential and commercial uses;
- E. Ensure compatibility of mixed-use projects with surrounding uses and development patterns.

§ 17.05h.020 **Superimposed Nature of Mixed-use Overlay-zone.**

The ~~mixed-use overlay zone~~ MUO shall be in the nature of an overlay zone applicable to the ~~C-1 (freeway commercial/mixed use), C-2 (local commercial)~~ C-R (Regional Commercial) and C-3 (~~general commercial~~ General Commercial) zoning districts. Land classified in the ~~mixed-use overlay zone~~ MUO shall also be classified in one or more underlying zones. Property so classified shall be identified on the zoning map by a combination of a symbol for the underlying zone followed by a symbol for the ~~mixed-use overlay zone~~ MUO (e.g., C-~~1~~3/MU).

The regulations set forth in these sections of the ~~mixed-use overlay zone~~ MUO shall be in addition to those regulations set forth in the underlying zone. In the event of a conflict between the provisions of the ~~mixed-use overlay zone~~ MUO and the provisions of the underlying zone, the provisions of the ~~mixed-use overlay zone~~ MUO shall prevail. If the ~~mixed-use overlay zone~~ MUO is silent in relation to any development standard, the development standard identified in the underlying zone shall prevail.

§ 17.05h.030 **Special Focus Areas.**

With application of the ~~mixed-use overlay zone~~ MUO, the ~~city~~ City seeks to take advantage of development opportunities in key areas of the ~~city~~ City, each of which face unique opportunities and constraints.

- A. Hawthorne Boulevard Corridor North—parcels bounded by I-105 Freeway on the north, Imperial Highway on the south, Acacia Avenue on the east, and Burin Avenue on the west. The residential uses shall be vertically mixed atop ground floor retail uses. The retail uses shall be convenience shopping oriented to

servicing the residents of the development, nearby residential areas, as well as commuters using the Metro station.

- B. Hawthorne Boulevard Corridor South—parcels bounded by Imperial Highway on the north, West 115th Street on the south, Hawthorne Boulevard on the east, and Grevillea Avenue on the west. The residential uses shall be vertically mixed atop ground floor retail uses. The retail uses shall be convenience shopping oriented to servicing the residents of the development, nearby residential areas, as well as commuters using the Metro station.
- C. Marine Avenue Corridor—parcels abutting the north side of Marine Avenue, bounded by I-405 Freeway on the east and Aviation Boulevard on the west. The residential uses may be vertically mixed atop ground floor retail or office uses, or horizontally mixed, except buildings fronting on Marine Avenue. The westerly portion of the area, adjacent to Aviation Boulevard, is more suitable to a mix of residential and office uses.
- D. Imperial Highway ~~/and~~ Kornblum Avenue—parcel bounded by Imperial Highway on the north, Inglewood city line on the south and the east, and Kornblum Avenue on the west. The ~~vacant~~ site was formerly a mobile home park. The residential uses shall be vertically mixed atop ground floor retail adjacent to Imperial Highway, with retail uses abutting Imperial Highway and residential uses to the south.
- E. Other mixed-use overlay areas—mixed-use development that is appropriate in ~~its~~ context with adjacent land uses, ~~integrated~~ and which serves the needs of residents in an attractive and functional manner.

§ 17.05h.040 **Uses Permitted.**

The following uses shall be permitted in the ~~mixed-use overlay zone~~ MUO:

- A. If developed solely with nonresidential uses in accordance with provisions of the underlying zoning district, all uses permitted or conditionally permitted in the underlying zoning district shall govern.
- B. If developed in combination with residential uses within the same project area in accordance with the provisions of this section, the following commercial ~~/and~~ retail uses shall be permitted:
 - Antique shops;
 - Apparel stores;
 - Art galleries;
 - Artisan and craft workshops;

- Artist and photographers studios;
- Bakeries;
- Banks and lending institutions;
- Bicycle shops;
- Bookstores;
- Business machine sales and office supplies;
- Candy and confectionary stores;
- Charitable organizations, offices only;
- Children's gyms;
- Coffee houses;
- Computer, cameras, and similar electronics sales stores;
- Convenience stores and mini-markets;
- Counseling and psychological services;
- Day care facilities (subject to limitations described in Section 17.2530d.030(P));
- Decorator shops;
- Delicatessens;
- Department stores;
- Dressmaking, custom and tailoring;
- Drugstores;
- Employment agencies;
- Florists;
- Food markets and grocery stores;
- Hardware and paint store;
- Health clubs, day spas, tanning studios, gyms, and fitness centers;
- Ice cream parlors;

- Jewelry stores and watch repair stores;
- Libraries and museums;
- Medical appliance rentals;
- Medical, dental buildings, and clinics;
- Medical equipment sales;
- Municipal buildings;
- Offices, including professional and general;
- Personal services;
- Pet shops, no boarding;
- Photocopy store;
- Public utilities, commercial offices;
- Repair services, including small appliance and shoe repair;
- Restaurants with or without cocktail bars. and cafeterias (alcohol sales subject to HMC 17.7634b);
- Supermarkets;
- Walk-in cleaning and pressing establishments, not including self-serve laundries or laundromats or industrial scale dry-cleaning facilities;
- Wireless antennae sites subject to a conditional use permit;
- Other similar retail and service establishments catering directly to the customer when interpreted to meet performance standards as set forth in this chapter. "Other similar retail and service" uses do not include amusement arcades, bail bonding services, and check cashing services, ~~and cyber-cafés.~~

C. If developed in combination with commercial, or retail uses within the same project area in accordance with the provisions of this section, the following residential uses shall be permitted:

- Live-work units;
- Multifamily dwellings;

- Residential care facility, large, subject to a conditional use permit and compliance with Section 17.~~401~~34a.020;
 - Single-family attached dwellings (townhouses).
 - Single-room occupancy, subject to a conditional use permit and compliance with Section 17.~~401~~34a.040.
- D. The following residential uses shall be permitted by-right whether developed independently or in combination with commercial or retail uses:
- Low barrier navigation center, subject to compliance with Section 17.~~401~~34a.030;
 - Residential care facility, small;
 - Supportive housing;
 - Transitional housing;
 - Multifamily projects with 20% or more units affordable to lower-income individuals, with or without a commercial component.

§ 17.05h.050 Uses Prohibited.

- All uses not listed in Section 17.~~87~~05h.040, unless determined by the director to be similar pursuant to the provisions of Section 17.~~06~~03.020.
- Any use listed in Section 17.~~87~~05h.040 which the ~~planning commission~~ Planning Commission makes findings that such use would be incompatible with surrounding land uses and which may adversely affect the health, safety, and general welfare of the surrounding neighborhood in which such business is located.
- Self-storage facilities.

§ 17.05h.060 Property Development Standards and Site Plan Review.

The property development standards set forth in this section, as well as those specified in Chapter 17.~~402~~24f, ~~Multifamily and Mixed Use Objective~~ Residential Design Standards, shall apply to all land and buildings built within the ~~mixed use overlay zone~~ MUO.

- A. Minimum Project Area. The minimum land area required for each project shall be ~~one and one-half~~ 1.5 acres.
- B. Density and Intensity.
 - 1. Residential uses as a part of a mixed-use project shall have a maximum of 30 dwelling units per acre as calculated over the entire project area.
 - 2. Building coverage and parking facilities shall not exceed 90% of the entire project area.
- C. Dwelling Unit Size.
 - 1. A minimum of 350 square feet for bachelor/efficiency units.
 - 2. A minimum of 650 square feet for one-bedroom units.
 - 3. A minimum of 800 square feet for two-bedroom units.
 - 4. A minimum of 1,100 square feet for three-bedroom or larger units, plus an additional 150 square feet for each bedroom over three.
- D. Maximum Building Height. Buildings and structures shall not exceed 60 feet in height as measured from the finished grade adjacent to the structure to the top of the roof plate or five stories, whichever is less, including parking.
- E. Setbacks and Yards.
 - 1. Street Frontage. Ground-floor residential buildings shall have a minimum setback of 15 feet from all street frontages. Ground-floor commercial/retail buildings shall have a minimum setback of five feet and a maximum of 15 feet from all street frontages. Such setback for ground-floor commercial/retail buildings shall be used to provide public open space, landscaping and street furniture.
 - 2. Side and Rear. Mixed use and nonresidential buildings shall maintain minimum side and rear setbacks of 10 feet from property lines adjacent to residential zones. No setback is required if adjacent to other zones. Setbacks for structures abutting one- or two-story single-family or multifamily residential structures within a residential zone, shall be provided along the entire length of any interior site boundary line as follows:

Height of Structure	Structural Setback
1 story	10 feet
2 story	10 feet
3 story +	15 feet + an additional 5 feet for each story above 3 stories.

3. The following encroachments within setback areas shall be permitted as follows:
 - a. Bay or Greenhouse Windows. An encroachment of two feet;
 - b. Architectural Features, Including, but Not Limited to, Cornices, Belt Courses, Sills, Eaves, and Chimneys. An encroachment of two feet.
 - c. ~~Street setback encroachments as permitted in Appendix B.~~
4. The following are permitted in a setback area, provided they do not constitute a sight distance hazard as defined in Section 17.4206e.090 of ~~the Hawthorne Municipal~~ this Code:
 - a. Landscape features such as fountains, arbors, trellises, pergolas, colonnades, statuary, and other similar features, as well as works of art which also do not contain floor area;
 - b. Planting boxes or masonry planters;
 - c. Walls and fences, in compliance with Chapter 17.4810b.
 - d. Other landscaped features as permitted in Section 17.2021a.100.

F. Building Orientation.

1. Commercial and mixed-use buildings shall be oriented along major street frontages. A minimum of 50% of the ground floor street frontage along a major arterial street shall be developed with commercial store fronts.
2. Commercial store fronts facing major arterial streets shall have prominent windows and recessed entries.

G. Open Space. Open space shall be provided for the project as follows:

1. The required open space for the project shall be based on the total number of residential units, including live/work units. A minimum of 150 square feet of open space (combined private and common) shall be provided for every residential unit in the project, of which not more than 50% may be private open space;
2. Private balconies shall be discouraged on building sides facing freeways, major arterial or collector streets;

H. ~~LiveWork~~ Live-work Unit Standards. Live/work units are subject to the following standards:

1. ~~LiveWork~~ Live-work Limitations—No Separate Rent or Sale—Home Occupancy. Work on the premises of a live/work unit shall be limited to

persons who live in the live/_work unit. Living and working spaces shall not be rented or sold separately. A home occupancy permit shall be required.

2. Change in Occupancy. The owner/occupant of a live/_work unit shall notify the city of any change in use or occupancy. Any change of use or occupancy shall comply with the uses identified Section 17.8705h.040 and will require a new business license. The commercial square footage initially approved for live/_work areas within a unit shall remain commercial in nature and shall not be converted to residential use with subsequent owners.
- ~~3. Parking. Two parking resident spaces and 0.33 guest spaces per live/work unit shall be provided.~~
43. Covenants, Conditions, and Restrictions. Covenants, conditions, and restrictions for individual live/_work projects may further restrict and prohibit uses, but shall not be more permissive than uses listed under Section 17.8705h.040.
54. Unit Size. 500 square-foot minimum.
65. Residential/Commercial Floor Area. A minimum of 50% of a unit must be used for nonresidential purposes. Each unit must contain a minimum residential floor area of 250 square feet.
76. Open Space. On a property with only one live-work unit, 40 square feet of private open space is required. On a property with multiple live-work units, 40 square feet of shared interior space, shared open space, or private open space per unit, which may include balconies, patios or roof top decks or areas.
87. Height. The height of any structure shall comply with the maximum requirements of the underlying zone. Height of existing structures may not be increased to accommodate the residential portion of a live-work unit. Height of existing structures may be increased for non-residential purposes and for non-habitable spaces (e.g., stairwells, elevator shafts, open space and the like) that are required by the Hawthorne Municipal Code.
98. New Floor Area. Floor area of existing structures may not be increased to accommodate the residential portion of a live-work unit and may only be increased under the following circumstances:
 - a. To increase the nonresidential floor area of the unit.
 - b. To provide a mezzanine for residential use that does not exceed 33% of the area of the floor below (may be constructed within an existing building envelope).

- c. For non-habitable spaces (e.g., enclosed parking, stairwells, elevator shafts, open space and the like) that are required by ~~the Hawthorne Municipal~~ this Code.
- ~~409.~~ Floor Area Ratio. The maximum floor area ratio for any property containing a live-work unit shall comply with the maximum requirements of the underlying zone.
- ~~44~~10. Laundry Facilities. On-site laundry facilities are required if the total number of units on an integrated development site exceeds five unless laundry facilities are provided in each unit.
- ~~42~~11. Recorded Covenant. A covenant shall be recorded with the Los Angeles County recorder by the owner of the subject property agreeing that the commercial or industrial use will be maintained as the primary use in the live-work unit; that the work space will not be leased to a separate user from the occupant of the residential space; that a business license must be maintained at all times when a live-work unit is occupied; and that these requirements will be reflected in tenant leases. Furthermore, the covenant shall restrict each live-work unit to contain only one residential unit.
- ~~43~~12. Bedrooms. All live-work units shall have a maximum of two bedrooms within the residential portion of the live-work unit.

I. Storage Areas.

- 1. Each residential unit shall have at least 200 cubic feet of enclosed, weatherproofed and lockable storage space. Such space shall be for the sole use of the residential unit occupant and shall have a minimum horizontal surface area of 25 square feet, a minimum interior dimension of three and one-half feet and a minimum clear access opening of three and one-half feet by six feet. This section may be waived, if separate enclosed parking is provided.
- 2. Such space may be provided within individual storage lockers, cabinets, or closets within the garage area if neither the space nor the doors leading thereto overhang a parking space assigned to another unit. Such space may also be in another location approved by the planning department, but shall not be split among two or more locations.

Moreover, since it is the intention of this standard to require space over and above that normally associated with the day-to-day functioning of the unit, the director shall exercise reasonable discretion in differentiating between this required private storage space and guest, linen or clothes closets or food pantries that are customarily within the unit. Thus, while providing this private storage space within the limits of the unit is not precluded, it must be clear that it is over and above that which would

otherwise be provided. Regardless of location, the precise architectural treatment of such space shall be approved by the director to ensure that such areas are safe, convenient and unobtrusive to the functional and aesthetic qualities of the project.

- J. Service, trash and loading areas, and mechanical equipment are subject to Chapter 17.5410d of ~~the Hawthorne Municipal~~ [this](#) Code and to the following standards:
1. Service and loading areas shall be oriented away from public view and provided with ornamental screening;
 2. Exterior on-site facilities and mechanical equipment, including sewer, gas, water, electric, telephone, and communications equipment, shall be installed underground where feasible. Transformers and other mechanical equipment that must be above ground shall be screened or incorporated into the structures wherever possible;
 3. Trash enclosures shall be screened, enclosed within the building envelope or architecturally integrated with the overall design theme of the development. Trash enclosures should be planted with vines if located adjacent to or within a landscaped area;
 4. Requirements for green waste and recycling containers shall be met.
- K. Vibrations and Noise Requirements. The project shall comply with [17.21.270.](#) ~~the following provisions of this title:~~
- ~~1. Section 17.21.100, Vibration and structure-borne noise—Shock mounting of mechanical equipment.~~
 - ~~2. Section 17.21.110, Vibration and structure-borne noise—Location and plumbing equipment (except in mixed use buildings).~~
 - ~~3. Section 17.21.120, Vibration and structure-borne noise—Separation of vents and drain lines.~~
 - ~~4. Section 17.21.130, Vibration and structure-borne noise—Isolation and insulation of water and drainage lines (except in mixed use buildings).~~
 - ~~5. Section 17.21.140, Attenuation of noise—General.~~
 - ~~6. Section 17.21.150, Attenuation of noise—Air-borne sound insulation.~~
 - ~~7. Section 17.21.160, Attenuation of noise—Impact sound insulation.~~
 - ~~8. Section 17.21.165, Special noise sources.~~

- L. Signs. The following standards shall apply:
1. A master sign program shall be submitted to the ~~planning commission~~ [Planning Commission](#) for approval of commercial signs for mixed-use developments. Commercial building signs shall be limited to channel letters, reverse channel letters, or other decorative forms of signs approved by the ~~planning commission~~ [Planning Commission](#) in the master sign program. Cabinet or box signs on walls and pole signs shall be prohibited, but monument signs are permitted.
 2. The sign sizes and locations shall be compatible with the design of the building to provide visibility from public streets as well as for pedestrians.
- M. Landscape Standards. The landscaping standards of Section 17.2021a.100 and Chapter 17.8910e, ~~Water Efficient~~ Landscaping, shall apply to all development projects in the ~~Mixed Use Overlay Zone~~ [MUO](#).
- N. Public Works Department and Engineering Division Requirements.
1. If the development contains private streets, provision shall be made for public utility easements over the entire private street network. The ~~public works department, engineering division~~ [Public Works Department, Engineering Division](#), may also require public utility easements adjacent to public streets or over other portions of the project to accommodate fire hydrants, water meters, storm drainage, sanitary sewers, water and gas mains, and electrical lines. All easements that may be found necessary shall be dedicated to the public.
 2. Demolition, grading and building permits, landscaping, and street improvement plans may be issued before the recording of a final map.
 3. Exterior doors to each unit shall contain dead-bolt locks, and all garage doors shall contain automatic closures.
 4. No sidewalks shall be required along the internal roadway network unless specified in the approved pedestrian walkway plan. Any sidewalks or pedestrian walkways required as part of the approved pedestrian walkway plan shall be constructed concurrently with the applicable phase of development and completed prior to the issuance of certificates of occupancy for any unit within that phase.
 5. Rolled curbs may be used along internal streets within the development.
- O. Fire Department Requirements.
1. All weather access shall be provided. All weather access may require paving.

2. Fire-~~department~~ Department access shall be provided to within 150 feet distance of any exterior portion of all structures.
3. Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants.
4. Provide ~~fire-department~~ Fire Department or ~~city~~ City-approved street signs and building access numbers prior to occupancy.
5. All mixed-use buildings over 5,000 square feet shall be sprinklered.
6. A Knox box or other access provisions shall be provided to access the project through all gates.

P. Security Requirements.

1. The security standards of Section 17.~~2021a~~.300 shall apply to all development projects in the ~~mixed-use overlay zone~~ MUO.
2. The applicant for approval of a project that includes residential condominiums shall ensure that the covenants, conditions, and restrictions that are recorded for the project require owners of individual condominium units to comply with the ~~city's crime-free multifamily housing program~~ City's Crime-free Multifamily Housing Program and that they include a crime-free lease addendum, in the form on file with and approved by the ~~city~~ City.
3. The owner of property for a new residential apartment project or mixed-use project with residential apartments shall ensure that a covenant is recorded against the property ensuring that the owner, and each successor in interest, comply with the ~~city's crime-free multifamily housing program~~ City's Crime-free Multifamily Housing Program and that the owner and successor require tenants to execute a crime-free lease addendum, in the form on file with and approved by the ~~city~~ City.

Q. Additional Development Requirements.

1. All mixed-use developments shall comply with, in addition to the requirements of this ~~title~~ Title, all applicable development requirements set forth in Chapter 8.50 (Stormwater and Urban Runoff Pollution Control) of Title 8 (Health and Safety) and Titles 13 (Sewers) and 14 (Technical Review and Study Requirements for Specified Development Projects).
2. Administrative plan review shall be required for all mixed-use developments pursuant to Title 14.

§ 17.05h.080 Design Principles.

The design principles set forth in this section shall be used to review site plans, building plans and use permits for all projects proposed on land within the ~~mixed-use overlay zone~~ MUO, including uses which do not require a conditional use permit. These design principles aim to promote visual interest and pedestrian activity between the street and adjacent building. This transitional space is defined by the site design, architecture, and streetscape elements.

