

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



1.1

On motion of Supervisor Stone, seconded by Supervisor Benoit and duly carried by unanimous vote, IT WAS ORDERED, FOUND AND DETERMINED that the following ordinance was duly published:

ORDINANCE

DATE

NEWSPAPER

No. 348.4679

April 4, 2010

The Press-Enterprise

I hereby certify that the foregoing is a full, true and correct copy of an order made and entered on May 18, 2010 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors

Dated: May 18, 2010

Kecia Harper-Ihem, Clerk of the Board of Supervisors, in and for the County of Riverside, State of California.

(seal)

By:  Deputy

AGENDA NO.

1.1

ATTACHMENTS FILED WITH
THE CLERK OF THE BOARD

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

THE PRESS-ENTERPRISE

3450 Fourteenth Street
Riverside CA 92501-3878
951-684-1200
951-368-9018 FAX

PROOF OF PUBLICATION (2010, 2015.5 C.C.P.)

Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: Ord. No. 348.4679

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper of general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673 and under date of August 25, 1995, Case Number 267864; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

04-04-10

I Certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: Apr. 4, 2010
At: Riverside, California

BOARD OF SUPERVISORS

P.O. BOX 1147
COUNTY OF RIVERSIDE
RIVERSIDE CA 92502

Ad #: 10219397

PO #:

Agency #: _____

Ad Copy:

BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA ORDINANCE NO. 348.4679 AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING ORDINANCE NO. 348 RELATING TO ZONING

The Board of Supervisors of the County of Riverside
Ordains as Follows:

Section 1. Section 4.1 of Ordinance No. 348, and Official Zoning Plan Map Nos. 17, 2, and 55, as amended, are further amended by placing in effect in the Hemet-San Jacinto Zoning District, Perris Reservoir Zoning District and the Lakeview Zoning Area, Nuevo Zoning Area, Juniper Flats Zoning Area, Homeland Zoning Area and North Perris Zoning Area, zone or zones as shown on the maps entitled "Change of Official Zoning Plan Amending Ordinance No. 348, Map Nos. 17, 102, 2, 2321 and 55,038, Change of Zone Case No. 7055", which maps are made a part of this ordinance.

Section 2. Article XVIIa of Ordinance No. 348 is amended by adding thereto a new Section 17.114 to read as follows:

Section 17.114 SP ZONE REQUIREMENTS AND STANDARDS FOR SPECIFIC PLAN NO. 342.

a. Planning Areas 1, 2, 3, and 4.

(1) The uses permitted in Planning Areas 1, 2, 3, and 4 of Specific Plan No. 342 shall be the same as those uses permitted in Article VIII, Section 8.100 of Ordinance No. 348, except that the uses permitted pursuant to Section 8.100.a.(1), (2), (3) and (8); Section 8.100.b.(1) and Section 8.100.c.(1) shall not be permitted. In addition, the uses permitted under Article VIII, Section 8.100.a. shall include flood control basins and facilities; trails; paseos; hiking areas; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use and does not change the character of that use. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such a use is subject to the permit process which governs the category in which it falls.

(2) The development standards for Planning Areas 1, 2, 3, and 4 of Specific Plan No. 342 shall be the same standards as those identified in Article VIII, Section 8.101 of Ordinance No. 348.

(3) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article VIII of Ordinance No. 348.

b. Planning Areas 5, 7, 21, and 22.

(1) The uses permitted in Planning Areas 5, 7, 21, and 22 of Specific Plan No. 342 shall be the same as those uses permitted in Article VIII, Section 8.100 of Ordinance No. 348, except that the uses permitted pursuant to Article VIII, Section 8.100.a. (2) and (8); Section 8.100.b.(1) and Section 8.100.c. (1) shall not be permitted. In addition, the uses permitted under Article VIII, Section 8.100.a. shall include unlighted parks; flood control basins and facilities; transit center; lift station; community gardening activities; trails; paseos; and hiking areas. In addition, the uses permitted under Article VIII, Section 8.100.a. shall also include these temporary uses (those lasting less than 3 months) provided the procedures outlined in Section 18.30.d.(1) are met: food stands; Christmas tree farms; pumpkin patches, and fairs and carnivals; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use and does not change the character of that use. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such a use is subject to the permit process which governs the category in which it falls.

(2) The development standards for Planning Areas 5, 7, 21, and 22 of Specific Plan No. 342 shall be the same standards as those identified in Article VIII, Section 8.101 of Ordinance No. 348.

(3) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article VIII of Ordinance No. 348.

c. Planning Areas 6 and 8.

(1) The uses permitted in Planning Areas 6 and 8 of Specific Plan No. 342 shall be the same as those uses permitted in Article VIII, Section 8.100 of Ordinance No. 348, except that the uses permitted pursuant to Article VIII, Section 8.100.a.(2) and (8); Section 8.100.b.(1) and Section 8.100.c.(1) shall not be permitted. In addition, the uses permitted under Article VIII, Section 8.100.a. shall include unlighted parks; swimming pools; community gardening activities; trails; paseos; hiking areas; permanent rock climbing walls; skateboard parks and other similar facilities; amphitheaters with non acoustic amplifications and shielded lighting. In addition, the uses permitted under Article VIII, Section 8.100.a. shall also include these temporary uses (those lasting less than 3 months) provided the procedures outlined in Section 18.30.d.(1) are met: food stands; Christmas tree farms; pumpkin patches, and fairs and carnivals; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use and does not change the character of that

use. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such use is subject to the permit process which governs the category in which it falls.

The development standards for Planning Areas 6 and 8 of Specific Plan No. 342 shall be the same standards as those identified in Article VIII, Section 8.101 of Ordinance No. 348.

Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article VIII of Ordinance No. 348.

d. Planning Areas 9, 10, 12, 14, 15, 16, 17, 18, 20, 41, 42, 43, 45, 46, 50, 51, 52, 53, 55, 56, 57, 58, 61, 62, 63, 64, 66, 67, 68, 69, 73 and 75.

(1) The uses permitted in Planning Areas 9, 10, 12, 14, 15, 16, 17, 19, 20, 41, 42, 43, 45, 46, 50, 51, 52, 53, 55, 56, 57, 58, 61, 62, 63, 64, 66, 67, 68, 69, 73, and 75 of Specific Plan No. 342 shall be the same as those uses permitted in Article VI, Section 6.1 of Ordinance No. 348, except that the uses permitted pursuant to Section 6.1.a.(3), (5), (7) and (8); Section 6.1.b.(1) and (4); and Section 6.1.c.(1) shall not be permitted. In addition, the uses permitted under Section 6.1.a. shall include two-family dwellings; multiple family dwellings; schools; non-profit community centers; parks; community recreation facilities; swimming pools; pedestrian paseos; temporary real estate tract offices located within a subdivision to be used only for and during the original sale of the subdivision, but not to exceed a period of five (5) years in any event; temporary uses (those lasting less than 3 months) provided the procedures outlined in Section 18.30.d.(1) are met; food stands; Christmas tree farms; pumpkin patches, and fairs and carnivals and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use and does not change the character of that use. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such a use is subject to the permit process which governs the category in which it falls.

