

EXHIBIT B (GYMS)
OUT ZONE PERMIT
DESIGN AND OPERATIONAL STANDARDS

I. INTRODUCTION

- A. The OUT Zone Permit Design and Operational Standards are adopted pursuant to Urgency Ordinance 20-1106U and further amended through Urgency Ordinance 20-1110U and Ordinance 20-____U in order to establish specific design and operational criteria for temporary outdoor expansion on public and private areas.

- B. An outdoor area for gyms and fitness establishments to operate on private property adjacent to or directly accessible from the facility, including private parking stalls, or other private areas, where patrons may engage in physical activity.

- C. These standards and procedures regulate the design and operation of temporary outdoor expansion areas associated with existing gym and fitness facilities. However, they do not provide information on all the government agency requirements for starting a new gym or fitness facility or expanding an existing one. Business owners must secure the appropriate licenses and permits from the City of West Hollywood Planning and Development Services Department and Public Works Department.

- D. Approved OUT Zone Permits may be effective only for the duration of the Urgency Ordinance 20-1106U as amended through Urgency Ordinance 20-1110U, and Urgency Ordinance 20-____U.

- E. These regulations apply to gym and fitness facility activities on private property.

II. APPLICATION PROCEDURE

- A. An application for an OUT Zone Permit shall be obtained from and submitted to the Planning and Development Services Department. Submittal requirements include a site plan drawn to scale to delineate the proposed outdoor area and the layout of furnishings and allowable

amenities, as well as any other requirements outlined in the OUT Zone application form.

III. OUTDOOR FITNESS AREA

- A. The outdoor fitness area shall be permitted only on private property, including, parking areas or other private property located near or in close proximity to the business. If the business has on-site parking, the private parking may be used as the outdoor fitness area. Parking does not need to be added or replaced.
- B. The final location and configuration of the outdoor fitness area shall be subject to approval by the Director of the Planning and Development Services Department, who shall consider public safety issues and maintenance of minimum clearances to comply with ADA requirements and the safety and convenience of pedestrians and customers.
- C. Temporary signage may be included as part of outdoor fitness areas.

IV. DESIGN STANDARDS

- A. All structures, barriers and/or equipment shall be temporary in nature. Items need not be removed each evening, but shall be capable of being removed; imbedded into the pavement they must be fixed through the use of recessed sleeves and posts, otherwise by wheels that can be locked into place or weighted in place. Structures that are more permanent in nature are subject to further review by Building and Safety and may require additional permits.
- B. No additional parking shall be required for outdoor fitness areas.

V. STANDARDS OF OPERATION

- A. Outdoor fitness areas are limited to use by patrons of gym/fitness facility and cannot be utilized by general members of the public.

- B. Gym/fitness facility management shall keep the outdoor fitness area clear of litter, debris, trash, etc. Trash receptacles shall be provided in the outdoor fitness area.
- C. At the end of each business day, establishments are required to clean (sweep and wash) the area in and around the outdoor fitness area and remove the debris to a closed receptacle. No debris shall be swept, washed, or blown into the sidewalk, gutter or street in conformance with the City's storm water quality regulations.
- D. Temporary outdoor lighting shall not impact adjacent residential units.
- E. The allowable hours of operation are 6:00 a.m. to 10:00 p.m., per the City's Noise Ordinance (WHMC 9.08.050). Restricted hours may be applied if the fitness area is located immediately adjacent to residential uses.
- F. Noise: All gym/fitness facilities shall comply with the City's Noise Ordinance. Outdoor amplification of music is not permitted. Use of an outdoor microphone or megaphone is not permitted. All music and instruction shall be transmitted to patrons through wireless headphone systems. Music and instruction shall not be audible to any adjacent residential uses. From 6:00 A.M. to 9:00 A.M., gym/fitness facilities shall not be audible from any residential uses. Additional measures may be necessary to comply with the noise limitations as required by the Noise Ordinance.

VI. ENFORCEMENT OF REVOCABLE PERMIT

- A. Notice of violation of the outdoor design standards or standards of operation shall be made in writing to the Permittee or manager or other business representative by any Code Enforcement Officer, Sherriff Department Official, or Fire Department Official of the City. The Permittee or manager or other business representative shall immediately cure the violation upon receipt of notice. If the violation is not cured within thirty (30) minutes after issuance of the notice to the Permittee or manager or other business representative, unless otherwise specified, the Director may suspend or revoke the OUT Zone Permit. Permittee or other business representative may otherwise be subject to administrative citations failing to comply with the notice of violation.
- B. In the case of non-compliance with conditions of approval, substantial difficulties resulting from the OUT Zone Permit issuance, or other

unforeseen problems with the OUT Zone Permit, the Planning and Development Services Director has the right to reevaluate the permit or its conditions of approval; and, if the OUT Zone Permit has created impacts to the neighborhood or area surrounding the gym or fitness facility, or Sherriff or Code Enforcement problems, the Temporary Permit may be revoked.

- C. This is a revocable permit that is intended to allow business expansion for social distancing in a manner that does not cause disturbances to surrounding properties. In the case where the activity is endangering jeopardizing, or otherwise constituting a menace to the public convenience, health, interest, safety, or the general welfare of persons residing or working in the vicinity of the proposed use, the Director of Planning and Development Services may revoke the OUT Zone Permit.