

CHAPTER 4 : THE CODE  
LAND USE STANDARDS

4.3.2 Allowable Land Uses and Permit Requirements

A. Allowable land uses

A lot or building within the specific plan area shall be occupied by only the land uses allowed by Table 4-1 within the zone applied to the site by the Regulating Plan. The land uses listed in Table 4-1 are defined in Section 4.10 Glossary.

1. Establishment of an allowed use

Any one or more land uses identified by Table 4-1 as being allowed within a specific zone may be established on any lot within that zone, subject to the planning permit requirement listed in the table, and in compliance with all applicable requirements of this Development Code.

2. Use not listed

A land use not listed in Table 4-1 is not allowed within the specific plan area, except as otherwise provided in following Subsection A.3. A land use that is listed in the table, but not within a particular zone, is not allowed within that zone.

3. Similar and compatible use may be allowed

The Planning Commission may determine that a proposed use not listed in Table 4-1 is allowable through the process described in the Zoning Regulations.

4. Temporary uses

Temporary uses are allowed within the specific plan area in compliance with the Temporary Use Permit requirements in Zoning Regulations Chapter 18.54 Temporary Uses.

B. Permit requirements

Table 4-1 provides for land uses that are:

- Permitted subject to compliance with all applicable provisions of this Development Code, and any applicable requirements of the Zoning Regulations. These are shown as “P” uses in the tables;
- Allowed subject to the approval of a Minor Conditional Use Permit, and shown as “MCUP” uses in the tables;
- Allowed subject to the approval of a Conditional Use Permit, and shown as “CUP” uses in the tables; and
- Not allowed in particular zones, and shown as an “—” in the tables.

C. Standards for specific land uses

Where the last column in Table 4-1 (“Specific Use Regulations”) includes a section number, the regulations in the referenced section of this Development Code or the Zoning Regulations apply to the use. Provisions in other sections of this Downtown Code may also apply.

| Table 4-1<br>Allowed Land Uses and Permit Requirements<br>for the Uptown Zones | P                       | Permitted Use                         |     |     |  |                           |
|--|-------------------------|---------------------------------------|-----|-----|--|---------------------------|
|  | MCUP                    | Minor Conditional Use Permit required |     |     |  |                           |
|  | CUP                     | Conditional Use Permit required       |     |     |  |                           |
|  | —                       | Use not allowed                       |     |     |  |                           |
| LAND USE TYPE (1) (5)  | PERMIT REQUIRED BY ZONE |                                       |     |     |  | Additional<br>Regulations |
|  | U-CO                    | U-CT                                  | U-G | U-E |  |                           |

| INDUSTRY                                     |           |      |      |   |  |
|--|-----------|------|------|---|--|
| Laboratory - Medical, analytical             | —         | P(2) | P(2) | — |  |
| Media production - Office or storefront type | P(2)      | P(2) | P    | — |  |
| Printing and publishing (6)                  | CUP(2)(7) | P(2) | —    | P |  |
| Research and development                     | P(2)      | P(2) | —    | — |  |

| RECREATION, EDUCATION & PUBLIC ASSEMBLY        |           |        |     |     |  |
|--|-----------|--------|-----|-----|--|
| Banquet facilities, rental halls (primary use) | CUP (2)   | CUP    | —   | —   |  |
| Church   | CUP (10)  | CUP    | CUP | CUP |  |
| Commercial recreation facility - Indoor        | CUP       | CUP    | —   | —   |  |
| Community assembly                             | CUP(2)    | CUP    | CUP | CUP |  |
| Health/fitness facility                        | P(2)      | P      | —   | P   |  |
| Library, museum                                | P         | P      | P   | P   |  |
| Live entertainment (3)                         | MCUP      | —      | —   | —   |  |
| School, public or private                      | CUP(2)    | CUP(2) | CUP | CUP |  |
| Studio - Art, dance, martial arts, music, etc. | P(2)      | P      | CUP | —   |  |
| Theater, cinema or performing arts (3)         | CUP(2)(9) | CUP    | —   | —   |  |

| RESIDENTIAL                                     |         |      |     |     |  |
|---|---------|------|-----|-----|--|
| Dwelling - Multi-unit                           | P(2)(9) | P    | P   | P   |  |
| Dwelling - Single dwelling                      | —       | —    | P   | P   |  |
| Home based business                             | P(2)    | P(2) | P   | P   |  |
| Live/work                                       | P(2)    | P(2) | P   | P   |  |
| Mixed use project residential component         | P(2)    | P(2) | P   | P   |  |
| Residential accessory use or structure          | —       | —    | P   | P   |  |
| Residential care facility - 7 or more clients   | —       | —    | CUP | CUP |  |
| Transitional housing, rooming or boarding house | —       | —    | P   | P   |  |
| Second unit/accessory dwelling                  | —       | —    | P   | P   |  |