(2) The development standards for detached single-family residential fee simple lots within Planning Areas 9, 10, 12, 15, 16, 17, 19, 20, 41, 42, 43, 45, 50, 51, 52, 53, 55, 56, 57, 58, 61, 62, 63, 64, 66, 67, 68, 69, 73, and 75 of Specific Plan No. 342 shall be the same standards as those identified in Article VI, Section 6.2 of Ordinance No. 348 except that the development standards set forth in Article VI, Section 6.2.a. b., c., d., e.(1), (2), (3), and (4), and g. shall be deleted and replaced with the following:

- A. The height of buildings shall not exceed forty-five feet (45').
- B. Lot area shall be not less than two thousand eight hundred (2,800) square feet.
- C. The minimum average width of each lot shall be forty feet (40') and the minimum average depth shall be seventy feet (70').
- D. The minimum frontage of a lot shall be thirty-five feet (35'), except that lots fronting on knuckles or cul-de-sacs shall have a minimum frontage of thirty feet (30'). Lot frontage along curvilinear streets shall be measured at the building setback in accordance with zone development standards.
- E. The front yard shall be not less than ten feet (10'), measured from the existing street right of way or from any future street right of way as shown on any specific plan of highways, whichever is nearer to the proposed structure. Porches in the front of the structure may encroach five feet (5') into the front yard setback.
- F. Side yards on interior and through lots shall be not less than five feet (5'). Side yards on corner and reverse corner lots shall not be less than five feet (5') from the existing street right of way or from any future street right of way as shown on any specific plan of highways, whichever is nearer to the proposed structure, upon which the main building sits.
- G. The rear yard shall be not less than ten feet (10'), except that second floor living space and balconies located in the rear yard shall be permitted within one foot (1') of the rear property line, and garages shall be permitted within five feet (5') of the rear property line.
- H. Fireplaces, media niches, bay windows, porches, window boxes, and similar architectural features shall be allowed to encroach a maximum of two and one-half feet (2.5') into setbacks. At least one side of the structure shall maintain a four feet (4') setback regardless of encroachments. Media niches shall be a maximum of eight feet (8') in width. No second floor structural encroachments shall be permitted within one foot (1') of the rear property line. No other structural encroachments shall be permitted in the front, rear or side yard setback except as provided for in Section 18.19 of Ordinance No. 348.

- I. In no case shall more than ~~sixty~~ percent (60%) of any lot be covered by a dwelling footprint.
 - (3) The development standards for detached high density single family home products not on fee simple lots as defined by Section 21.59a of Ordinance 348 within Planning Areas 9, 10, 12, 14, 15, 16, 17, 19, 20, 41, 42, 43, 45, 46, 50, 51, 52, 53, 55, 56, 57, 58, 61, 62, 63, 64, 66, 67, 68, 69, 73, and 75 of Specific Plan No. 342 shall be the same standards as those identified in Article XVIII, Section 18.5 of Ordinance No. 348 except that the development standards set forth in Article XVIII, Section 18.5.b. and c. shall be deleted and replaced with the following:
 - A. The height of buildings shall not exceed forty-five feet (45').
 - B. Lot area shall be not less than two thousand (2,000) square feet.
 - C. The minimum average width of each lot shall be thirty-five feet (35') and the minimum average depth shall be fifty-eight feet (58').
 - D. The minimum frontage of a lot shall be thirty-five feet (35'), except that lots fronting on knuckles or cul-de-sacs shall have a minimum frontage of thirty feet (30'). Lot frontage along curvilinear streets shall be measured at the building setback in accordance with zone development standards.
 - E. The front yard shall be not less than three feet (3'), measured from the existing street right of way or from any future street right of way as shown on any specific plan of highways, whichever is nearer to the proposed structure.
 - F. Side yards on interior and through lots shall be not less than three feet (3'). Side yards on corner and reverse corner lots shall not be less than five feet (5') from the existing street right of way or from any future street right of way as shown on any specific plan of highways, whichever is nearer to the proposed structure, upon which the main building sides.
 - G. The rear yard shall be not less than three feet (3'), except that second floor living space and balconies located in the rear yard shall be permitted within one foot (1') of the rear property line.
 - H. Fireplaces, media niches, bay windows, porches, window boxes, and similar architectural features shall be allowed to encroach a maximum of two feet and one-half (2.5') into setbacks. At least one side of the structure shall maintain a four foot (4') setback regardless of encroachments. Media niches shall be a maximum of eight feet (8') in width. No second floor structural encroachments shall be permitted within one foot (1') of the rear property line. No other structural encroachments shall be permitted in the front, rear or side yard setback except as provided for in Section 18.19 of Ordinance No. 348.
 - I. In no case shall more than seventy-five percent (75%) of any lot be covered by a dwelling.
 - J. All residential development that contains non fee-simple lots shall submit a Planned Residential Development application in conjunction with a land subdivision application.
 - (4) Attached two-family and multi-family residential uses homes as defined by Section 21.59a of Ordinance 348 permitted in Planning Areas 9, 10, 12, 15, 16, 17, 19, 20, 41, 42, 43, 45, 46, 50, 51, 52, 53, 55, 56, 57, 58, 61, 62, 63, 64, 66, 67, 68, 69, 73, and 75 of Specific Plan No. 342 shall be subject to the standards for Planned Residential Developments set forth in Article XVIII, Section 18.5 of Ordinance No. 348 except that the standards set forth in Section 18.5.b., c., e. and i. shall be deleted and replaced with the following:
 - A. The height of buildings shall not exceed forty-five feet (45').
 - B. The distance between buildings shall be no less than six feet (6').
 - C. The minimum building setbacks from a project's exterior streets and boundary lines shall be two and one-half feet (2.5'). The minimum building setback from interior drives shall be three feet (3'), except that second floor living space and balconies located in the rear yard shall be permitted within one foot (1') of the rear property line.
 - D. The number of dwelling units in one building shall not exceed eighteen (18) units.
 - E. Pedestrian walkways with a minimum width of four feet (4') shall be installed between the dwelling units and the recreational areas of the project.
 - F. No dwelling shall be constructed unless it has a minimum floor living area of not less than 750 square feet. Porches, garages, patios and similar features, whether attached or detached to a dwelling, shall not be included when calculating the floor living area.
 - (5) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article VI of Ordinance No. 348.
- e. Planning Areas 26, 27, 28, 29, 30, 31, 33, 34, 35, and 36.
- (1) The uses permitted included in Planning Areas 26, 27, 28, 29, 30, 31, 33, 34, 35, and 36 of Specific Plan No. 342 shall be the same as those uses permitted in Article VIII, Section 18.1 of Ordinance No. 348 except that the uses permitted pursuant to Section 8.1.a. (2), (3), (4), (6), (9), (10), (11), (12), (13), (14), (15), (16), (17), (18),

