

## **ORDINANCE NO. 2242**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, ESTABLISHING A NEW CHAPTER 17.100 (MULTIFAMILY AND MIXED USE OBJECTIVE DESIGN STANDARDS) OF TITLE 17 (ZONING) OF THE HAWTHORNE MUNICIPAL CODE**

**WHEREAS**, the California Government Code Section 65913.4 defines objective design standards as those which “involve no personal or subjective judgement by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal”;

**WHEREAS**, the California State legislature adopted housing bills such as Senate Bill 35 (2017), Senate Bill 330 (2019), Assembly Bill 2011(2022), Assembly Bill 2162 (2018), and Senate Bill 6 (2022), which require a local agency to have objective design standards to be evaluate specific types of qualifying housing projects in streamlined review process;

**WHEREAS**, Senate Bill 35 (California Government Code Sections 65400 and 65582.1) provides provisions for streamlining projects based on a jurisdiction’s progress towards its Regional Housing Needs Allocation and timely submittal of the Housing Element Annual Progress Report;

**WHEREAS**, Housing Element Program 6 (Mixed Use Development) and Program 19 (Zoning Code Amendments – Housing Constraints) reference the need for the City to adopt objective design standards and streamline residential development;

**WHEREAS**, objective design standards are a tool that allow a local agency to retain design control and establish consistent design expectations for qualifying housing projects;

**WHEREAS**, this ordinance deletes Chapter 17.100 (Test elevator and spur) because it is no longer necessary and was intended to be deleted when appropriate.

**WHEREAS**, on September 6, 2023, the Planning Commission of the City of Hawthorne considered the zone text amendment and, after a duly noticed public hearing where all persons in support and in opposition were heard, adopted Resolution No. PC2022-15recommending approval of the ordinance to the City Council; and

**WHEREAS**, on October 24, 2023, the City Council considered the Planning Commission’s recommendation and, after a duly noticed public hearing where all persons in support and in opposition were heard, introduced this ordinance; and

**WHEREAS**, the City Council of the City of Hawthorne wishes now to adopt Ordinance No. 2242 in furtherance of the City’s objective to provide appropriate zoning and separation regulations for cannabis businesses.

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

**SECTION 1.** The foregoing recitals are true and correct.

**SECTION 2.** Chapter 17.100 (Test elevator and spur) shall be deleted and replaced with 17.100 (Multifamily and mixed-use objective design standards) as follows:

**Chapter 17.100 MULTIFAMILY AND MIXED USE  
OBJECTIVE DESIGN STANDARDS**

**17.100.010 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. 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:

1. Senate Bill 35 projects (California Government Code §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 §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 §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 §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 §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 Code.

1. Exception. Any concessions, incentives, or waivers of development standards pursuant to Chapter 17.22, Density Bonus and other incentives of this 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. Where there is a conflict between these objective standards and existing 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 Permit. Administrative Plan Review of projects processed pursuant to this Chapter shall be conducted by City staff and shall only include consistency with adopted objective design standards.

#### **17.100.020 Site Planning.**

A. Building Orientation.

1. Primary Entries. All buildings located along a primary street shall have primary ground-floor common entries or individual dwelling unit entries facing the street. Entrances at building corners may be used to satisfy this requirement.

2. Vehicle Light Intrusion. Vehicle headlights shall be screened with walls, solid fencing, or landscaping if parking spaces are located within 10 feet of habitable space.

B. Pedestrian Circulation.

1. Pedestrian Connection. The following pedestrian walkways shall be provided and interconnected within the site:

a. Pedestrian walkways shall connect residential dwelling units to areas throughout the site, such as vehicle parking areas, bicycle parking areas, common open space, waste and recycling enclosures, and other amenities.

b. Pedestrian walkways shall connect public sidewalks, building entrances, and vehicle parking areas.