- A. Site Design. The following principles intend to establish an engaging street edge defined by the orientation and placement of buildings fronting collector and arterial streets.
1. Building Orientation. Buildings and major pedestrian entrances shall be oriented towards centers of activity, such as the primary street frontage or public plazas:
 - a. ~~All~~ All primary ground-floor common entries or individual dwelling unit entries fronting on streets shall be oriented to the street, not to the interior or to a parking lot. Entrances at building corners may be used to satisfy this requirement.
 2. Building ~~Façade~~ Facade. The building placement should enforce a continuous street edge establishing a strong pedestrian corridor. However, long, unarticulated building ~~façades~~ facades shall be eliminated with variation in setbacks:
 - a. Variable Setbacks. Setbacks shall vary by a minimum of one foot each ~~twenty-five~~ 25 feet in order to break up long, unarticulated building ~~façades~~ facades;
 - b. In addition to creating visual interest, building setbacks shall establish space for pedestrian plazas, courtyards, or outside dining areas. Setbacks should not generate unusable or dead space.
 3. Setback Encroachments. Outdoor seating for restaurants and similar uses may encroach into the street set-back as permitted by the ~~city~~ City under an approved encroachment permit.
 4. Pedestrian circulation shall be continuous and provide connectivity between appropriate uses:
 - a. Pedestrian pathways shall connect to appropriate off-site uses, including off-site transit stops and parking;
 - b. Pedestrian pathways shall be clearly marked;

- c. Street-side ~~façades~~ facades may be divided to form pedestrian spaces such as public plazas, private pocket parks, outdoor dining, and other pedestrian-oriented amenities to promote pedestrian activity.
 - 5. Vehicular circulation shall be designed to serve uses appropriately and employ traffic calming measures to ensure pedestrian safety:
 - a. Maximize access and connectivity while minimizing curb cuts to major roadways;
 - b. Alleyways shall be designed to ensure safe and continuous traffic flow, minimizing direct connections to public roadways;
 - c. Prevent bypass alternate routes to minimize traffic conflicts and enhance pedestrian circulation;
 - d. Use of bulb-outs and other traffic calming measures are encouraged.
- B. Architecture. The following principles intend to promote quality design appearance and visual interest.
1. Architectural Styles and Scale. Building design shall incorporate an architectural style and scale that is compatible with nearby uses, provided such uses are similar to uses permitted by this chapter. Architectural details may draw upon locally historic buildings or other nearby features that contribute to the aesthetic ambience of the immediate area.
 2. Siding Materials. Plain concrete block, plain concrete, plywood, sheet pressboard, vinyl, or similar siding materials are strongly discouraged. Siding shall be of high-quality materials that weather well over time. Materials and colors shall be compatible with the architectural style.
 3. Color. Colors shall include a base color and accent colors. Generally, a minimum of three complementary colors should be used for each building. Color schemes should be selected with a harmonious range of accent materials and shall comply with the city approved colors.
 4. Corner Buildings. Buildings at corners of intersections shall receive special architectural treatment to enhance the pedestrian experience, such as building cut-offs and corner entrances with additional architectural detail.
 5. Building ~~Façade~~ Facade. Street-facing façades shall be visually open to major streets and architecturally enhanced through the use of the architectural features.
 6. Architectural features are encouraged to create visual interest.

7. Window placement shall reflect the desired exposure appropriate for the respective use:
 - a. For commercial uses, large windows shall front onto major pedestrian thoroughways to promote exposure and visibility;
 - b. For residential uses, windows shall face away from loading areas, docks, and trash storage areas. In the occasion that residential windows face one another, windows should be offset to maximize privacy.
- C. Streetscape. The following streetscape elements augment architectural styles of the area and promote pedestrian activity. These interactive elements enhance usable pedestrian space and decrease the possibility of dead space.
1. Landscaping is required and shall be well maintained and complement the adjacent project:
 - a. Landscaping shall be selected at a scale that is consistent with the building site;
 - b. Street landscaping shall be appropriate for sidewalk environments to limit the potential of root systems to affect the adjacent sidewalks;
 - c. Landscaping shall not interfere with pedestrian movement or impede with the visibility of business and signage.
 2. Furniture. Benches, seating areas, kiosks, and shade structures should be incorporated as amenities for pedestrians:
 - a. Furnishings shall be placed where pedestrian traffic, viewsheds, or building ingress and egress will not be obstructed;
 - b. Furnishings shall be constructed of durable, high quality materials that can withstand the elements without showing wear;
 - c. Furniture design shall be complementary to the architectural styles of the area.
 3. Public art and water features shall be used to highlight public spaces and create points of interest for each project. These streetscape elements should be well maintained and used as accent features.
 4. Paving Materials. Use of distinctive paving treatments is encouraged to give visual cues to users and emphasize different areas within the streetscape and public spaces. Painted paving surfaces should not be used except to indicate traffic lanes or parking spaces.

5. Walls, fences, and gates should be used to identify separate areas and provide needed privacy and security:
 - a. Although necessary in certain locations, solid walls should only be used when absolutely necessary;
 - b. Walls, fences, and gates should appear consistent in style and material, complementing the surrounding architectural styles;
 - c. Landscaping elements shall be densely planted and layered to provide screening. Vines and trellises are encouraged to help soften hard edges and screen walls from view.

6. Lighting shall be used to illuminate public spaces and contribute to the safety and beauty of the project:
 - a. Fixtures shall be complementary to the architectural styles of the area;
 - b. Overly glaring or flashing lights are prohibited.

7. ~~Signage~~ Signs shall be used to identify places, provide direction, and advertise businesses. Along with communicating information, ~~signage~~ signs should add to the character of each project and reinforce a sense of place:
 - a. Signs shall consist of high-quality materials and color palettes that reflect the architectural themes of the surrounding area;
 - b. Location and placement of signs shall not obstruct pedestrian or vehicular movement.

SECTION 21 Section 17.05i.010 (Purpose and Intent) of Chapter 17.05i (Trucking-intensive Overlay) shall be amended as follows:

§ 17.05i.010 Purpose and Intent.

In order to conserve and protect the continued viability of the ~~city's~~ City's industrial sector, provide for a wide range of industrial uses and building sizes, and to insure compatibility with other land uses, it is the intention of the ~~city~~ City to control the location, development, and design of trucking uses (as defined in ~~Section 17.04.632~~ Chapter 17.02). Trucking uses shall be permitted in the ~~TIO trucking-intensive overlay zone ("TIO Zone")~~ Trucking Intensive Overlay (TIO) upon issuance of a TIO trucking use permit in compliance with the following requirements. In adopting the requirements of this chapter, the ~~city~~ City seeks to: avoid the future obsolescence of trucking uses; reduce the impacts associated with the development of trucking uses; control the

location and concentration of trucking uses so as to mitigate the noise, traffic ~~and circulation~~, air pollution, and other impacts to adjacent or nearby sensitive land uses, such as residences, schools, parks, ~~churches~~ and hospitals and achieve a high level of quality for the site and architectural designs.

The TIO ~~Zone~~ is an overlay ~~zone~~ that is applied to certain properties located in the M-2 zone in which trucking uses (as defined in ~~Section 17.04.632 of this title Chapter 17.02~~) are permitted. The gross land area within the TIO ~~Zone~~ at any given time may have a maximum of ~~four hundred seventy thousand~~ 470,000 square feet of ~~gross~~ building floor area devoted to the storage space for goods for trucking uses. In each building, ~~an additional twenty percent~~ 20% of gross floor area ~~used for storage of goods for trucking uses~~ may be used for office and similar ancillary ~~uses~~ and related uses. The total gross building floor area, including the floor area for ancillary uses, of buildings or structures for all properties developed for trucking uses within the TIO ~~Zone~~ shall not exceed ~~five hundred sixty four thousand~~ 564,000 square feet. In addition, subletting within tenant suites or offices shall not be permitted. Temporary structures, sheds, or enclosures that do not require building permits shall count towards the ~~four hundred seventy thousand~~ 470,000 square feet allowable storage space for goods for trucking uses and towards the total gross floor area of ~~five hundred sixty four thousand~~ 564,000 square feet. The location of the TIO ~~Zone~~ shall be as set forth in Section 17. ~~4005a~~.010(L) and property within the TIO ~~Zone~~ may be used for the purposes set out in this chapter, upon issuance of a TIO trucking use permit.

SECTION 22. The preamble to Section 17.05i.040 (Requirements for Trucking Uses) of Chapter 17.05i (Trucking-intensive Overlay) shall be amended as follows:

§ 17.05i.040 Requirements for Trucking Uses.

Trucking uses, as defined in ~~Section 17.04.632 of this title Chapter 17.02~~, are permitted in the TIO ~~trucking intensive overlay zone~~ and shall comply with the following conditions and requirements, in addition to all other provisions of this ~~title and the Hawthorne Municipal Title and~~ Code:

SECTION 23. Subsection (B) of Section 17.05i.040 (Requirements for Trucking Uses) of Chapter 17.05i (Trucking-intensive Overlay) shall be amended as follows:

- B. With the exception of warehousing uses (as defined in ~~Section 17.04.632 Chapter 17.02~~), for every ~~five thousand~~ 5,000 square feet of building floor space dedicated to storage area for goods for trucking uses (not including mezzanine or office areas), all trucking uses shall provide at least one truck position on site.

SECTION 24. Section 17.05j.040 (Application Requirements—Review procedures) of Chapter 17.05j (Billboard Overlay) shall be amended as follows:

§ 17.05j.040 **Application Requirements—Review Procedures.**

- A. Application requirements. In addition to the application requirements for the permit required by Section 17.~~3510g~~.040, a person or entity wishing to completely demolish and relocate an existing nonconforming billboard or modify an existing billboard within the ~~freeway overlay zone~~ Billboard Overlay shall submit a request in writing for approval of an agreement that includes the following:
1. The name, address phone number, and other contact information of the person or entity proposing the agreement.
 2. Identification of the location proposed for a new or relocated or modified billboard and the billboard(s) being permanently removed, where applicable.
 3. Information that establishes that the person or entity proposing the agreement has legal or equitable interest in the billboard being removed or modified and the site proposed for relocation or placement.
 4. Conceptual design drawings for the billboards that includes technical specifications to determine the billboard's compliance with this chapter.
 5. An explanation of the compensation to be paid or public benefits to be provided to the ~~city~~ City.
 6. The application must include photos of all existing ~~signage signs~~ or architectural renderings and elevations of proposed billboards as well as a scaled plot plan and elevations showing the locations of all existing structures and improvements on the property, and the proposed billboard.
 7. The applicant must pay a filing fee in accordance with an approved resolution. This fee shall be in addition to any other required fees for permits relative to the development of the property and shall be for the purpose of defraying the costs associated with city review and action on the application.
- B. Review Process. All agreements shall be reviewed by the ~~planning commission~~ Planning Commission at a duly noticed public hearing. The public hearing shall be noticed in the same way that conditional use permits and variances are noticed pursuant to Section 17.~~06003~~.050 of ~~the Hawthorne Municipal~~ this Code. The ~~planning commission~~ Planning Commission shall review the agreement and, after a duly noticed public hearing, make a recommendation to ~~city council~~ City Council, based on current development standards, the location of the proposed

relocated or modified billboard and whether the proposed relocated or modified billboard meets the findings contained in this section.

At a ~~city council~~ City Council meeting held no later than ~~forty-five~~ 45 days after the ~~planning commission~~ Planning Commission makes its recommendation, the ~~city council~~ City Council shall review and consider the agreement, at a duly noticed public hearing. The hearing before the ~~city council~~ City Council shall be noticed pursuant to Section 17.~~0603~~.050 of ~~the Hawthorne Municipal~~ this Code and may be continued from time to time. In order to approve a request for an agreement, the ~~city council~~ City Council shall make the following findings for approval of an agreement:

1. The proposed agreement is consistent with the goals, objectives, purposes and provisions of the ~~general plan~~ General Plan, ~~the Development Code~~ this Title, and any applicable specific plans;
2. The proposed installation site is compatible with the uses and structures on the site and in the surrounding area;
3. The proposed billboard would not create a traffic or safety problem, including problems associated with on-site access circulation or visibility;
4. The proposed billboard would not interfere with on-site parking or landscaping required by ~~city ordinance~~ this Title or permit;
5. The proposed billboard would not otherwise result in a threat to the general health, safety, and welfare of ~~city~~ City residents; and
6. The proposed billboard, in addition to its aesthetic treatment, provides public benefits that would not otherwise accrue to the public in the absence of its installation.

SECTION 25. Section 17.06b.040 (Imposition of Conditions) of Chapter 17.06b (Conditional Use Permits and Variances) shall be amended as follows:

§ 17.06b.040 Imposition of Conditions.

When granting a variance, the ~~planning commission~~ Planning Commission shall determine that the circumstances do exist as required by Section 17.~~4006b~~.030, and may attach specific conditions to the variance which will serve to accomplish the standards, criteria and policies established by this title.

SECTION 26. the Preamble to Section 17.06b.060 (Conditional Use Permit—Purpose) of Chapter 17.06b (Conditional Use Permits and Variances) shall be amended as follows:

§ 17.06b.060 **Conditional Use Permit—Purpose.**

The purpose of a conditional use permit, as defined in ~~Section 17.04.180~~ [Chapter 17.02](#), shall be:

SECTION 27. Section 17.06b.070 (Application for Variance or Conditional Use Permit—Notice and Hearing) of Chapter 17.06b (Conditional Use Permits and Variances) shall be amended as follows:

§ 17.06b.070 **Application for Variance or Conditional Use Permit—Notice and Hearing.**

Upon the filing of an application for a variance or conditional use permit by a property owner of record, or a plaintiff in any proposed or pending action in eminent domain to acquire property affected, or by a lessee with the written consent of the owners, which application sets forth fully the grounds for, and the facts deemed to justify the granting of a variance or conditional use permit, the ~~planning commission~~ [Planning Commission](#) shall give public notice, as provided in Chapter 17.~~0603~~, of the intention to consider at a public hearing the granting of a variance or a conditional use permit.

SECTION 28. Section 17.06b.150 (Public Hearing—Notice) of Chapter 17.06b (Conditional Use Permits and Variances) shall be amended as follows:

§ 17.06b.150 **Public Hearing—Notice.**

Within not to exceed ~~sixty~~ [60](#) days following receipt of the resolution from the ~~planning commission~~ [Planning Commission](#) granting or denying the variance, or conditional use permit, the ~~city council~~ [City Council](#) shall conduct a duly advertised public hearing on the matter [which has been appealed](#), public notice of which shall be given as provided in Chapter 17.~~0603~~.

SECTION 29. Chapter 17.06d (Residential Density Bonus) shall be amended as follows:

§ 17.06d.010 **Purpose and intent.**

Density Bonus Law, as set forth in Government Code Section 65915, et seq., requires that a local government grant a density bonus and concessions or incentives to developers of housing developments and child care facilities when meeting the requirements set out by the law. This chapter establishes procedures to implement the Density Bonus Law.

§ 17.06d.020 **Project eligibility—Affordability covenants.**

- A. The ~~city~~ City shall grant a density bonus and concessions or incentives listed in Section 17.~~4706d~~.040, or provide other concessions or equivalent financial incentives, when an applicant for a housing development proposes and agrees to construct any one of the following:
1. Ten percent of the total dwelling units reserved for lower-income households as defined in Section 50079.5 of the Health and Safety Code (~~eighty percent~~ 80% of median family income);
 2. Five percent of the total dwelling units reserved for very low-income households as defined in Section 50105 of the Health and Safety Code (~~fifty percent~~ 50% of median family income);
 3. A senior citizen housing development, as defined in Sections 51.3 and 51.12 of the Civil Code, that limits residency based on age requirements for housing for older persons pursuant to Section 798.76 or 799.5 of the Civil Code; or
 4. Ten percent of the total dwelling units in a common interest development as defined in Section 1351 of the Civil Code for persons and families of moderate-income, as defined in Section 50093 of the Health and Safety Code (~~one hundred twenty percent~~ 120% of median family income), provided that all units in the development are offered to the public for purchase.
- B. The amount of the density bonus to which the applicant is entitled shall vary according to the amount by which the percentage of affordable dwelling units meets the percentages above, and is specified in Section 17.~~4706d~~.030. For purposes of calculating the amount of the density bonus, the applicant who requests a density bonus pursuant to this subdivision shall elect whether the bonus shall be awarded on the basis of subparagraphs 1, 2, 3, or 4 of Section 17.~~4706d~~.020(A).
- C. An applicant shall agree to, and the ~~city~~ City shall ensure, continued affordability of all low- and very low-income units that qualified the applicant for the density bonus for a period of ~~thirty~~ 30 years (or a longer period of time if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program). Rents for the lower- and very-low income density bonus units shall be set at an affordable rent as defined in Section 50053 of the Health and Safety Code. Owner-occupied units shall be available at an affordable housing cost as defined in Section 50052.5 of the Health and Safety Code.
- D. An applicant shall agree to, and the ~~city~~ City shall ensure that, the initial occupant of moderate-income units that are directly related to the receipt of the density bonus in the common interest development, as defined in Section 1351 of the

Civil Code, are persons and families of moderate-income, as defined in Section 50093 of the Health and Safety Code, and that the units are offered at an affordable housing cost, as that cost is defined in Section 50052.5 of the Health and Safety Code. The ~~city~~ City shall enforce an equity-sharing agreement, unless it is in conflict with the requirements of another public funding source or law. The following apply to the equity-sharing agreement:

1. Upon resale, the seller of the unit shall retain the value of any improvements, the down-payment, and the seller's proportionate share of appreciation. The ~~city~~ City shall recapture any initial subsidy and its proportionate share of appreciation, which shall then be used within three years for any of the purposes described in subdivision (e) of Section 33334.2 of the Health and Safety Code that promote homeownership.
2. For purposes of this subdivision, the ~~city's~~ City's initial subsidy shall be equal to the fair market value of the home at the time of initial sale minus the initial sale price to the moderate-income household, plus the amount of any down-payment assistance or mortgage assistance. If upon resale the market value is lower than the initial market value, then the value at the time of the resale shall be used as the initial market value.
3. For purposes of this subdivision, the ~~city's~~ City's proportionate share of appreciation shall be equal to the ratio of the initial subsidy to the fair market value of the home at the time of initial sale.

§ 17.06d.030 **Density bonus.**

- A. The density bonus provided by this section shall apply to housing developments consisting of five or more dwelling units.
- B. A density bonus for a housing development means a density increase over the otherwise maximum allowable residential density under the ~~land use element~~ Land Use Element of the ~~general plan~~ General Plan, and listed below. The applicant may elect to accept a lesser percentage of density bonus. The amount of density bonus to which the applicant is entitled shall vary according to the amount by which the percentage of affordable housing units exceeds the percentage established in Section 17.~~47~~06d.020(A).

Land Use Designation	Corresponding Zone	Maximum Density Before Bonus Applied
Low-Density Residential	R-1 Low-Density Residential	8.0 dwelling units per acre
Medium-Density Residential	R-2 Medium-Density Residential	17.0 dwelling units per acre
High-Density Residential	R-3 High-Density Residential	40.0 <u>30.0</u> dwelling units per acre
	R-4 Maximum-Density Residential	
Multiple family structures are not permitted in the R-1 and R-2 zones		

- C. For housing developments meeting the criteria of Section 17.1706d.020(A)(1), the density bonus shall be calculated as follows:

Percentage of Lower Income <u>Lower-income</u> Units	Percentage of Density Bonus
10	20.0
11	21.5
12	23.0
13	24.5
14	26.0
15	27.5
16	29.0
17	30.5
18	32.0
19	33.5
20	35.0

- D. For housing developments meeting the criteria of Section 17.1706d.020(A)(2), the density bonus shall be calculated as follows:

Percentage of Very Low Income <u>Very Low-</u> <u>income</u> Units	Percentage of Density Bonus
5	20.0
6	22.5
7	25.0
8	27.5
9	30.0
10	32.5
11	35.0

- E. For housing developments meeting the criteria of Section 17.1706d.020(A)(3), the density bonus shall be ~~twenty percent~~ 20%.

- F. For housing developments meeting the criteria of Section 17.1706d.020(A)(4), the density bonus shall be calculated as follows:

Percentage of Moderate Income <u>Moderate-</u> <u>income</u> Units	Percentage of Density Bonus
10	5.0
11	6.0
12	7.0
13	8.0
14	9.0
15	10.0
16	11.0
17	12.0
18	13.0
19	14.0
20	15.0
21	16.0

22	17.0
23	18.0
24	19.0
25	20.0
26	21.0
27	22.0
28	23.0
29	24.0
30	25.0
31	26.0
32	27.0
33	28.0
34	29.0
35	30.0
36	31.0
37	32.0
38	33.0
39	34.0
40	35.0

- G. All density calculations resulting in fractional units shall be rounded up to the next whole number.
- H. The granting of a density bonus shall not be interpreted, in and of itself, to require a ~~general plan amendment~~ [General Plan Amendment](#), zoning change or other discretionary approval.
- I. As used in Section 17.4706d.020(A), "total units" or "total dwelling units" does not include units permitted by a density bonus awarded pursuant to this section or any local law granting a greater density bonus.
- J. Nothing in this section shall be construed to prohibit the ~~city~~ [City](#) from granting a density bonus greater than what is described in this section for a development that meets the requirements of this chapter or from granting a proportionately lower density bonus than what is required by this section for developments that do not meet the requirements of this chapter.