(19), (20), (21), (23), (24), (25), (27), and (28); 8.1.b.(1), (2), (3), and (4); and 8.1.c. shall not be permitted. In addition, the permitted uses identified under Section 8.1.a shall also include: amphitheaters; antique shops; art gallery; museum; library; assisted living facilities; bakery shops; financial institutions; beauty shops; bicycle sales and rentals; blueprint and duplicating services; ceramic sales / manufacturing; coffee shops; community gardening activities; community recreation facilities; confectionary stores; delicatessens; flood control drainage basins and facilities; florist shops; gift shops; growing produce for non-commercial use; health centers; hobby shops; household goods sales and repair; ice cream shops; interior decorating shops; jewelry stores; lakes, including noncommercial fishing; locksmith shops; manufacturer's agent; multi-family dwelling units; news stores; non-commercial community assembly facilities; nursery schools / preschool day care; on-site identification signs, max size - 10 square feet; Parcel/postal store; parking lots and structures; parks; swimming pools; community gardening; permanent rock climbing walls; photography shops and studios; refreshment stands; restaurants, NOT including drive-in or take-out shoe stores / repair shops; Studios for fine arts; tailor shops; temporary real estate tract offices (for 5 years); toy shops; trails / paseos; travel agencies; watch repair shops; temporary uses (those lasting less than 3 months) provided the procedures outlined in Section 18.30.d.(1) are met; food stands; Christmas tree farms, pumpkin patches, and fairs and carnivals; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use and does not change the character of that use. In addition, the permitted uses identified under Section 8.1.b shall also include: art supply shops; auditoriums/conference rooms; auto parts and supply; bakery goods distributor; book stores; carwashes; catering services; convenience stores - no gas sales; dance halls; drug stores; dry goods stores; employment agencies; equipment rental services; feed & grain stores; gasoline service stations; golf cart sales and service; hardware stores; leather goods; food market, retail or wholesaler; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use and does not change the character of that use. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such a use is subject to the permit process which governs the category in which it falls.

Unless one of the overlay zones as outlined in Section 3 of this ordinance is utilized, the development standards for the base zone classification of Planning Areas 26, 27, 28, 29, 30, 31, 33, 34, 35, and 36 of Specific Plan No. 342 shall be the same as those standards identified in Article VIII, Section 8.2 and Article XVIII, Section 18.5 except that the development standards set forth in Article VIII, Section 8.2 a, b, c, d, f and h; and those development standards set forth in Article XVIII, Section 18.5 b, c, d, e, f, g, i, j, and k, shall be deleted and replaced by the following:

- A. Detached single-family (cluster) homes shall not exceed 40 feet in height, and attached multi-family structures shall not exceed 55 feet in height.
- B. All residential uses shall incorporate at least 50 square feet/dwelling unit of open space. Private usable open space shall have a minimum dimension on any one side of 6 feet.
- C. Rooftop open space may be used as private open space when directly accessible to the unit(s) it serves.
- D. The minimum setback between buildings shall be 6 feet for clustered single family units, and 10 feet for attached multi-family units.
- E. Multi Family Residential building setbacks from a project's exterior streets and boundary lines shall be 10 feet. Detached Single Family Residential or Multi-Family Residential arranged in a Row House fashion shall be no less than 3 feet from the exterior street right of ways and primary access shall be located along the exterior streets.
- F. The minimum block length shall be 700 feet, the maximum shall be 1,320 feet.
- G. A maximum of 25% of any project area may be utilized for commercial purposes.

f. Planning Areas 37, 48, and 49.

- (1) The uses permitted in Planning Areas 37, 48, and 49 of Specific Plan No. 342 shall be the same as those uses permitted in Article VIII, Section 8.100 of Ordinance No. 348, except that the uses permitted pursuant to Article VIII, Section 8.100.a (8) and Section 8.100.b.(1) shall not be permitted. In addition, the uses permitted under Article VIII, Section 8.100.a, shall include unlighted parks; swimming pools; community gardening activities; trails; paseos; hiking areas;

driving ranges not associated with a golf course; miniature golf facilities; amphitheaters with non acoustic lighting amplifications; temporary real estate tract offices located within a subdivision; to be used only for and during the original sale of the subdivision, but not to exceed a period of five (5) years in any event. In addition, the uses permitted under Article VIII, Section 8.100.a, shall also include these temporary uses (those lasting less than 3 months) provided the procedures outlined in Section 18.30.d.(1) are met: food stands; Christmas tree farms, pumpkin patches, and fairs and carnivals; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use and does not change the character of that use. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such a use is subject to the permit process which governs the category in which it falls.

The development standards for Planning Areas 37, 48, and 49 of Specific Plan No. 342 shall be the same standards as those identified in Article VIII, Section 8.101 of Ordinance No. 348.

Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article VIII of Ordinance No. 348.

g. Planning Area 39.

(1) The uses permitted in Planning Area 39 of Specific Plan No. 342 shall be the same as those permitted in Article VIII, Section 8.100 of Ordinance No. 348, except that the uses permitted pursuant to Article VIII, Sections 8.100.a.(8), 8.100.b.(1), and 8.100.c.(1) shall not be permitted. In addition, the permitted uses identified under Section 8.100.a shall include parks; schools; libraries; publicly owned museums; non-commercial community centers and recreation facilities; day care facilities; community theater and arboretum; swimming pools; community gardening activities; trails; paseos; hiking areas; permanent rock climbing walls; driving ranges not associated with a golf course; miniature golf facilities; temporary real estate tract offices not to exceed a period of five (5) years in any event. In addition, the uses permitted under Article VIII, Section 8.100.a, shall also include these temporary uses (those lasting less than 3 months) provided the procedures outlined in Section 18.30.d.(1) are met: food stands; Christmas tree farms, pumpkin patches, and fairs and carnivals; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use and does not change the character of that use. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such a use is subject to the permit process which governs the category in which it falls.

(2) The uses identified under Section 8.100.a shall also include the following uses, so long as the use does not exceed 5,000 square feet, or the total commercial uses do not exceed 25,000 square feet: art supply stores; auditoriums and conference rooms; bakery shops; financial institutions; barber and beauty shops; bicycle sales and repair shops; book stores; cosmetic sales and manufacturing; confectionary or candy stores; coffee shops; delicatessens; floral shops; food markets; gift shops; hardware stores; hobby shops; jewelry stores; ice cream shops; news stores; parking lots and structures; refreshment stands; restaurants and other eating establishments; shoeshine stands; signs for on-site advertising; watch repair shops; golf cart sales and service; churches; wedding chapels; health centers. In addition, the permitted uses identified under Section 8.100.b shall include: bars and dry cleaners.