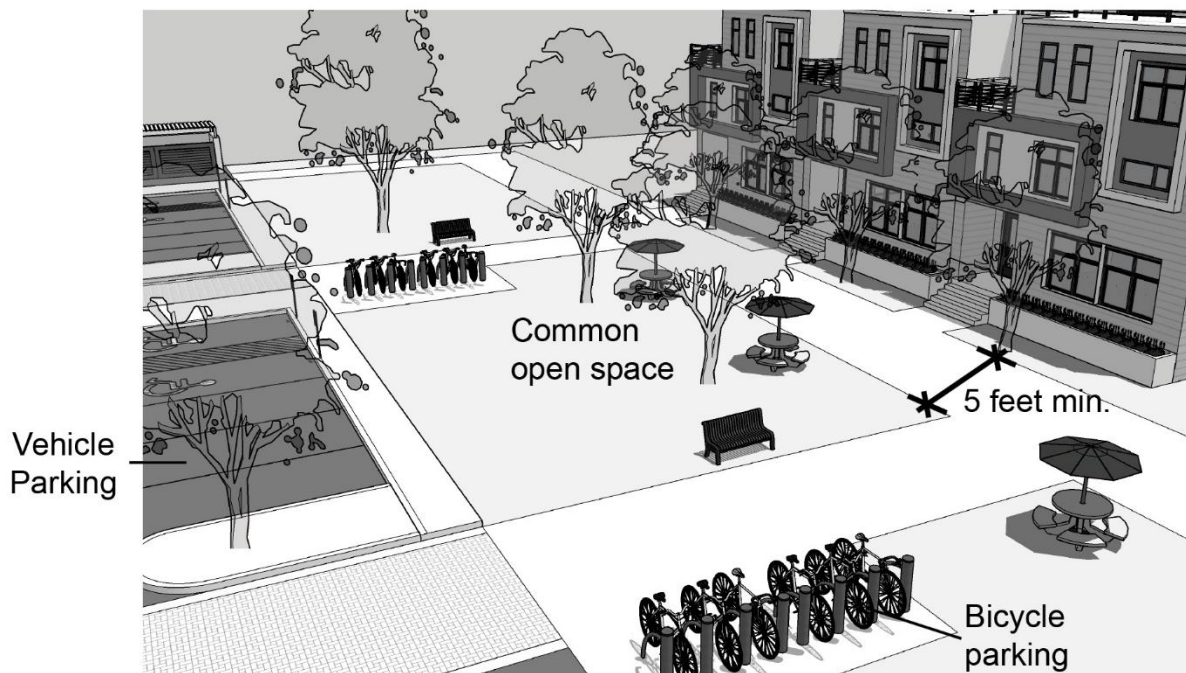
c. Pedestrian walkways shall connect building entrances and vehicle parking areas through the site interior to all transit stops directly adjacent to the site.

2. Pedestrian Walkways. Pedestrian walkways on private property shall be designed as follows:

a. Dimensions. Walkways shall be designed with a minimum width of four feet.

b. Materials. Walkways shall be constructed of firm and slip-resistant materials, such as poured-in-place concrete (including stamped concrete), permeable paving, decomposed granite, or concrete pavers.

c. Paving for Pedestrian Crossings. Where an intersection of pedestrian and vehicle access exists, enhanced paving treatment using patterned or colored pavers, brick, painted or decorative colored and scored concrete shall be used. Pedestrian crossings shall feature enhanced paving a minimum width of six feet and span the length of the intersecting drive area.



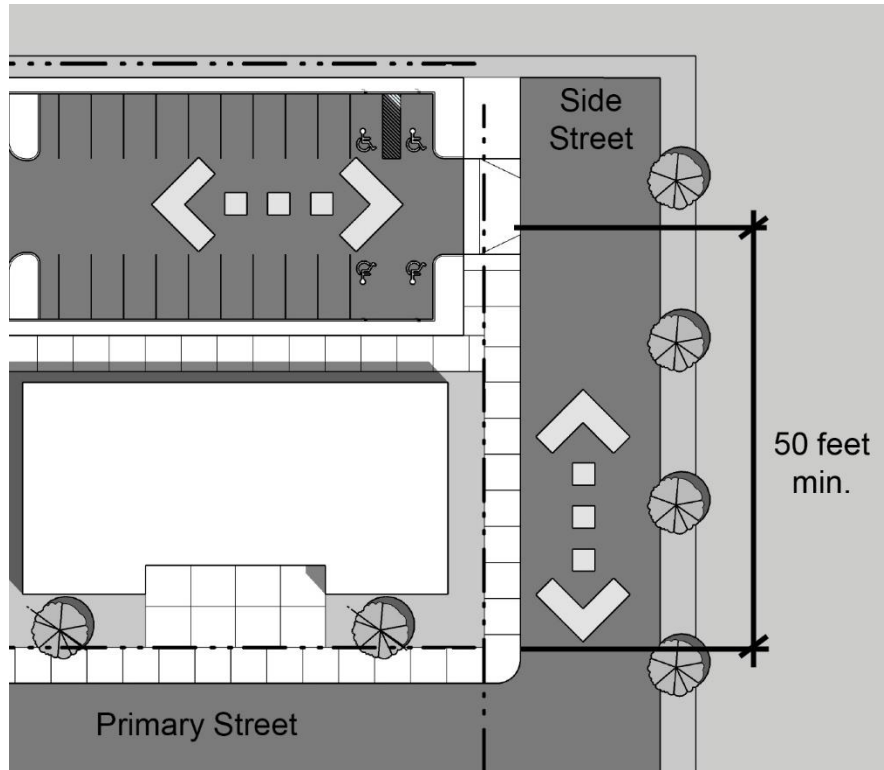
*Pedestrian Connections and Walkways Exhibit*

3. Enhanced Paving for Building Entrances. Primary building entrances shall provide decorative paving that contrast in color and texture from the adjacent walkway paving. Grasscrete is prohibited.

C. Access Points.

1. Primary Access. Side street or alley access shall serve as the primary vehicular access to parking areas, if available. If not available, the primary street shall serve vehicular access.