§ 17.06d.040 **Concessions and incentives.**

- A. An applicant for a density bonus pursuant to Section 17.4706d.030 may submit to the ~~city~~ [City](#) a proposal for the specific incentives or concessions that the applicant requests pursuant to this section, and may request a meeting with the [city](#) [City](#).
- B. Concession or incentive means any of the following:
 - 1. A reduction in site development standards or a modification of zoning code requirements that exceed the minimum building standards approved by the California Building Standards Commission as provided in Part 2.5

(commencing with Section 18901) of Division 13 of the Health and Safety Code, including, but not limited to, a reduction in setback and square footage requirements and in the ratio of vehicular parking spaces that would otherwise be required that results in identifiable, financially sufficient and actual cost reductions;

2. Approval of mixed-use zoning in conjunction with the housing development if commercial, office, industrial, or other land uses will reduce the cost of the housing development, and if existing or planned commercial, office, industrial, or other land uses are compatible with the housing project and the existing or planned development of the area;
 3. Other regulatory incentives or concessions proposed by the developer or the ~~city~~ City that result in identifiable, financially sufficient and actual cost reductions.
- C. This subdivision does not limit or require the provision of direct financial incentives for the housing development, including the provision of publicly owned land by the ~~city~~ City, or the waiver of fees or dedication requirements.
- D. The ~~city~~ City shall grant the concession or incentive requested by the applicant unless the ~~city~~ City makes a written finding, based upon substantial evidence, of either of the following:
1. The concession or incentive is not required in order to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code or for rents for the targeted units to be set as specified in Section 17.4706d.020;
 2. The concession or incentive would have a specific adverse impact, as defined in Government Code Section 65589.5(d)(2), upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households.
- E. The applicant shall receive the following number of incentives or concessions:
1. One incentive or concession for projects that include at least ~~ten percent~~ 10% of the total units for lower income households, at least ~~five percent~~ 5% for very low-income households, or at least ~~ten percent~~ 10% for persons and families of moderate-income in a common interest development;
 2. Two incentives or concessions for projects that include at least ~~twenty percent~~ 20% of the total units for lower income households, at least ~~ten percent~~ 10% for very low-income households, or at least ~~twenty percent~~ 20% for persons and families of moderate-income in a common interest development;

20% for persons and families of moderate-income in a common interest development;

3. Three incentives or concessions for projects that include at least ~~thirty percent~~ 30% of the total units for lower income households, at least fifteen percent for very low-income households, or at least ~~thirty percent~~ 30% for persons and families of moderate-income in a common interest development.
- F. The granting of a concession or incentive shall not be interpreted, in and of itself, to require a ~~general plan amendment~~ General Plan Amendment, zoning change or other discretionary approval.

§ 17.06d.050 **Applications.**

- A. At the time a developer of a proposed housing development, seeking a density bonus and a concession or incentive under this chapter and Government Code Section 65915, files formal application(s) for approval of the proposed development with the ~~planning department~~ Planning Department, the developer shall provide the following information:
1. A vicinity map and preliminary site plan, drawn to scale, including building footprints, driveway and parking layout;
 2. Identification of the location, acreage and the maximum number of units allowed under the zoning and the land use designated under the ~~general plan~~ General Plan;
 3. Identification of the total number of units proposed including the kind and number of target units as set forth in Section 17.~~4706d~~.020 which the proposed housing development qualifies for a density bonus and concession;
 4. Identification of the concessions which ~~is~~ are requested by the developer or a list of any alternative concessions which would provide, in the developer's opinion, equivalent financial incentives to the concession requested;
 5. The specific financial information and data relied upon by the developer which establishes the monetary value of the regulatory concessions requested by the developer, and a concise statement of how such value was calculated. A clear statement of how the requested concession is necessary to make the proposed housing development economically feasible, sufficiently detailed to enable ~~city~~ City staff to examine the conclusions reached by the developer;

6. Such other pertinent information as the ~~director of planning~~ Director may require to enable the ~~city~~ City to adequately analyze the economic feasibility of the proposed housing development with respect to the requested additional concession and other concessions which may be made available.

§ 17.06d.060 **Density Bonus Housing Agreement.**

- A. Applicants requesting a density bonus, shall draft and agree to enter into a density bonus housing agreement with the ~~city~~ City. The density bonus housing agreement shall include, at a minimum, the following:
 1. A general description of the development, including whether the development will contain units for rent or for sale;
 2. A description of additional incentives or equivalent financial incentives to be provided by the ~~city~~ City;
 3. The total number of market-rate units and affordable housing units, as well as a description of the household income group(s) to be accommodated by the housing development;
 4. The number of bedrooms in each market-rate unit and each affordable unit;
 5. The square footage of each market-rate unit and of each affordable unit measured from the interior walls of the unit and including heated and unheated areas;
 6. The location in the development of each market-rate and affordable housing unit;
 7. A schedule for completion and occupancy of target units. If construction of dwelling units is to be phased, a phasing plan stating the number of market-rate and affordable housing units in each phase;
 8. The estimated sale price or monthly rent of each market-rate unit and each affordable housing unit;
 9. Documentation and plans regarding the exterior appearances, materials, and finishes of the housing development and each of its individual units;
 10. A marketing plan the applicant proposes to implement to promote the sale or rental of the affordable units within the development to eligible households;

11. Detailed description of the standards for determining the affordable rent or affordable sales price and housing cost;
12. Where very low- or lower-income units are proposed, a stipulation that the target units shall be kept available only to members of the identified income group or only to qualifying residents for a holding period as specified in Section 17.4706d.020(C);
13. A description of the means by which continued availability shall be secured and enforced and the procedures under which the very low- and lower-income target units shall be leased or sold during such period;
14. A stipulation that the initial occupant of moderate-income units pursuant to Section 17.4706d.020(D) are persons and families of moderate income, as defined in Section 50093 of the Health and Safety Code, and that the units are offered at an affordable housing cost, as that cost is defined in Section 50052.5 of the Health and Safety Code;
15. A description of remedies for breach of the agreement by either party (the ~~city~~ City may identify tenants or qualified purchasers as third-party beneficiaries under the agreement);
16. The following disclosures shall be included in all sale or lease agreements associated with any project that includes a density bonus:
 - a. For each condominium unit offered for sale, a recorded disclosure statement that the unit is assigned a specified number of parking spaces (if any) and giving notice that guest parking is not provided on site pursuant to state laws in effect at the time of construction.
 - b. For each apartment offered for lease, a written disclosure in each lease agreement that the unit is assigned a specified number of parking spaces (if any) and giving notice that guest parking is not provided on site pursuant to state laws in effect at the time of construction.
 - c. For each unit, whether offered for sale or lease, a written statement, signed by the purchaser or lessee, acknowledging that on-street parking may be unavailable.
17. Other provisions to ensure implementation and compliance with this chapter, and such other terms and provisions, not inconsistent with Government Code Section 65915, that the ~~city~~ City may require.

- B. In the case of for-sale housing developments, the density bonus housing agreement shall provide for the following conditions governing the initial sale and use of target units during the applicable use restriction period:
1. Target units shall, upon initial sale, be sold to eligible very low- or lower-income households at an affordable sales price and housing cost, or to qualified residents (i.e., maintained as senior citizen housing) as defined in Chapter 17.0402, or in the case of common interest developments, to moderate income households;
 2. Target units shall be initially owner-occupied;
 3. The initial purchaser of very low- and lower-income target units, as well as units targeted to senior citizen housing, shall execute an instrument or agreement approved by the ~~city~~ City restricting the sale of the target unit in accordance with this chapter during the applicable use restriction period. Such instrument or agreement shall be recorded against the parcel containing the target unit and shall contain such provisions as the ~~city~~ City may require to ensure continued compliance with this chapter and the Government Code Section 65915.
- C. In the case of rental housing developments, the density bonus housing agreement shall provide for the following conditions governing the use of target units during the use restriction period:
1. The rules and procedures for qualifying tenants, establishing affordable rent, filling vacancies and maintaining target units for qualified tenants;
 2. Provisions requiring owners to verify tenant incomes and maintain books and records to demonstrate compliance with this chapter;
 3. Provisions requiring owners to submit an annual report to the city, which includes the name, address, and income of each person occupying target units, and which identifies the bedroom size and monthly rent or cost of each target unit.
- D. The terms of the draft agreement shall be reviewed and revised as appropriate by the ~~planning director~~ Director, who shall formulate a recommendation to the ~~planning commission~~ Planning Commission for final approval. The ~~planning commission~~ Planning Commission, on behalf of the ~~city~~ City, shall authorize the execution of density bonus housing agreements that meet all of the requirements of this chapter and Government Code Section 69515.
- E. Following execution of the agreement by all parties, the completed density bonus housing agreement shall be recorded on the parcel or parcels designated for the construction of target units. The approval and recordation shall take place prior to final map approval, or, where a map is not being processed, prior to issuance of

building permits for such parcels or units. The density bonus housing agreement shall be binding to all future owners and successors in interest.

§ 17.06d.070 **Donation of Land to the City.**

- A. When an applicant for a tentative subdivision map, ~~parcel map~~, or other residential development approval donates land to the ~~city~~ City as provided for in this subdivision, the applicant shall be entitled to a ~~fifteen percent~~ 15% increase above the otherwise maximum allowable residential density under the applicable zoning ordinance and ~~land use element~~ Land Use Element of the ~~general plan~~ General Plan for the entire development, as follows:

Percentage of Very Low Income <u>Very Low-income</u> Units	Percentage of Density Bonus
10	15.0
11	16.0
12	17.0
13	18.0
14	19.0
15	20.0
16	21.0
17	22.0
18	23.0
19	24.0
20	25.0
21	26.0
22	27.0
23	28.0
24	29.0
25	30.0
26	31.0
27	32.0
28	33.0
29	34.0
30	35.0

- B. This increase shall be in addition to any increase in density mandated by Section 17.~~4706d~~.020, up to a maximum combined mandated density increase of ~~thirty-five percent~~ 35% if an applicant seeks both the increase required pursuant to this subdivision and Section 17.~~4706d~~.020. Nothing in this subdivision shall be construed to enlarge or diminish the authority of the ~~city~~ City to require a developer to donate land as a condition of development. An applicant shall be eligible for the increased density bonus described in this subdivision if all of the following conditions are met:
1. The applicant donates and transfers the land no later than the date of approval of the final subdivision map, ~~parcel map~~ or residential development application;

2. The developable acreage and zoning classification of the land being transferred are sufficient to permit construction of units affordable to very low-income households in an amount not less than ~~ten percent~~ 10% of the number of residential units of the proposed development;
3. The transferred land is at least one acre ~~in size~~ or of sufficient size to permit development of at least ~~forty~~ 30 units, has the appropriate ~~general plan~~ General Plan designation, is appropriately zoned for development as affordable housing, and is, or will be, served by adequate public facilities and infrastructure. The land shall have appropriate zoning and development standards to make the development of the affordable units feasible. No later than the date of approval of the final subdivision map, ~~parcel map~~ or of the residential development, the transferred land shall have all of the permits and approvals, other than building permits, necessary for the development of the very low-income housing units on the transferred land except that the ~~city~~ City may subject the proposed development to subsequent design review to the extent authorized by subdivision (i) of Section 65583.2 if the design is not reviewed by the ~~city~~ City prior to the time of transfer;
4. The transferred land and the affordable units shall be subject to a deed restriction ensuring continued affordability of the units consistent with Sections 17.~~4706d~~.020(C)-(D), which shall be recorded on the property at the time of dedication;
5. The land is transferred to the ~~local agency~~ City or to a housing developer approved by the ~~local agency~~ City. The ~~local agency~~ City may require the applicant to identify and transfer the land to the developer;
6. The transferred land shall be within the boundary of the proposed development or, within one-quarter mile of the boundary of the proposed development subject to ~~city~~ City approval.

§ 17.06d.080 Inclusion of Child Care Facility.

- A. When an applicant proposes to construct a housing development that conforms to the requirements of Section 17.~~4706d~~.020 and includes a child care facility, that will be located on the premises of, as part of, or adjacent to, the project, the ~~city~~ City shall grant either of the following:
 1. An additional density bonus that is an amount of square feet of residential space that is equal to or greater than the amount of square feet in the child care facility;
 2. An additional concession or incentive that contributes significantly to the economic feasibility of the construction of the child care facility.

- B. The ~~city~~ City shall require, as a condition of approving the housing development, that the following occur:
1. The child care facility shall remain in operation for a period of time that is as long as, or longer than the period of time during which the density bonus units are required to remain affordable pursuant to Section 17.4706d.020;
 2. Of the children who attend the child care facility, the children of very low-income households, lower-income households, or families of moderate-income shall equal a percentage that is equal to or greater than the percentage of dwelling units that are required for very low-income households, lower-income households, or families of moderate-income pursuant to Section 17.4706d.020.
- C. Notwithstanding any requirement herein, the ~~city~~ City shall not be required to provide a density bonus or concession for a child care facility if it finds, based upon substantial evidence, that the community has adequate child care facilities.

§ 17.06d.090 **Development standards.**

- A. Target units should be constructed concurrently with non-restricted units unless both the ~~city~~ City and the applicant agree within the density bonus housing agreement to an alternative schedule for development.
- B. In determining the maximum affordable rent or affordable sales price of target units the following house-hold and unit size assumptions shall be used:

0 bedroom (studio)	1 person
1 bedroom	2 persons
2 bedrooms	3 persons
3 bedrooms	4 persons
4 bedrooms	6 persons

- C. Target units should be built on-site wherever possible and, when practical, be dispersed within the housing development. Where feasible, the number of bedrooms of the target units should be equivalent to the bedroom mix of the non-target units of the housing development; except that the developer may include a higher proportion of target units with more bedrooms. The design and appearance of the target units shall be compatible with the design of the total housing development. Housing developments shall comply with all applicable development standards, except those that may be modified as provided by this chapter.
- D. Circumstances may arise in which the public interest would be served by allowing some or all of the target units associated with one housing development to be produced and operated at an alternative development site. Where the developer and the ~~city~~ City form such an agreement, the resulting linked

developments shall be considered a single housing development for purposes of this chapter. Under these circumstances, the developer shall be subject to the same requirements of this chapter for the target units to be provided on the alternative site.

SECTION 30 Section 17.06e.010 (Classification Regulations Subject to This Chapter) of Chapter 17.06e (Yards) shall be amended as follows:

§ 17.06e.010 Classification Regulations Subject to This Chapter.

Chapters ~~17.02, 17.04, 17.10, and 17.14 through 17.36~~ 17.01, 17.02, 17.05a-05c, 17.06d, 17.10g, 17.20a-20d, 17.21, 17.30a-30d, 17.31, 17.40a-40b, 17.60, and 17.70a-70b, pertaining to the several classifications shall be subject to the general provisions, conditions and exceptions contained in this chapter.

SECTION 31. Section 17.07.030 (Limited Use of Fees) of Chapter 17.07 (Development Impact Fees) shall be amended as follows:

§ 17.07.030 Limited use of fees.

The revenues raised by payment of this fee shall be placed in a separate and special account and such revenues, along with any interest earning on that account, shall be used solely to:

- A. Pay for the ~~city's~~ City's future construction of facilities described in the resolution enacted pursuant to Section 17.~~6607~~.020, or to reimburse the ~~city~~ City for those described or listed facilities constructed by the ~~city~~ City with funds advanced by the ~~city~~ City from other sources; or
- B. Reimburse developers who have been required or permitted by Section 17.~~6607~~.040, to install such listed facilities which are oversized with supplemental size, length or capacity.

SECTION 32. Section 17.07.040 (Developer Construction of Facilities) of Chapter 17.07 (Development Impact Fees) shall be amended as follows:

§ 17.07.040 Developer construction of facilities.

Whenever a developer is required, as a condition of approval of a development permit, to construct a public facility described in a resolution adopted pursuant to Section 17.~~6607~~.020 which facility is determined by the ~~city~~ City to have supplemental size length or capacity over that needed for the impacts of that development, and when such construction is necessary to ensure efficient and timely construction of the facilities

network, a reimbursement agreement with the developer and a credit against the fee, which would otherwise be charged pursuant to this chapter on the development project, shall be offered. The reimbursement amount shall not include the portion of the improvement needed to provide services or mitigate the need for the facility or the burdens created by the development.

SECTION 33. Section 17.07.050 (Fee adjustments) of Chapter 17.07 (Development Impact Fees) shall be amended as follows:

§ 17.07.050 Fee adjustment.

A developer of any project subject to the fee described in Section 17.6607.020 may apply to the ~~city council~~ City Council for a reduction or adjustment to the fee, or a waiver of that fee, based upon the absence of any reasonable relationship or nexus between the impacts of the development and either the amount of the fee charged or the type of facilities to be financed. The application shall be made in writing and filed with the ~~city clerk~~ City Clerk not later than: (1) ten days prior to the public hearing on the development permit application for the project; or (2) if no development permit is required, at the time of the filing of the application for a building permit. The application shall state in detail the factual basis for the claim of waiver, reduction, or adjustment. The ~~city council~~ City Council shall consider the application at the public hearing on the permit application or at a separate hearing held within ~~sixty~~ 60 days after the filing of the fee adjustment application, whichever is later. The decision of the ~~city council~~ City Council shall be final. If a reduction, adjustment, or waiver is granted, any change in use within the project shall invalidate the waiver, adjustment or reduction of the fee.

SECTION 34. Subsection (C) of Section 17.10c.010 (General Requirements) of Chapter 17.10c (Fences) shall be amended as follows:

- C. No fence, wall or hedge shall be permitted to exceed the maximum height of three and one-half feet in a triangular area as set forth in Section 17.4206e.090.

SECTION 35. The following definitions found in Section 17.10e.020 (Definitions) of Chapter 17.10e (Landscaping) shall be amended as follows:

"Landscape documentation package" means the documents required under Section 17.8910e.060.

"Landscape project" means total area of landscape in a project as defined in "landscape area" for the purposes of this chapter, meeting requirements under Section 17.8910e.030.

"Project applicant" means the individual or entity submitting a landscape documentation package required under Section 17.8910e.060, to request a

permit, plan check, or design review from the ~~city~~ City. A project applicant may be the property owner or designee.

"Rehabilitated landscape" means any re-landscaping project that requires a permit, plan check, or design review, meets the requirements of Section 17.~~89~~10e.030, and the modified landscape area is equal to or greater than ~~two thousand five hundred~~ 2,500 square feet.

"Water Efficient Landscape Ordinance" means Chapter 17.~~89~~10e of ~~the Hawthorne Municipal~~ this Code.

SECTION 36. Subsection (A)(7)(a) of Section 17.10e.060 (Procedures) of Chapter 17.10e (Landscaping) shall be amended as follows:

- a. The statement: "I have complied with Chapter 17.~~89~~10e of the City of Hawthorne Municipal Code and the Water Efficient Landscape Guidelines, and applied them for the efficient use of water in this landscape design plan," and

SECTION 37. Subsection (C)(2)(a) of Section 17.10g.000 (Purpose and Intent) of Chapter 17.10g (Signs) shall be amended as follows:

- a. **Protected Non-Commercial Speech Temporary Signs.** All private property within any residential zone or an existing, legally established residence in a non-residential zone are allowed to display a maximum of five signs per parcel of temporary or permanent non-commercial signage. Temporary or permanent non-commercial signs may not exceed three square feet per sign face. The temporary or permanent non-commercial signage can be displayed at all times. The display area may be used for any protected non-commercial speech. Temporary or permanent non-commercial speech signs must be freestanding and cannot exceed four feet in height as measured from the adjacent grade. Temporary or permanent non-commercial speech signs must be set back from the sidewalk edge by at least five feet. Non-commercial speech temporary or permanent signs authorized by this section may not be placed within the fifteen-foot corner cutback area, as defined in Section 17.~~42~~06e.090. In cases where freestanding signs cannot be accommodated and meet the required placement standards, the ~~director of planning~~ Director may approve an alternative placement.

SECTION 38. Section 17.10g.010 (Sign Permit Required) of Chapter 17.10g (Signs) shall be amended as follows:

§ 17.10g.010 **Sign Permit Required.**

No person shall erect, alter, or add to any sign as defined in ~~Section 17.04.010~~ [Chapter 17.02](#) unless a permit for the same has been issued by the ~~director of building and safety~~ [Director of Building Safety](#) of the ~~city~~ [City](#) of Hawthorne except as otherwise provided by this ~~code~~ [Code](#).

SECTION 39. Subsection (M) of Section 17.10g.030 (Sign Permit Not Required) of Chapter 17.10g (Signs) shall be amended as follows:

- M. Temporary non-commercial signs on residential property per Section 17.~~35~~[10g](#).130.

SECTION 40 Section 17.10g.100 (Substitution Clause) of Chapter 17.10g (Signs) shall be amended as follows:

§ 17.10g.100 **Substitution Clause.**

Notwithstanding any other provision of this ~~code~~ [Code](#) and subject to the property owner's consent, any noncommercial copy may be substituted, in whole or in part, for any commercial copy on any sign permitted by this ~~code~~ [Code](#). If non-commercial copy is substituted, the resulting sign will continue to be treated as the original commercial sign under this ~~code~~ [Code](#) and will not be deemed or treated as an off-premises sign (billboard). The content of any non-commercial copy on any sign otherwise permitted by this ~~code~~ [Code](#) may be changed without complying with any provisions of this ~~code~~ [Code](#) normally required for sign copy or design approval. In addition, on non-residential uses, non-commercial copy on temporary signs may be substituted for commercial copy subject to the requirements of Section 17.~~35~~[10g](#).230.

The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech, or favoring of any particular non-commercial copy over any other non-commercial copy. This provision (a) does not create a right to increase the total amount of permanent signage on a parcel, lot, or land use; (b) does not affect the requirement that a sign structure or mounting device be properly permitted; (c) does not allow a change in the physical structure of a sign or its mounting device; or (d) does not allow the substitution of off-premises commercial copy in place of on-premises commercial copy or non-commercial copy.

SECTION 41. Subsection (H) of Section 17.10g.110 (Signs—Commercial and Industrial) of Chapter 17.10g (Signs) shall be amended as follows:

- H. Electronic message center signs subject to the provisions contained in Section 17.3510g.120.

SECTION 42. Section 17.10g.115 (Regional Shopping Center Signs) of Chapter 17.10g (Signs) shall be amended as follows:

§ 17.10g.115 Regional Shopping Center Signs.