(3) The development standards for Planning Areas 39 of Specific Plan No. 342 shall be the same standards as those identified in Article VIII, Section 8.101 of Ordinance No. 348, except that the standards identified in Article VIII, Section 8.101(a), (b), and (c) shall be deleted and replaced with the following:

- A. There is no minimum lot area requirement.
- B. There are no yard requirements.
- C. No building or structure shall exceed fifty (50') feet in height, unless a greater height is approved pursuant to Section 18.34 of Ordinance 348. In no event, however, shall a building or structure exceed seventy-five (75') feet in height, unless a variance is approved pursuant to Section 18.27 of Ordinance 348.
- D. All roof mounted mechanical equipment shall be screened from the ground elevation view to a minimum sight distance of 1,320 feet.

h. Planning Areas 60 and 70.

(1) The uses permitted in Planning Areas 60 and 70 of Specific Plan No. 342 shall be the same as those uses permitted in Article VIII, Section 8.100 of Ordinance No. 348, except that the uses permitted pursuant to Article VIII, Section

8.100.a.(1), (2), (3), (4), (5) and (6); Section 8.100.b.(1) and Section 8.100.c.(1) shall not be permitted. In addition, the uses permitted under Section 8.100.a. shall include fire fuel modification areas; trails; paseos; on-site directional or instructional signs; kiosks; hiking areas; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use and does not change the character of that use. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such a use is subject to the permit process which governs the category in which it falls.

The development standards for Planning Areas 60 and 70 of Specific Plan No. 342 shall be the same standards as those identified in Article VIII, Section 8.101 of Ordinance No. 348.

Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article VIII of Ordinance No. 348.

I. Planning Area 77.

- (1) The uses permitted in Planning Area 77 of Specific Plan No. 342 shall be the same as those uses permitted in Article VI, Section 6.1 of Ordinance No. 348, except that the uses permitted pursuant to Article VI, Section 6.1.a. (3), (5), (6), (7) and (8); Section 6.1.b.(2), (4) and (5); and Section 6.1.c.(1) shall not be permitted. In addition, the uses permitted under Article VI, Section 6.1.a. shall include two-family dwellings; multiple family dwellings; parks; pedestrian paseos; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use and does not change the character of that use. In addition, the uses permitted in Article VI, Section 6.1.b shall include the following: community recreation facilities; swimming pools; nursery schools / preschool day care with off-street parking and on a minimum $\frac{1}{2}$ acre lot; offices, including business, law, medical, dental, chiropractic, architectural, engineering, community planning; restaurants and other eating establishments; financial institutions; office equipment sales and service; barber and beauty shops; health and exercise centers; feed and grain sales; churches; schools; community centers; monuments; boat and RV storage; mini storage; and temporary real estate tract offices located within a subdivision, to be used only for and during the original sale of the subdivision, but not to exceed a period of five (5) years in any event; and temporary uses (those lasting less than 3 months) provided the procedures outlined in Section 18.30.d.(1) are met: food stands; Christmas tree farms, pumpkin patches, and fairs and carnivals, and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use and does not change the character of that use. In addition, the uses permitted under Article VI, Section 6.1.c shall include the following: commercial fertilizer operations; the stockpiling, drying, mechanical processing and sale of farm animal manure produced on and off the premises. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such a use is subject to the permit process which governs the category in which it falls.
- (2) The development standards for detached single-family residential lots within Planning Area 77 of Specific Plan No. 342 shall be the same standards as those identified in Article VI, Section 6.2 of Ordinance No. 348 except that the development standards set forth in Article VI, Section 6.2.b., c., d., e.(1), (2), (3), and (4) and g. shall be deleted and replaced with the following:
 - A. Lot area shall be not less than two thousand eight hundred (2,800) square feet.
 - B. The minimum average width of each lot shall be forty feet (40') and the minimum average depth shall be seventy feet (70').
 - C. The minimum frontage of a lot shall be thirty-five feet (35'), except that lots fronting on knuckles or cul-de-sacs shall have a minimum frontage of thirty feet (30'). Lot frontage along curvilinear streets shall be measured at the building setback in accordance with zone development standards.
 - D. The front yard shall be not less than ten feet (10'), measured from the existing street right of way or from any future street right of way as shown on any specific plan of highways, whichever is nearer to the proposed structure. Porches in the front of the structure may encroach five feet (5') into the front yard setback.
 - E. Side yards on interior and through lots shall be not less than five feet (5'). Side yards on corner and reverse corner lots shall not be less than five feet (5') from the existing street right of way or from any future street right of way as shown on any specific plan of highways, whichever is nearer to the proposed structure, upon which the main building sides.

- F. The rear yard shall be not less than ten feet (10'), except that second floor living space and balconies located in the rear yard shall be permitted within one foot (1') of the rear property line, and garages shall be permitted within five feet (5') of the rear property line.
 - G. Fireplaces, media niches, bay windows, porches, window boxes, and similar architectural features shall be allowed to encroach a maximum of two feet and one-half (2.5') into setbacks. At least one side of the structure shall maintain a four foot (4') setback regardless of encroachments. Media niches shall be a maximum of eight feet (8') in width. No second floor structural encroachments shall be permitted within one foot (1') of the rear property line. No other structural encroachments shall be permitted in the front, rear or side yard setback except as provided for in Section 18.19 of Ordinance No. 348.
 - H. In no case shall more than fifty percent (60%) of any lot be covered by a dwelling footprint.
 - I. All residential development that contains non fee-simple lots as defined at Article XVIII, section 18.5 of Ord. 348 shall submit a Planned Residential Development application in conjunction with a land subdivision application.
- (3) The development standards for detached high density single family home products as defined by Section 21.59a of Ordinance 348 within Planning Area 77 of Specific Plan No. 342 shall be the same standards as those identified in Article XVIII, Section 18.5 of Ordinance No. 348 except that the development standards set forth in Article XVIII, Section 18.5.b. and c. shall be deleted and replaced with the following:
- A. Lot area shall be not less than two thousand (2,000) square feet.
 - B. The minimum average width of each lot shall be thirty-five feet (35') and the minimum average depth shall be fifty-eight feet (58').
 - C. The minimum frontage of a lot shall be thirty-five feet (35'), except that lots fronting on knuckles or cul-de-sacs shall have a minimum frontage of thirty feet (30'). Lot frontage along curvilinear streets shall be measured at the building setback in accordance with zone development standards.
 - D. The front yard shall be not less than three feet (3'), measured from the existing street right of way or from any future street right of way as shown on any specific plan of highways, whichever is nearer to the proposed structure.
 - E. Side yards on interior and through lots shall be not less than three feet (3'). Side yards on corner and reverse corner lots shall not be less than five feet (5') from the existing street right of way or from any future street right of way as shown on any specific plan of highways, whichever is nearer to the proposed structure, upon which the main building sides.
 - F. The rear yard shall be not less than three feet (3'), except that second floor living space and balconies located in the rear yard shall be permitted within one foot (1') of the rear property line.
 - G. Fireplaces, media niches, bay windows, porches, window boxes, and similar architectural features shall be allowed to encroach a maximum of two feet and one-half (2.5') into setbacks. At least one side of the structure shall maintain a four foot (4') setback regardless of encroachments. Media niches shall be a maximum of eight feet (8') in width. No second floor structural encroachments shall be permitted within one foot (1') of the rear property line. No other structural encroachments shall be permitted in the front, rear or side yard setback except as provided for in Section 18.19 of Ordinance No. 348.
 - H. In no case shall more than sixty percent (60%) of any lot be covered by a dwelling.
- (4) Attached two-family and multi-family residential uses homes as defined by Section 21.59a of Ordinance 348 permitted in Planning Area 77 of Specific Plan No. 342 shall be subject to the standards for Planned Residential Developments set forth in Article XVIII, Section 18.5 of Ordinance No. 348 except that the standards set forth in Section 18.5.b., c., e. and f. shall be deleted and replaced with the following:
- A. The height of buildings shall not exceed forty-five feet (45'). The distance between buildings shall be no less than six feet (6').
 - B. The minimum building setbacks from a project's exterior streets and boundary lines shall be two and one-half feet (2.5'). The minimum building setback from interior drives shall be three feet (3'), except that second floor living space and balconies located in the rear yard shall be permitted within one foot (1') of the rear property line.
 - C. The number of dwelling units in one building shall not exceed eighteen (18) units.
 - D. Pedestrian walkways with a minimum width of four feet (4') shall be installed between the dwelling units and the recreational areas of the project.
 - E. No dwelling shall be constructed unless it has a minimum floor living area of not less than 750 square feet. Porches, garages, patios and similar features, whether at-