| RETAIL (6)  |     |      |      |      |  |
|---|-----|------|------|------|--|
| Bar, tavern, night club (3)                               | —   | —    | —    | —    |  |
| General retail, except with any of the following features | P   | P    | P    | MCUP |  |
| Adult businesses (3)                                      | —   | —    | —    | —    |  |
| Alcoholic beverage sales: Ancillary to restaurant (3)     | CUP | CUP  | CUP  | —    |  |
| Auto- or motor-vehicle related sales or services          | —   | —    | CUP  | CUP  |  |
| Drive-through facilities                                  | —   | —    | —    | —    |  |
| Floor area 2,500 sf or less                               | P   | P    | P    | MCUP |  |
| Floor area over 2,500 sf to 10,000 sf                     | P   | P    | MCUP | —    |  |
| Floor area over 10,000 sf to 20,000 sf                    | CUP | CUP  | CUP  | —    |  |
| Floor area over 20,000 sf                                 | —   | —    | —    | —    |  |
| Operating between 12:00 am and 6:00 am                    | CUP | CUP  | CUP  | CUP  |  |
| Vintage goods store                                       | —   | —    | MCUP | —    |  |
| Food market - 10,000 sf or less                           | P   | P    | P    | CUP  |  |
| Food market - More than 10,000 sf                         | —   | MCUP | MCUP | —    |  |
| Restaurant, café, coffee shop, except drive-through (3)   | P   | P    | P    | MCUP |  |
| Smoking lounges, Hookah bar establishments (3)            | CUP | CUP  | —    | —    |  |

| Table 4-1 (continued)<br>Allowed Land Uses and Permit Requirements<br>for the Uptown Zones | P                       | Permitted Use                         |     |     |  |                           |
|--|-------------------------|---------------------------------------|-----|-----|--|---------------------------|
|  | MCUP                    | Minor Conditional Use Permit required |     |     |  |                           |
|  | CUP                     | Conditional Use Permit required       |     |     |  |                           |
|  | —                       | Use not allowed                       |     |     |  |                           |
| LAND USE TYPE (1) (5)  | PERMIT REQUIRED BY ZONE |                                       |     |     |  | Additional<br>Regulations |
|  | U-CO                    | U-CT                                  | U-G | U-E |  |                           |

| SERVICES - BUSINESS, FINANCIAL, PROFESSIONAL          |      |      |     |     |  |
|---|------|------|-----|-----|--|
| ATM - Walkup  | P    | P    | P   | —   |  |
| ATM - Drive-up or drive through                       | —    | —    | —   | —   |  |
| Bank, financial services                              | P    | P    | P   | —   |  |
| Business support service                              | P    | P    | P   | —   |  |
| Medical services - Clinic, urgent care                | —    | CUP  | CUP | —   |  |
| Medical services - Doctor office                      | P(2) | P(2) | P   | —   |  |
| Medical services - Extended care                      | —    | —    | —   | CUP |  |
| Office - Business, service                            | P    | P    | P   | —   |  |
| Office - Government (6)                               | P    | P    | P   | P   |  |
| Office - Professional, administrative, processing (6) | P(2) | P(2) | P   | P   |  |
| Office - Professional, administrative, processing (8) | CUP  | CUP  | CUP | -   |  |

| SERVICES - GENERAL                                   |     |      |      |      |                       |
|--|-----|------|------|------|-----------------------|
| Child day care - Large or small family day care home | —   | —    | P    | P    |                       |
| Day care center - Child or adult                     | —   | —    | MCUP | MCUP |                       |
| Drive-through service                                | —   | —    | —    | —    |                       |
| Lodging - Bed & breakfast inn (B&B)                  | —   | CUP  | CUP  | CUP  |                       |
| Lodging - Hotel                                      | P   | P    | CUP  | —    |                       |
| Mortuary, funeral home                               | —   | MCUP | MCUP | —    | No cremations on site |
| Personal services (6)                                | P   | P    | P    | MCUP |                       |
| Laundromats (self-service laundries) (6)             | —   | —    | MCUP | MCUP |                       |
| Personal services - Restricted                       | —   | —    | —    | —    |                       |
| Wine cellar / Alcohol storage                        | CUP | CUP  | CUP  | —    |                       |

| TRANSPORTATION, COMMUNICATIONS, INFRASTRUCTURE     |     |     |     |     |  |
|--|-----|-----|-----|-----|--|
| Parking facility, public or commercial             | P   | P   | P   | —   |  |
| Wireless telecommunications facility               | CUP | CUP | —   | —   |  |
| Wireless telecommunications facility - stealth (4) | P   | P   | —   | —   |  |
| Transit station or terminal                        | P   | P   | —   | —   |  |
| Valet parking (6)                                  | CUP | CUP | CUP | CUP |  |

| Key to Zone Symbols |                |
|---------------------|----------------|
| U-CO                | Uptown Core    |
| U-CT                | Uptown Center  |
| U-G                 | Uptown General |
| U-E                 | Uptown Edge    |