2. Driveway Access on Corner Lots. Driveway access on corner lots shall be located a minimum of 50 feet from the intersection.



*Driveway Access Location on Corner Lots Exhibit*

3. Entry and Access. A maximum of one curb cut, including driveways and private or service streets, per 200 feet of public street frontage shall be permitted.

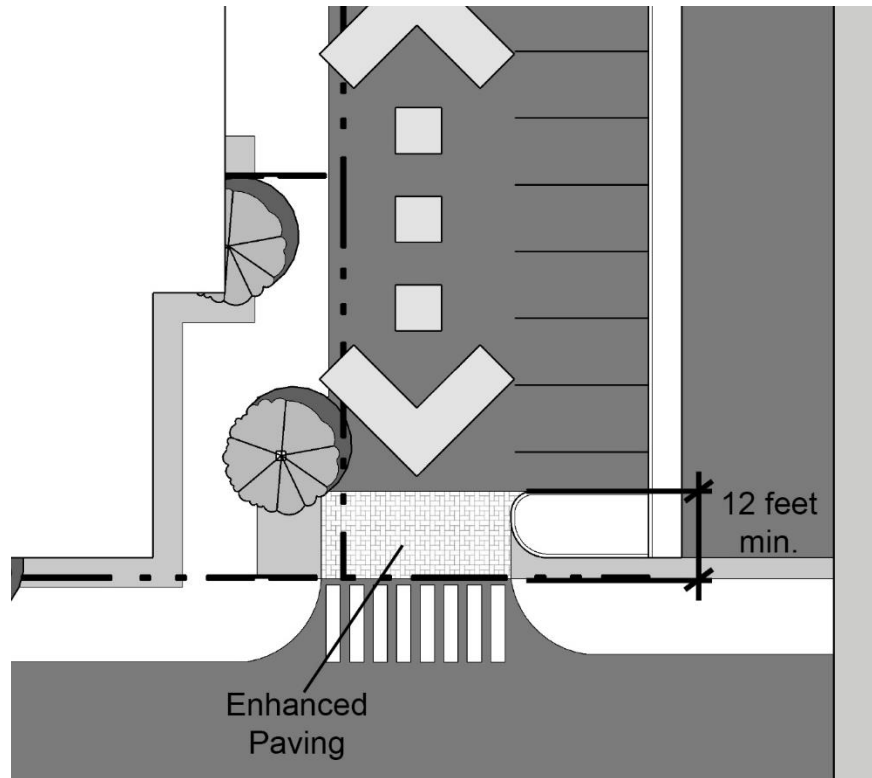
a. Normal Lots. A maximum of one vehicle access point from the street is permitted per 200 feet of street frontage.

b. Corner Lots.

i. One vehicular access point is permitted per lot where all street frontages are less than 200 linear feet.

ii. Two vehicular access points are permitted on lots where at least one street has a frontage of 200 linear feet or more.

c. Enhanced Paving for Entrance Driveways. Paving treatment using one or more of the following: patterned or colored pavers, brick, or decorative colored or scored concrete shall be used for entrance driveways, a minimum of 12 feet in length, and spanning the width of the entrance driveway.



*Enhanced Paving for Entrance Driveways Exhibit*

4. Number of Parking Spaces. Except for projects that are exempt from required parking, projects shall provide parking spaces according to the following:
  - a. Residential Uses.
    - i. Three Bedrooms or Less. One space per residential unit.
    - ii. Four Bedrooms or More. Two spaces per residential unit.
  - b. Residential Guest Spaces. One space per 10 residential units.
  - c. Non-Residential Uses. One space per 750 square feet of floor area.
5. Surface Parking Areas. Parking areas shall not be located within any front or side setback or between any primary structure and the primary street.
6. Loading and Service Areas.
  - a. All required loading and service areas shall be located adjacent to a facade other than the primary street frontage.

b. Loading and service areas shall be located so as to not disrupt or block the flow of on-site and off-site vehicular traffic.

c. Loading and service areas shall not be located adjacent to residential dwelling units or common open space areas.

D. Open Space. Projects shall provide open space at the rate of 150 square feet per residential unit. Open space may be provided through common open space, private open space, or some combination of both.