tached or detached to a dwelling, shall not be included when calculating the floor living area.

- (5) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article VI of Ordinance No. 348.

j. Planning Areas 59 and 71.

- (1) The uses permitted in Planning Areas 59 and 71 of Specific Plan No. 342 shall be the same as those uses permitted in Article VIII, Section 8.100 of Ordinance No. 348, except that the uses permitted pursuant to Section 8.100.a.(1), (3), and (8); Section 8.100.b.(1) and Section 8.100.c.(1) shall not be permitted. In addition, the uses permitted under Article VIII, Section 8.100.a. shall include trails; paseos; hiking areas; kiosks; instructional signs; parking lots; riding academies and stables; unlighted poles; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use and does not change the character of that use; swimming pools; community gardening activities; permanent rock climbing walls; skateboard parks and other similar facilities; driving ranges not associated with a golf course; miniature golf facilities; amphitheaters with non acoustic lighting amplifications; temporary Christmas tree sales and uses (those lasting less than 3 months) provided the procedures outlined in Section 18.30.d.(1) are met; food stands; Christmas tree farms, pumpkin patches, and fairs and carnivals; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use and does not change the character of that use. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such a use is subject to the permit process which governs the category in which it falls.
- (2) The development standards for Planning Areas 59 and 71 of Specific Plan No. 342 shall be the same standards as those identified in Article VI, Section 8.101 of Ordinance No. 348.
- (3) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article VIII of Ordinance No. 348.

k. Planning Areas 78 and 84.

- (1) The uses permitted in Planning Areas 78 and 84 of Specific Plan No. 342 shall be the same as those uses permitted in Article VIII, Section 8.100 of Ordinance No. 348, except that the uses permitted pursuant to Section 8.100.a.(1), (2), (3), (4), (6), and (8); Section 8.100.b.(1); and Section 8.100.c.(1) shall not be permitted. In addition, the uses permitted under Article VIII, Section 8.100.a. shall include trails; paseos; hiking areas; kiosks; instructional signs; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use and does not change the character of that use. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such a use is subject to the permit process which governs the category in which it falls.
- (2) The development standards for Planning Areas 78 and 84 of Specific Plan No. 342 shall be the same standards as those identified in Article VI, Section 8.101 of Ordinance No. 348.
- (3) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article VIII of Ordinance No. 348.

l. Planning Area 81.

- (1) The uses permitted in Planning Area 81 of Specific Plan No. 342 shall be the same as those uses permitted in Article VIII, Section 8.100 of Ordinance No. 348, except that the uses permitted pursuant to Section 8.100.a.(1), (2), (3), (4), (8), 8.100.b.(1), and 8.100.c.(1) shall not be permitted. In addition, those uses permitted pursuant to Article VIII, Section 8.100.a. shall include on-site directional or instructional signs; kiosks; trails; paseos; and hiking areas; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use and does not change the character of that use. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such a use is subject to the permit process which governs the category in which it falls.
- (2) The development standards for Planning Areas 81 of Specific Plan No. 342 shall be the same as those standards identified in Article VIII, Section 8.101 of Ordinance No. 348.
- (3) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article VIII of Ordinance No. 348.

Section 3. Mixed Use Overlays

- (1) INTENT. This section of the ordinance hereby creates three Mixed Use Overlay Zones (MUOZ) for Specific Plan 342. Although the allowable uses as listed in Section 2.6.1 of this ordinance are applicable over all three MUOZ, the development standards and required findings are unique to each MUOZ. The developer of a project may decide to apply the development stan-

dards of the Section 2.1, or use an Overlay Zone, but may not use both. The MUOZ is intended to encourage a mixture of compatible and synergistic land uses, such as residential with compatible non-residential uses including offices, retail, personal services, public spaces and other community amenities with a particular focus on fostering pedestrian activity. Each of the three distinct Overlays are described below. The intent of the individual MUOZ are as follows:

- A. MUOZ-1 provides uses and standards for areas appropriate for the development of traditional commercial development with the possibility of office uses combined with retail. Development may be developed as vertically or horizontal mixed use. All development shall maintain strong pedestrian integration with neighboring Planning Areas and schools. Singular use structures in this overlay are acceptable. It is envisioned that this overlay will permit primarily traditional retail, restaurant and commercial services intended to develop ~~only~~ in the Specific Plan and provide basic services.
 - B. MUOZ-2 provides uses and standards for areas appropriate for the development of the highest density residential development with strong retail and office use integration. Development will be vertical or very high density horizontal with the intent of creating a pedestrian focused core with residential uses coupled with retail and/or office uses. Limited singular use structures are acceptable. It is envisioned that most, if not all, of the MUOZ-2 will be mixed uses.
 - C. MUOZ-3 provides uses and standards for areas appropriate for the development of the office uses with limited retail and residential use integration. Development will be horizontally or vertically mixed use with strong pedestrian and vehicular integration with neighboring Planning Areas. Residential uses in this Overlay are not a requirement of the Overlay but are provided as an option. It is envisioned, though not required, that about thirty percent (30%) of the overlay will be mixed use.
- (2) APPLICABILITY.
- A. The MUOZ zones shall ~~only be~~ used with the Town Center Village of Specific Plan 342 as defined by Specific Plan. The boundary of the Town Center Village shall be legally defined by zoning ordinance in conjunction with approval of the Village Refinement Plan (VRP) for the Town Center Village as outlined in Specific Plan No. 342.
 - B. The boundaries of the individual MUOZ to be used in the Town Center Village must be legally defined by a change of zone in conjunction with approval of the Village Refinement Plan (VRP) for the Town Center Village as outlined in Specific Plan No. 342. All overlays within the Village must be mapped at the time that the Village Refinement Plan is approved if an overlay is to be employed within the Village. Changes to the boundaries of the overlays shall require a change of zone application to be approved.
 - C. The provisions of the MUOZ zones shall further apply to all currently approved, and future developments for individual parcels, tracts and parcel maps, and use plans within the Town Center Village unless it is otherwise specified in this section.
- (3) DEFINITIONS. As used in this section, the following terms shall have the following meanings:
- A. Base Zone. The set of allowable uses and zoning standards that are applicable over the entire Town Center Village found in Section 2.1 of this Ordinance.
 - B. Mixed Use Structure. A building or structure that contains at least one floor devoted to allowed nonresidential uses and at least one devoted to allowed residential uses.
 - C. Block. Traditional grid pattern development with street length limitations, defined within each village, to foster a pedestrian friendly environment. The grid pattern is required to have at least one of the streets defining such a grid be a public street.
 - D. Mixed Use Dwelling. A dwelling located above the ground floor of a permitted commercial, retail, office or institutional use permitted by a MUOZ.
 - E. Horizontal Mixed Use. A mixing of uses in a development project or with neighboring structures, though not necessarily in the same building.
 - F. Vertical Mixed Use. A mixing of uses within the same structure, usually with residential over commercial though this is not required to meet the definition.
 - G. Pedestrian Friendly. Landscaping, amenities, sidewalk design, structure placement, all designed with an emphasis on creating a lively, walkable, and comfortable environment.
 - H. Covenants, Conditions and Restrictions (CC &Rs). A document used to describe restrictive limitations placed on real property and its uses, and which usually are made a condition of holding legal title to, or leasehold interest in, the real property in question.
 - I. Overlay Zone. A set of zoning requirements that are superimposed upon an underlying zone. Overlay zones are generally used when a particular area requires special protection or has a special neighbor-

hood concern. Development of land subject to overlay zoning requires compliance with the regulations of both the underlying zone and overlay zone.

- J. Human Scale. The design of neighborhoods, buildings and recreation spaces that are welcoming and inviting to pedestrian uses, and also encourage the reduced use of automobiles. Density of the neighborhoods and the heights of the buildings are not restricted in this definition.
 - K. Conventional Shopping Center. A development of retail and/or other commercial establishments that are planned, developed, owned and managed as a single property, typically with on-site parking provided. The center's size and orientation will be generally determined by the market characteristics of the trade area served by the center.
 - L. Project. A development proposal by one or more applicants proposing a single structure or series of structures, under one development application.
- (4) REQUIRED FINDINGS. In order for the applicable hearing body to approve a project in Town Center Village, the following findings must be made-
- A. The project is consistent with the Village Refinement Program for the Town Center Village.
 - B. The project integrates with neighboring uses in vehicular connection, pedestrian connection on and off street, architectural styles and landscaping.
 - C. The development is designed to a human scale.
 - D. Efforts have been adequately made so that parking areas have been located where they can be conveniently and safely accessed and not interfere with pedestrian activity.
 - E. Parking does not dominate street frontage and is screened appropriately.
 - F. The project is complementary to a mix of uses and blends with surrounding development.
 - G. Uses and structures are sited and designed to complement one another.
- (5) Mixed Use Overlay Zone 1
- A. The uses permitted in Mixed Use Overlay Zone 1 (MUOZ-1) of Planning Areas 26, 27, 28, 29, 30, 31, 33, 34, 35, and 36 of Specific Plan No. 342 shall be the same as those uses permitted in Article VIII, Section 8.1 of Ordinance No. 348 except that the uses permitted pursuant to Section 8.1.a. (1), (2), (3), (4), (6), (7), (9), (10), (11), (12), (13), (14), (15), (16), (17), (18), (19), (20), (21), (23), (24), (25), (27), and (28); 8.1.b.(1), (2), (3), and (4); and 8.1.c. shall not be permitted. In addition, the following permitted uses identified under Article VIII, Section 8.1.a shall also include: amphitheaters; antique shops; art gallery; library; museum; art supply shops and studios; assisted living facilities; auto parts and supply; bakery shops; financial institutions; barber/beauty shops; bicycle sales and rentals; blueprint and duplicating services; book stores; bowling alleys; car washes; catering services; ceramic sales/manufacturing; churches; clinics; coffee shops; community recreation facilities; confectionary / candy stores; costume design studios; dance halls; delicatessens; department stores; drug stores; employment agencies; equipment rental services; feed & grain stores; fishing and casting pools; flood control drainage facilities; florist shops; food markets / frozen food trucks; gift shops; golf cart sales and services; growing of produce for non-commercial use; hardware stores; health centers; hobby shops; hotels / motels; household goods sales and repair; ice cream shops; interior decorating shops; jewelry stores; lakes, including noncommercial fishing; leather goods; locksmith shops; manufacturer's agent; market, retail or wholesale; meat markets, but no slaughtering; nurseries; music stores; noncommercial community association facilities; nurseries / garden supply; offices, including business, law, medical, dental, chiropractic, architectural, engineering, community planning, and real estate; on-site identification signs, max size - 10 square feet; outdoor storage of materials; paint and wall paper stores; parcel, postal store; parking lots and structures; parks; swimming pools; pet supply stores; pet shops and pet supply pharmacy, incidental to office use on site; photography shops and studios; gambling shops, not including contractors; radio / television studios; recycling facilities; refreshment stands; restaurants, NOT including drive-in or take-out; schools; business and professional; shoe stores/repair shops; sporting goods stores; sports and recreational facilities; stained glass assembly;

stationary stores; studios for fine arts; tailor shops; temporary uses (those lasting less than 3 months) provided the procedures outlined in Section 18.30.d.(1) are met; food stands; Christmas tree farms; pumpkin patches; and fairs and carnivals; temporary real estate tract offices located within a subdivision to be used only for and during the original sale of the subdivision, but not to exceed a period of five (5) years in any event; theaters, not including fire sales and service, no recapping; tobacco shops; toy shops; trails / passes; travel agencies; watch repair shops; wholesale businesses. In addition, the following permitted uses identified under Article VIII, Section 8.1.b shall also include: animal hospitals; auto repair garages, not including body and fender shops or spray painting; automobile sales and rental agencies; bars / cocktail lounges; billiard and pool halls; boat/marine sales, parking and storage; cleaning and dyeing shops; convenience stores - no gas sales; gasoline service stations; labs; film, dental, medical, research, or testing; laundromats; miniature golf facilities; multi-family dwelling units; restaurants; single family dwelling units; stations: bus, railroad, taxi. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such a use is subject to the permit process which governs the category in which it falls.