In addition to the maximum number of freestanding signs and total sign area listed in Section 17.3510g.110, ~~regional shopping centers~~ Regional Shopping Centers, as defined in ~~Section 17.04.010~~ Chapter 17.02, may also be permitted a regional shopping center sign as follows:

- A. One regional shopping center sign, which is defined as a combination of two sign types in a single sign structure as follows: (1) a billboard (as defined in Chapter 17.0402 except that it may also advertise on-site businesses and products); and (2) fixed signage advertising on-site businesses and products (as defined in Chapter 17.0402).
- B. Regional shopping center signs shall adhere to the following standards:
1. A regional shopping center sign shall be located immediately adjacent to a freeway and within the freeway overlay zone.
 2. The billboard portion of the regional shopping center sign shall be subject to requirements and procedures of Chapter 17.8805j, Freeway Billboard Overlay Zone, ~~except that a V-shaped billboard shall not be allowed on a regional shopping center sign (billboard faces must be parallel).~~
 3. The height and area of the fixed signage portion of a regional shopping center sign shall be as dictated in Section 17.3510g.110(A)(3), except that a billboard agreement shall be used instead of a CUP for requests to permit heights of the fixed sign portion above ~~forty~~ 40 feet up to a maximum of ~~seventy-five~~ 75 feet or ~~forty~~ 40 feet above the freeway roadbed, whichever is more restrictive. The billboard agreement shall also be used instead of a CUP for requests to allow the fixed sign portion to exceed ~~three hundred fifty~~ 350 square feet of sign area.
 4. The minimum separation between any other fixed freestanding sign shall be ~~three hundred~~ 300 feet, as measured from the support. The minimum separation between any other billboard shall be as dictated in Chapter 17.8805j, Freeway Billboard Overlay Zone. The intent of this requirement is to combine signage and reduce visual clutter on a regional shopping center and maintain separation requirements between billboards.

5. Regional shopping center signs shall be designed as an integrated structure that complements and enhances ~~any existing~~ freestanding ~~signage~~ signs in the shopping center.
6. Poles or pylons used to support regional shopping center signs must have decorative covers or be clad in materials that are compatible with the overall design of the sign, other signs on the property, and the architectural character of buildings on the site, in terms of style, color, and materials.
7. The ground area surrounding the base of regional shopping center signs shall be landscaped. The landscape area must be at least five feet in width as measured from the base of sign to edge of the nearest curb, sidewalk, or pavement. A landscaping plan must be approved prior to approval of the building permit and the landscaping shall be maintained weed and litter-free and the plants kept in a healthy state for the life of the sign.

SECTION 43. Section 17.10g.130 (Signs—Residential Zones) of Chapter 17.10g (Signs) shall be amended as follows:

§ 17.10g.130 **Signs—Residential Zones.**

~~Signs in the residential zones shall be subject to the following provisions:~~

~~A.~~ Personal expression signs of any sign type, including flags, subject to the following provisions: ~~4.~~ No sign face shall exceed three square feet in area per side, shall be non-commercial in nature, and shall not be illuminated except for address signs. Signs may be freestanding or wall-mounted but may not be mounted to a roof or fascia other than a street address (fascia only for address). All freestanding signs must be set back at least five feet from the back of the sidewalk. No temporary banners are allowed other than as provided for in Section 17.~~35~~10g.000(A) of this chapter.

SECTION 44. Section 17.10g.160 (Monument and Freestanding Signs Affecting Vision Clearance) of Chapter 17.10g (Signs) shall be amended as follows:

§ 17.10g.160 **Monument and Freestanding Signs Affecting Vision Clearance.**

A monument or freestanding sign on any lot shall be located to avoid interference with the vision of the motorists on adjacent roadways, or ingress and egress onto public streets or alleys, pursuant to Section 17.~~42~~06e.090, Vision Clearance, Corner, Reverse Corner and Key Lots.

SECTION 45. The preamble to Section 17.10g.290 (Design Specifications) of Chapter 17.10g (Signs) shall be amended as follows:

§ 17.10g.290 **Design specifications.**

Sign frames and supporting construction shall be designed and constructed as provided in ~~Part VI and Part VII of the latest edition of the Uniform~~ the California Building Code as adopted by the ~~city~~ City with the following exceptions:

SECTION 46. Section 17.10g.320 (Wall Signs—Construction) of Chapter 17.10g (Signs) shall be amended as follows:

§ 17.10g.320 **Wall signs—Construction.**

Wall signs shall be constructed of materials as specified in Section 17.~~35~~10g.310. No wall sign shall have a projection over a public street, public sidewalk, or beyond a building line, ~~a distance~~ greater than one foot.

SECTION 47. Section 17.10g.330 (Projecting Signs—Construction) of Chapter 17.10g (Signs) shall be amended as follows:

§ 17.10g.330 **Projecting signs—Construction.**

Projecting signs attached to a building shall be constructed of materials as specified in Section 17.~~35~~10g.310. The thickness of any such sign shall not exceed the following:

- A. For a maximum projection of three feet, a thickness of two feet and six inches.
- B. For a maximum projection of two feet and six inches, a thickness of two feet.

SECTION 48. Section 17.10g.340 (Temporary Signs—Construction) of Chapter 17.10g (Signs) shall be amended as follows:

§ 17.10g.340 **Temporary signs—Construction.**

Notwithstanding the provisions of Section 17.~~35~~10g.310, temporary signs may have wood-supporting members if all parts extending into the ground are protected with a preservative approved by the ~~director of building and safety~~ Building Official in accordance with the criteria therefor established by the ~~Uniform~~ California Building Code as adopted by the ~~city~~ City; provided, however, that no signs so constructed may project over the public property.

SECTION 49. Section 17.10g.390 (Appeals for Color) of Chapter 17.10g (Signs) shall be deleted and replaced as follows:

§ 17.10g.390 **Appeals for color.**

[Appeals are subject to the procedures described in 17.03.070.](#)

SECTION 50. Chapter 17.13 (Nonconformities) shall be amended as follows:

§ 17.13.010 **Purpose, definition, interpretation, relationship to alcoholic beverage sale establishments and to conditional use permits [and Enforcement.](#)**

- A. This chapter regulates nonconforming land uses, buildings and other structures, signs, and parcels of land. More than one of these categories may apply to a situation. As used in this chapter, the adjective "nonconforming" and the nouns "nonconformity" and "nonconformities" all refer to the definition in ~~Section 17.04.010~~ [Chapter 17.02](#), and thus give no protection to any subject that was not lawfully established.
- B. The provisions of this chapter shall be construed and understood with a view to promote the purposes of this ~~title~~ [Title](#) and to attain zoning conformance in accordance with the state and federal ~~Constitutions~~ [constitutions](#).
- C. Nothing in this chapter shall limit the ~~city's~~ [City's](#) ability to enforce code compliance and pursue all legal remedies, criminal and civil, arising out of violations of ~~the Hawthorne Municipal~~ [this](#) Code, including, without limitation: administrative remedies ([Title 1](#); Chapter 1.23); nuisance abatement ([Title 8](#); Chapter 8.20; Section 8.50.100); and revocation ([Title 17](#); Chapter 17.~~0603~~[03](#)).
- D. Alcoholic Beverage Sale Establishments. Notwithstanding the rule of interpretation set forth in Section 17.~~0603~~[03](#).020(E) of this title, where any provision of Section 17.~~7634b~~[34b](#).070 governing alcoholic beverage sale establishments conflicts with this chapter and the two cannot be reconciled, Section 17.~~7634b~~[34b](#).070 shall be considered as the more specific provision and an exception that controls over the conflicting general provision of this chapter, regardless of the sequence of adoption or degree of restrictiveness.

§ 17.13.020 **Exemptions.**

Nothing in this chapter shall require the discontinuance or removal of, or otherwise restrict any nonconformity within, the following categories:

- A. Land use, structure, sign, or parcel of land involving property owned or leased by the ~~city~~ City.
- B. City-designated cultural or historic resource, California Historical Landmark, or subject listed in the California Register of Historical Resources, or the National Register.
- C. Conditional Use Permit in Effect. Except as provided by Section 17.~~06~~03.110 (Revocation), a use that was authorized by a conditional use permit before being disallowed by an amendment to this ~~title~~ Title shall be deemed a conforming use while the conditional use permit is in effect, and may continue in accordance with its terms and conditions, including any specified time limit.

§ 17.13.030 **Nonconforming Uses.**

- A. A nonconforming use may be continued or changed to a substantially similar use, except as restricted by this chapter. Uses that otherwise conform but fall short of off-street parking, loading, or stacking requirements are addressed in Section 17.~~38~~13.050.
- B. Change to a Different Nonconforming Use. The ~~director~~ Director may consider and approve, or conditionally approve, subject to appeal per Chapter 17.~~06~~03, a request to change a nonconforming use to a different nonconforming use that is not regulated by subsection A, upon making written findings that demonstrate the following facts and conditions:
 1. The degree of nonconformity will remain the same or be reduced;
 2. The proposed change creates no significant adverse environmental impact that cannot be mitigated;
 3. The proposed change will not adversely affect or be materially detrimental to adjoining properties and will not be more incompatible with the surrounding area.
- C. A nonconforming use shall not be enlarged or expanded to occupy additional floor area or portion of the site, or to increase its intensity, including hours of operation, beyond what existed at the time the use became nonconforming, unless a conditional use permit is first obtained in accordance with Chapter 17.~~40~~06b. Any residential use in a nonresidential zone shall comply with the development standards identified by the ~~director~~ Director to be most compatible

with the non-conforming residential on-site use and evaluated for compliance during the review process.

- D. There shall be no expansion of a nonconforming use onto any additional lot.
- E. Termination by Either Discontinuation or Abandonment. After a nonconforming use has ceased operation for two years, without regard to intent, any use of the same particular portion of the site shall comply with this ~~title~~ [Title](#).

§ 17.13.040 **Nonconforming Structures.**

- A. A nonconforming structure may be maintained and continued, except as restricted by this chapter.
- B. Maintenance, repair, and incidental alteration of a nonconforming structure are permitted. Incidental alteration may include adaptation to new technology.
- C. Expansion or enlargement of a nonconforming structure shall be permitted only in one or more of the following circumstances:
 - 1. The degree of nonconformity is not increased;
 - 2. It is approved in conjunction with the expansion of a nonconforming use in accordance with Section 17.~~38~~[13](#).030(B);
 - ~~3. A nonconforming wireless telecommunications facility may be enlarged if a conditional use permit is first obtained in accordance with Chapter 17.40 and the planning commission finds that the request complies with the Wireless Telecommunication Policy Statement approved by the planning commission;~~
 - [43](#). It is required by law.
- D. Residential Buildings. A nonconforming residential structure located in a residential zone may be continued and expanded as follows, provided that the ~~planning department~~ [Planning Department](#) determines that the new construction complies with the provisions of this ~~title~~ [Title](#) and results in bringing the building closer to conformity.
 - [a1](#). Structures with legally nonconforming setbacks may be expanded.
 - [b2](#). Structures with legally nonconforming height may be expanded.
 - [c3](#). Structures with legally nonconforming lot coverage or floor area ratio shall not be expanded.

- d4. Structures with legally nonconforming screening of roof-mounted equipment may be expanded; however, any alteration to the existing roof-mounted equipment shall comply with the provisions of this ~~title~~ [Title](#).
- e5. Unless otherwise provided in this ~~code~~ [Code](#), a single-family residence developed with a nonconforming setback may be expanded [into the nonconforming setback](#), provided the following can be shown:
 - ia. The [portion of the](#) expansion [within the nonconforming setback](#) is limited to a single-story structure;
 - ib. The [portion of the](#) expansion that encroaches into the nonconforming setback is no more than ~~two hundred~~ [200](#) square feet, or ~~twenty-five percent~~ [25%](#) of the existing dwelling excluding the garage, whichever is less;
 - ic. The addition, including the roof, shall be compatible with the architecture and materials of the existing dwelling;
 - id. The addition does not create an adverse impact on adjacent property.
- f6. A nonconforming structure, other than those subject to subsections (a) to (e) above, shall be completely removed or altered to structurally conform to the standards of the zone in which it is located.

- E. Replacement Following Involuntary Damage or Destruction. A nonconforming structure that is damaged or destroyed by a calamity beyond the control of the property owner, such as fire, flood, earthquake, transportation collision, or act of the public enemy, may be rebuilt as follows. However, nothing in this section shall be construed to confer any right to continue an unsafe structure, or portion of structure, as determined by the ~~department of building and safety~~ [Department of Building Safety](#).
 1. The replacement structure may substantially recreate the building envelope of the original building, including floor area, footprint, and number of dwelling units, provided the structure is contained within the property boundaries.
 2. The replacement structure shall comply with all applicable provisions of the building code and this ~~title~~ [Title](#) at the time of reconstruction. Reasonable adjustments may be permitted to provide for increased safety and accessibility.
 3. The ~~directors of the~~ departments of ~~planning and building and safety~~ [Planning and Building Safety](#) find that the replacement structure will not be detrimental or injurious to health, safety, or general welfare.

4. An application for building permit is submitted within one year after the damage occurs, or an extension of this time period has been granted.
- F. Termination by Voluntary Destruction. After the voluntary destruction of a nonconforming structure, except as permitted by subsection (B), any development of the site shall comply with this title.

§ 17.13.050 Nonconforming Parking.

- A. A use lawfully established, but which does not conform to the current off-street parking or loading requirements, may continue without providing such facilities.

B. If a new permitted use intends to replace an existing or former use with nonconforming parking, additional parking spaces shall be required only for the difference between the current required parking for the new use and the current required parking for the prior use.

- ~~BC.~~ If an existing building is altered so that there is an increase in the number of bedrooms, dwelling units, or floor area, additional parking spaces shall be required only for the increased floor area, units, or bedrooms.

§ 17.13.060 Nonconforming Signs.

- A. A nonconforming sign may be continuously maintained and repaired.
- B. Allowable Changes. The face or image of a nonconforming sign may be changed provided there is: (1) no increase to the sign area or dimensions; (2) no change in orientation or placement on the site; and (3) no removal of the supporting structure, such as poles or roof-mounted braces.
- C. Termination by Voluntary Removal—Replacement. An on-premises-~~or off-~~~~premises~~ sign structure that is voluntarily removed shall be replaced only with a sign structure that conforms to ~~this~~ Title. Any sign structure not used to display a sign or image for a period of two years shall be deemed voluntarily removed.

§ 17.13.070 Nonconforming Parcels.

- A. A parcel that does not comply with lot area, lot dimension, or street frontage provisions of this ~~title~~ Title shall be considered a legal building site if the ~~city~~ City has issued a certificate of compliance or conditional certificate of compliance in accordance with Title 16 of ~~the Hawthorne Municipal~~ this Code. Any development

or use of a nonconforming parcel shall comply with all other requirements of this ~~title~~ Title.

- B. Subdivision of a nonconforming parcel shall comply with state law and Title 16 of ~~the Hawthorne Municipal~~ this Code. The boundaries of a nonconforming parcel may be changed by lot line adjustment only if the degree of non-conformity remains the same or is reduced.

§ 17.13.080 **Abatement and Termination of** ~~nonconforming uses, structures and signs~~ Nonconformities **by City.**

- A. Notwithstanding any provision of this chapter, any ~~nonconforming use, structure or sign~~ nonconformity may be abated or terminated by the ~~city~~ City as set forth in this section, where the ~~planning commission~~ Planning Commission finds the presence of any of the following facts and conditions.

1. The subject is incompatible with its surroundings, or is detrimental to the use and enjoyment of other property, and cannot be modified to conform to the applicable zone district.
2. Significant environmental effects of the nonconformity cannot be mitigated.
3. The public health, safety, or general welfare is threatened by the continuation of the nonconformity.
4. The condition or use of the property constitutes a public nuisance.

The ~~planning commission~~ Planning Commission shall adopt a resolution specifying the conditions and time periods by which the subject nonconformity must be discontinued, removed from the site, altered to conform, or altered to increase the degree of conformity. Time periods shall commence on the effective date of the resolution.

- B. Notice, Hearing and Appeal. Notice of proceedings, hearings and appeals shall be conducted in accordance with the procedures set forth in Chapter 17.~~06~~03.
- C. Abatement Period—Factors. The ~~planning commission~~ Planning Commission shall notify the property owner and direct the ~~planning director~~ Director to study the subject nonconformity and prepare a report recommending an appropriate time for abatement or termination. Except in cases of public nuisance, a termination date shall be no sooner than one year after the date of the final written determination. Any abatement period or termination date established shall be based on consideration of the following factors:
 1. Relevant characteristics of the nonconformity;

2. If appropriate, an amortization schedule to provide for recovery of a reasonable percentage of the owner's investment;
 3. The time remaining on any lease that relies on the nonconformity;
 4. The salvage value and remaining useful life of the nonconformity;
 5. The public interest in eliminating, and the harm in continuing, the nonconformity, balanced against the private loss.
- D. Enforcement. The ~~city~~ City shall enforce this chapter in accordance with ~~Section 17.12.030 (Enforcement), Section 17.35.410 (Enforcement), or any other authorized~~ any method authorized by the Code.

SECTION 51. Chapter 17.20a (R-1) shall be amended as follows:

§ 17.20a.010 **Purpose.**

The principal objective and purpose to be served by this classification and its application are to create a living environment of the highest standards for single-family detached dwellings by means of the standards and requirements set forth herein with regard to minimum lot area, lot dimensions, yards, setbacks, and open spaces required to be maintained. ~~However, in this classification a distinction is made based on lots containing an area of eight thousand square feet or more, where a detached or attached accessory dwelling unit is permitted as defined in Section 17.30.130.~~ A related consideration for the ~~city~~ City in establishing these standards and requirements is to more efficiently and economically design, install, and maintain public service facilities in terms of size and capacity to adequately and permanently meet the needs resulting from the intensity of land use allowed in this zoning classification.

§ 17.20a.020 **Permitted Uses and General Standards.**

All uses and structures in the R-1 ~~Low Density~~ Low-density Residential classification shall comply with the standards and requirements of the table below.

Table of Uses and General Standards for R-1 Zone¹

	Minimum Lot Size	Minimum Lot Width	Minimum Lot Depth	Minimum Front Setback ²	Side Setback Interior ³ / Street ⁴	Minimum Rear Setback ⁵	Maximum Lot Coverage	Maximum Building Height ⁶	Minimum Open Space Per Unit ⁷	
Single-family detached dwelling	5,000	50	100	15	5/40 ⁵	5	50%	22	—	
Accessory dwelling unit (ADU)	See 17.24 California Government Code §§66310-66342									
Two-unit residential development	See 17.40134a									
Libraries	5,000	50	100	15	5/10	5	50%	22	—	
Mobile home (17.20.140)	5,000	50	100	15	5/10	5	50%	12	—	
Place of worship (17.20.140) Assembly uses (CUP)	5,000	50	100	15	5/40 ⁵	5	—	—	—	
Planned unit development 2 units only	8,000	50	100	15	5/10	5	75%	22	500	
Public utility facility (17.20.180) (CUP)	5,000	50	100	15	5/10	5	50%	12	—	
Schools, (public or nonprofit private) (17.20.210)	See 17.20 =	—	—	15	5/10	30	30%	22	—	
Small and large family day care home (17.73.030) (CUP required for large)	5,000	50	100	15	5/40 ⁵	5	50%	22	—	
Accessory buildings (17.20.160)	—	—	—	—	5/10 ⁷	5 ⁷	50%	12	—	
Short-term rental (17.74)	See 17.2024e-190									
Home occupation (17.72)	See 17.40134a									
Employee housing	Subject only to those restrictions that apply to other residential uses of the same type in this zone (e.g. single-family detached, ADU unit).									
Residential care facility, small										
Supportive housing										
Transitional housing										
CUP=Conditional Use Permit required; — = Not Applicable										
Notes:										
¹ Units are feet except lot size and open space, which are square feet.										
² For garage facing street, minimum setback of 18 feet required.										
³ Side setback is 10% of lot width up to 5 feet, but not less than 3.5 feet.										
⁴ Side yard adjacent to a street shall have a minimum width of 20% of lot width, up to 10 feet. An additional setback of 5 feet shall apply to the second story adjacent to a street-side yard.										
⁵ On through lots the rear setback shall be the same as required for front setback.										
⁶ Twelve feet maximum on lots less than 40 feet average width and less than 5,000 square feet.										
⁷ May be built to lot line provided the structure's walls have a minimum one-hour fire rating and no windows or doors within three feet of a lot line.										

§ 17.20a.030 **Prohibited uses.**

Commercial cannabis cultivation, manufacturing, distribution, and retail business, except where the ~~city~~ City is prohibited by federal or state law from enacting a prohibition on any such activity.

SECTION 52. Chapter 17.20b (R-2) shall be amended as follows:

§ 17.20b.010 **Purpose.**

The principal objective and purpose to be served by this classification and its application are to permit a limited increase in population density in those areas to which this classification applies by permitting two-family dwelling units on a lot while, at the same time, by means of the standards and requirements set forth herein, maintaining a desirable family living environment by establishing a minimum lot area, lot dimensions, yards, setbacks, and open spaces proportionate to the size of the lot. A related consideration for the ~~city~~ City in establishing these standards and requirements is to more efficiently and economically design, install, and maintain public service facilities in terms of size and capacity to adequately and permanently meet the needs resulting from the intensity of land use allowed in this zoning classification.