1. Common Open Space. Projects shall provide common space according to the standards below.

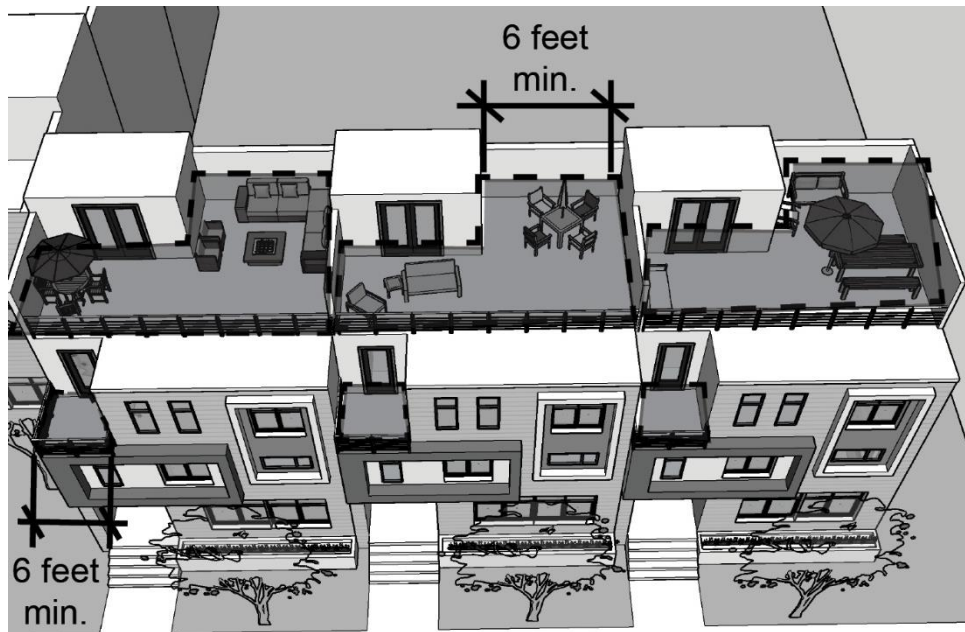
a. Amenity Types. Where required by the base zoning district, projects shall provide at least one common open space through the following amenities: play areas, common courtyards, patios, gathering spaces, multi-use paths and trails, athletic or recreational facilities, dog runs and enclosures; pools and spas; and community gardens. An applicant may provide common open space through an amenity not on this list if it is readily accessible by all residents for recreation and social purposes.

b. Dimensions. Common open space shall provide a minimum of 20 feet for one dimension, and a minimum of 10 feet in all other dimensions.

2. Private Open Space. Projects shall provide private space according to the standards below.

a. Dimensions. Private open space shall have a minimum dimension of six feet for every dimension.

b. Screening with Landscaping and Structural Elements. Where a private open space is located within five feet of a public right-of-way, common open space, or pedestrian walkway, the private open space shall be screened by a landscape buffer or dense evergreen plants of a minimum five feet height, and a fence or wall a minimum of five feet in height.



*Private Open Space: Dimensions Exhibit*

### **17.90.030 Building Design.**

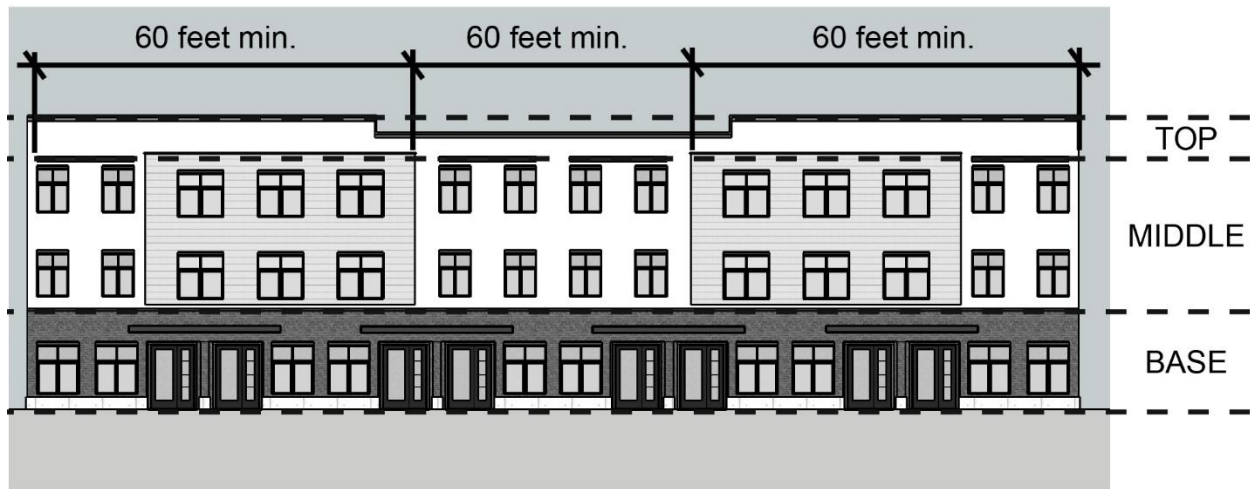
#### **A. Building Form, Massing, and Articulation.**

1. Building Form and Vertical Hierarchy. Buildings shall be designed to differentiate between a defined base; a middle or body; and a top, cornice, or parapet cap. All buildings shall achieve this effect through at least two of the following:

- a. Color, texture, or material changes.
- b. Variations, projections, or reveals in the wall plane.
- c. Variations in fenestration size or pattern.
- d. Decorative architectural details, such as cornices and columns.

2. Wall Plane Variation. Building facades facing a primary street shall not extend more than 60 feet in length without a five-foot variation in depth in the wall plane. Building entrances, front porches, upper-story setbacks, projections, recesses, stoops, bay windows, and overhangs count towards this requirement.





*Vertical Hierarchy and Wall Plane Variation Exhibit*

3. Corner Lots. Buildings located on corner lots shall include one or more of the following features on both street-facing facades, located within 30 feet of the corner of the building closest to the intersection:

- a. An entrance to a ground-floor use or a primary building entrance.
- b. A different material application, color, or fenestration pattern of windows and doors from the rest of the facade.
- c. A change in height of at least 18 inches from the height of the abutting facade.

4. Roof Line Variation. Roof lines shall not extend more than a length of 60 feet without at least one of the following:

- a. Variation in roof form, such as hip, mansard, gable, shed, and flat with parapet.
- b. Variation in architectural elements, such as parapets or varying cornices.
- c. Variation of roof height of at least 18 inches (as measured from the highest point of each roof line).



*Roof Line Variation*

5. Flat Roofs and Parapets.

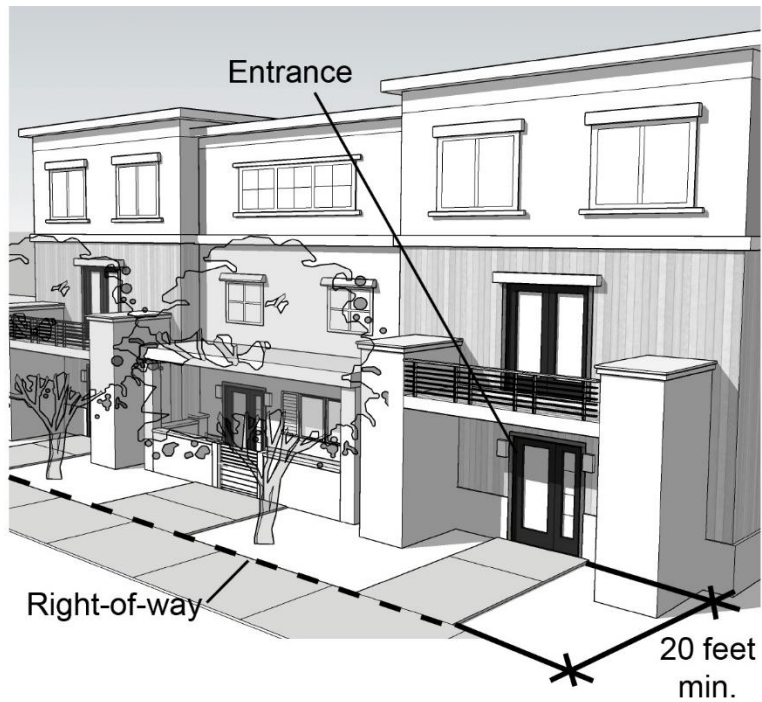
a. Where rooftop equipment is located within 10 feet of a roof edge, a parapet shall be provided that is a minimum of six inches taller than all roof-top equipment.

b. Interior side of parapet walls shall not be visible from a common open space or public right-of-way.

c. Parapets shall be capped with precast treatment, continuous banding, projecting cornices, dentils, or similar edge treatment.

B. Primary Building Entrance.

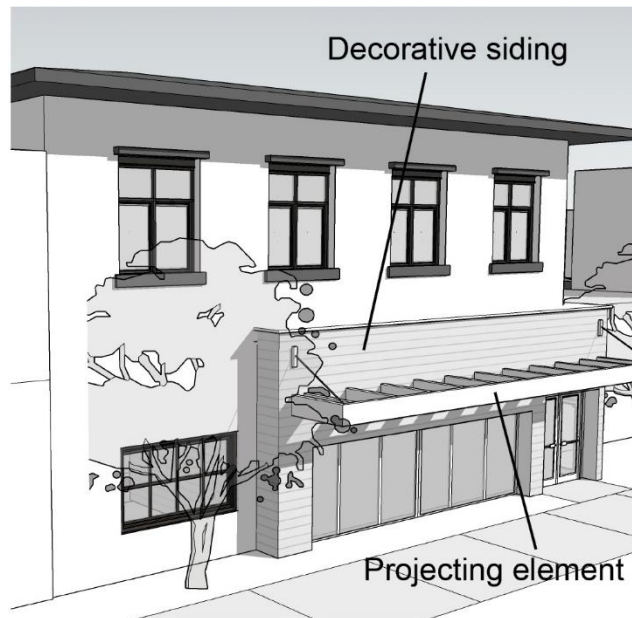
1. Location. Buildings located within 20 feet of the primary street right-of-way shall have a ground-level primary building entrance facing the primary street.