- Notes:
- Each listed use type is defined in Section 4.10 Glossary of this Development Code
  - Use allowed only on second or upper floor, or 40 feet behind ground floor use.
  - Specific regulation of alcohol sale, live entertainment, and dance establishments shall be per the Whittier Municipal Code
  - Stealth - entirely within a building or structure, or completely screened by a building parapet
  - For historic buildings, see section E on page 4-6
  - In the Uptown Edge Zone, this use only allowed on properties fronting east/west streets
  - Commercial printing services are only allowed between Wardman and Penn
  - Use allowed on the ground floor if greater than 50% of the ground floor square footage or a minimum of 4,000 square feet and the total building area is 20,000 square feet or more
  - Use may be located on the ground floor if located within a local, state or federally designated historic landmark building. Otherwise, the use is allowed only on the second floor or upper floor, or 40 feet behind the ground floor use.
  - Use may be located on the second or upper floor, or 40 feet behind ground floor use. This requirement shall not apply to an existing church use located in a one-story building that was legally established prior to the adoption of Specific Plan Amendment No. 14-001 on June 24, 2014 under City Council Resolution No. 8631.

D. Urban Standards and Requirements

1. Purpose

This Chapter identifies the standards and requirements for new buildings or buildings to be modified, for each zone within the Uptown Whittier Specific Plan area to ensure that proposed development is consistent with the City's goals for building form, character, and quality within the Plan area.

2. Applicability

Each proposed building shall be designed in compliance with the standards of this Chapter for the applicable zone, except for public and institutional buildings, which because of their unique disposition and application are not required to comply with these requirements and are reviewed by a special permit and procedures.

3. Requirements by zone

Each proposed building shall be designed according to the urban standards identified per the zone in which the property is located.

E. Land uses and historic resources

Any building/structure that is located within the Uptown Whittier Specific Plan that is deemed eligible by the City or by the State of California or is officially listed on the Local, State or National Register of Historic Places or is an official contributing resource within a designated historic district may, for historic preservation and adoptive re-use purposes, be permitted any land-use to be contained within the historic building/structure subject to the prior review and approval of a Conditional Use Permit by the Planning Commission if it is determined that the land use will:

- Be compatible and not adversely impact the surrounding land uses;
- Be a good adoptive re-use of the building for economic development purposes;
- Not adversely impact the historical features of the interior and exterior of the building nor adversely affect the historic setting of the building on the property based on the recommendations of the Historic Resources Commission;
- Comply with all applicable Secretary of the Interior's Standards for historic preservation; and
- Will not result in the building/structure being potentially at risk for removal from any Local, State or National Register of Historic Places or eliminating its eligibility to be listed in such in the opinion of the Historic Resources Commission.

Any land use approval given under this section shall not be construed in any way as setting a precedent for other land-uses to be located within a particular district of the Specific Plan that is otherwise not permitted.

F. Hours of operation for businesses

- Businesses within the Uptown Core area are permitted to operate until 12:00 a.m.
- Businesses within the Uptown Center area may apply for a CUP to operate after 12:00 a.m.
- Businesses, once closed, shall not open to the public until 6:00 a.m.
- If businesses wish to open before 6:00 a.m. or stay open after 12:00 a.m., they may apply for a CUP.

Table 4-2: Uptown Whittier Specific Plan Urban Standards: Summary of Requirements By Zone (refer to 4.3.3 through 4.3.6)

| Development Features      | Table 4-2: Uptown Whittier Specific Plan Urban Standards: Summary of Requirements By Zone (refer to 4.3.3 through 4.3.6)   |   |  |                                   |                   |           |           |                            |                           |           |           |                            |                           |           |           |                            |
|---------------------------|--|---|--|-----------------------------------|-------------------|-----------|-----------|----------------------------|---------------------------|-----------|-----------|----------------------------|---------------------------|-----------|-----------|----------------------------|
|                           | U-CO<br>Uptown Core  | U-CT<br>Uptown Center                     | U-G<br>Uptown General  | U-E<br>Uptown Edge                |                   |           |           |                            |                           |           |           |                            |                           |           |           |                            |
| Building placement        | Minimum setbacks required and, where noted, maximum setbacks allowed; except where a frontage type standard allows exceptions or establishes different requirements. |   |  |                                   |                   |           |           |                            |                           |           |           |                            |                           |           |           |                            |
| Front setback             | 0 ft min., 0 ft max.   | 0 ft min., 0 ft max.                      | 18 ft min., 25 ft max.                                       | 20 ft min., 30 ft max.            |                   |           |           |                            |                           |           |           |                            |                           |           |           |                            |
| Side street setback       | 0 ft min., 0 ft max.   | 0 ft min., 0 ft max.                      | 10 ft min., 15 ft max.                                       | 10 ft min., 15 ft max.            |                   |           |           |                            |                           |           |           |                            |                           |           |           |                            |
| Side yard setback         | 0 ft min., 0 ft max.   | 0 ft min., 0 ft max.                      | 6 ft min.  | 5 ft min.                         |                   |           |           |                            |                           |           |           |                            |                           |           |           |                            |
| Rear setback              | 10 ft min.   | 10 ft min.                                | 10 ft min.   | 15 ft min.                        |                   |           |           |                            |                           |           |           |                            |                           |           |           |                            |
| Alley setback             | 0 ft min.  | 0 ft min.                                 | 0 ft min.  | 5 ft min.                         |                   |           |           |                            |                           |           |           |                            |                           |           |           |                            |
| Building height           | Maximum allowable height of structures; except where modified by standards for a specific building type.   |   |  |                                   |                   |           |           |                            |                           |           |           |                            |                           |           |           |                            |
| Height                    | 2 stories min.<br>6 stories max.   | 2 stories min.<br>4 stories max.          | 3 stories max.   | 2 stories max. + attic            |                   |           |           |                            |                           |           |           |                            |                           |           |           |                            |
| Frontage types            | Only the following frontage types are allowed within each zone.  |   |  |                                   |                   |           |           |                            |                           |           |           |                            |                           |           |           |                            |
| Allowed types             | Forecourt<br>Storefront<br>Arcade  | Stoop/dooryard<br>Forecourt<br>Storefront | Frontyard/Porch<br>Stoop/Dooryard<br>Forecourt<br>Storefront | Frontyard/Porch<br>Stoop/Dooryard |                   |           |           |                            |                           |           |           |                            |                           |           |           |                            |
| Building types            | Only the following building types are allowed within each zone.  |   |  |                                   |                   |           |           |                            |                           |           |           |                            |                           |           |           |                            |
|                           | Allowed Type   | Lot Width                                 | Lot Depth  | Density Range <sup>1</sup>        | Allowed Type      | Lot Width | Lot Depth | Density Range <sup>1</sup> | Allowed Type              | Lot Width | Lot Depth | Density Range <sup>1</sup> | Allowed Type              | Lot Width | Lot Depth | Density Range <sup>1</sup> |
|                           | Commercial Block   | 100'-200'                                 | 100'   | 50+                               | Live/Work         | 25'-150'  | 100'      | 10 - 20                    | Single House              | 35'-60'   | 100'      | 6 - 8                      | Single House              | 35'-60'   | 100'      | 6 - 8                      |
|                           | Liner  | 125'                                      | 100'   | 50+                               | Courtyard Housing | 125'-200' | 140'      | 25 - 40                    | Accessory Dwelling        | 35'-60'   | 100'      | N/A                        | Accessory Dwelling        | 35'-60'   | 100'      | N/A                        |
|                           |  |   |  |                                   | Commercial Block  | 100'-200' | 100'      | 50+                        | Duplex/ Triplex/ Quadplex | 50'-100'  | 100'      | 10 - 20                    | Duplex/ Triplex/ Quadplex | 50'-100'  | 100'      | 10 - 20                    |
|                           |  |   |  |                                   | Liner             | 125'      | 100'      | 50+                        | Rosewalk                  | 125'      | 100'      | 10 - 15                    | Rosewalk                  | 125'      | 100'      | 10 - 15                    |
|                           |  |   |  |                                   |                   |           |           |                            | Bungalow Court            | 125'      | 125'      | 10 - 15                    | Bungalow Court            | 125'      | 125'      | 10 - 15                    |
|                           |  |   |  |                                   |                   |           |           |                            | Rowhouse                  | 25'-150'  | 100'      | 10 - 20                    | Rowhouse                  | 25'-150'  | 100'      | 10 - 20                    |
|                           |  |   |  |                                   |                   |           |           |                            | Live/Work                 | 25'-150'  | 100'      | 10 - 20                    | Live/Work                 | 25'-150'  | 100'      | 10 - 20                    |
|                           |  |   |  |                                   |                   |           |           |                            | Courtyard Housing         | 125'-200' | 140'      | 25 - 40                    | Courtyard Housing         | 125'-200' | 140'      | 25 - 40                    |
| 1 Dwelling units per acre |  |   |  |                                   | Commercial Block  | 100'-200' | 100'      | 50+                        |                           |           |           |                            |                           |           |           |                            |