§ 17.20b.020 **Permitted Uses and General Standards.**

All uses and structures in the R-2 ~~Medium-Density~~ Medium-density Residential classification shall comply with the standards and requirements of the table below.

Table of Uses and General Standards for R-2 Zone¹

	Minimum Lot Size	Minimum Lot Width	Minimum Lot Depth	Minimum Front Setback ²	Side Setback Interior ³ / Street ⁴	Minimum Rear Setback ⁵	Maximum Lot Coverage	Maximum Building Height ⁶	Minimum Open Space Per Unit
Uses permitted in R-1 subject to R-1 standards	See 17.1420a (R-1) and 17.1620b (R-2)								
Two-family dwelling (duplex)	7,000	50	100	15	5/10	5	50%	22 ⁶	1,000
Planning unit development (min. 3 units)(CUP)	3,630/unit	50	100	15	5/10	5	75%	22	500 ⁷
Lodging and boarding houses	8,000	50	100	15	5/10	5	50%	12	500
Employee housing	Subject only to those restrictions that apply to other residential uses of the same type in this zone.								
Residential care facility, small									
Supportive housing									
Transitional housing									
CUP=Conditional Use Permit required; — = Not Applicable									
Notes:									
¹ Units are feet except lot size and open space, which are square feet.									
² For garage facing street, minimum setback of 18 feet required.									
³ Side setback is 10% of lot width up to 5 feet, but not less than 3.5 feet.									
⁴ Side yard adjacent to a street shall have a minimum width of 20% of lot width, up to 10 feet.									
⁵ On through lots the rear setback shall be the same as required for front setback.									
⁶ Twelve feet maximum on lots less than 40 feet average width and less than 5,000 square feet.									
⁷ Not more than 50% may be private open space.									

§ 17.20b.030 **Prohibited Uses.**

~~Marijuana~~ Commercial cannabis cultivation, ~~marijuana~~ processing, ~~marijuana~~ delivery, except as authorized in Section 17.9034d.070, and ~~marijuana~~ cannabis dispensaries, except where the ~~city~~ City is prohibited by federal or state law from enacting a prohibition on any such activity.

SECTION 53. Chapter 17.20c (R-3) shall be amended as follows:

§ 17.20c.010 **Purpose.**

The principal objective and purpose to be served by this classification and its application are to establish areas permitting a greater population density than is allowed in more restrictive classifications, and to permit accommodations and care for a limited number of individuals who may or may not constitute a family unit as defined in this ~~title~~ Title while, at the same time, by means of the standards and requirements set forth herein, maintaining a desirable family living environment by establishing a minimum lot area, lot dimensions, yards, setbacks and open spaces proportionate to the size of the lot. A related consideration for the ~~city~~ City in establishing these standards and requirements is to more efficiently and economically design, install, and maintain public service facilities in terms of size and capacity to adequately and permanently meet the needs resulting from the intensity of land use allowed in this zoning classification.

§17.20c.020 **Permitted Uses and General Standards.**

All uses and structures in the R-3 ~~High-Density~~ High-density Residential classification shall comply with the standards and requirements of the table below.

Table of Uses and General Standards for R-3 Zone¹

	Minimum Lot Size	Minimum Lot Width	Minimum Lot Depth	Minimum Front Setback ²	Side Setback Interior ³ / Street ⁴	Minimum Rear Setback ⁵	Maximum Lot Coverage	Maximum Building Height ⁶	Minimum Open Space Per Unit ⁷
Uses permitted in R-1 or R-2 subject to standards of that zone	See 17.1420a (R-1) and 17.1620b (R-2)								
Multifamily dwelling units (min. 3 units)	1,452/unit	50	100	15	5/10	5	80%	45	150
Fire station	5,000	50	100	15	5/10	5	60%	22	—
Public parking	5,000	50	100	15	0	0	—	0	—
Residential care facility, large (CUP)	See 17.20.19034a.020								
Single-room occupancy	See 17.10134a.040								
Employee housing	Subject only to those restrictions that apply to other residential uses of the same type in this zone.								
Residential care facility, small									
Supportive housing									
Transitional housing									
CUP=Conditional Use Permit required; — = Not Applicable									
Notes:									
¹ Units are feet except lot size and open space, which are square feet.									
² For garage facing street, minimum setback of 18 feet required.									
³ Side setback is 10% of lot width up to 5 feet, but not less than 3.5 feet.									
⁴ Side yard adjacent to a street shall have a minimum width of 20% of lot width, up to 10 feet.									
⁵ On through lots the rear setback shall be the same as required for front setback.									
⁶ Twelve feet maximum on lots less than 40 feet average width and less than 5,000 square feet.									
⁷ Not more than 50% may be private open space.									

§ 17.20c.030 **Prohibited Uses.**

~~Marijuana~~ Commercial cannabis cultivation, ~~marijuana~~ processing, ~~marijuana~~ delivery, except as authorized in Section 17.9034d.070, and ~~marijuana~~ cannabis dispensaries, except where the ~~city~~ City is prohibited by federal or state law from enacting a prohibition on any such activity.

SECTION 54. Chapter 17.20d (R-4) shall be amended as follows:

§ 17.20d.010 **Purpose.**

The principal objectives and purposes to be served by this classification and its application are: establish areas for multifamily residential development consistent with the ~~general plan~~ General Plan and with the standards of public health, safety, and welfare established by ~~the municipal code~~ this Code; provide an adequate supply and range of housing types to accommodate the ~~city's~~ City's future population growth; ensure adequate light, air, privacy, and open space for each dwelling; protect residential areas from public safety hazards; provide sites for public or semi-public land uses needed to complement residential development or requiring a residential environment; and ensure the provision of public services and facilities needed to accommodate the residential population.

§ 17.20d.016 **Floor Area Ratio.**

In addition to density and other limitation within this chapter ~~and in Appendix B~~, residential developments in R-4 shall be limited to a floor area ratio of 1:3, as calculated over the entire project area, ~~excluding parking areas~~.

§ 17.20d.017 **Design and Development Standards.**

The property development standards set forth in ~~Appendix B to Chapter 17.21 of this title Title, Design Guide for Highest Density Residential and Mixed Use Development, Chapter 17.22~~ shall apply to all multifamily developments in the R-4 ~~Maximum Density Residential Classification~~ Maximum-density Residential classification.

§ 17.20d.020 **Permitted Uses and General Standards.**

All uses and structures in the R-4 ~~Medium-Density~~ Maximum-density Residential classification shall comply with the standards and requirements of the table below.

Table of Uses and General Standards for R-4 Zone¹

	Minimum Lot Size	Minimum Lot Width	Minimum Lot Depth	Minimum Front Setback ²	Side Setback Interior ³ / Street ⁴	Minimum Rear Setback ⁵	Maximum Lot Coverage	Maximum Building Height ⁶	Minimum Open Space Per Unit ⁷
Uses permitted in R-1, R-2, or R-3 subject to standards of that zone	See 17. 14 20a (R-1), 17. 16 20b (R-2), and 17. 18 20c (R-3)								
Multifamily dwelling units (min. 3 units)	1,452/unit	50	100	15	5/10	5	80%	60	150
Hospital (CUP) excluding animal hospitals	5,000	50	100	15	5/10	5	—	22	—
Mobile home park (CUP)	5 acres	50	100	15	0	0	—	22	—
Private clubs (CUP)	5,000	50	100	15	5/10	5	—	22	—
Single-room occupancy	See 17. 10 34a.040								
Residential care facility, large (CUP)	See 17. 20 19034a.020								
Employee housing	Subject only to those restrictions that apply to other residential uses of the same type in this zone.								
Residential care facility, small									
Supportive housing									
Transitional housing									
CUP=Conditional Use Permit required; — = Not Applicable									
Notes:									
¹ Units are feet except lot size and open space, which are square feet.									
² For garage facing street, minimum setback of 18 feet required.									
³ Side setback is 10% of lot width up to 5 feet, but not less than 3.5 feet.									
⁴ Side yard adjacent to a street shall have a minimum width of 20% of lot width, up to 10 feet.									
⁵ On through lots the rear setback shall be the same as required for front setback.									
⁶ Twelve feet maximum on lots less than 40 feet average width and less than 5,000 square feet.									
⁷ Not more than 50% may be private open space.									

§ 17.20d.021 **Security requirements.**

- A. ~~The security~~ Security standards ~~of included in~~ Chapter 17.2021a shall apply to all multifamily development projects in the R-4 ~~maximum density residential~~ Maximum-density residential zone.
- B. The applicant for approval of a project that includes residential condominiums shall ensure that the covenants, conditions, and restrictions that are recorded for the project require owners of individual condominium units to comply with the ~~city's crime-free multifamily housing program~~ City's Crime-free Multifamily Housing Program and that they include a crime-free lease addendum, in the form that is on file with and approved by the ~~city~~ City.
- C. The owner of property for a new residential apartment project shall ensure that a covenant is recorded against the property ensuring that the property owner, and each successor in interest, comply with the ~~city's crime-free multifamily housing program~~ City's Crime-free Multifamily Housing Program and that the owner and successor require tenants to execute a crime-free lease addendum, in the form that is on file with and approved by the ~~city~~ City.

§ 17.20d.030 **Prohibited uses.**

~~Marijuana~~ Commercial cannabis cultivation, ~~marijuana~~ processing, ~~marijuana~~ delivery, except as authorized in Section 17.9034d.070, and ~~marijuana~~ cannabis dispensaries, except where the ~~city~~ City is prohibited by federal or state law from enacting a prohibition on any such activity.

SECTION 55. Section 17.21.010 (Supplementary Use and Bulk Requirements) of Chapter 17.21 (Development Standards for All Residential Zones) shall be deleted in its entirety.

SECTION 56. Section 17.21.025 (Building Height) of Chapter 17.21 (Development Standards for All Residential Zones) shall be amended as follows:

§ 17.21.025 **Building Height.**

Building height shall be limited to the measurement indicated in the Use and Bulk Table and the permitted number of stories. Buildings limited to ~~twelve~~ 12 feet in height shall not be greater than one story ~~in height~~. Buildings limited to ~~twenty-two~~ 22 feet in height shall not be greater than two stories ~~in height~~. Buildings limited to ~~fifty~~ 50 feet in height

shall not be greater than four stories ~~in height. "Building height" is defined in Section 17.04.135 and "Story" is are defined in Section 17.04.600 Chapter 17.02.~~

SECTION 57. Subsection (D) of Section 17.21.030 (Permitted Intrusions into Required Yards) of Chapter 17.21 (Development Standards for All Residential Zones) shall be amended as follows:

- D. Planting boxes or masonry planters not exceeding three feet in height may extend into any required front yard. Such height limitation does not apply to plants contained in the planter boxes except as set forth in Section 17.4206e.090 with regard to vision clearance, corner, reverse corner, and key lots.

SECTION 58. Subsection (G) of Section 17.21.030 (Permitted Intrusions into Required Yards) of Chapter 17.21 (Development Standards for All Residential Zones) shall be amended as follows:

- G. Walls, fences, and hedges are permitted in any required yard, but shall comply with Section 17.4206e.090 with regard to vision clearance, corner, reverse corner and key lots. Shrubs, plants, trees, mail boxes and ornamental lighting standards that do not exceed four inches in diameter or six inches square, are permitted in any required yard except as set forth in Section 17.4206e.090 with regard to vision clearance, corner, reverse corner and key lots.

SECTION 59. Subsection (L)(4) of Section 17.21.030 (Permitted Intrusions into Required Yards) of Chapter 17.21 (Development Standards for All Residential Zones) shall be amended as follows:

- 4. Freestanding features such as bird baths, small grottos, fountains and sculptures, are not to exceed four feet in height. Portable sports equipment such as freestanding basketball hoops, baseball pitchbacks, and soccer kickbacks are not subject to the height restriction of this section. ~~Other restrictions or requirements for freestanding features may apply. See Hawthorne Municipal Code Section 17.20.030;~~

SECTION 60. Section 17.21.060 (Placement of Buildings and Structures) of Chapter 17.21 (Development Standards for All Residential Zones) shall be amended as follows:

§ 17.21.060 **Placement of Buildings and Structures.**

- A. The distance between a building containing a dwelling unit and any other buildings or structures on the same lot shall be not less than six feet.
- B. An accessory dwelling unit or junior accessory dwelling unit pursuant to ~~Chapter 17.21~~ [the development standards and review procedures in Government Code §§ 66310 – 66342.](#)
- C. All buildings, structures, or fences shall maintain a distance of not less than ten feet from the center line of an alley. A garage with a vehicular entrance from an alley shall maintain a minimum turning radius of ~~twenty-six~~ [25](#) feet, as measured from the far right-of-way line of the alley.

SECTION 61. Subsection (A)(5) of Section 17.21.090 (Recreational Open Space) of Chapter 17.21 (Development Standards for All Residential Zones) shall be amended as follows:

- 5. All landscaped open space areas shall comply with requirements of Section 17.~~2021a~~.100.

SECTION 62. Section 17.21.100 (Landscaping) of Chapter 17.21 (Development Standards for All Residential Zones) shall be amended as follows:

§ 17.21.100 **Landscaping.**

- A. The required front yard, required street side yard of corner lots, required street side yard of reverse corner lots, and required rear yard on through lots of all residentially zoned properties and residentially used properties in all other zoning classifications shall be fully landscaped, exclusive of permitted driveways and walkways. Such landscaped areas shall not count as part of the recreational open space required in Section 17.~~2021a~~.090.
- B. A detailed landscaping plan in compliance with Chapter 17.~~8910e~~, Water Efficient Landscaping, shall be submitted for approval to the ~~planning director~~ [Director](#) at the time plans are submitted for plan check. Landscaped areas, excluding curbs, mow strips, and other encroachments, shall be permanently maintained with landscaping materials per the approved landscaping plans. Planting materials in moveable containers do not count toward meeting the landscaping requirements.
- C. All landscaping and irrigation must comply with water efficiency standards detailed in Chapter 17.~~8910e~~, Water Efficient Landscaping, of this ~~title~~ [Title](#).

Common recreational open space required in Section 17.~~2021a~~.090 shall be exempt from this requirement.

SECTION 63. Subsection (B) of Section 17.21.160 (Accessory Buildings, Structures and Uses) of Chapter 17.21 (Development Standards for All Residential Zones) shall be renamed and amended as follows:

§ 17.21.160 **Accessory Buildings, and Structures, ~~and Uses~~.**

- B. There is no minimum required distance between accessory buildings and structures, other than those specified in Section 17.~~2021a~~.060.

SECTION 64. Subsection (C) of Section 17.21.230 (Open-air Public Parking Areas) of Chapter 17.21 (Development Standards for All Residential Zones) shall be amended as follows:

- C. The minimum front yard depth required by ~~this classification~~ the development standards for the zone shall be maintained and a masonry wall or equivalent view-obscuring fence of solid brick or decorative block, not less than ~~three and one-half~~ 3.5 feet nor greater than six feet in height, shall be placed on the rear line of the required front yard across the entire width of the lot except where entrance/exit facilities are specifically allowed by this subsection; and such front yard shall be permanently landscaped between the fence or wall and the front property line. All landscaping and irrigation must comply with Chapter 17.~~8910e~~, ~~Water Efficient~~ Landscaping, of this ~~title~~ Title. In addition, a solid fence or wall six feet in height shall be erected and maintained to the rear of the required front yard on any boundary line, except on corner or reverse corner lots, the wall shall be located on the inside side of the required street side yard setback line; provided further, that on that portion of the common property line constituting the depth of the required front yard, such fence or wall shall be ~~three and one-half~~ 3.5 feet in height.

SECTION 65. Subsection (A) of Section 17.21.280 (Assembly Halls) of Chapter 17.21 (Residential Development Standards) shall be amended as follows:

- A. Parking requirements for assembly halls shall conform to Chapter 17.10f, Section 17.~~58.030(B)(2)~~10f.020(C)(2), ~~one space for every three fixed seats and one space for every one hundred square feet of gross floor area where there are no fixed seats. A listing of all uses, their location within the facility, the number of~~

~~adults projected to attend, and the days of the week and times of day for all functions shall be submitted as part of the conditional use permit application.~~

SECTION 66. Subsection (C)(5) of Section 17.21.300 (Safety and Design Standards for R-3 and R-4 Zones) of Chapter 17.21 (Development Standards for All Residential Zones) shall be amended as follows:

5. Trash bins must be located within a masonry structure or other approved solid trash enclosure (see Chapter 17.5410d, Trash Storage). The enclosure shall not be constructed in a manner that creates clandestine places. Recommended enclosure locations include inside parking areas, or at the end of parking bays. Location shall be conveniently accessible for trash trucks.

SECTION 67. Section 17.22.010 (Introduction) of Chapter 17.22 (Residential Design Standards) shall be added as follows:

§ 17.22.010 **Introduction.**

- A. Purpose and Intent. The purpose of the design standards of this chapter is to provide the public, building and design professionals, and decision-makers with objective criteria for eligible residential and mixed-use development in the ~~city~~ [City](#). The intent is to provide clear design direction that enhances an area's unique character and sense of place, respects existing neighborhood compatibility and privacy, and ensures a high-quality living environment.
- B. Applicability. The provisions of this chapter apply to: [any multi-family or mixed-use development with at least four residential dwelling units, excluding any ADUs.](#)
 - ~~1. Senate Bill 35 projects (California Government Code Section 65913.4). In addition to criteria established by the California Government Code, the project must be a multi-unit housing development containing at least two or more new residential units, or a mixed-use project where at least two-thirds of the square footage is dedicated to residential use. SB 35 projects are subject to a ministerial, streamlined approval process.~~
 - ~~2. Senate Bill 330 projects (California Government Code Sections 65589.5 and 65920). In addition to criteria established by the California Government Code, the project may be residential only, mixed-use where at least two-thirds of the square footage is dedicated to residential use, or transitional, supportive, emergency, or farmworker housing. SB 330 projects are entitled to a preliminary application process prior to filing a complete application.~~

3. ~~Assembly Bill 2011 projects (California Government Code Sections 65400 and 65585). In addition to criteria established by the California Government Code, the project must be located within a zone where office, retail, or parking is a principally permitted use. AB 2011 projects are subject to a ministerial, streamlined approval process.~~
4. ~~Assembly Bill 2162 projects (California Government Code Sections 65583 and 65650). In addition to criteria established by the California Government Code, the project must be a supportive housing development located in a zone where multi-unit or mixed-use is permitted.~~
5. ~~Senate Bill 6 projects (California Government Code Sections 65913.4 and 65852.24). In addition to criteria established by the California Government Code, the project must be located within a zone where office, retail, or parking is a principally permitted use; and no part of the project is designated for hotel, motel, or other transient lodging use.~~
6. ~~All other residential or mixed-use projects made eligible by Chapter 17.85, HO Housing Overlay, or state law and which are required to meet objective standards.~~

- C. Consistency with Objective Standards. Projects shall comply with all objective City policies, development standards, and design standards as established in the General Plan and ~~the Hawthorne Municipal~~ [this](#) Code.
1. Exception. Any concessions, incentives, or waivers of development standards pursuant to Chapter 17.4706d, Residential Density Bonus and other incentives of this ~~title~~ [Title](#).
 2. Conflicting Standards. Projects subject to this chapter must meet objective standards in this chapter in addition to all pertinent requirements elsewhere in this ~~title~~ [Title](#). Where there is a conflict between these objective standards and existing ~~city~~ [City](#) or state standards, the more restrictive and objective standard shall apply.
- D. Permit Required. Any eligible project processed pursuant to this chapter shall require a ~~land-use~~ [building](#) permit. Administrative plan review of projects processed pursuant to this chapter shall be conducted by ~~city~~ [City](#) staff and shall only include consistency with adopted objective design standards.

SECTION 68. Subsection (B) of Section 17.22.050 (Utilitarian Elements) of Chapter 17.22 (Residential Design Standards) shall be added as follows:

- B. Trash, Recycling, and Green Waste Container Enclosures. Enclosures for recycling, green waste, and any other waste containers required by law are required for multiple-unit and mixed-use developments, and shall comply with the provisions of Section 17.5410d.010, Required trash, recycling, and organics

storage area, of this ~~title~~ [Title](#). Enclosures shall be located within a building, incorporated into the exterior building design, or located within a detached enclosure designed and placed as follows:

1. Location. The enclosure shall be located to the rear or side of ~~the~~ building~~(s)~~ and located outside of view from a public right-of-way.
2. Materials. The enclosure shall incorporate the same materials and colors of the primary residential or mixed-use building design.

SECTION 69. Subsection (C) of Section 17.22.050 (Utilitarian Elements) of Chapter 17.22 (Residential Design Standards) shall be added as follows:

- C. Fences and Walls. Fences and walls shall comply with the provisions of Section 17.~~4810b~~.020, ~~Fences, freestanding walls, and hedges,~~ of this ~~title~~ [Title](#).

SECTION 70. Chapter 17.24b (Accessory Dwelling Units) shall be added as follows:

Chapter 17.24b. ACCESSORY DWELLING UNITS

The City of Hawthorne shall abide by the development standards and review procedures in Government Code §§ 66310 – 66342 until the City adopts its own Accessory Dwelling Unit Ordinance.

SECTION 71. Section 17.24c.030 (Application Procedure) of Chapter 17.24c (Home Occupations) shall be amended as follows:

§ 17.24c.030 Application Procedure.