*Primary Building Entrance: Location Exhibit*

2. Architectural Treatments. Primary building entrances shall incorporate at least two of the following architectural treatments:

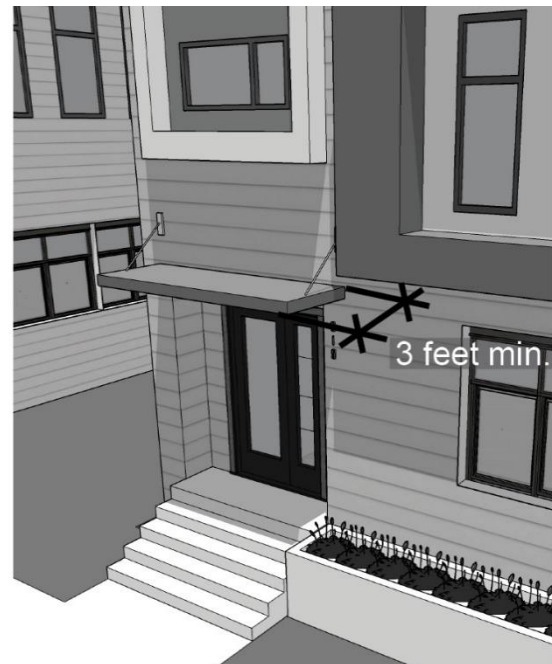
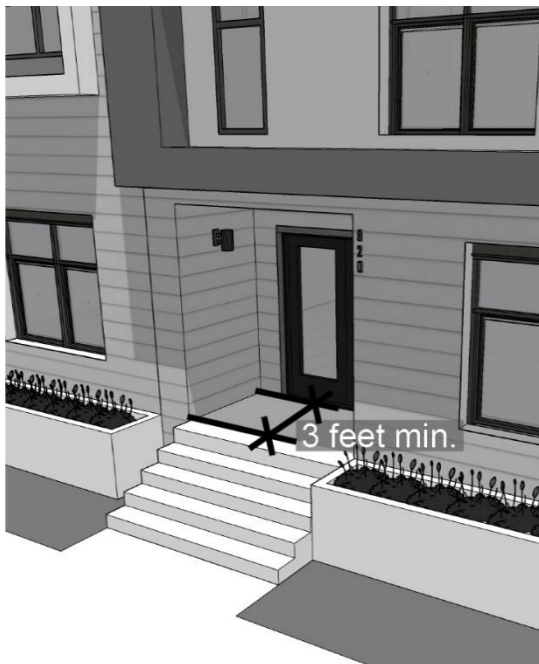
- a. Feature window details;
- b. Towers;
- c. Decorative veneer or siding;
- d. Projecting elements above the entrance; or
- e. Changes in roof line or wall plane.



*Primary Building Entrance: Architectural Treatments Exhibit*

C. Individual Dwelling Unit Entrance.

1. Weather Protection. All exterior unit entrances shall either be recessed from the main facade or have a sheltering element; the projection or recess shall have a minimum depth of three feet.



*Weather Protection: Recessed From Facade (Left), Projected Element (Right) Exhibit*

2. Street-Facing Unit Entrance. Each dwelling unit located within 20 feet of a primary street right-of-way shall include at least one street-facing porch, balcony, or patio.



*Street-Facing Unit Entrances*

3. Upper-Floor Unit Entrance. Exterior entrances to individual dwelling units on upper floors are permitted. No exterior access corridor located above the ground floor may provide access to five or more upper-floor dwelling units.

4. Architectural Treatments. Entrances for buildings and individual dwelling units shall incorporate at least two of the following architectural treatments:

- a. Feature window details;
- b. Towers;
- c. Decorative veneer or siding;
- d. Porches or stoops; or
- e. Changes in roof line or wall plane.

D. Window Treatment.

1. Windows shall either be recessed at least three inches from the plane of the surrounding exterior wall or shall have a trim or windowsill projecting at least one-half inch.

2. Windows Facing a Public Street. Windows facing a public street shall feature enhanced window treatments, such as decorative architectural brackets, trim, shutters, awnings, or trellises.

3. Shutters. Functional and decorative shutters shall be proportionate to the size of the associated glazing. Shutters shall be half the width of the associated glazing for paired shutters, or identical width for a single shutter.

E. Materials and Colors.

1. Wall Material. The primary exterior siding material for buildings shall be wood, composite wood, stone, stone veneer, granite, slate, brick, brick veneer, stucco, plaster, fiber cement, vinyl, aluminum, or steel. The use of exposed plywood or glass curtain walls is prohibited.

2. Wall Color. The color of exterior walls shall have a light reflectance value of 50% or greater.

3. Material and Color Transition. Changes in material or color shall occur at inside corners of intersecting walls or at architectural features that break up the wall plane, such as columns.

4. Accent Material. Use of two or more accent materials, such as wood siding, brick, metal, glass, stone, concrete, or plaster, shall be incorporated to highlight building features.

5. Material Application. Materials and textures shall vary between the base and body of a building. Heavier materials such as brick, stone, tile, and pre-cast concrete shall primarily be used at ground level to form a base. Lighter materials such as siding and smooth stucco shall be used on the body of the building.

6. Color Application. Colors shall vary between the body and base of a building. A color with higher light reflectance value shall be used on the body of the building and a color with lower light reflectance value (LRV) shall be used at ground level.

F. Parking Structures.

1. Wall Plane Variation. Building facades visible from the primary street shall not extend more than 60 feet in length without a five-foot variation in depth in the wall plane.

2. Materials and Colors. The parking structure shall utilize the same colors and materials as the residential buildings.

3. Articulation. The exterior of the parking structure shall apply at least one of the following as articulation:

a. Applied materials, such as brick, stone, or siding, which extend at least two inches from the face of the structure to the face of the applied materials. Painted concrete, smooth concrete, or stucco walls shall not be considered sufficient articulation.

b. Decorative architectural features, such as cut metal screens, awnings, trellises, louvers, or decorative security grills.

4. Vertical Plantings. Vertical plantings shall be located between openings, entrances, and architectural accent features. For any portion of a wall that does not include entrances or architectural accent features, at least one screening tree shall be placed in front of the building facade for every 50 feet. The trees shall be selected to grow to at least 40 feet in height at maturity and at least 15 feet within two years from time of installation.

G. Garages.

1. Garage doors shall be recessed a minimum of six inches from the surrounding wall plane.

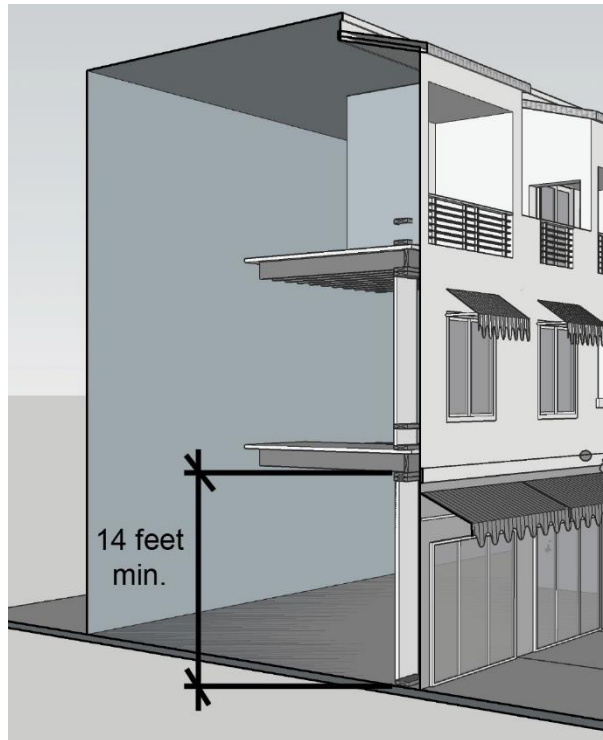
2. Garages shall feature at least one of the following treatments:

- a. Garage door windows.
- b. Paneled garage door surface.
- c. Two different colors.

H. Carports. Carports shall utilize wood or stucco. The use of exposed aluminum or steel is prohibited.

**17.100.040 Mixed Use Standards.**

A. Ground Floor Height. The ground floor of a mixed-use building shall have a minimum ceiling height of 14 feet, measured from finished floor to the bottom of the finished second floor.

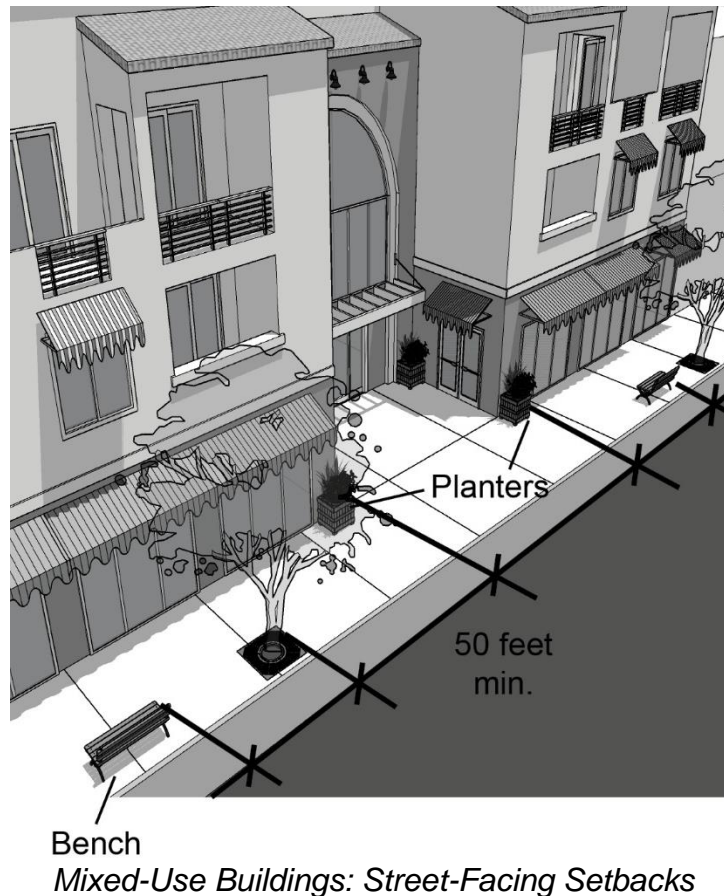


*Mixed-Use Buildings: Ground Floor Height Exhibit*

B. Ground Floor Transparency. Exterior walls facing a public street shall include transparent windows and doors for at least 50 percent of the building wall area located between three and seven feet above the elevation of the sidewalk. Parking garages are not required to meet the ground floor transparency requirement.

C. Street-Facing Setbacks. Street-facing setbacks shall be landscaped or prepared for use by pedestrians. The setback area on each lot shall contain at least two amenities per 50 linear feet, such as benches, drinking fountains, shade structure, or other design element (e.g., public art, planters, kiosks, etc.).





D. **Street-Facing Entrance.** Mixed-use buildings located within 20 feet of a primary street right-of-way shall incorporate at least one primary building entrance directly from the public sidewalk or right-of-way. The primary building entrance shall include weather protection that is a minimum six feet wide and four feet deep by recessing the entrance or providing an awning or similar weather protection element.

#### **17.100.050 Utilitarian Elements**

A. **Bicycle Parking.** Bicycle parking and storage areas are required for all multifamily and mixed use developments.

1. **Short-Term Bicycle Parking.**

a. **Location.** Short-term bicycle parking shall be located outside of the public right-of-way and outside of pedestrian walkways. Short-term bicycle parking shall be located within 50 feet of a primary building entrance.

b. **Size and Accessibility.** Each short-term bicycle parking space must be accessible without moving another bicycle. Two feet of clearance shall be provided between bicycle parking spaces and adjacent walls, poles, landscaping, street furniture, drive aisles, and pedestrian ways. Five feet of clearance shall be provided from any vehicle parking space.

c. Number of spaces required.

i. Residential uses. One space per every 10 residential units is required to be provided separately from long-term bicycle parking requirement.

ii. Non-Residential Uses. Short-term bicycle parking for non-residential uses shall be provided at a minimum ratio of one space per 10 vehicle spaces required for the non-residential use. Where no vehicle parking is required, Long-term bicycle parking for non-residential uses shall be provided at a minimum ratio of one space per 5,000 square feet of non-residential uses.<sup>2</sup>.

Long-Term Bicycle Parking.

2. Long-Term Bicycle Parking.

a. Number of Spaces Required. A minimum of one long-term bicycle parking space shall be provided for every dwelling unit.

b. Location and Shelter. Long-term bicycle parking shall be located within 100 feet of a primary building entrance. At least 50% of required long-term bicycle parking shall be covered inside buildings, under roof overhangs or awnings, in bicycle lockers, or within or under other structures.

c. Size and Accessibility. Each long-term bicycle parking space must be accessible without moving another bicycle. Two feet of clearance shall be provided between bicycle parking spaces and adjacent walls, poles, landscaping, street furniture, drive aisles, and pedestrian ways. Five feet of clearance shall be provided from any vehicle parking space.

d. Bicycle Charging. For required long-term bicycle parking, one charging electrical outlet is required for every 10 required bicycle parking spaces.<sup>B</sup>.

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 17.54.010, Required Trash, Recycling, and Organics Storage Area, of this 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.

C. Fences and Walls. Fences and walls shall comply with the provisions of Section 17.48.020, Fences, Freestanding Walls, and Hedges, of this Title.

D. Vents and Exhaust. All wall-mounted vent and exhaust elements shall be located at interior corners of building walls or behind building elements

that conceal them from public view. All flashing, sheet metal vents, exhaust fans or ventilators, and pipe stacks shall be painted a color to match the adjacent roof or wall material.

**SECTION 3. CEQA.** There are no new significant environmental impacts or previously identified significant impacts made more severe by project modifications, new circumstances, or new information associated with the project. Therefore, the City determined that an Addendum to the Hawthorne General Plan Environmental Impact Report for Amendments to Municipal Code Chapter 17, Zoning is the appropriate California Environmental Quality Act (CEQA) document to address project modifications in accordance with CEQA Guidelines Section 15164. CEQA Guidelines Section 15164(c) provides that an addendum need not be circulated for public review.

**SECTION 4. SEVERABILITY.** If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

**SECTION 5. AUTHORIZATION TO PUBLISH SUMMARY OF ORDINANCE.** Pursuant to Government Code Section 36933(c)(1), the City Attorney is authorized to prepare a summary of this ordinance. The City Clerk is also authorized to publish a summary of the text of this ordinance in the Hawthorne Press Tribune at least five days prior to the adoption of this ordinance. Within 15 days after adoption of the ordinance, the City Clerk is directed to publish a summary of this ordinance in the Hawthorne Press Tribune.

**SECTION 6. EFFECTIVE DATE.** This ordinance shall take effect 30 days after passage thereof.

**PASSED, APPROVED AND ADOPTED** this 14th day of November 2023.

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ALEX VARGAS, Mayor  
City of Hawthorne, California

**ATTEST:**

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

**APPROVED AS TO FORM**

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ROBERT KIM,  
City Attorney  
City of Hawthorne, California