B. The development standards for Mixed Use Overlay Zone 1 of Planning Areas 26, 27, 28, 29, 30, 31, 33, 34, 35, and 36 of Specific Plan No. 342 shall be the same as those standards identified in Article IX, Section 9.4 and Article XVIII, Section 18.5, except that the development standards set forth in Article IX, Section 9.4 b, c, d, and e; and those development standards set forth in Article XVIII, Section 18.5 b, c, d, e, f, g, h, and i, shall be deleted and replaced by the following:

1. Attached multi-family structures shall not exceed 55 feet in height. All other buildings shall not exceed 55 feet in height, with architectural projections adding 2% to the height of the building.

2. All residential uses shall incorporate at least 50 square feet/dwelling unit of open space. Private usable open space shall have a minimum dimension on any one side of 6 feet.

3. The minimum setback between buildings shall be 10 feet for attached multi-family units. No setback is required between commercial structures.

5. Building setbacks from a project's exterior streets and boundary lines shall be 18 feet.

6. A maximum of 30% of any project area may be utilized for residential purposes unless residential units are placed above commercial uses in which case there are no limits.

C. This finding must be made for all projects within MUOZ-1, in addition to those referenced in Section 3(4) of this Ordinance:

1. The project maintains a strong pedestrian integration to neighboring areas and schools intended to ensure a strong pedestrian environment.

(6) Mixed Use Overlay Zone 2

A. The uses permitted in Mixed Use Overlay Zone 2 (MUOZ-2) of Planning Areas 26, 27, 28, 29, 30, 31, 33, 34, 35, and 36 of Specific Plan No. 342 shall be the same as those uses permitted in Article VIII, Section 8.1 of Ordinance No. 348 except that the uses permitted pursuant to Section 8.1.a. (1), (2), (3), (4), (6), (7), (9), (10), (11), (12), (13), (14), (15), (16), (17), (18), (19), (20), (21), (23), (24), (25), (27), and (28) shall not be permitted. In addition, the following permitted uses identified under Article VIII, Section 8.1.a shall also include: antique shops; art gallery; library; museum; art supply shops and studios; auditoriums/conference rooms; auto parts, supply, repair, not including body and fender shops or spray painting; bakery shops; financial institutions; barber/beauty shops; bicycle sales and rentals; blueprint and duplicating services; book

stores; bowling alleys; catering services; ceramic sales / manufacturing; cleaning and dyeing shops; clinics; coffee shops; community recreation facilities; confectionary / candy stores; costume design studios; dance halls; delicatessens; department stores; drug stores; employment agencies; equipment rental services; feed & grain stores; fishing and casting pools; flood control drainage facilities; florist shops; food markets / frozen food lockers; gift shops; golf cart sales and service; growing of produce for non-commercial use; hardware stores; hobby shops; hotels / motels; household goods sales and repair; ice cream shops; interior decorating shops; jewelry stores; labs; film, dental, medical, research, or testing; lakes, including noncommercial fishing; laundromats; leather goods; locksmith shops; manufacturer's agent; market, retail or wholesale; meat markets, but no slaughtering; mortuaries; multi-family dwelling units; music stores; noncommercial community association facilities; nursery schools / preschool day care offices, including business, law, medical, dental, chiropractic, architectural, engineering, community planning, and real estate; on-site identification signs, max size - 10 square feet; paint and wall paper stores; parcel, postal store; parking lots and structures; parks; swimming pools; party supply stores; pet shops and supply; pharmacy, incidental to office use on site; photography shops and studios; plumbing shops, not including contractors; printers and publishers; radio / television studios; recording studios; recycling facilities; refreshment stands; restaurants, not including drive-in or take-out; schools, business and professional; shoe stores / repair shops; signs, on-site advertising; sporting goods stores; stained glass assembly; stationary stores; stations: bus, railroad, taxi; studios for fine arts; tailor shops; theaters, not drive-in; tire sales and service, no recapping; tobacco shops; toy shops; trails / paseos; travel agencies; watch repair shops; temporary real estate tract offices located within a subdivision to be used only for and during the original sale of the subdivision, but not to exceed a period of five (5) years in any event; temporary uses (those lasting less than 3 months) provided the procedures outlined in Section 18.30.d.(1) are met; food stands; Christmas tree farms, pumpkin patches, and fairs and carnivals. In addition, the following permitted uses identified under Article VIII, Section 8.1.b shall also include: auto repair garages, not including body and fender shops or spray painting; bakery goods distributor; bars / cocktail lounges; billiard and pool halls; convenience stores - no gas sales; gasoline service stations; nurseries / garden supply; pawn shops; restaurant; bars; sports and recreational facilities. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such a use is subject to the permit process which governs the category in which it falls.

- B. The development standards for Mixed Use Overlay Zone 2 of Planning Areas 26, 27, 28, 29, 30, 31, 33, 34, 35, and 36 of Specific Plan No. 342 shall be the same as those standards identified in Article IX, Section 9.4 and Article XVIII, Section 18.5, except that the development standards set forth in Article IX, Section 9.4 b, c, d, and e; and those development standards set forth in Article XVIII, Section 18.5 b, c, d, e, f, g, h, i, and j, shall be deleted and replaced by the following:
1. Attached multi-family structures shall not exceed 55 feet in height. All other buildings shall not exceed 55 feet in height. At least one architectural projection shall be required and shall be at least 2% higher than the primary structure however at no time shall any architectural projection over 20 feet be permitted on any structure.
 2. The maximum floor to area ratio for mixed-use projects is 3.0. All other projects cannot exceed a floor area ratio of 1.0.
 3. All residential uses shall incorporate at least 50 square feet/dwelling unit of open space. Private usable open space shall have a minimum dimension on any one side of 50 feet.
 4. Rooftop open space may be used as private open space when directly accessible to the unit(s) it serves.

5. The minimum setback between buildings shall be 10 feet between residential units, and 10 feet between all residential structures and commercial structures if structures do not exceed three (3) stories, otherwise no setback is required. No setback is required between commercial uses.

6. Building setbacks from a project's exterior streets and boundary lines shall be 10 feet.

7. The minimum block length shall be 200 feet and the maximum shall be 700 feet.

8. At least one structure on each block will be required to use a design related architectural projection.

9. All ground floor nonresidential uses shall be less than 7,500 square feet unless residential uses are located above the nonresidential use. A 20% increase can be granted by the Planning Director. All office or commercial uses above the ground floor have no limit.

