



TRANSITIONAL USE LICENSE
Commercial-Residential Transition Ordinance

Business Name: _____ Tax Certificate No.: _____ Site Address: _____

Because your business falls under Business Tax Certificate Class "B" (retail, wholesale or construction contractor), Class "D" (auto dealer), or is a medical office or medical laboratory use, and is located in a commercial zones within 170 feet of a residential or RMCP zone, you must read and complete this affidavit¹.

I, _____ (please print or type name), hereby acknowledge and agree to comply with the following requirements, including any conditions imposed by the Director of Community Development consistent with these requirements to ensure compliance with all the following requirements:

1. Between the hours of 10:00 p.m. and 7:00 a.m. on a weekday, and between the hours of 10:00 p.m. and 9:00 a.m. on a weekend or holiday:
 - No deliveries shall be received, and no loading or unloading shall be permitted unless: 1) the deliveries, loading, or unloading operation is conducted entirely within an enclosed structure, or 2) the deliveries, loading, or unloading operation is conducted exclusively from a public right-of-way that is not adjacent to a residential or RMCP zone.
 - Refuse shall not be deposited into a commercial refuse bin located outside of an enclosed structure on private property or a public right-of-way adjacent to a residential zone or RMCP zone unless such refuse is sealed in bags.
 - Commercial refuse bins shall not be moved in a public right-of-way adjacent to a residential zone or RMCP zone, or within the area between a commercial structure and a residential zone or RMCP zone.
 - All commercial refuse bins shall be equipped with nonmetallic lids which shall remain closed at all times.
 - All doors facing a residential zone or RMCP zone shall remain closed at all times during extended hours except for the immediate purpose of ingress or egress. All windows to food preparation areas that face a residential zone or RMCP zone shall remain closed at all times.
 - Employees, associates, or contractors of a nonresidential use shall not congregate in any open area or public right-of-way separating a nonresidential structure and a residential zone or RMCP zone.
 - General requirement: All businesses in the commercial-residential transition area shall comply with all general noise regulations of the City. Pursuant to said provisions, all businesses in the commercial-residential transition area shall comply with the following requirements: The employees, agents, associates, or contractors of a business shall not engage in conduct or activity, and no activity shall be conducted on the premises in a manner which substantially or unreasonably disturbs the peace and quiet of a neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitivity residing in the area.
2. If the business will be receiving patrons between 10:00 p.m. and 7:00 a.m. on weekdays or 9:00 a.m. on weekends or holidays, then you must first obtain an Extended Hours Permit from the Planning Commission before receiving patrons during the specified hours in addition to completing this affidavit². Please consult with the Community Development Department located within City Hall at 455 N. Rexford Drive, Beverly Hills, CA 90210, or via phone by calling (310) 285-1141.

I declare that the subject business has no uncured violations of the Beverly Hills Municipal Code. In the event that the Director of Community Development has a reasonable basis to believe that the subject business may be in violation of the requirements of this Article 19.5 or any other provision of this Municipal Code, and that substantial progress is not being made toward the correction of such violation, the Director of Community Development shall have the authority to refer the subject business to the Planning Commission for revocation of the Transitional Use License.

Signature

Date

Contact person in case of problems: _____ Phone: _____

Issued this ____ day of _____, _____ by (Name of City Official): _____

¹ Refer to BHMC Sec. 10-3-1956(B) for the full list of business types that are not required to have a Transitional Use License.

² Does not apply to businesses that were already legally operating during those hours as of December 27, 1996, or January 8, 1999, except as further regulated in B.H.M.C. Sec. 10-3.1958(h).