An application for permission to conduct a home occupation shall be made by submitting a completed home occupation application to the ~~planning department~~ [Planning Department](#). Within ~~thirty~~ 30 days after the date on which the completed application is filed, the ~~planning department~~ [Planning Department](#) shall administratively review the application to determine if the proposed use meets all the requirements set forth in Section 17.~~7224c~~.040. If it is determined that all such requirements are met, then the ~~planning department~~ [Planning Department](#) shall issue the permit.

Following the approval of a home occupation permit, a business license must be obtained from the ~~business license department~~ [Business License Department](#) in accordance with Title 5 (Business Regulations and Licenses) of ~~the Hawthorne Municipal~~ [this](#) Code, in order to conduct the home occupation.

SECTION 72. Section 17.24c.060 (Right to Appeal) of Chapter 17.24c (Home Occupations) shall be amended as follows:

§ 17.24c.060 Right to Appeal.

The applicant may appeal the ~~planning department's~~ Planning Department's decision to deny or revoke a home occupation permit to the ~~planning commission~~ Planning Commission. The ~~planning commission~~ Planning Commission shall either approve the application with conditions or deny the application based on its findings. The decision of the ~~planning commission~~ Planning Commission shall be final unless it is appealed to the ~~city council~~ City Council. The appeal process shall be governed pursuant to the provisions set forth in Sections 17.~~4006b~~.190 to 17.~~4006b~~.220.

SECTION 73. Section 17.24c.070 (Revocation) of Chapter 17.24c (Home Occupations) shall be amended as follows:

§ 17.24c.030 Revocation.

The ~~director of planning~~ Director may, at any time, revoke a home occupation permit for noncompliance or for any violation of the conditions set forth in granting such approval. A written notice of intention to revoke shall be mailed to the applicant not less than ~~ten~~ 10 days before the revocation. The applicant may appeal the decision to revoke the home occupation permit to the ~~planning commission~~ Planning Commission pursuant to the procedures set forth in Section 17.~~7224c~~.060.

SECTION 74. Chapter 17.24d (Family Day Care Homes) shall be amended as follows:

§ 17.24d.010 Family Day Care Home.

"Family day care home" means a single-family home in a residential zone in which nonresidential, nonmedical care, protection, and supervision is provided to children under the age of ~~eighteen~~ 18 on less than a ~~twenty-four~~ 24-hour basis by a provider licensed by the state of California in the provider's own home. The family day care homes governed by this chapter are either small family day care homes or large family day care homes as defined in Sections 17.~~7304e~~.020 and 17.~~7304e~~.030.

§ 17.24d.020 Small Family Day Care Homes.

- A. "Small family day care home" means a home licensed by the state of California that provides family day care to six or fewer children, or up to eight children, including children under the age of ~~ten~~ 10 years who reside at the home, when all of the following conditions are met: at least one child is enrolled in and attending

kindergarten or elementary school and a second child is at least six years of age; no more than two infants are cared for during any time when more than six children are being cared for; and the licensee has notified each parent that the facility is caring for two additional school age children and that there may be up to seven or eight children in the home at one time.

- B. Small family day care homes shall be considered a residential use of property and shall be a permitted use in all zones in which single-family residential uses are a permitted use: provided that when the family day care home is on leased or rented property, that the licensee has obtained the written consent of the property owner.

§ 17.24d.030 **Large Family Day Care Homes.**

- A. "Large family day care home" means a home that provides care, protection, and supervision for no more than ~~twelve~~ 12 children or up to and including ~~fourteen~~ 14 children including children under ~~ten~~ 10 years of age who reside in the home, when all of the following conditions are met: at least one child is enrolled in and attending kindergarten or elementary school and a second child is at least six years of age; no more than three infants are cared for during any time when more than ~~twelve~~ 12 children are being cared for; and the licensee notifies the parents that the facility is caring for two additional school age children and that there may be up to ~~thirteen~~ 13 or ~~fourteen~~ 14 children in the home at one time.
- B. Large family day care homes shall be permitted in single-family residential zones subject to first obtaining a large family day care home permit.
 - 1. The applicant for a large family day care home permit shall apply to the ~~planning department~~ Planning Department for a large family day care home permit.
 - 2. The application shall be granted provided that it meets all of the following requirements and the applicant accepts all the conditions set forth in Section 17.~~73~~24d.030(C):
 - a. There is not another large family day care home within ~~three hundred~~ 300 linear feet of an existing permitted large family day care home;
 - b. The proposed large family day care home can be operated in conformity with the ~~city's~~ City's adopted noise standards;
 - c. There is adequate parking for one nonresident employee. The applicant's driveway shall be sufficient for this purpose provided that the use of the driveway will not block the public sidewalk right-of-way or the public street and all traffic laws are obeyed. Where street parking is available for residential uses, that shall be

sufficient for this purpose provided that all traffic and parking regulations are obeyed;

- d. There is adequate parking for loading and unloading of children. The applicant's driveway shall be sufficient for this purpose provided that the use of the driveway will not block the public sidewalk right-of way of way or the public street and all traffic laws are obeyed. Where street parking is available for residential uses, that shall be sufficient for this purpose provided that all traffic and parking regulations are obeyed and double parking is prohibited.

C. All large family day care home permits shall be conditioned upon:

1. A license issued to the provider to operate a large family day care home by the state of California for the location specified in the application;
2. The provider distributes to all persons utilizing the services of the large family day care home a notice of procedures for loading and unloading children;
3. Compliance with the ~~city's~~ City's adopted noise standards;
4. Continued availability of a parking space in the provider's driveway or on the street for one employee;
5. Continued availability of driveway or street parking sufficient for loading and unloading children;
6. Compliance of the provider, any employees and all persons utilizing the services of the day care home with all applicable parking and traffic laws and regulations;
7. If the provider does not own the home in which the large family day care home is to be operated and care is provided for more than ~~twelve~~ 12 and unto and including ~~fourteen~~ 14 children, the provider must obtain the written consent of the property owner.

§ 17.24d.040 Applications for Large Family Day Care Home Permits.

- A. The ~~planning director~~ Director shall have ~~thirty~~ 30 days in which to determine whether an application for a large family day care home permit is complete and shall notify the applicant within that time period if the application is not complete.

A notice that an application is not complete shall be in writing and specify the matters needed to complete the application.

- B. The ~~planning director~~ Director shall have ~~thirty~~ 30 days after determining, the application is complete in which to determine whether to grant or deny the application.
- C. Not less than ~~ten~~ 10 days prior to the date on which the ~~planning, director~~ Director intends to issue a decision granting an application for a large family day care home permit, the ~~planning director~~ Director shall give individual mailed or hand-delivered notice thereof to all affected persons. As used in this chapter, "affected persons" shall mean persons shown on the last equalized assessment roll as owning real property within a ~~one hundred~~ 100-foot radius of the exterior boundaries of a proposed large family day care home. Notice shall not be given to persons residing outside that ~~one hundred~~ 100-foot radius.
- D. No hearing shall be held on the application unless a hearing is requested by an affected person within ~~ten~~ 10 days of the date on which notice of the intended decision was placed in the mail to that person. If an affected person requests a hearing, the matter shall be set for hearing before the ~~planning commission~~ Planning Commission as an appeal from the decision of the ~~planning director~~ Director granting the permit within ~~forty-five~~ 45 days of the date on which the request was filed. Notice of the hearing shall be given in the manner set forth above in Section 17.~~7324d~~.040(C) and shall be limited to affected persons and the applicant.
- E. If no hearing is requested, the ~~planning director~~ Director shall issue a written decision granting or denying the application within five days after the time for affected persons to request a hearing has elapsed. The decision shall be sent to the applicant by first class mail, shall specify the grounds for any denial of an application and shall inform the applicant of the right to appeal the decision to the ~~planning commission~~ Planning Commission and that any such appeal must be filed, within ~~fifteen~~ 15 days of the date on which written notice of the denial was placed in the mail to the applicant.
- F. Appeal to the Planning Commission. Any appeal from a decision of the ~~planning directors~~ Director, including a request for a hearing filed by an affected person pursuant to Section 17.~~7324d~~.040(D), shall be set for hearing before the ~~planning commission~~ Planning Commission within ~~forty-five~~ 45 days of the filing of the appeal. In considering the appeal, the ~~planning commission~~ Planning Commission shall be limited to determining whether the applicant has met the conditions for granting a permit set forth in Section 17.~~7324d~~.030(B). An application that meets those requirements shall be granted subject to the conditions set forth in Section 17.~~7324d~~.030(C). The decision of the ~~planning commission~~ Planning Commission shall be set forth in a written resolution

adopted by the commission and the resolution shall contain findings of fact explaining the ground(s) for the ~~commission's~~ Commission's decision.

- G. Appeal to the City Council. The applicant and any affected person may appeal the decision of the ~~planning commission~~ Planning Commission to the ~~city council~~ City Council.
1. Any such appeal must be filed within ~~ten~~ 10 days of the date on which the ~~planning commission's~~ Planning Commission's resolution making its decision is adopted.
 2. The appeal shall be set for hearing before the ~~city council~~ City Council within ~~forty-five~~ 45 days of the date on which it is filed. Notice of the hearing shall be limited to affected persons and the applicant.
 3. In considering the appeal, the ~~city council~~ City Council shall be limited to determining whether the application meets the requirements set forth above in Section 17.~~7324d~~.030(B)(2). If those requirements have been met, the permit shall be granted subject to the conditions set forth in Section 17.~~7324d~~.030(C).
 4. The decision of the ~~city council~~ City Council shall be set forth in a written resolution that sets forth the findings of fact explaining the decision and the resolution shall be sent to the applicant by first class mail together with a certificate of mailing showing the date on which it was placed in the mail to the applicant.

§ 17.24d.050 **Revocation of a Large Family Day Care Home Permit.**

- A. Upon discovery that a provider is in violation of a condition of the permit, the ~~planning director~~ Director shall give written notice to the provider by first class mail that ~~he or she is~~ they are in violation of the large family day care home permit issued by the ~~city~~ City. The notice shall specify the nature of the violation and inform the provider that if the violation is not cured within ~~thirty~~ 30 days or within any extension of that period allowed by the ~~planning director~~ Director, the ~~city~~ City will initiate revocation proceedings. An extension of time to cure the violation may be granted upon a finding that the provider has taken good faith steps to cure the violation and is making substantial progress toward curing the violation.
1. If the violation is not cured within ~~thirty~~ 30 days, or any extension of time granted by the ~~planning director~~ Director, the provider shall be given at least ~~twenty~~ 20 days' notice, by first class mail to the provider's address, of a ~~planning commission~~ Planning Commission hearing to consider revocation of the permit. Notice of the revocation hearing shall be limited to the provider and affected persons and shall be given in the manner specified in Section 17.~~7324d~~.040(C). The provider shall have the burden

of showing that it was not in violation or that it has cured the violation and will be able to continue to operate in full compliance with the conditions of the permit. The ~~planning commission~~ Planning Commission may revoke the permit unless the provider demonstrates that it was not in violation or has cured the violation and will be able to continue to operate in full compliance with the conditions of the permit.

2. The decision of the ~~planning commission~~ Planning Commission shall be set forth in a written resolution containing findings explaining the basis of its decision. The ~~planning commission's~~ Planning Commission's decision may be appealed to the ~~city council~~ City Council by the affected person. Any such appeal must be filed within ~~fifteen~~ 15 days of the date the ~~planning commission's~~ Planning Commission's resolution is adopted. A copy of the resolution shall be sent to the provider by first class mail together with a notice informing the provider that the ~~commission's~~ Commission's decision is appealable to the ~~city council~~ City Council and that any such appeal must be filed within ~~fifteen~~ 15 days of the date on which the resolution was adopted.

B. An appeal of the ~~planning commission's~~ Planning Commission's decision shall be set for hearing before the ~~city council~~ City Council within ~~forty-five~~ 45 days of the date on which the appeal was filed. Notice of the hearing shall be limited to affected persons and the provider and shall be given in the manner set forth in Section 17.~~73~~24d.040(C).

1. The provider shall have the burden of showing that it was not in violation or that it has cured the violation and will be able to continue to operate in full compliance with the conditions of the permit. The ~~city council~~ City Council may revoke the permit unless the provider demonstrates that it was not in violation, or has cured the violation, and will be able to continue to operate in full compliance with the conditions of the permit.
2. The decision of the ~~city council~~ City Council shall be set forth in a written resolution containing findings explaining the basis of its decision. The resolution shall be mailed to the provider by first class mail together with a certificate of mailing setting forth the date on which it was placed in the mail.

SECTION 75. Subsection (E) of Section 17.24f.030 (Qualifying Requirements) of Chapter 17.24f (Two-unit Residential Development and Urban Lot Splits) shall be amended as follows:

- E. Residential Use Only. No nonresidential primary use is permitted on any lot created through an urban lot split or containing an SB 9 two-unit residential development. Home occupations are permitted pursuant to Chapter 17.7224c.

SECTION 76. Subsection (H) of Section 17.24f.040 (Development Standards and Design Criteria) of Chapter 17.24f (Two-unit Residential Development and Urban Lot Splits) shall be amended as follows:

- H. Landscaping. All new residential development shall comply with the landscaping requirements as applies to individual projects set forth in Section 17.8910e.030.

SECTION 77. Subsection (I) of Section 17.24f.040 (Development Standards and Design Criteria) of Chapter 17.24f (Two-unit Residential Development and Urban Lot Splits) shall be amended as follows:

- I. Screening. Each urban lot split development shall incorporate appropriate screening measures along lot lines to provide privacy pursuant to Section 17.9932a.120. Screening design shall comply with the following:

1. Solid walls and fencing such as brick and wood shall not be built higher than six feet from the measured grade.
2. Interior screening along the dividing lot line of an urban lot split may incorporate solid screening materials up to six feet.
3. In instances where new a new residential unit's window is within 10 feet of another unit, measured from wall plane to wall plane, a landscape screening shall obscure direct sight lines between dwelling units.

SECTION 78. Subsection (O) of Section 17.24f.040 (Development Standards and Design Criteria) of Chapter 17.24f (Two-unit Residential Development and Urban Lot Splits) shall be amended as follows:

- O. Refuse Storage Areas. All developments shall comply with trash, recycling and organics storage requirements set forth in Section 17.5410d.010.

SECTION 79. Section 17.30a.020 (Permitted Uses) of Chapter 17.30a (C-2 Zone) shall be amended as follows:

§ 17.30a.020 **Permitted Uses.**

In the C-2 classification, the following uses only are permitted and as hereinafter specifically provided and allowed by this chapter, ~~subject to the vehicular parking and~~

loading requirements and the general provisions, conditions and exceptions set forth in Chapters 17.06 through 17.12 and 17.38 through 17.62:

- Accessory ~~structures and~~ uses that complement or are reasonably related to the existing or proposed permitted uses when located on the same site as the main primary building and use;
- Ambulance service;
- Antique shops;
- Automotive parts and accessories installation and minor service, subject to a conditional use permit and special limitations described in Section 17.~~26~~[30a](#).030(N);
- Bakeries;
- Banks, lending institutions, and other full-service financial institutions;
- Bars and cocktail lounges, subject to a conditional use permit;
- Bicycle shops, including repairs;
- Boat sales, new and used, including only incidental repairing;
- Bookstores;
- Bowling alleys;
- Boxing gym;
- Brewery, low intensity (subject to limitations described in Section 17.~~75~~[44b](#).010);
- Business and professional offices;
- Cannabis businesses, subject to all of the provisions of Chapter 17.~~90~~[34d](#);
- Car washes, steam;
- Conservatories of music, dance, drama and instrument instruction;
- Consignment shops;
- Day care facilities (subject to limitations described in Section 17.~~25~~[30d](#).030(P));
- Decorator shops (interior);

- Department stores;
- Drugstores;
- Dry cleaning and pressing, not including self-serve laundries, ~~or~~ laundromats, or establishments with cleaning plants on premises;
- Employment agencies;
- Engineering consultant;
- Family entertainment center (subject to a conditional use permit);
- Food market and grocery stores;
- Health clubs;
- Hospitals, emergency only;
- Hotels or motels, but not apartment hotels, subject to a conditional use permit. A market feasibility study prepared by a city-approved consultant shall be submitted with a conditional use application;
- Laboratories, ~~x-ray~~;
- Martial arts studio;
- Massage establishment, subject to a conditional use permit;
- Medical-dental ~~buildings~~ offices and clinics;
- Mortuaries, subject to the issuance of a conditional use permit;
- Movie theaters;
- Parking lots, when improved and maintained in the manner specified by this ~~code or by the uniform standards established by the city council by resolution~~ Code; provided, however, that no such area shall be used for a car, truck, trailer or boat sales area or for the accessory storage of cars, trucks, boats or trailers;
- Passenger terminals;
- Personal cosmetic services;
- Printing establishments, including newspapers;
- Public parking garages, but not repairing;

- Recycling facility (subject to a conditional use permit and Section 17.2630a.030(P));
- Restaurants (with or without outdoor dining areas), ~~including~~ (drive-thru subject to a conditional use permit), take-out and walk-up restaurants and cafeterias; no drive-in;
- Schools, elementary, junior high and high schools (public or nonprofit private), all such uses subject to a conditional use permit;
- Short-term rentals in legal non-conforming structures, subject to Chapter 17.7424e, except that vacation rentals shall not be permitted;
- Solar panels for electric power generation, water heating, space heating or space cooling as an accessory use to structures or uses on the same property and subject to the special limitations described in Section 17.2630a.030(O);
- Stationery stores, including incidental printing;
- Studio;
- Telephone exchanges;
- Thrift shops, subject to special limitations described in Section 17.2630a.030(Q);
- Tobacco specialty store (subject to a conditional use permit and the limitations described in Section 17.2630a.030);
- Trade school, commercial;
- Trade school, industrial (subject to a conditional use permit);
- Vehicle auto-broker, subject to special regulations described in Section 17.2530d.030 if a display area is required;
- Vehicle leasing or rental agencies, subject to a conditional use permit and special regulations described in Section 17.2530d.030;
- Vehicle sales (new or used), subject to a conditional use permit and special regulations described in Section 17.2530d.030;
- Wireless antennae sites, and similar uses subject to a conditional use permit;
- Other similar retail and service establishments catering directly to the customer when interpreted to meet performance standards as set forth in

Chapter 17.~~40~~[05a](#) and not specified as prohibited in Section 17.~~26~~[30a](#).025.

SECTION 80. Section 17.30a.025 (Prohibited Uses) of Chapter 17.30a (C-2 Zone) shall be amended as follows:

§ 17.30a.025 **Prohibited uses.**

In the C-2 classification, uses that are not expressly listed in Section 17.~~26~~[30a](#).020 or expressly permitted in the C-2 classification by other sections of the Hawthorne Municipal Code are prohibited from the C-2 classification. For purposes of the clarification, and not for purposes of allowing any other uses, the following uses are also expressly prohibited from the C-2 classification:

- Amusement arcades;
- Apartment hotels;
- Automobile repair—minor or major;
- Bail bonding services;
- Check cashing services;
- ~~Cyber-café~~s;
- Dry cleaning and pressing establishments with cleaning plants on premises;
- Laundromats;
- Payday loan services;
- Self-storage facilities;
- Smog check only;
- Thrift shops not operated by charitable organizations, as defined in Chapter 17.~~04~~[02](#).

SECTION 81. Subsection (I) of Section 17.30a.030 (Limitations on Permitted Uses) of Chapter 17.30A (C-2 Zone) shall be amended as follows:

- I. No use where any alcoholic beverage is sold or served for consumption on or off the premises, shall be established except by conditional use permit pursuant to Chapter 17.~~76 issued upon verified application in the form prescribed by the planning commission and following notice, hearings and decision. The decision of the planning commission shall become final ten days after mailing or delivering the planning commission resolution to the applicant unless a written appeal to the~~

city council is filed within this time period with the secretary to the planning commission~~34b~~.

SECTION 82. Subsection (M) of Section 17.30a.030 (Limitations on Permitted Uses) of Chapter 17.30A (C-2 Zone) shall be amended as follows:

- M. New and used vehicle sales, rental, and/or leasing.
1. A vehicle sales, rental, or leasing facility shall have a minimum lot size of ~~twenty-five thousand~~ 25,000 square feet.
 2. Service and repair facilities shall be operated only as an accessory use. Such areas devoted to service and repair shall be visually screened from the public right-of-way.
 3. The property, including all vehicles offered for sale, rental, or lease shall be kept clean on a daily basis.
 4. All signs shall comply with Chapter 17.~~35~~10g of this ~~code~~ Code.
 5. No vehicles offered for sale shall be parked or stored on the public thoroughfares or in required customer, employee, or handicap parking spaces at any time.
 6. All lights shall be reflected away from adjacent uses.
 7. Landscape plans shall be reviewed and approved by the ~~planning commission~~ Planning Commission and shall include, but not be limited to, the following requirements:
 - a. A minimum six-foot landscape setback area shall be provided along all front and side property lines which abut sidewalks or streets. The setback area must be surrounded by a concrete curb, which is at least six inches in width and height. Landscaping within the setback area shall be designed as follows:
 - i. All landscaping and irrigation shall comply with Chapter 17.~~89~~10e, ~~Water Efficient~~ Landscaping, of this ~~title~~ Title.
 - ii. The required landscape areas shall contain a variety of planting materials such as a combination of shrubs, flowers, and grasses. Utilizing only sod for landscaping shall not be permitted. Sod may be incorporated among landscaping but shall not exceed the lesser of twenty-five percent of the total landscaped area or as dictated by the water efficient landscape and irrigation calculations detailed in Chapter 17. ~~89~~10e, ~~Water Efficient~~ Landscaping.

- iii. All required landscape areas shall be permanently irrigated with an irrigation system as detailed in Chapter 17.~~89~~10e, ~~Water Efficient~~ Landscaping.
 - iv. Landscaped areas shall be well maintained and free of litter. Any unhealthy plants needing replacement shall be replaced with like plants. Any deviation from the approved landscape design shall require a new landscape plan and approval of the director of planning.
- b. In order to prevent any encroachment onto the required landscaping, wheel stops or parking bollards shall be required. Alternate preventative measures may be considered.

SECTION 83. Subsection (N) of Section 17.30a.030 (Limitations on Permitted Uses) of Chapter 17.30a (C-2 Zone) shall be amended as follows:

N. Limitations on automobile parts sales and accessory service:

- 1. All installation and service activities shall be performed within an approved structure.
- 2. All installation and service facilities shall be visually screened from the street by walls of a building or block walls or a variation as approved by the ~~planning commission~~ Planning Commission.
- 3. Trash areas shall be completely enclosed with materials compatible in color and texture with the primarily visible structure(s).
- 4. All signs shall comply with Chapter 17.~~35~~10g of this ~~code~~ Code.
- 5. All lights shall be reflected away from adjacent uses.
- 6. No used or discarded parts or equipment shall be located outside of the installation and service facilities.
- 7. In addition to the parking requirements which are contained in Chapter 17.~~58~~10f, a designated area must be provided for the temporary storage of vehicles or equipment awaiting installation or service. The area provided must be the equivalent of two parking spaces per service bay.
- 8. No vehicles, equipment, boats, trucks, or motorcycles shall be stored for impound or for any other purpose other than installation or service under a work order.
- 9. No automotive repair work shall be permitted.

10. The decor, treatment and architectural style of the improvements, including retail facilities, the installation and service facilities, landscaping, ~~and~~ fencing ~~and signing~~ shall be reviewed for aesthetic qualities that will enhance and complement the surrounding developments.
11. Premises shall be maintained in a neat, orderly and environmentally safe manner, and all improvements shall be continuously maintained.
12. The ~~planning commission~~ Planning Commission resolution approving the conditional use permit shall be posted on site, along with the required business license.

SECTION 84. Subsection (Q) of Section 17.30a.030 (Limitations on Permitted Uses) of Chapter 17.30a (C-2 Zone) shall be amended as follows:

Q. Limitations on thrift shops:

1. Establishments must be operated by a charitable organization, as defined in Chapter 17.~~0402~~ of ~~the Hawthorne Municipal~~ this Code.
2. No thrift store shall be located within ~~five thousand~~ 5,000 feet of another thrift store.
3. All donations must be dropped off, sorted, and processed within an enclosed building and supervised by a designated employee overseeing the acceptance of goods.
4. A second access area for collection of donations is required and must be separate from the primary entrance to the establishment.
5. Signage must be posted which prohibits drop-offs outside of the building during non-business hours.
6. Establishments shall utilize marketing and merchandise display techniques generally comparable to those used by retail stores selling only new merchandise.
7. Interior layout ~~and design~~ plans ~~illustrating fixture types and locations and window displays~~, shall be submitted to the ~~planning department~~ Planning Department for review and approval.
8. The operator shall maintain the premises in a clean and orderly manner at all times.

SECTION 85. Section 17.30a.100 (Landscaping) of Chapter 17.30a (C-2 Zone) shall be amended as follows:

§ 17.30a.100 **Landscaping.**

- ~~A.~~ All landscaped areas, required by this title or otherwise, shall be planted with plants from the list of approved landscaping plants in Appendix A at the end of this title.
- ~~B.A.~~ The use of plants not on the list may be approved by the director of planning on a case-by-case basis. The applicant is responsible to provide documentation that the proposed plants are appropriate for the climate and the proposed location on the property; ~~The director of planning will approve the use of the plant upon determining that it is~~ they are not considered a noxious or invasive propagator; that ~~it does~~ they do not create problems with invasive roots when proposed near structures or property lines; that the plants ~~does~~ does not require excessive watering to thrive; and that the plants ~~does~~ does not pose a hazard to persons or structures.
- ~~B.B.~~ All landscaped areas must be irrigated with an irrigation system that includes an automatic programmable timer, a precipitation override mechanism, and appropriate valves and sprinkler heads for the proposed landscaping.

SECTION 86. Section 17.30a.110 (Outdoor Dining) of Chapter 17.30a (C-2 Zone) shall be amended as follows:

§ 17.30a.110 **Outdoor Dining.**

Outdoor dining, as an accessory to a permitted restaurant, ~~café~~ cafe, or other establishment that offers food or drinks for on-site consumption, shall require approval of an outdoor dining permit pursuant to Chapter 17.0603. The ~~planning director~~ Director shall review the application to ensure compatibility with the surrounding area and the protection of health, safety, and the general welfare, and may further condition the approval to limit the location, size, arrangement, hours of operation, and other reasonably related aspects of outdoor dining. Outdoor dining in the public right-of-way shall also be subject to an outdoor dining encroachment permit pursuant to Title 12 of this code.

SECTION 87. Section 17.30b.020 (Permitted Uses) of Chapter 17.30b (C-3 Zone) shall be amended as follows:

§ 17.30b.020 **Permitted Uses.**

In the C-3 classification, the following uses only are permitted and as hereinafter specifically provided and allowed by this chapter, ~~subject to the vehicular parking and loading requirements and the general provisions, conditions and exceptions set forth in Chapters 17.06 through 17.12 and 17.38 through 17.62:~~

- Any use permitted in the C-2 zone; provided, however, that when any use permitted in the C-2 zone is established in the C-3 zone, all the provisions, regulations, requirements and restrictions of the C-2 zone shall apply thereto;
- Accessory ~~structures and~~ uses that complement or are reasonably related to the existing or proposed permitted uses when located on the same site as the main primary building and use;
- Automobile parts sales (including incidental storage when contained wholly within a building);
- Automobile repair—minor, subject to the issuance of a conditional use permit;
- Aviaries;
- Awning shops, custom made from prepared materials;
- Bakeries, operating with not more than ten persons in the processing;
- Boat sales, new and used, including only incidental repairing;
- Bookbinding;
- Cannabis businesses, subject to all of the provisions of Chapter 17.9034d;
- Car washes, subject to a conditional use permit;
- Ceramic products manufacturing and sales when sold only from the property at retail (but not including bricks, drainage, building or conduit tile), using only previously pulverized clay and batch kilns as distinguished from shuttle, tunnel or beehive kilns, and such kilns shall not exceed a total capacity of ~~one hundred thirty~~ 130 cubic feet;
- Electrical transmission substations;
- Electroplating, when accessory to silversmiths and goldsmiths;
- Gas stations, including accessory repairs, retail, and take out restaurants, subject to the issuance of a conditional use permit;
- Glass shop;
- Glass studios—stained glass;
- Hospitals, excluding animal hospitals;
- Lighting and lamps;

- Live-work units, subject to limitations in Section 17.3240a.030;
- Photocopying;
- Printing and blueprinting;
- Short-term rentals in legal non-conforming structures, subject to Chapter 17.7424e, except that vacation rentals shall not be permitted;
- Smog check only, subject to the issuance of a conditional use permit;
- Solar panels for electric power generation, water heating, space heating or space cooling as an accessory use to structures or uses on the same property and subject to the special limitations described in Section 17.2830b.030(L);
- Studios, recording, dance;
- Swimming pools, commercial;
- Trade schools, and similar uses, such uses subject to a conditional use permit;
- Other similar retail and service establishments catering directly to the customer when interpreted to meet performance standards as set forth in Chapter 17.4005a and not specified as prohibited in Section 17.2830b.025.

SECTION 88. Section 17.30b.025 (Prohibited Uses) of Chapter 17.30b (C-3 Zone) shall be amended as follows:

§ 17.30b.025 **Prohibited Uses.**

In the C-3 classification, uses that are not expressly listed in Section 17.2830b.020 or expressly permitted in the C-3 classification by other sections of ~~the Hawthorne Municipal Code~~ this Code are prohibited from the C-3 classification. For purposes of ~~the~~ clarification, and not for purposes of allowing any other uses, the following uses are also expressly prohibited from the C-3 classification:

- Amusement arcades;
- Automobile repair—major;
- Bail bonding services;
- Barber and beauty shops;

- Check cashing services;
- ~~Cyber-cafés;~~
- Laundromats;
- Massage establishments;
- Nail salons;
- Payday loan services;
- Self-storage facilities;
- Thrift shops not operated by charitable organizations, as defined in Chapter 17.0402.

SECTION 89. Subsection (G) of Section 17.30b.030 (Limitations on Permitted Uses) of Chapter 17.30b (C-3 Zone) shall be amended as follows:

- G. No use where any alcoholic beverage is sold or served for consumption on or off the premises, shall be established except by conditional use permit pursuant to Chapter 17.7634b. ~~issued upon verified application in the form prescribed by the planning commission and following notice, hearing and decision. The planning commission shall notify the applicant of its decision within fourteen days after the end of the hearing. The decision of the planning commission shall become final ten days after notification to the applicant unless a written appeal to the city council is filed within this time period with the secretary to the planning commission.~~

SECTION 90. Section 17.30b.100 (Landscaping) of Chapter 17.30b (C-3 Zone) shall be amended as follows:

§ 17.30b.100 **Landscaping.**

- ~~A. All landscaped areas, required by this title or otherwise, shall be planted with plants from the list of approved landscaping plants in Appendix A of this title.~~
- BA.** ~~The use of plants not on the list may be approved by the director of planning on a case-by-case basis.~~ The applicant is responsible to provide documentation that the proposed plants are appropriate for the climate and the proposed location on the property. ~~The director of planning will approve the use of the plant upon determining that it is~~ **they are** not considered a noxious or invasive propagator. ~~that it does~~ **they do** not create problems with invasive roots when proposed near

structures or property lines; that the plants do not require excessive watering to thrive; and that the plants do not pose a hazard to persons or structures.

- GB.** All landscaped areas must be irrigated with an irrigation system that includes an automatic programmable timer, a precipitation override mechanism, and appropriate valves and sprinkler heads for the proposed landscaping.

SECTION 91. Section 17.30c.020 (Permitted Uses) of Chapter 17.30c (C-M Zone) shall be amended as follows:

§ 17.30c.020 Permitted Uses.

In the C-M classification, the following uses only are permitted and as hereinafter specifically provided and allowed by this chapter, subject to the general provisions, conditions and exceptions set forth elsewhere in this title:

- Accessory dwelling units and junior accessory dwelling units (in mixed-use only);
- Art galleries;
- Cannabis businesses, subject to all of the provisions of Chapter 17.9034d;
- Financial services, including banks, credit unions, investment brokers, asset managers, and not including pawn shops and short-term lending (payday loans) businesses;
- Hotels, subject to the application process stipulated in Section 17.2930c.050;
- Low barrier navigation center, subject to compliance with Section 17.40434a.030.
- Offices, professional and medical, provided that a conditional use permit is required for offices located on the ground floor;
- Residential care facility, small, subject only to those restrictions that apply to other residential uses of the same type in this zone;
- Residential care facility, large, subject to a conditional use permit and compliance with Section 17.40434a.020;
- Residential units, subject to a conditional use permit and compliance with all the requirements contained in Section 17.2930c.050 and the limitations in this chapter and only permitted as a component of a mixed-use project when fronting an arterial or collector street. Where 20% or more of the

residential units are affordable to lower-income individuals, no discretionary permits, including conditional use permit, are required;

- Restaurants, bars, cocktail lounges, and coffee shops, all types (alcohol sales subject to 17.34b, and drive-thru require conditional use permit);
- Retail businesses, including grocers, convenience stores, and stores featuring large or small item indoor display areas;
- Service businesses, including personal cosmetic services, dry cleaning, real estate, insurance, and package/mail business;
- Short-term rentals in legal non-conforming structures, subject to Chapter 17.7424e, except that vacation rentals shall not be permitted;
- Single-room occupancy, subject to a conditional use permit and compliance with Section 17.40134a.040;
- Studios, including for fitness, martial arts, dance, art, media production, etc.;
- Supportive housing, subject only to those restrictions that apply to other residential uses of the same type in this zone;
- Transitional housing, subject only to those restrictions that apply to other residential uses of the same type in this zone;
- Other similar establishments when not specified as prohibited below and subject to interpretation of the Director of Planning pursuant to procedures within this title.

SECTION 92. Section 17.30c.050 (Application Process and Findings) of Chapter 17.30c (C-M Zone) shall be amended as follows:

§ 17.30c.050 Application Process and Findings.

All applications for construction of a mixed-use project that combines residential and nonresidential uses in the same building in the C-M classification require the following approvals prior to the issuance of any building or grading permit (excepting demolition permits):

~~A. Approval by the design review board pursuant to Chapter 17.99.~~

BA. ~~Approval of~~ Except where 20% or more of the residential units are affordable to lower-income individuals, approval of a conditional use permit from the ~~planning~~

~~commission~~ Planning Commission pursuant to Chapter 17.4006b when the following additional findings can be made:

1. The ~~proposed~~ project is compatible with surrounding neighborhoods; and
2. The ~~proposed~~ project is consistent with the Downtown Hawthorne Specific Plan and General Plan; and
3. The potential impacts to on-site residences are minimized; and
4. The overall mixed-use project meets applicable design and development standards.

~~EB~~. Submittal and approval of necessary studies pursuant to Section 13.64.030 and Chapter 14.04.

SECTION 93. Section 17.30d.020 (Permitted Uses) of Chapter 17.30d (C-R Zone) shall be amended as follows:

§ 17.30d.020 **Permitted Uses.**

In the Regional Commercial classification, the following uses only are permitted and as hereinafter specifically provided and allowed by this chapter, ~~subject to the vehicular parking and loading requirements and the general provisions, conditions and exceptions set forth in Chapters 17.06 through 17.12 and 17.38 through 17.62:~~

- Antique shops;
- Automobile parking structures;
- Automobile parts sales and accessory service (subject to issuance of a conditional use permit, not including repair);
- Automobile service stations (subject to issuance of a conditional use permit);
- Bakeries;
- Banks, lending institutions, and other full-service financial institutions;
- Bookstores;
- Boxing gym;
- Brewery, low intensity (subject to limitations described in Section 17.7544b.010);

- Cannabis businesses, subject to all of the provisions of Chapter 17.9034d;
- Car washes, full service, hand, mechanical, self-service (subject to issuance of a conditional use permit);
- Car washes, steam;
- Consignment shops;
- Day care facilities (subject to limitation described in Section 17.2530d.030(P));
- Department stores;
- Drugstores;
- Dry cleaning and pressing, not including self-serve laundries or laundromats or establishments with cleaning plants on premises;
- Family entertainment center (subject to a conditional use permit);
- Food markets and grocery stores;
- Health clubs;
- Hotels and motels having more than one hundred rooms, including suites, but without kitchen facilities, subject to issuance of a conditional use permit. ~~A market feasibility study prepared by a city-approved consultant shall be submitted with the conditional use permit application;~~
- Martial arts studio;
- Movie theaters;
- Offices, including medical, professional and general;
- Personal cosmetic services;
- Recycling facility (subject to issuance of a conditional use permit and Section 17.2530d.030(N));
- Restaurants (with or without cocktail bars, and with or without outdoor dining areas), cafeterias, drive-thru (subject to issuance of a conditional use permit);
- Schools, elementary, junior high and high schools (public or nonprofit private), all such uses subject to issuance of a conditional use permit;

- Short-term rentals in legal non-conforming structures, subject to Chapter 17.7424e, except that vacation rentals shall not be permitted;
- Solar panels for electric power generation, water heating, space heating or space cooling as an accessory use to structures or uses on the same property and subject to the special limitations described in Section 17.2530d.030(M);
- Studio;
- Thrift shops, subject to special limitations described in Section 17.2530d.030(O);
- Trade school, commercial;
- Vehicle auto broker, subject to special regulations described in Section 17.2530d.030 if a display area is required;
- Vehicle leasing or rental agencies, subject to issuance of a conditional use permit and special regulations described in Section 17.2530d.030;
- Vehicle sales (new or used), subject to issuance of a conditional use permit and special regulations described in Section 17.2530d.030;
- Wireless telecommunication facilities (subject to issuance of a conditional use permit);
- Other similar retail and service establishments catering directly to the customer when interpreted to meet performance standards as set forth in Chapter 17.4005a and not specified as prohibited in Section 17.2530d.025.

SECTION 94. Section 17.30d.025 (Prohibited Uses) of Chapter 17.30d (C-R Zone) shall be amended as follows:

§ 17.30d.025 **Prohibited Uses.**

In the Regional Commercial classification, uses that are not expressly listed in Section 17.2530d.020 or expressly permitted in the Regional Commercial classification by other sections of ~~the Hawthorne~~ this Municipal Code are prohibited from the Regional Commercial classification. For purposes of ~~the~~ clarification, and not for purposes of allowing any other uses, the following uses are also expressly prohibited from the Regional Commercial classification:

- Amusement arcades;
- Automobile repair—minor or major;

- Bail bonding services;
- Check cashing services;
- ~~Cyber-cafés;~~
- Dry cleaning and pressing establishments with cleaning plants on premises;
- Laundromats;
- Massage establishments;
- Self-storage facilities;
- Smog check only;
- Thrift shops not operated by charitable organizations, as defined in Chapter 17.0402.

SECTION 95. Subsection (G) of Section 17.30d.030 (Limitations on Permitted Uses) of Chapter 17.30d (C-R Zone) shall be amended as follows:

- G. A conditional use permit pursuant to Chapter 17.7634b shall be required for businesses where alcoholic beverages are sold or served for consumption on or off premises except for ~~full-service restaurants with a minimum seating capacity of one hundred; hotels (all suites and others) and motels, with over one hundred rooms~~ those exempted by 17.34b.020(A).

SECTION 96. Subsection (L)(4) of Section 17.30d.030 (Limitations on Permitted Uses) of Chapter 17.30d (C-R Zone) shall be amended as follows:

4. All signs shall comply with Chapter 17.3510g of this code.

SECTION 97. Subsection (L)(7) of Section 17.30d.030 (Limitations on Permitted Uses) of Chapter 17.30d (C-R Zone) shall be amended as follows:

7. Landscape plans shall be reviewed and approved by the ~~planning commission~~ Planning Commission and shall include, but not be limited to, the following requirements:
- a. A minimum six-foot landscape setback area shall be provided along all front and side property lines which abut sidewalks or streets. The setback area must be surrounded by a concrete curb, which is at least six inches in width and height. Landscaping within the setback area shall be designed as follows:

- i. All landscaping and irrigation shall comply with Chapter 17.8910e, ~~Water Efficient~~ Landscaping, of this title.
 - ii. The required landscape areas shall contain a variety of planting materials such as a combination of shrubs, flowers, and grasses. Utilizing only sod for landscaping shall not be permitted. Sod may be incorporated among landscaping but shall not exceed the lesser of ~~twenty-five percent~~ 25% of the total area or as dictated by the water efficient landscape and irrigation calculations detailed in Chapter 17.8910e, ~~Water Efficient~~ Landscaping.
 - iii. All required landscape areas shall be permanently irrigated with an irrigation system as detailed in Chapter 17.8910e, ~~Water Efficient~~ Landscaping, of this ~~title~~ Title.
 - iv. Landscaped areas shall be well maintained and free of litter. Any unhealthy plants needing replacement shall be replaced with like plants. Any deviation from the approved landscape design shall require a new landscape plan and approval of the ~~director of planning~~ Director.
- b. In order to prevent any encroachment onto the required landscaping, wheel stops or parking bollards shall be required. Alternate preventative measures may be considered.

SECTION 98. Section 17.32a.020 (Design Review Required) of Chapter 17.32a (Commercial Design Standards) shall be amended as follows:

§ 17.32a.020 **Design Review Required.**

- A. Approval of design review shall be obtained by the ~~planning commission~~ Planning Commission prior to any and all development for which design review is required by this chapter. In addition, design review approval may be required by the decision-making authority as a condition of any permit, ~~or~~ variance, or other approval granted pursuant to the ordinance codified in this section. All applications for design review approval shall be processed in accordance with this chapter.
- B. Applicability. Design review shall be required for:
 - 1. The exterior structural or architectural features, including color and materials, site design, placement of structures, and internal pedestrian and vehicular circulation of all projects involving new construction of buildings or other structures for which a building permit, zoning permit, or discretionary planning approval is required ~~in all commercial and industrial~~

~~zones, and for all multifamily residential and mixed-use developments in any zone;~~

2. Fences, walls, or landscaping related to a use type that requires design review; and
3. All signs that are subject to Chapter 17.3510g of this ~~title~~ Title.

SECTION 99. Subsection (C) of Section 17.32a.030 (Exceptions) of Chapter 17.32a (Commercial Design Standards) shall be amended as follows:

- C. Single- and multi-family ~~residences and~~ residential structures and additions, including mixed-use developments when 20% or more of the units are affordable to lower-income individuals, and accessory dwelling units and related ~~struc-~~ structures.

SECTION 100. Subsection (G) of Section 17.32a.100 (Design Guidelines—Site Planning) of Chapter 17.32a (Commercial Design Standards) shall be amended as follows:

- G. Parking Areas. Parking areas shall be designed to be well-landscaped and screened, but to create a safe and attractive parking environment.
 - ~~1. Visibility of off-street parking areas from the street edge shall be minimized;~~
 - a1. Off-street parking areas should be located at the rear of buildings or enclosed within a parking structure.
 - ~~b. Required parking for townhome-style residential uses, with the exception of guest parking, should be located in garages equipped with doors; provided, however, that carports may be substituted in lieu of garages on key lots and interior lots for any parking spaces that are screened from the street by a building or wall of a building.~~
2. Open-air surface parking lots shall be prohibited along the frontage of any arterial or collector street, and shall be designed according to the design criteria in Chapter 17.10f.
3. For open-air surface parking lots on local streets, raised planters with a minimum interior dimension of five feet shall be used to break up pavement areas at a rate of every eight parking stalls. Canopy trees, trellises/pergolas, or carports shall be incorporated to reduce the impact of large expanses of paving, to provide shade, and to reduce glare and heat ~~build-up~~ buildup.

4. Use of porous materials, such as permeable asphalt, grass-crete, and pavers, are encouraged in surface parking lots to reduce storm water runoff.

SECTION 101. Subsection (A)(1) of Section 17.34b.020 (Conditional Use Permit Required) of Chapter 17.34b (Sale of Alcoholic Beverages) shall be amended as follows:

1. The following types of alcohol licenses issued by the Department of Alcoholic Beverage Control (ABC) are exempt from the requirement for a conditional use permit but are subject to the operational standards in Section 17.7634b.030.

Type 17: Beer and wine wholesaler

Type 18: Distilled spirits wholesaler

Type 19: Industrial alcohol dealer

Type 27: California winegrower's agent.

Type 28: Out-of-state distilled spirits shipper's certificate

Type 31: Special daily (beer, wine, distilled spirits)

Type 34: Daily beer and wine

Type 37: Daily general

Type 41: On-sale beer and wine — eating place

Type 47: On-sale general eating place

Type 64: Special on-sale general for theater company

Type 66: Controlled access cabinet permits

Type 69: Special on-sale beer and wine theater

Type 85: Limited off-sale — wine license

Type 90: On-sale general for special use

SECTION 102. Section 17.34c.020 (Definitions) of Chapter 17.34c (Tattoo and Body Piercing) shall be amended as follows:

§ 17.34c.020 **Definitions.**

For the purpose of this chapter, the words, terms and phrases set forth in this section have been defined and can be found in Chapter 17.0402, Definitions, of the ~~Hawthorne Municipal~~ [this](#) Code.

SECTION 103. Section 17.34c.030 (Applicability) of Chapter 17.34c (Tattoo and Body Piercing) shall be amended as follows:

§ 17.34c.030 **Applicability.**

Tattoo ~~parlors~~ and body piercing facilities, as defined in Chapter 17.0402, shall comply with ~~and be the~~ subject to the development ~~and~~ standards contained in the chapters in which they are permitted in ~~and~~ the development standards of Section 17.7734c.040.

SECTION 104. Section 17.40a.020 (Permitted Uses) of Chapter 17.40a (M-1 Zone) shall be amended as follows:

§ 17.40a.020 **Permitted Uses.**

The following uses only are permitted, and as specifically provided and allowed by this chapter:

- Any use permitted in the C-3 zone; provided that, unless specified below, a conditional use permit shall be required if such a permit is required for the same use in the C-3 zone;
- Accessory ~~structures and~~ uses that complement or are reasonably related to the existing or proposed permitted uses when located on the same site as the primary building and use. Accessory ~~structures and~~ uses do not include containers (shipping or storage). Canopies are permitted only over walkways and not for the purpose of facilitating outdoor work areas;
- Assaying, gold and silver only;
- Assembly halls, subject to a conditional use permit and the conditions set forth in Section 17.2021a.280;
- Auction houses or stores;
- Automobile body and fender works and automobile painting when operated and maintained within an entirely enclosed building;
- Automobile repair—minor;
- Bag cleaning and conditioning;
- Bleaching and dyeing plants;
- Boat building;
- Boat repairing;
- Bottling plants;
- Brewery (subject to limitations described in Section 17.7544b.010);

- Broom and brush manufacture;
- Building materials storage yards;
- Cabinet or carpentry shops;
- Cannabis businesses, subject to all of the provisions of Chapter 17.~~90~~[34d](#);
- Ceramic products manufacturing;
- Check cashing, bail bonding services and similar uses, all such uses subject to a conditional use permit;
- Contractors' storage yards;
- Cosmetics manufacturing;
- Electrical appliance, assembly and repair;
- Electric distribution and transmission substations, including microwave transmitters incorporated as a part of a public utility installation;
- Electric generating plants;
- Electroplating;
- Emergency shelter, subject to the limitations in Section 17.~~32~~[40a](#).030;
- Equipment rental and sales, but not including heavy duty equipment;
- Equipment, rental and sales, heavy duty;
- Feed and fuel yards (but not including butane, propane and other flammable liquid gases);
- Food products manufacture, storage, processing and packaging, but not including lard, pickles, sauerkraut, sausage, vinegar, onions and garlic;
- Foundries, aluminum only;
- Furniture manufacturing and repair;
- Garden supply shops, including plants in pots and containers and auxiliary supplies, but not including bulk fertilizer;
- Grinding shops;
- Heating and ventilating service shops, including incidental forming of ducts;

- Hospital;
- Jewelry manufacturing;
- Laboratories, experimental and testing involving chemistry, physics, biochemistry or biology on a laboratory scale as distinguished from manufacturing and testing of large fabricated equipment such as aircraft, automobiles, etc.;
- Lampshade manufacturing;
- Lapidary shops;
- Laundries, including hand;
- Live-work units, subject to a conditional use permit and limitations in Section 17.3240a.030;
- Lumber yards;
- Machine shops;
- Metal, manufacture and fabrication of products from, (except major structural steel forms, boiler-making and similar activities involving excessive noise, or major trucking in terms of over-standard dimensions per unit or over-standard dimensions of load);
- Packaging plant;
- Paint shops (painting contractor);
- Parking lots; provided, any area so used shall be improved and maintained in the manner specified by this ~~code or by uniform standards established by the city council by resolution~~ [Code](#);
- Pawn shops;
- Pipe line booster or pumping plant;
- Plumbing supply yards;
- Printing establishments, including newspapers;
- Public utility service yards;
- Restaurants and cafeterias, with or without cocktail bar;
- Rubber fabrication;

- Saw and filing shops;
- Secondhand stores;
- Sheet metal shops;
- Short-term rentals in legal non-conforming structures, subject to Chapter 17.7424e, except that vacation rentals shall not be permitted;
- Sign manufacturing, servicing and repairing, including electronic and neon;
- Single-family dwelling, one only, utilized exclusively by a caretaker or superintendent and family is permitted as an accessory use when located on the same lot or parcel of land with an industrial use; provided, however, that no dwelling shall be permitted on any industrial site containing an area of less than one acre; and provided that if the industrial use is vacated or otherwise abandoned, the dwelling shall be vacated until the site is again occupied by an industrial use;
- Small animal hospitals, kennels and veterinary offices; provided, the building or structure is completely soundproofed; all run areas are completely surrounded by an eight-foot solid wall; ~~the animal runs are constructed in such a manner that no animal can see any other animal; and an incinerator of a type recommended by the health department shall be installed;~~
- Smog check only, provided no openings in the building (portion utilized for this use) are within twenty feet of a residentially zoned property and all smog check activities are conducted entirely within the structure;
- Solar panels for electric power generation, water heating, space heating or space cooling as an accessory use to structures or uses on the same property and subject to the special limitations described in Section 17.2830b.030(M);
- Storage of impounded or damaged cars, subject to a conditional use permit, but no wrecking yards;
- Tattoo and body piercing (subject to a conditional use permit and Chapter 17.7734c);
- Textile manufacture, processing or treatment;
- Tinsmiths;
- Tire rebuilding, recapping and retreading;

- Truck servicing, repairing and overhauling, when conducted in an entirely enclosed building;
- Upholstering;
- Vacuum metallization;
- Vehicle dealer—wholesale only, subject to special regulations described in Section 17.2530d.030, if a display area is required for two or more vehicles;
- Warehousing;
- Welding shops and sheet metal, when in an entirely enclosed building;
- Wholesale business;
- Other similar industrial enterprises or businesses when interpreted by the ~~planning commission~~ Planning Commission as to performance standards as set forth in Chapter 17.4005a.

SECTION 105. Section 17.40a.025 (Prohibited Uses) of Chapter 17.40a (M-1 Zone) shall be amended as follows:

§ 17.40a.025 **Prohibited uses.**

In the M-1 classification, uses that are not expressly listed in Section 17.3240a.020 or expressly permitted in the M-1 classification by other sections of ~~the Hawthorne Municipal~~ this Code are prohibited from the M-1 classification. For purposes of ~~the~~ clarification, and not for purposes of allowing any other uses, the following uses are also expressly prohibited from the M-1 classification:

- Automobile repair—major;
- Massage establishments;
- Residential uses that are not within the definition of "live-work";
- Self-storage facilities.

SECTION 106. Subsection (E) of Section 17.40a.030 (Limitations on Permitted Uses) of Chapter 17.40a (M-1 Zone) shall be amended as follows:

- E. No use where any alcoholic beverage is sold or served for consumption on or off the premises, shall be established except ~~by conditional use permit pursuant to as provided in~~ Chapter 17.34b76 ~~issued upon verified application in the form~~

~~prescribed by the planning commission and following notice, hearings and decision.~~

SECTION 107. Section 17.40b.020 (Permitted Uses) of Chapter 17.40b (M-2 Zone) shall be amended as follows:

§ 17.40b.020 **Permitted Uses.**

The following uses only are permitted, and as specifically provided and allowed by this chapter:

- Any use permitted in the C-3 zone or the M-1 zone, subject to the same limitations in those zones, unless otherwise stated;
- Accessory ~~structures and~~ uses that complement or are reasonably related to the existing or proposed permitted uses when located on the same site as the primary building and use. Canopies are permitted only over walkways and not for the purpose of facilitating outdoor work areas;
- Acid manufacture, other than those requiring a conditional use permit;
- Adult businesses, provided all restrictions, regulations, and standards of Chapter 5.92, Adult Businesses, are adhered to;
- Aircraft factories;
- Animal shelters
- Asbestos manufacturing;
- Assaying;
- Automobile repair—minor or major;
- Boiler works;
- Candle manufacturing;
- Cannabis businesses, subject to all of the provisions of Chapter 17.~~90~~[34d](#);
- Carbon manufacturing;
- Cellulose materials manufacturing;
- Chain and cable manufacturing;

- Containers, provided that they are not permitted to be stacked, except that non-industrial uses are prohibited from having containers on-site;
- Disinfectants manufacturing;
- Dog pounds;
- Dry kilns;
- Dyestuffs manufacturing;
- Emery cloth and sandpaper manufacturing;
- Enameling;
- Feed and cereal mills;
- Foundries;
- Galvanizing and lead plating, including heating and dipping;
- Glass, or glass products manufacturing;
- Lampblack manufacturing;
- Lubrication grease manufacture or oil compounding;
- Machinery manufacturing;
- Metal fabrication;
- Off-site storage of vehicle inventory per the provisions of Section 17.3440b.040(H);
- Oil cloth or linoleum manufacturing;
- One single-family dwelling only, utilized exclusively by a caretaker or superintendent and family is permitted as an accessory use when located on the same lot or parcel of land with an industrial use; provided, however, that no dwelling shall be permitted on any industrial site containing an area of less than one acre; and provided, that if the industrial use is vacated or otherwise abandoned, the dwelling shall be vacated until the site is again occupied by an industrial use;
- Oxygen manufacturing;
- Paint manufacturing;
- Paper box manufacturing;

- Petroleum distributing stations for delivery to wholesale and retail trade;
- Plastics manufacturing;
- Plywood manufacturing;
- Printing ink manufacturing;
- Railroad yards;
- Rope manufacturing;
- Salt works;
- Sand blasting or cutting;
- Short-term rentals in legal non-conforming structures, subject to Chapter 17.7424e, except that vacation rentals shall not be permitted;
- Soap and soap compounds manufacturing;
- Soda and cleaning compound manufacturing;
- Solar panels for electric power generation, water heating, space heating or space cooling as an accessory use to structures or uses on the same property and subject to the following height and setback restrictions:
 - a. When mounted on sloped roofs, the uppermost portion of each solar panel shall not exceed the highest point of the roof to which it is mounted, except as required to optimize the system performance (for example, to accommodate tilt angle).
 - b. When mounted on flat roofs and all non-roof structures, the lowest portion of the panels shall not be more than three feet above the surface to which it is mounted. The uppermost portion of each solar panel shall not exceed the height required to optimize the system performance (for example, to accommodate tilt angle).
 - c. Roof-mounted and other panels mounted at least ten feet above the ground, measured to the lowest point of each panel, are subject to the setbacks of the applicable zone.
 - d. Solar panels mounted lower than ten feet above the ground, measured to the lowest point of each panel, shall be subject to the setbacks of the applicable zone and shall have an additional three feet of setback for each foot below ten feet.

- e. Placement of solar panels are subject to approval of the fire department to ensure access and proper markings to protect the health and safety of fire personnel and the general public.
- Starch, glucose, or dextrine manufacturing;
- Steel fabrication plants;
- Stone works;
- Vegetable oil manufacturing, refining or storage, but excluding fat rendering;
- Welding shops and sheet metal shops;
- Wood planing mill, or woodworking plant;
- Yeast plant;
- Other similar industrial enterprises or businesses when interpreted by the ~~planning commission~~ Planning Commission as to performance standards as set forth in Chapter 17.4005a.

SECTION 108. Section 17.32b.020 (Security Plan Required) of Chapter 17.32b (Security Standards) shall be amended as follows:

§ 17.32b.020 **Security Plan Required.**

- A. New Commercial Developments. A security plan pursuant to Section 17.7832b.030 below is required to be submitted to the ~~chief of police~~ Chief of Police prior to issuance of a building permit to construct a multi-tenant commercial development of any size, or single-tenant commercial development with ~~ten thousand~~ 10,000 square feet or more of gross floor area.
- B. Existing Commercial Developments.
 - 1. An existing commercial development shall be required to submit a security plan pursuant to Section 17.7832b.030 below if it is determined by the ~~chief of police~~ Chief of Police that the number of calls for service in the previous six months from a commercial development are disproportionately high when compared to other commercial developments in the vicinity or compared to similar commercial developments in the ~~city~~ City, subject to the following criteria:
 - a. Calls for police service that can trigger this requirement shall include burglaries, vandalism, theft, robberies, assault, rape,

homicide, and other crimes of similar nature that are disproportionately high within the previous six-month period.

- b. The threshold for determining that a commercial development has a disproportionately high volume of calls for police service shall be ~~one hundred twenty percent~~ 120% or more of the average of calls for service within the vicinity or when compared to similar commercial developments in the ~~city~~ City.
2. Alternatively, the ~~chief of police~~ Chief of Police may also require a security plan for an existing commercial development if the severity of an incident or series of incidents requiring police response are deemed by the ~~chief of police~~ Chief of Police to warrant the need for a security plan.
3. The ~~chief of police~~ Chief of Police or designated representative may waive the requirement for a security plan at an existing commercial development if it is determined that a significant portion of the calls for service are generated by private security personnel performing their duty to refer criminal activity to the ~~police department~~ Police Department.

SECTION 109. Subsection (C)(2) of Section 17.32b.030 (Content of Security Plan) of Chapter 17.32b (Security Standards) shall be amended as follows:

2. A surge in criminal activity that pushes the development above the threshold described in Section 17.~~78~~32b.020;

SECTION 110. Section 17.32b.040 (Notice of Enforcement) of Chapter 17.32b (Security Standards) shall be amended as follows:

§ 17.32b.040 **Notice and Enforcement.**

- A. Upon determining that a commercial development is subject to this chapter based on the number of calls or severity of incidents, the ~~chief of police~~ Chief of Police shall notify the property ~~and/or~~ business owners of the commercial development and any other persons or entities having control of the premises. The notice shall specify the calls ~~and/or~~ incidents upon which the determination is based. The notice shall require commercial development to provide to the ~~chief of police~~ Chief of Police a draft security plan pursuant to Section 17.~~78~~32b.030 that addresses the public safety issues identified. The plan shall also include a method of and a commitment to implement the final plan. The written notice shall include a deadline for response of not more than ~~fourteen~~ 14 days. Upon the written request by the business owner~~(s)~~ or property owner~~(s)~~ submitted before

the expiration of the time for a response, the ~~chief of police~~ [Chief of Police](#) may, in writing, grant an extension of the time in which a response is required.

SECTION 111. Section 17.60.020 (Permitted Uses) of Chapter 17.60 (Open Space Zone and Standards) shall be amended as follows:

§ 17.60.020 **Permitted Uses.**

The following uses only are permitted in the UOS zone as hereinafter specifically provided and allowed by this chapter:

- A. Property classified in the UOS zone shall be utilized for recreational purposes, including but not limited to:
 1. Community gardens, and nursery stock uses;
 2. Golf courses or golf driving ranges;
 3. Historical buildings, sites, or landmarks;
 4. Libraries;
 5. Museums;
 6. Public parks, playfields, swimming pools;
 7. Schools, elementary, junior high and high schools, ~~(public or nonprofit private)~~, subject to the general provisions and conditions set forth in Section 17.4420a.020;
 8. Nonprofit recreation centers;
 9. Trails; hiking and bicycle;
 10. Other open space uses when interpreted by the ~~planning commission~~ as to performance standards as set forth in Chapter 17.4005a;
 11. Accessory buildings, structures and uses including, but not limited to, the following:
 - a. Recreational buildings and equipment,
 - b. Restroom facilities,
 - c. Concession stands (no alcoholic beverage sales, no separate enterprise),

- d. Maintenance buildings and equipment yards,
- e. Parking lots.

~~12.—Unclassified uses as provided for in Chapter 17.36.~~

SECTION 112. the preamble of Section 17.60.030 (Conditional Uses) of Chapter 17.60 (Open Space Zone and Standards) shall be amended as follows:

§ 17.60.030 **Conditional uses.**

The establishment or operation of the following uses shall be permitted in ~~a UOS~~ the OS zone only upon a conditional use permit authorizing such use being granted by the ~~planning commission~~ Planning Commission:

SECTION 113. Subsection (C) of Section 17.60.040 (Limitations on Permitted Uses) of Chapter 17.60 (Open Space Zone and Standards) shall be amended as follows:

- C. All landscaping and irrigation must comply with Chapter 17. ~~8910e, -Water Efficient~~ Landscaping, of this ~~title~~ Title.

SECTION 114. Section 17.61.020 (Permitted Uses) of Chapter 17.61 (H— Horticultural Classification) shall be amended as follows:

§ 17.61.020 **Permitted Uses.**

In an H zone, the following uses only are permitted and as hereinafter specifically provided and allowed by this chapter, subject to the off-street parking requirements and the general provisions, conditions and exceptions set forth in ~~Chapters 17.06 through 17.12 and 17.38 through 17.62~~ this Title:

- A. Any use permitted in an R-1 zone;
- B. Planting, seeding, fertilizing, watering, cultivating, and harvesting flowers, plants, shrubs, bushes and trees;
- C. Storing equipment and supplies used in connection with the use permitted in subsection B of this section;
- D. Greenhouses and accessory buildings;
- E. As an accessory to the uses permitted in subsection B of this section, the wholesale ~~and~~/or retail sale of only those flowers, plants, shrubs, bushes, and trees actually produced on the premises, and related items.

SECTION 115. Appendix A of Title 17 (Zoning) shall be deleted in its entirety.

SECTION 116. Appendix B (Design Guidelines for Highest Density Residential and Mixed Use Development) of Title 17 (Zoning) shall be deleted in its entirety.

SECTION 117. CEQA. This zone text amendment reorganizes chapters of Title 17 (Zoning) of the Hawthorne Municipal Code and deletes five obsolete chapters. This is determined not to be a project under CEQA (Pub. Resources Code, § 21065).

SECTION 118. SEVERABILITY. If any section, subsection, phrase or clause of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 119. CITY CLERK. The City Clerk shall attest to the adoption of this ordinance and shall cause this ordinance to be posted in the manner required by law.

SECTION 120. EFFECTIVE DATE. This ordinance shall take effect 30 days after passage thereof.

SECTION 121. PUBLICATION. The City Clerk is directed to forward a copy of this ordinance to General Code, LLC, 781 Elmgrove Road, Rochester, NY 14824.

PASSED, APPROVED AND ADOPTED this __th day of _____, 2026.

ALEX VARGAS, Mayor
City of Hawthorne, California

ATTEST:

DAYNA WILLIAMS-HUNTER, City Clerk
City of Hawthorne, California

APPROVED AS TO FORM

DAVID CACERES, City Attorney
City of Hawthorne, California