10. If residential uses are located above nonresidential uses then the ground floor use shall be less than 50,000 square feet. A 20% increase can be granted by the Planning Director. All office or commercial uses above the ground floor have no limit.

11. All singular use nonresidential structures shall be less than 5,000 square feet.

12. A minimum of sixty percent (60%) of nonresidential street-facing building facades between two feet and eight feet in height must be comprised of clear windows that allow views of indoor space or product display areas.

13. Buildings must have a primary entrance door facing a public sidewalk. Entrances at building corners may be used to satisfy this requirement.

14. Building entrances may include doors to individual shops or businesses, lobby entrances, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of shops or businesses.

15. No curb cuts are allowed for lots that abut alleys.

16. Residential structures may place residential uses on the ground floor of a structure provided said structure is contiguous to a nonresidential ground floor use.

C. These findings must be made for all projects within MUOZ-2, in addition to those referenced in Section 3.4 of this Ordinance:

1. The project integrates residential and nonresidential uses with a pedestrian focused core or if the project is a single use structure/project it is contiguous (less than ten feet (10')) to a differing use.

2. The project provides usable public and private open spaces, including but not limited to plazas in commercial areas that enhance commercial activity.

(7) Mixed Use Overlay Zone 3

A. The uses permitted in Mixed Use Overlay Zone 3 (MUOA-3) of Planning Areas 26, 27, 28, 29, 30, 31, 33, 34, 35, and 36 of Specific Plan No. 342 shall be the same as those uses permitted in Article VIII, Section 8.1 of Ordinance No. 348 except that the uses permitted pursuant to Section 8.1.a. (1), (2), (3), (4), (6), (7), (9), (10), (11), (12), (13), (14), (15), (16), (17), (18), (19), (20), (21), (23), (24), (25), (27), and (28); 8.1.b.(1), (2), (3), and (4); and 8.1.c. shall not be permitted. In addition, the following permitted uses identified under Article VIII, Section 8.1.a shall also include: ambulance services; art gallery; library; museum; art supply shops and studios; auditoriums/conference rooms; auto parts, supply and repair garages, not including body and fender shops or spray painting; bakery goods distribution and shops; financial institutions; barber/beauty shops; bicycle sales and rentals; blueprint and duplicating services; book stores; bowling alleys; car washes; catering services; ceramic sales/manufacturing; cleaning and dyeing shops; coffee shops; community re-

creation facilities; confectionery / candy stores; delicatessens; department stores; drug stores; employment agencies; equipment rental services; feed & grain stores; fishing and casting pools; flood control drainage basins and facilities; florist shops; gift shops; golf cart sales and service; growing of produce for non-commercial use; hardware stores; hobby shops; hotels / motels; household goods sales and repairs; ice cream shops; interior decorating shops; jewelry stores; labs: film, dental, medical, research, or testing; lakes, including noncommercial fishing; laundromats; leather goods; locksmith shops; manufacturer's agent market, retail or wholesale; meat markets, but no slaughtering; mortuaries; multi-family dwelling units; music stores; noncommercial community assembly facilities; nurseries / garden supply; offices, including business, law, medical, dental, chiropractic, architectural, engineering, community planning, and real estate; on-site identification signs, max size - 10 square feet; outdoor storage of materials; paint and wall paper stores; parcel, postal stores; parking lots and structures; parks; swimming pools; party supply stores; pet shops and supply; pharmacy; incidental to office use on site; photography shops and studios; plumbing shops, not including contractors; printers and publishers; radio/television studios; recording studios; recycling facilities; refreshment stands; schools, business and professional; senior housing; shoe stores / repair shops; signs, on-site advertising; sporting goods stores; stained glass assembly; stationary stores; stations: bus, railroad, taxi; tailor shops; theaters, not drive-in; tire sales and service, no recapping; tobacco shops; toy shops; trailer and boat storage; trails / paseos; travel agencies; watch repair shops; wholesale businesses; temporary real estate tract offices located within a subdivision to be used only for and during the original sale of the subdivision, but not to exceed a period of five (5) years in any event; temporary uses (those lasting less than 3 months) provided the procedures outlined in Section 18.30.d.(1) are met: food stands; Christmas tree farms, pumpkin patches, and fairs and carnivals. In addition, the following permitted uses identified under Article VIII, Section 8.1.b shall also include: animal hospitals; automobile sales and rental agencies; bars / cocktail lounges; billiard and pool halls; boat/marine sales, parking and storage; clinics; convenience stores - no gas sales; gasoline service stations; miniature golf facilities; pawn shops; restaurants; sports and recreational facilities; studios for fine arts; truck and trailer rental; and truck sales and service. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such a use is subject to the permit process which governs the category in which it falls.

- B. The development standards of MUOZ-3 of Planning Areas 26, 27, 28, 29, 30, 31, 33, 34, 35, and 36 of Specific Plan No. 342 shall be the same as those identified in Article IXd, Section 9.73 of Ordinance No. 348 and Article XVIII, Section 18.5, except that the development standards set forth in Article IXd, Section 9.73 b, c, d, e, and m; and those development standards set forth in Article XVIII, Section 18.5 b, c, d, e, f, g, i, j, and k, shall be deleted and replaced by the following:
1. Attached multi-family structures shall not exceed 55 feet in height. All other buildings shall not exceed 55 feet in height, with at least one architectural projection shall be at least 2% higher than the primary structure however at no time shall any architectural projection over 20 feet be permitted on any structure.
 2. The maximum floor to area ratio for mixed-use projects is 3.0. All other projects have a floor area ratio of 1.0.
 3. All residential uses shall incorporate at least 50 square feet/dwelling unit of open space. Private usable open space shall have a minimum dimension on any one side of 50 feet.
 4. Rooftop open space may be used as private open space when directly accessible to the unit(s) it serves.
 5. The minimum setback between buildings shall be 6 feet between clustered single family units and other

clustered single family units,
10 feet between attached
multi-family units and other
residential units, and 10 feet
between residential struc-
tures and commercial struc-
tures. No setback is re-
quired between non-residential
uses.

6. Building setbacks from a
project's exterior streets and
boundary lines shall be 10
feet.

7. The minimum block length
shall be 200 feet and the
maximum shall be 1,320
feet. At least one structure
on each block will be re-
quired to use a design re-
lated architectural projection.

Section 4. Conflict between ordinance requirements. If
there is any conflict between the requirements of this
and any other ordinance, the more stringent require-
ments shall apply.

Section 5. This ordinance shall take affect 30 days after
its adoption.

Marion Ashley, Chairman of the Board
I HEREBY CERTIFY that at a regular meeting of the
Board of Supervisors of said County, held on March 23,
2010, the foregoing Ordinance consisting of five (5) sec-
tions was adopted by said Board by the following vote:
AYES: Tavaglione, Stone, Benoit and Ashley
NAYS: Buster
ABSENT: None
Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant