

Chapters and Sections to be added to the City of Moreno Valley- Municipal Code

Chapter 9.02 – Permits and Approvals [Addition].....
9.02.090 – Administrative variances.....

Chapter 9.07.090 – Mixed-Use Overlay Districts [New]
9.07.091 – Purpose and Intent

9.07.092 – Applicability.....

9.07.093 – Purposes of Mixed-Use Overlay Districts.....

9.07.094 – Permitted Uses in Mixed-Use Overlay Districts.....

9.07.095 – Mixed-Use Overlay District Site Development Standards.....

9.07.096 – Building Frontage Type Standards.....

9.07.097 – Open Space Standards – Publicly-Accessible Open Space

9.07.098 – Open Space Standards – Private/Common Open Space

9.07.099 – Lot Area Requirements and Lot Consolidation Incentives

Chapter 9.09 – Specific Use Development Standards [New]
9.09.250 – Live-Work Development

9.09.260 – Mixed-Use Development

9.09.270 – Outdoor Dining.....

Chapter 9.11 – Parking, Pedestrian, and Loading Requirements [New/Revised].....
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Addition of the following section to existing Chapter 9.02.090 under “C - Limitations on Administrative Variances”:

Chapter 9.02 – Permits and Approvals [Addition]

Sections:

9.02.090 – Administrative Variances

9.02.090 – Administrative variances.

- C.** Limitations on Administrative Variances. Only the following variances may be granted by the community development director and subject to the following limitations:
5. Decrease in building frontage requirements. In any mixed-use overlay district, the community development director may authorize up to a ten (10) percent decrease in the distance threshold established to specify the required percentage of a building frontage to be built to the Build-To-Zone, as indicated in Table 9.075.050-10 (Mixed-Use Overlay District Development Standards) (i.e., the distance threshold from street intersections for the purposes of calculating building frontage length may be reduced from 300 feet to 270 feet). The community development director is not authorized to reduce the percentage of the building frontage that is required to be built to the Build-To-Zone.

Addition of the following NEW section Chapter 9.07.090 and all related Sections:

Chapter 9.07.090 – Mixed-Use Overlay Districts [New]

Sections:

9.07.091 – Purpose and Intent
9.07.092 – Applicability
9.07.093 – Purposes of Mixed-Use Overlay District
9.07.094 – Permitted Uses in Mixed-Use Overlay Districts
9.07.095 – Mixed-Use Site Development Standards
9.07.096 – Building Frontage Type Standards
9.07.097 – Open Space Standards – Publicly-Accessible Open Space
9.07.098 – Open Space Standards – Private/Common Open Space
9.07.099 – Lot Area Requirements and Lot Consolidation Incentives

9.07.091 – Purpose and Intent

A. Purpose. The purpose of this Chapter to provide regulations that implement the goals and policies of the General Plan, the Alessandro Boulevard Corridor Vision Plan (accepted by the Moreno Valley City Council on June 30, 2010), and other similar long-range planning documents aimed at encouraging mixed-use development within the City.

B. Intent. The Mixed-Use Overlay Districts are intended to:

1. Stimulate economic development and reinvestment through regulations based upon recognized urban design principles that allow property owners to respond with flexibility to market forces;
2. Create specific development nodes at street intersections with a pedestrian-oriented mix of uses with convenient access between area neighborhoods, housing, employment centers, and retail services;
3. Accommodate intensities and patterns of development that can support multiple modes of transportation including public transit, bicycles, and walking;
4. Facilitate well-designed new mixed-use development projects that combine residential and nonresidential uses (e.g., office, retail, business services, personal services, public spaces and uses, other community amenities, etc.) to promote a better balance of jobs and housing;
5. Ensure compatibility with adjacent existing single-family neighborhoods and harmonious integration with existing commercial areas;
6. Encourage the development of unique district character through a streetscape that provides attractive features (e.g., landscaping, street furniture, niche or linear parks, public places, courtyards, public transportation shelters; etc.) designed to integrate the public realm (e.g., streets, sidewalks, etc.) with adjacent development on private property; and
7. Provide additional property rights while preserving existing property rights. This intent is achieved by providing additional development rights in compliance with this Chapter, which property owners may exercise under certain conditions, while retaining all development rights conferred by the underlying district to property owners in the mixed-use overlay districts. Incentives and advantages include allowing a greater range and mix of uses; more permissive dimensional specifications (e.g., greater floor area ratio, lot coverage ratio, and height; reduced setbacks; etc.); exemption from certain design review requirements; and fee reductions or waivers.

9.07.092 – Applicability

This Section describes the applicability of mixed-use overlay district standards to a property when the property is located within two districts – a base district (e.g., Commercial (C), Office (O), Business Park/Light Industrial (BP), etc.) and a mixed-use overlay district.

A. Relationship between overlay district standards and base district standards. For property within a mixed-use overlay district, the regulations in this Chapter allow mixed-use development as an alternative to the type of development allowed under the base (underlying) district standards.

B. Base district standards.

1. The provisions in this Chapter shall apply to all properties within their respective mixed-use overlay districts, but the provisions do not supersede the underlying base district provisions until a property is developed in compliance with the provisions of this Chapter.
2. New projects may be developed in compliance with the existing underlying base district, provided that all standards and requirements of the underlying base district are met.

3. Regulations, development standards, and requirements in the underlying base district shall continue to apply to those projects that are currently developed according to the existing standards.
4. For legal non-conforming uses (i.e., uses that do not comply with the provisions of the base district or this Chapter), the provisions in Section 9.02.180 (Legal Nonconforming Uses, Improvements, and Parcels) shall apply.

C. Option to apply mixed-use overlay district standards.

1. The owner or developer of any property within any mixed-use overlay district may choose to develop in compliance with the standards and procedures in this Chapter that apply to the particular mixed-use overlay district in which the property is located.
2. In order to exercise the option to develop under the provisions in this Chapter, approval of a development review application shall be required in compliance with Chapter 9.02.030 (Development Review Process). In granting the approval, the review authority shall find that:
 - a. The proposed development is in compliance with the provisions in this Chapter; and
 - b. Approval of the project will not reduce the amount of land available in mixed-use overlay zone areas to a point where the City's affordable housing needs under the Regional Housing Needs Assessment (RHNA) cannot be met.

D. Other applicable regulations. Other applicable regulations can be found in Section 9.09.250 (Live-Work Development) and Section 9.09.260 (Mixed-Use Development).

E. Applicable regulations after completion of development. Once a property is developed in compliance with the provisions in this Chapter, the provisions of this Chapter completely supersede the provisions of the underlying base district. Whenever the requirements of the overlay district impose a more or less restrictive standard than the provisions of the underlying base district, the requirements of the overlay district shall govern.

F. Use of photographs. Photographs and illustrations are included in this Chapter for illustrative purposes only. Specific development standards in this Chapter are the controlling language for purposes of development regulation.

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9.07.093 – Purposes of Mixed-Use Overlay Districts

This Section describes the purpose and intent of each mixed-use overlay district.

- A. Mixed-Use Institutional Anchor (MUI) Overlay District.** The Mixed-Use Institutional Anchor (MUI) Overlay District applies to areas around prominent anchor institutions, such as civic centers, medical centers, and educational campuses. The intent is to build upon the role of the institutions by providing opportunities for urban, high-intensity development that serves the needs of visitors, employees, and residents affiliated with the anchor institution and the surrounding region. Development is allowed up to five stories in height with building frontages near or at the sidewalk, wide sidewalks, and parking under or behind buildings. Vertical mixed-use development (ground-floor retail with offices or housing above) is required at important street intersections. Horizontally-integrated or vertically-integrated mixed-use development, with no requirement for ground-floor retail, is allowed in other locations. The overlay district name may be expanded to include the name of the type of anchor institution (e.g., “MUI – Medical Center”). See Figure 9.07.093-1 (Examples of Development in Mixed-Use Institutional Anchor (MUI) Overlay District).
- B. Mixed-Use Community (MUC) Overlay District.** The Mixed-Use Community (MUC) Overlay District applies to areas along major arterials and arterials. The intent is to provide opportunities for the development of pedestrian-oriented blocks with medium-intense development that serves the needs of residents, visitors, and employees from the surrounding community. Development is allowed up to four stories in height with building frontages near or at the sidewalk, wide sidewalks, and parking under or behind buildings. Vertical mixed-use development (ground-floor retail with offices or housing above) is required at important street intersections. Horizontally-integrated or vertically-integrated mixed-use development, with no requirement for ground-floor retail, is allowed in other locations. The overlay district name may be expanded to include the community name (e.g., “MUC – East Alessandro”). See Figure 9.07.093-2 (Examples of Development in Mixed-Use Community (MUC) Overlay District).
- C. Mixed-Use Neighborhood (MUN) Overlay District.** The Mixed-Use Neighborhood (MUN) Overlay District applies to areas along arterials and minor arterials. The intent is to provide an area for low-rise mixed-use development that serves the needs of residents, visitors, and employees from the surrounding immediate neighborhood. Development is allowed up to three stories in height with building frontages near or at the sidewalk, wide sidewalks, and parking under or behind buildings. Vertical mixed-use development (ground-floor retail with offices or housing above) is required at important street intersections. Horizontally-integrated or vertically-integrated mixed-use development, with no requirement for ground-floor retail, is allowed in other locations. The overlay district name may be expanded to include the neighborhood name (e.g., “MUN – Lasselle Crossing”). See Figure 9.07.093-3 (Examples of Development in Mixed-Use Neighborhood (MUN) Overlay District).

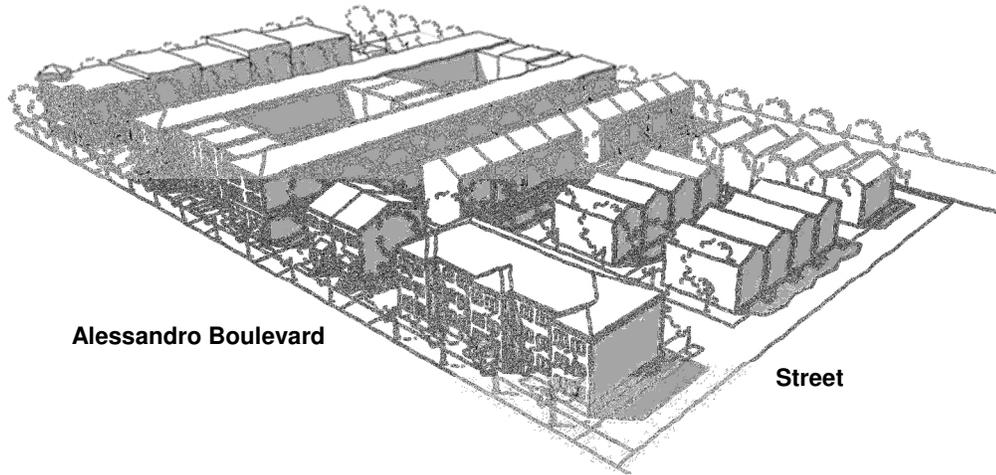
Figure 9.07.093-1
Examples of Development in Mixed-Use Institutional Anchor (MUI) Overlay District



Alessandro Boulevard

Street

Figure 9.07.093-2
Examples of Development in Mixed-Use Community (MUC) Overlay District



Alessandro Boulevard

Street

Figure 9.07.093-3
 Examples of Development in Mixed-Use Neighborhood (MUN) Overlay District

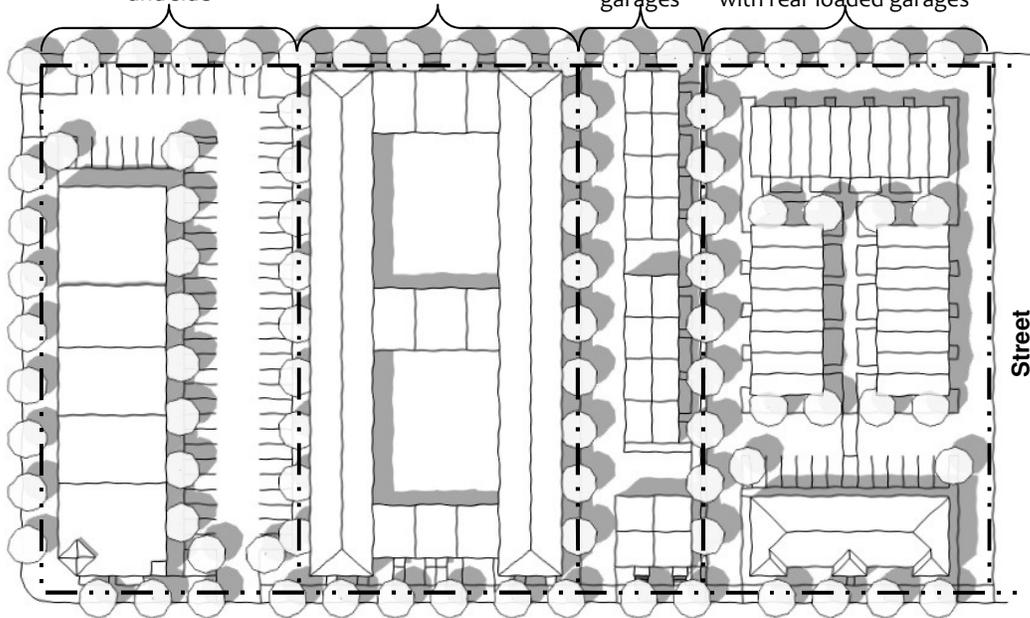


Mixed-Use Building with surface parking to rear and side

Mixed-Use Building with podium parking

Townhomes with rear loaded garages

Apartments (with surface parking to the rear) and townhomes with rear loaded garages



Alessandro

9.07.094 – Permitted Uses in Mixed-Use Overlay Districts

For the mixed-use overlay districts, unless otherwise expressly provided in this Title, permitted uses are limited to those described in the Permitted Uses Table 9.02.020-1 in Section 9.02.020 (Permitted Uses) of this Title. Any use not listed in Table 9.02.020-1 as a permitted use, conditional use, or accessory use shall be prohibited.

9.07.095 – Mixed-Use Overlay District Site Development Standards

This Section provides standards that govern development on properties located in the Mixed-Use Overlay Districts. See Table 9.07.095-10 (Mixed-Use Overlay District Development Standards) and related illustrations. For the purpose of this Zoning Code, mixed-use projects shall comply with nonresidential standards when no mixed-use standards exist.

Table 9.07.095-10: Mixed-Use Overlay District Development Standards

<i>Development Features</i>	<i>MUI</i>	<i>MUC</i>	<i>MUN</i>
Density Standards	<i>Maximum density for residential uses expressed as dwelling units per net acre. See § 9.08.060 (Development Density)</i>		
Residential Uses	40 du/ac	30 du/ac	30 du/ac
Intensity Standards	<i>Maximum floor area ratio (FAR) for nonresidential uses.</i>		
Nonresidential Uses (1)	1.0 (less than 50% residential) 1.25 (greater than 50% residential)	1.0	1.0
Block Standards	<i>Maximum dimensions required for each newly created block as measured from edge of right-of-way line. See "Block" in § 9.15.030 (Definitions). See Figure 9.07.095-4.</i>		
Block Length (A)	600 ft (max)	500 ft (max)	500 ft (max)
Block Perimeter (B)	1,800 ft	1,600 ft	1,500 ft

Notes:

(1) Podium and underground parking is not counted toward floor area ratio (FAR). Includes residential FAR.

Table continued on next page

Table 9.07.095-10: Mixed-Use Overlay District Development Standards (continued)

<i>Development Features</i>	<i>MUI</i>	<i>MUC</i>	<i>MUN</i>
Building Placement Standards			
Build-to-Zone	<i>The area between the minimum and maximum setbacks within which the principal building's front façade (building façade line) is to be located. See "Build-to-Zone" in § 9.15.030 (Definitions). See Figure 9.07.095-5</i>		
Front (C) Along Alessandro Blvd	0 - 15 ft	0 - 10 ft	0 - 10 ft
Front (D) All other Streets	0 - 15 ft	0 - 10 ft	0 - 10 ft
Street Side Setback (E)	0 - 15 ft	0 - 10 ft	0 - 10 ft
Setback	<i>Minimum and maximum required setbacks. See § 9.08.030 (Accessory Structures) for allowed projections into setbacks. See Figure 9.07.095-6</i>		
Front Setback (F) Along Alessandro Blvd	0 ft (min); 15 ft (max)	0 ft (min); 10 ft (max)	0 ft (min); 10 ft (max)
Front Setback (G) All other Streets	0 ft (min); 15 ft (max)	0 ft (min); 10 ft (max)	0 ft (min); 10 ft (max)
Street Side Setback (H)	0 ft (min); 15 ft (max)	0 ft (min); 10 ft (max)	0 ft (min); 10 ft (max)
Interior Side Setback (2) (U)	5 ft (min); No max	5 ft (min); No max	5 ft (min); No max
Rear Setback (2) (J)	10 ft (min); No max	10 ft (min); No max	10 ft (min); No max
Building Frontage Length	<i>% of building built to BTZ. See "Build-to-Zone" in § 9.15.030 (Definitions). See Figure 9.07.095-7.</i>		
Within 300 ft of street intersections (K)	65%	65%	65%
Over 300 ft from street intersections (L)	50%	50%	50%
Building Standards	<i>See "Underground Levels" and "Mezzanines/Lofts" in § 9.15.030 (Definitions). See Figure 9.07.095-8.</i>		
Number of Stories (3) (M)	5 max	4 max	3 max
Maximum Height (3) (N)	60 ft	55 ft	45 ft
Underground Levels (O)	Allowed	Allowed	Allowed
Mezzanines/Lofts (4) (P)	Allowed	Allowed	Allowed
Building Frontage Types	<i>See § 9.07.096 (Frontage Type Standards).</i>		
Along Alessandro Boulevard within 300 ft of Intersections (Q)	Live-Work Office Storefront	Live-Work Office Residential Storefront	Live-Work Office Residential Storefront
Elsewhere (R)	Live-Work Office Residential Storefront	Live-Work Office Residential Storefront	Live-Work Office Residential Storefront

Notes:

- (2)** Wherever a lot abuts a lot in any single-family residential district, a minimum setback equal to the building height, but not less than 10 feet shall be required.
- (3)** Wherever a lot abuts a lot in any single-family residential district, a 15-foot upper story stepback is required for those portions of buildings that are above 30 feet from finished grade.
- (4)** Mezzanines and lofts shall not be counted as a floor if less than 1/3 of the unit's floor area.

Table continued on next page

Table 9.07.095-10: Mixed-Use Overlay District Development Standards (continued)

<i>Development Features</i>	<i>MUI</i>	<i>MUC</i>	<i>MUN</i>	
Site Planning Standards				
Parking Standards	<i>See § 9.11 (Parking Standards) and Figure 9.07.095-9.</i>			
Surface Parking (S)	20 ft min setback from front lot line; 15 ft min setback from side lot line	20 ft min setback from front lot line; 15 ft min setback from side lot line	20 ft min setback from front lot line; 15 ft min setback from side lot line	
Garage / Tuck-Under Parking (T)	Prohibited along front lot lines	Prohibited along front lot lines	Prohibited along front lot lines	
Underground / Podium Parking (U)	Allowed beneath building footprint	Allowed beneath building footprint	Allowed beneath building footprint	
Above-Ground Parking Structure (5) (V)	Allowed if screened from views from public right-of-way and adjacent single-family residential districts	Allowed if screened from views from public right-of-way and adjacent single-family residential districts	Allowed if screened from views from public right-of-way and adjacent single-family residential districts	
Open Space Standards				
Publicly Accessible Open Space (nonresidential)	<i>See § 9.07.098 (Open Space Standards – Publicly Accessible Open Space).</i>			
	15% of net lot area	10% of net lot area	10% of net lot area	
Private Open Space (multi-family residential)	<i>See § 9.07.099 (Open Space Standards – Private/Common Open Space).</i>			
	1 st floor	150 sq ft per unit	150 sq ft per unit	150 sq ft per unit
	Upper floors	100 sq ft per unit	100 sq ft per unit	100 sq ft per unit
Common Open Space (multi-family residential)	300 sq ft per unit	300 sq ft per unit	300 sq ft per unit	

Notes:

- (5)** Minimum interior depth of building liner space that wraps above-ground parking structures facing Alessandro Boulevard shall be 30 feet from the building façade line, as defined in Section 9.15.030 (Definitions).

Figure 9.07.095-4: Block Standards

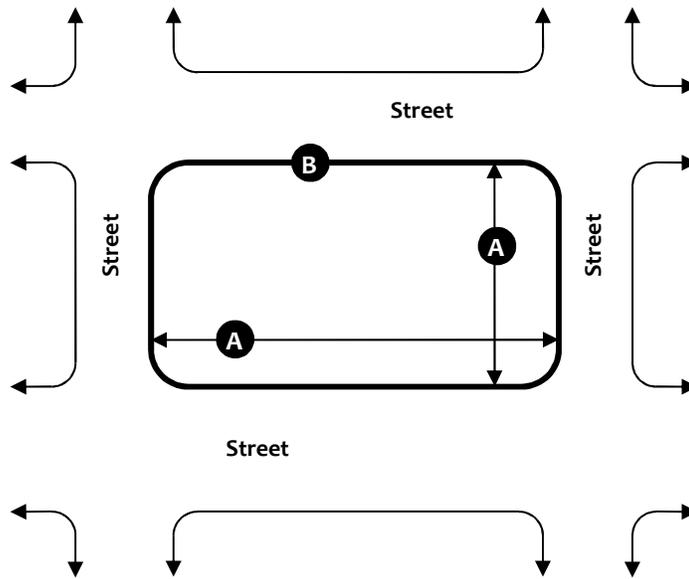


Figure 9.07.095-5: Build-to-Zone Standards



Figure 9.07.095-6: Setback Standards

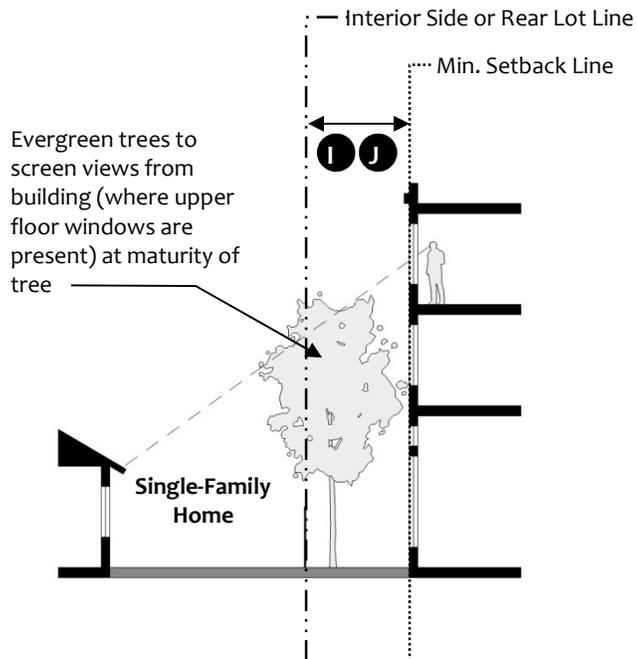
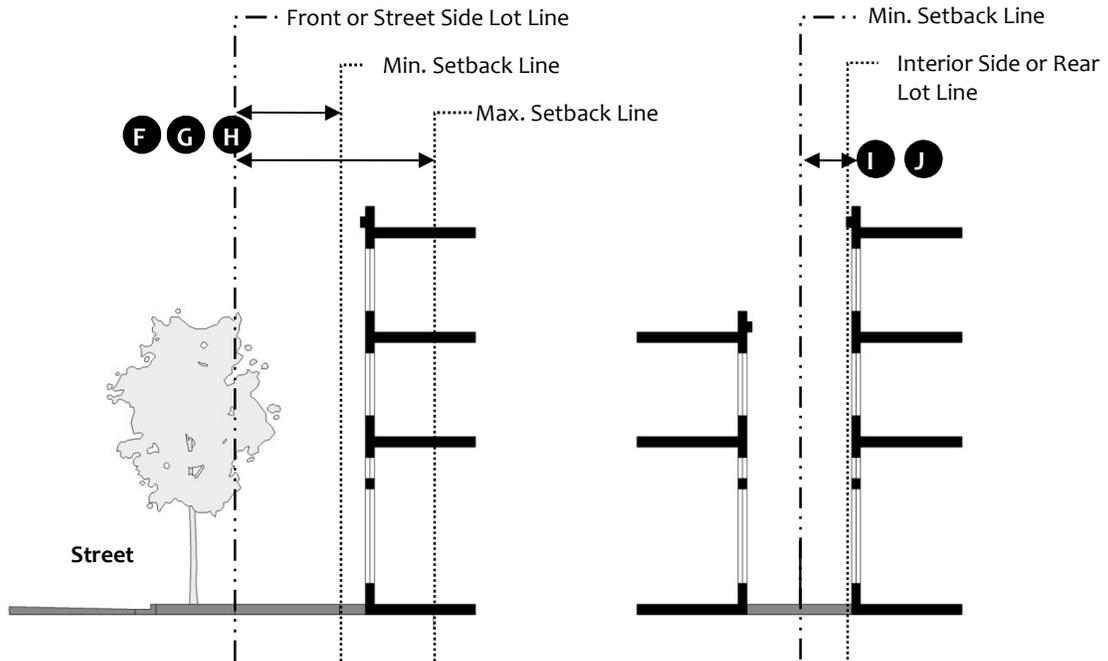


Figure 9.07.095-7: Building Frontage Length

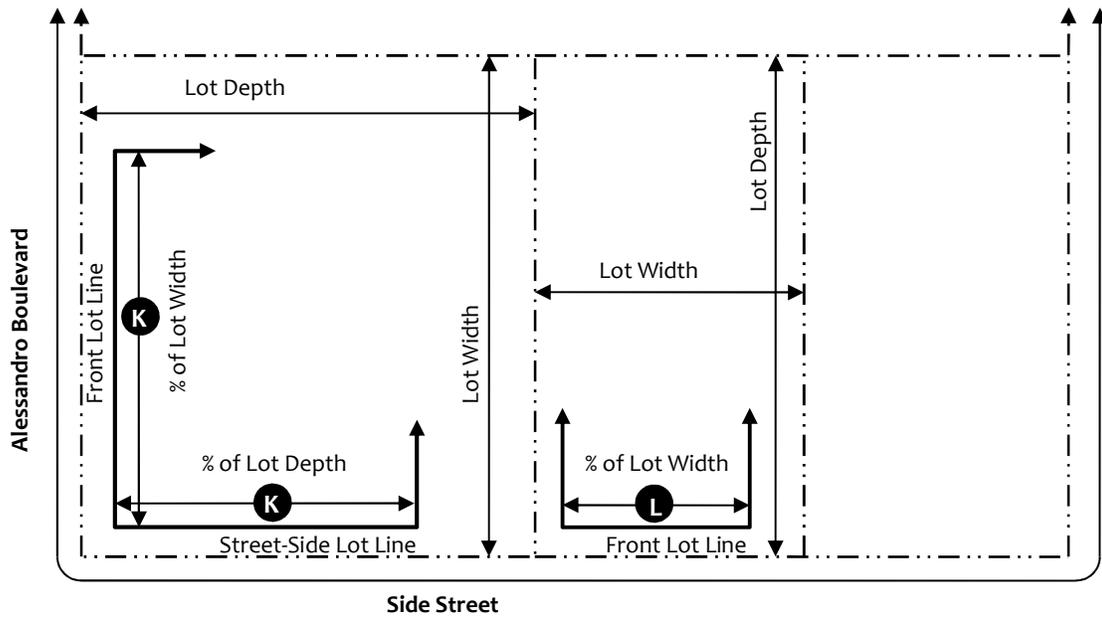


Figure 9.07.095-8: Building Standards and Building Frontage Types

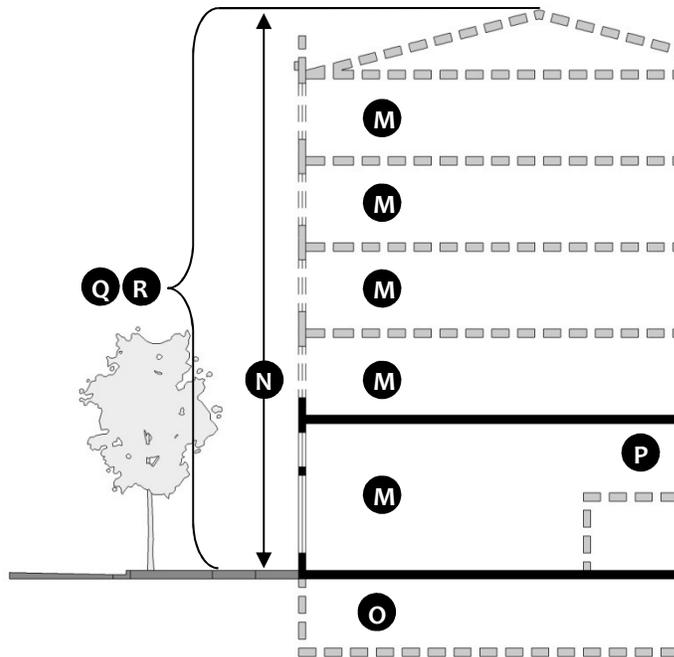
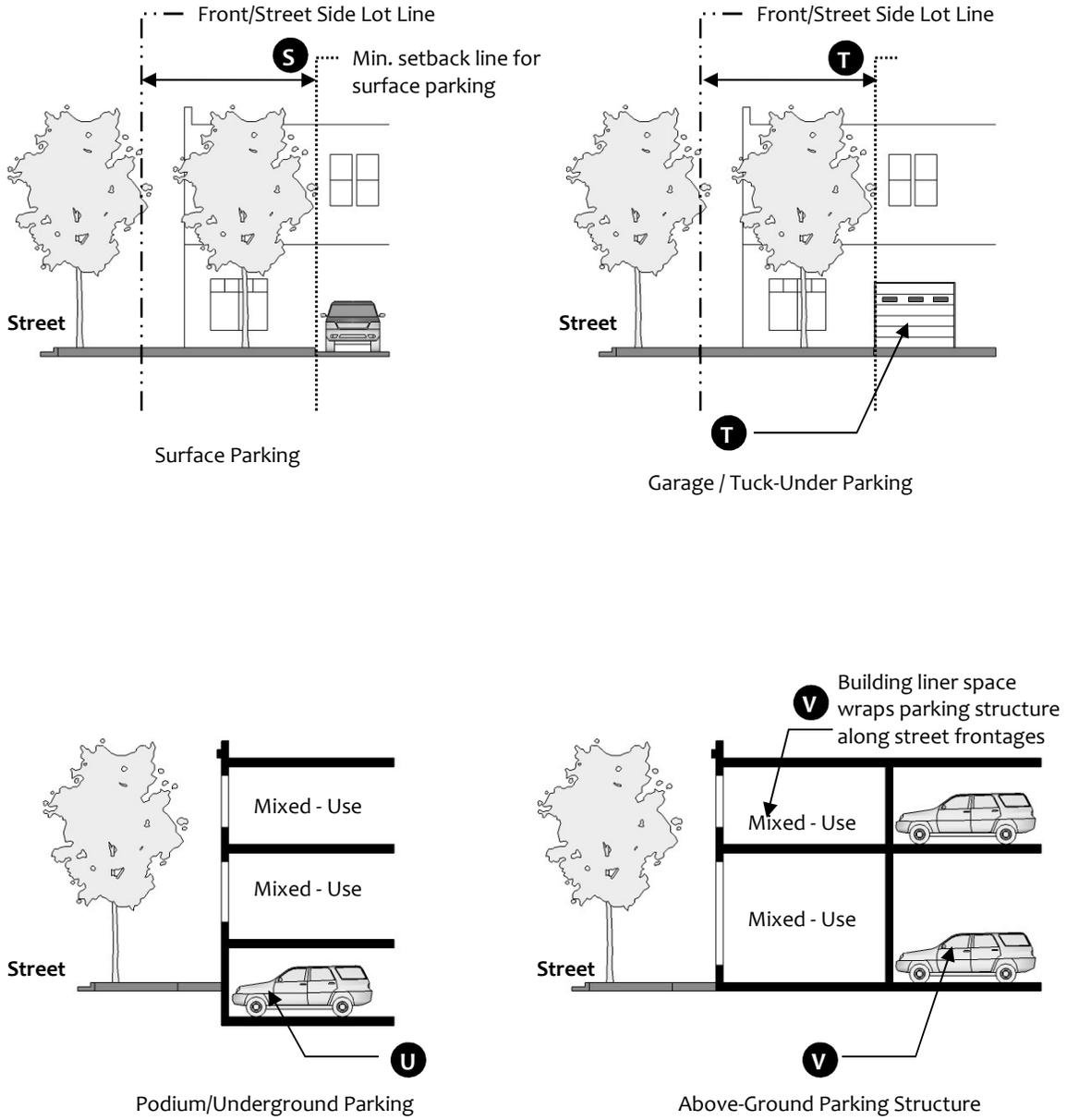


Figure 9.07.095-9: Parking Standards



9.07.096 – Building Frontage Type Standards

This Section provides frontage type standards for buildings in the mixed-use overlay districts. Table 9.075.050-10 specifies allowable building frontage types for each mixed-use overlay district.

A. Types of building frontages.

- 1. Live-Work/Office Fronts:** A frontage that reinforces both residential and work activities that can occur in the building. The elevation of the ground floor is located at or near the grade of sidewalk to provide direct public access to the building. Entrances and windows are provided on the front of the facade to provide eyes on the street and direct sidewalk access to commercial and office uses. The front setback (if provided) may be improved with landscaping or as an extension of the public sidewalk to create a more pedestrian-friendly environment. See also Section 9.09.250 (Live-Work Development).
 - 2. Residential Fronts:** A frontage that reinforces the residential character and use of the building. The elevation of the ground floor is elevated above the grade of the lot to provide privacy for residences by preventing direct views into the home from the sidewalk. Entrances and windows are provided on the front of the facade to provide eyes on the street and direct sidewalk access to the building. Stoops are allowed to project into the front setback to enhance entrances. The front setback is primarily improved with landscaping.
 - 3. Storefronts:** A frontage that reinforces the commercial character and use of the ground floor of the building. The elevation of the ground floor is located at or near the grade of sidewalk to provide direct public access into the building. Large storefronts display windows are provided on the front of the facade to encourage visual access to merchandise displays and to encourage window shopping. Awnings or marquees are provided over storefront windows and entrances. The front setback (if provided) is primarily improved as an extension of the public sidewalk to create a more pedestrian friendly environment.
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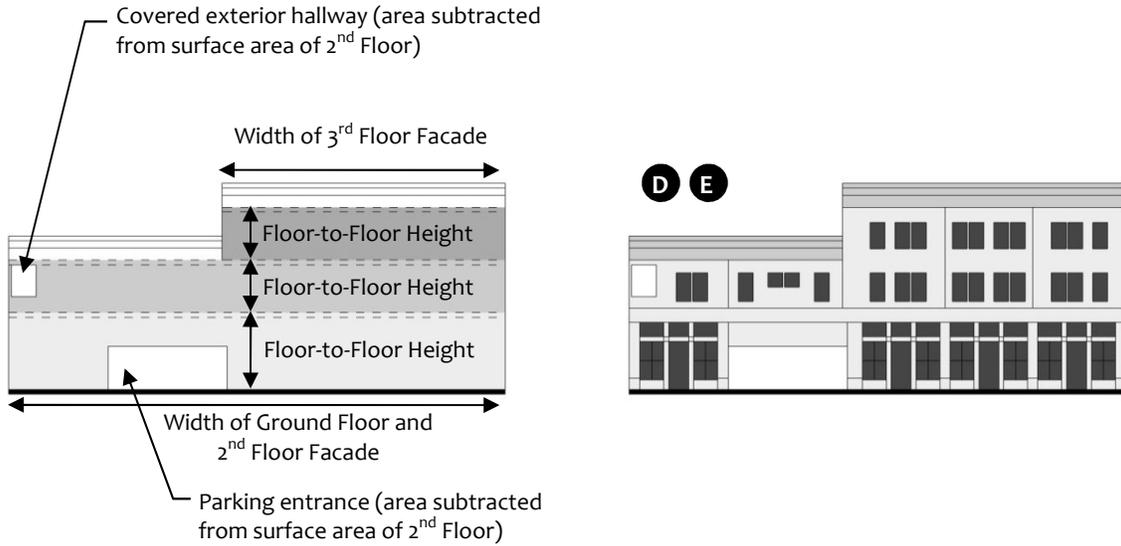
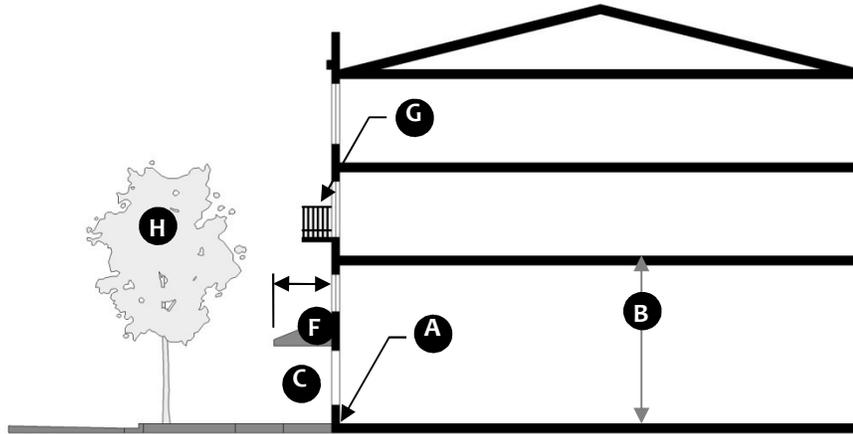
B. Live-Work/Office Frontage Standards (1) Figure 9.07.096-10

A	Elevation of Ground Floor	The ground floor elevation shall be located near the elevation of the sidewalk to minimize the need for external steps and external ADA ramps at public entrances.
B	Minimum Ground Floor Interior Height	12 feet minimum (floor-to-floor height) (Commercial Ready)
C	Ground Floor Unit Entrances	All ground floor tenant spaces that have street frontage shall have entrances on a facade fronting a street. All other ground floor uses may have a common lobby entrance along the front facade or private entrances along other facades.
	Upper Floor Unit Entrances	Entrances to upper floor units may be provided through a common lobby entrance and/or by a common entrance along a facade fronting a street.
	Recessed Entrances	Entrances may be recessed into the facade.
D	Ground Floor Windows	At least 40% of the surface area of the ground floor facade (2) shall be occupied by windows (3) .
E	Upper Floor Windows	At least 25% of the surface area of each upper floor facade (2) shall be occupied by windows (3) .
F	Awnings and Marquees	Awnings or marquees may be provided over storefront windows and entrances. Awning and marquees may project up to 6 feet from the facade and extend over the sidewalk provided that at least 8 feet of vertical clearance is provided.
G		
H	Projecting Elements (Balconies, Roof Overhangs, Shade Structures, and Bay Windows)	Projecting Elements on upper floors may project three feet from the facade and project into the setback.
	Sidewalk and Setback Treatment	The public sidewalk shall be improved with street trees with an average spacing of 30' on-center and pedestrian-scaled street lights (no taller than 14 feet). If the front facade is setback from the public sidewalk, the setback shall be landscaped and/or improved as an extension of the public sidewalk.

Notes:

- (1) See Section 9.09.250 (Live-Work Development).
- (2) As measured by multiplying the width of the facade by the floor-to-floor height. Opening in the facade (such as entrances to parking facilities or covered outdoor hallways/entrances) shall be subtracted from the surface area calculation.
- (3) All parts of the window (e.g. head, jamb, frame, sash, sill, muntin bars, and panes) that are visible on the elevation drawing shall be included as "window" in the calculation. Portions of the window that are not visible on the elevation drawing (such as a window that is blocked by a solid balcony wall) shall not be included in the calculation).

Figure 9.o.096-10: Live-Work/Office Frontage Standards



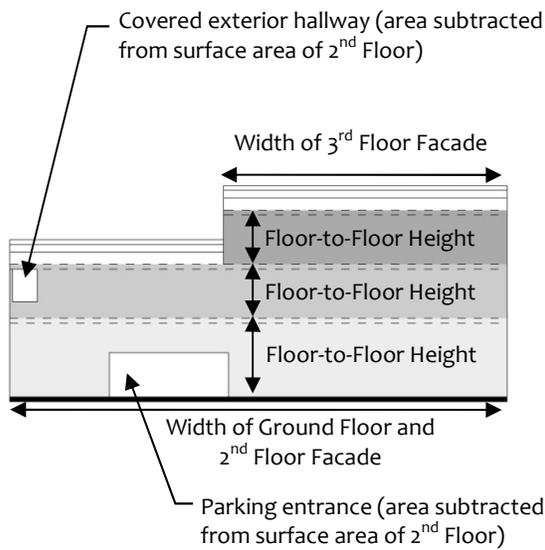
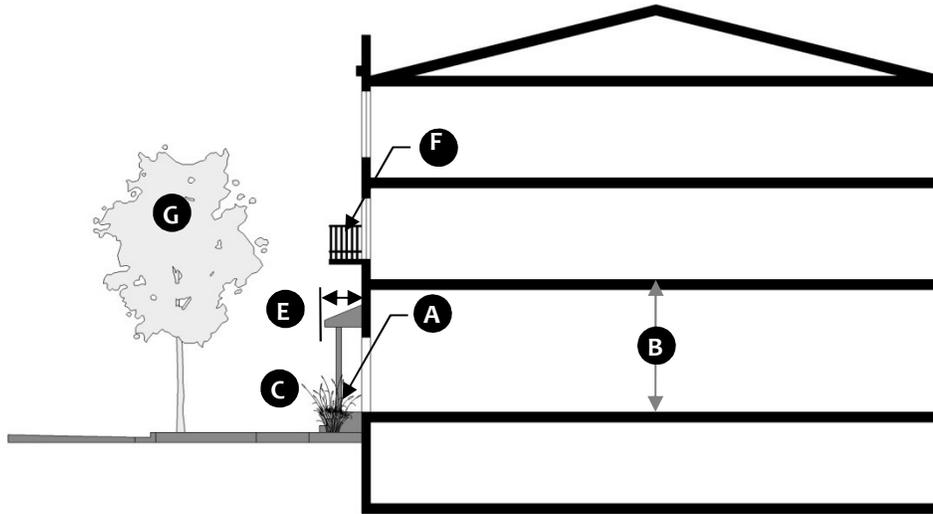
Examples of Live-Work Frontages

C. Residential Frontage Standards		Figure 9.07.096-11
A	Elevation of Ground Floor	The ground floor elevation shall be located within 6 feet of the ground surface of the adjacent sidewalk or walkway.
B	Minimum Ground Floor Ceiling Height	10 feet minimum (floor-to-floor height)
C	Ground Floor Unit Entrances	Entrances to ground floor units that have street frontage may be provided through a common lobby entrance and/or by private entrances from the adjacent sidewalk.
	Upper Floor Unit Entrances	Entrances to upper floor units may be provided through a common lobby entrance and/or by a common entrance along a facade fronting a street.
	Recessed Entrances	Entrances may be recessed into the facade.
D	Ground and Upper Floor Windows	At least 25% of the surface area of the ground and upper floor façade (1) shall be occupied by windows (2) .
E	Stoops and Front Porches	Stoops and front porches may be provided in front of building and unit entrances. Stoops and front porches may project up to 5 feet from the facade and project into the setback.
F	Projecting Elements (Balconies, Roof Overhangs, Shade Structures, and Bay Windows)	Projecting Elements on upper floors may project 3 feet from the facade and project into the setback.
G	Sidewalk and Setback Treatment	The public sidewalk shall be improved with street trees with an average spacing of 30 feet on-center and pedestrian-scaled street lights (no taller than 14 feet). If the front facade is setback from the public sidewalk, the setback shall be landscaped (excluding stoops/front porches and paved paths to building entrances).

Notes:

- (1)** As measured by multiplying the width of the facade by the floor-to-floor height. Opening in the facade (such as entrances to parking facilities or covered outdoor hallways/entrances) shall be subtracted from the surface area calculation.
- (2)** All parts of the window (e.g. head, jamb, frame, sash, sill, muntin bars, and panes) that are visible on the elevation drawing shall be included as “window” in the calculation. Portions of the window that are not visible on the elevation drawing (such as a window that is blocked by a solid balcony wall) shall not be included in the calculation).

Figure 9.07.096-11: Residential Frontage Standards



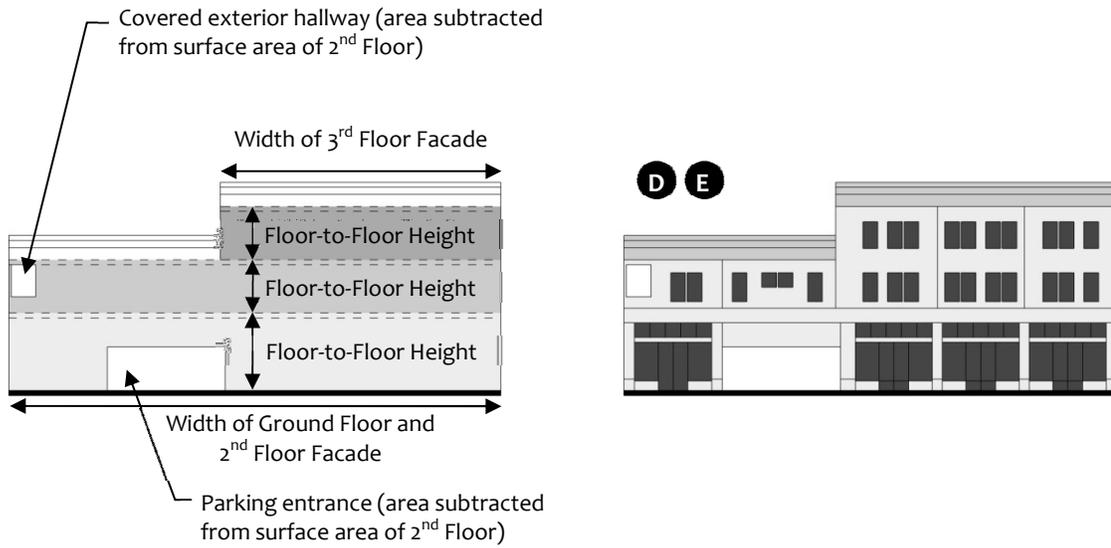
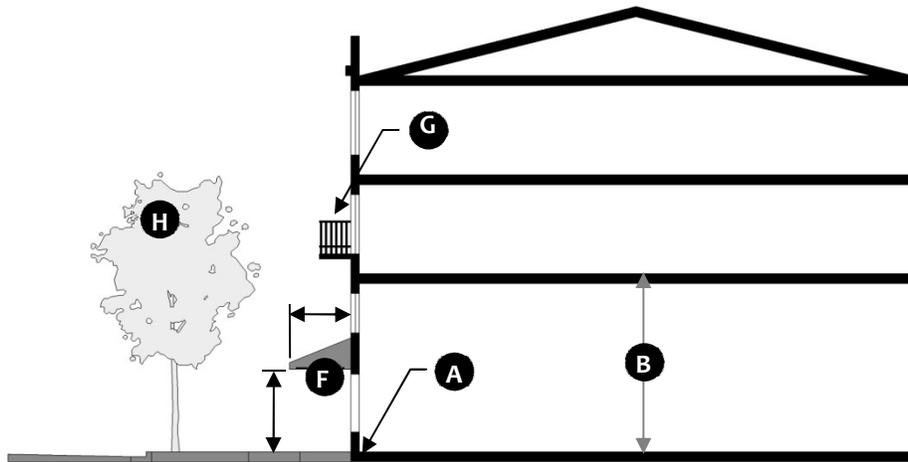
Examples of Residential Frontages

D. Storefront Standards		Figure 9.07.096-12
A	Elevation of Ground Floor	The ground floor elevation shall be located near the elevation of the sidewalk to minimize the need for external steps and external ADA ramps at public entrances.
B	Minimum Ground Floor Ceiling Height	15 feet minimum (floor-to-floor height) (Commercial Ready)
C	Storefront Entrances	All ground floor tenant spaces that have street frontage shall have storefront entrances on the facade fronting a street.
	Lobby Entrances	Lobby entrances to upper floor uses shall be located on a facade fronting a street.
	Recessed Entrances	Storefront and lobby entrances may be recessed into the facade.
D	Ground Floor Windows	At least 50% of the surface area of the ground floor façade (1) shall be occupied by windows (2) .
E	Upper Floor Windows	At least 25% of the surface area of each upper floor facade ¹ shall be occupied by windows ² .
F	Awnings and Marquees	Awnings or marquees are required over storefront windows and entrances. Awning and marquees may project up to 6 feet from the facade and extend over the sidewalk provided that at least 8 feet of vertical clearance is provided.
G	Projecting Elements (Balconies, Shade Structures, and Bay Windows)	Projecting Elements on upper floors may project 3 feet from the facade and project into the setback.
H	Sidewalk and Setback Treatment	The public sidewalk shall be improved with street trees with an average spacing of 30 feet on-center and pedestrian-scaled street lights (no taller than 14 feet). If the front facade is setback from the public sidewalk, the setback shall be improved as an extension of the public sidewalk.

Notes:

- (1)** As measured by multiplying the width of the facade by the floor-to-floor height. Opening in the facade (such as entrances to parking facilities or covered outdoor hallways/entrances) shall be subtracted from the surface area calculation.
- (2)** All parts of the window (e.g. head, jamb, frame, sash, sill, muntin bars, and panes) that are visible on the elevation drawing shall be included as “window” in the calculation. Portions of the window that are not visible on the elevation drawing (such as a window that is blocked by a solid balcony wall) shall not be included in the calculation).

Figure 9.07.096-12: Storefront Standards



Examples of Storefronts

9.07.097 – Open Space Standards – Publicly-Accessible Open Space

This Section provides standards for publicly accessible open space areas in order to ensure a high level of pedestrian connectivity and activity between the public realm and the private realm, as defined in Chapter 9.15 (Definitions).

- A. Minimum size.** All new nonresidential development shall provide publicly accessible open spaces as a percentage of the total development site area as indicated in Table 9.075.050-10 (Mixed-Use Site Development Standards).
 - B. Eligible areas.** Publicly accessible open space areas shall not include parking, driveway, or rear setback areas, but may include front and side setback areas provided that they are integrated into the overall design of the project.
 - C. Ground-level installation.** Plazas, courtyards, or other similar publicly accessible open space areas shall be installed at ground level and shall be incorporated into the design of the development.
 - D. Visibility and accessibility.** Public open space areas shall be visible and accessible from the public rights-of-way to engage the interest of pedestrians and encourage public use.
 - E. Landscaping and hardscapes.** Landscaping shall comply with Chapter 9.17 (Landscape and Water Efficiency Requirements). In addition, a combination of landscape and hardscape materials shall be used in the design of these areas and shall include the following components:
 - 1. Hardscape paving may include brick, stone, interlocking concrete pavers, textured concrete, and/or impressed patterned concrete. Hardscape elements may include, but are not limited to, seating areas, potted plant materials, water features, and public art installations.
 - 2. The balance of the open space areas shall be landscaped with turf, shrubs, or groundcover, and trees. All plant materials shall be in proportion to the height and mass of the building and shall be permanently maintained.
 - F. Minimum height to width ratios.** In order to achieve sunlight and air circulation in required publicly accessible open space areas, the following minimum height to width ratios shall be provided:
 - 1. Enclosed Open Space (i.e., open space that is enclosed on four sides, such as a courtyard): 2 to 1 ratio. The required open space shall have a width of at least one-half the height of the adjacent building façade (measured perpendicularly from the façade). This requirement shall apply to all sides of the required open space.
 - 2. Open Space that is open on one or more sides: 3 to 1 ratio. The required open space shall have a width of at least one-third the height of the adjacent building façade (measured perpendicularly from the façade). This requirement shall apply to all sides of the required open space.
-

G. Design configuration.

1. In the Mixed-Use Institutional Anchor (MUI) Overlay District, sharing of the required publicly-accessible open space (“quasi-public space”) for nonresidential uses and the required common open space for residential uses, indicated in Table 9.07.095-10 (Mixed-Use Overlay District Site Development Standards), may be allowed by the applicable review authority when it is clear that the open space will provide direct benefit to residents of the project and the public in general subject to the following limitations:
 - a. Up to 30 percent of the required open space for residential uses in a horizontal mixed use project may be provided as quasi-public open space within the nonresidential component of the project; or
 - b. Up to 50 percent of the required open space for residential uses in a vertical mixed use project may be provided as quasi-public open space within the nonresidential component of the project.
 - c. The minimum dimension (length and width) of shared common open space areas shall be 20 feet. These areas shall be located at grade and shall be accessible for use by the general public.
 - d. Quasi-public open space areas shall not include outdoor dining areas or other outdoor activity areas for exclusive use by an individual business.
 - e. Quasi-public open space areas are areas located on private property and accessible to the general public. These areas shall include pedestrian oriented amenities, including enhanced seating, lighting, paving, landscaping, public art, water features, and other similar features deemed appropriate by the Community Development Director.
 2. Publicly accessible open space areas shall be located and configured as any one of the following:
 - a. Forecourt: The publicly accessible open space area is located along a recessed center section of the front façade of the building as illustrated in Figure 9.07.098-13 (Publicly Accessible Open Space – Forecourt).
 - b. Front: The publicly accessible open space area is located along the street facing frontage of the building as illustrated in Figure 9.07.098-13 (Publicly Accessible Open Space – Front).
 - c. “L” Shaped: The publicly accessible open space area is located along the front and side of the lot as illustrated in Figure 9.07.098-13 (Publicly Accessible Open Space – “L” Shaped).
 - d. Paseo or Central Courtyard: The publicly accessible open space area is located on the side of the building or along a center pedestrian paseo or courtyard as illustrated in Figure 9.07.098-13 (Publicly Accessible Open Space – Paseo or Central Courtyard).
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Figure 9.07.098-13
Publicly Accessible Open Space – Forecourt

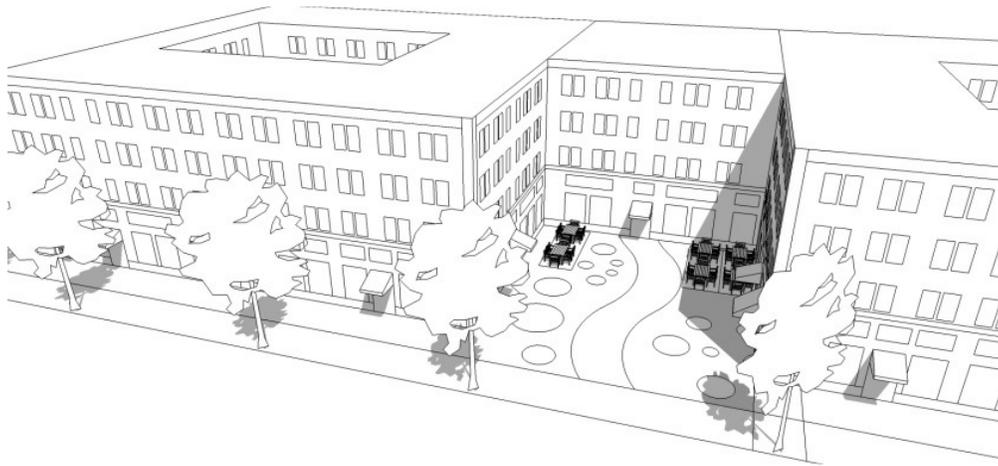


Figure 9.07.098-13
Publicly Accessible Open Space – Front

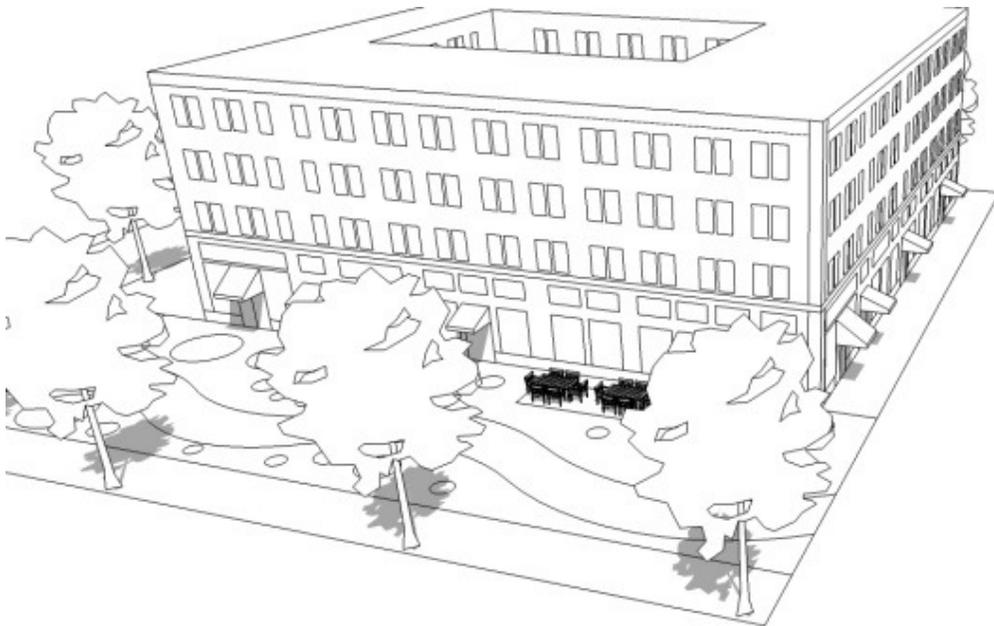


Figure 9.07.098-13
Publicly Accessible Open Space – “L” Shaped

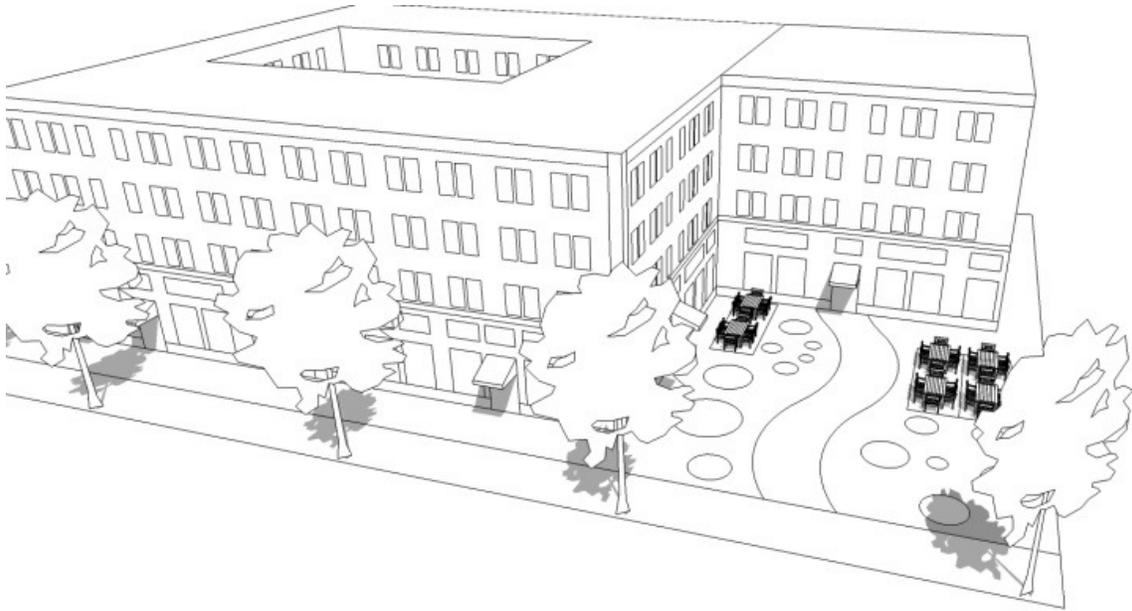


Figure 9.07.098-13
Publicly Accessible Open Space – Paseo or Central Courtyard



9.07.098 – Open Space Standards – Private/Common Open Space

This Section provides standards for private and/or common open space for residential uses. Private and/or common open space shall be provided in addition to the required publicly accessible open space in Section 9.07.098 (Open Space Standards – Publicly-Accessible Open Space).

A. Required amount of open space.

- 1. Minimum required open space.** Private open space and common open space shall be provided in the amounts indicated in Table 9.07.095-10 (Mixed-Use Site Development Standards).
- 2. Residential developments.** Private open space and common open space shall be provided on a per unit basis for residential projects and shall be a combination of the total required space divided between private areas (e.g., balconies, patios, etc.) and common areas (e.g., courtyards, playgrounds, recreation facilities, multi-purpose rooms, etc.) designed for the common use of residents as specified below.
- 3. Nonresidential or mixed-use developments.** Private open space and common open space shall be provided as a percentage of the total lot area for nonresidential projects and may be used to provide site amenities such as rooftop decks, courtyards, or similar features. Mixed use developments shall combine the residential standards and the nonresidential standard to satisfy this provision.

C. Exclusive use. Private and common open space areas shall be located and designed for the exclusive use of the residents or tenants of the property and their guests and shall not be publicly accessible, except in the Civic Center Mixed-Use (CVMU) Overlay District and the Medical Center Mixed-Use (MDMU) Overlay District where sharing of the required publicly accessible open space (“quasi-public space”) for nonresidential uses and the required common open space for residential uses may be allowed in compliance with Subsection 9.07.098.G. (Open Space Standards – Publicly Accessible Open Space – Design configuration).

D. Types of open space. A combination of private and common open space shall be provided to satisfy the following requirements:

1. Common open space amenities shall include, but are limited to, one or more of the following amenities: courtyards, plazas, tennis courts, swimming pools, spas, permanently equipped gym/exercise rooms, or other permanent amenity. Rooftop decks and terraces may be used to satisfy this requirement, however, these areas shall be easily accessible to all residents within the building, and face the public rights-of-way where possible.
2. Private open space areas may include balconies, patios, terraces, or rooftop decks. These areas shall be integrated into the overall architectural design of the building. Architectural elements (e.g., railings, trellises, short walls, roof-top enclosures, etc.) shall be consistent with the architectural style of the structure to which they are attached.

E. Materials and design. Open space areas shall be constructed of permanent materials and be permanently integrated into the design of the building.

F. Building height to open space width ratios. In order to achieve sunlight and air circulation in outdoor common open space areas, the following building height to open space width ratios are required:

1. Enclosed Open Space (i.e., open space that is enclosed on four sides, such as a courtyard): 1 to 1 ratio.
The required open space shall have a width of at least one-half the height of the adjacent building façade (measured perpendicularly from the façade). This requirement shall apply to all sides of the required open space.
2. Open Space that is open on one or more sides: 2 to 1 ratio. The required open space shall have a width of at least one-third the height of the adjacent building facade (measured perpendicularly from the façade). This requirement shall apply to all sides of the required open space.

9.07.099 – Lot Area Requirements and Lot Consolidation Incentives

A. Lot area requirements. In addition to the lot area requirements provided in Table 9.07.095-10 (Mixed-Use Site Development Standards), the size and shape of each newly created lot shall be adequate to allow the full development of the allowed uses in a manner consistent with the following:

1. Adequate provision shall be made to promote safe and orderly access and circulation of pedestrian and vehicular traffic within the site and from public streets and adjacent developments;
2. Adequate provision shall be made for buildings to be sited to allow for functional use of space between structures and to provide areas for parking, access, and landscaping;
3. Adequate provision shall be made to ensure the compatibility of the site development with surrounding development in regard to size, scale, building and site design, and limitation of overshadowing effects; and
4. The proposed development shall not limit or adversely affect the growth and development potential of adjacent properties or the general area in which the proposed development will be located.

B. Lot consolidation incentives.

1. **Allowable incentives for lot consolidation.** In order to encourage the assembly of smaller existing lots into larger lots that can be more efficiently developed into a mixed-use project, the following incentives are offered:
 - a. Reduction in required parking for a mixed-use project when approved in compliance with Section 9.11.070 (Adjustments to Off-Street Parking requirements).
 - b. Increase in maximum floor area ratio (FAR), up to a maximum of 10 percent.
 - c. Reduction in common and/or private open space requirements, up to a maximum of 10 percent.

2. Eligibility for incentives.

- a. Consolidation of existing small lots into a development project site of one acre or greater up to two acres shall be eligible for any two of the allowable incentives identified above.
- b. Consolidation of existing small lots into a development project site of two acres or greater shall be eligible for any four of the allowable incentives identified above.

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Addition of the following three new uses to the existing Chapter 9.09 - Specific Use Development:

Sections:

- 9.09.250 – Live-Work Development**
- 9.09.260 – Mixed-Use Development**
- 9.09.270 – Outdoor Dining**

9.09.250 – Live-Work Development

This Section provides operational and compatibility standards for the development of live/work units. These standards are in addition to the standards for live-work development provided in Chapter 9.07.090 (Mixed-Use Overlay Districts).

A. Allowed Uses.

1. The nonresidential component of a live/work unit shall only be a nonresidential use allowed within a mixed-use overlay district, except that certain uses are determined to be not appropriate within a residential environment and are therefore prohibited as provided in subsection B, below.
2. The residential component of a live/work unit shall only be a residential use allowed within a mixed-use overlay district.

B. Prohibited Uses. A live/work unit shall not be used for any of the following activities or similar activities as determined by the Community Development Director:

1. Adult-oriented businesses;
2. Animal care or boarding;
3. Classroom instruction (e.g., art/music lessons, tutoring, and similar uses) involving five or more students at any one time;
4. Commercial food preparation activities;
5. Industrial uses;
6. Vehicle maintenance or repair (e.g., body or mechanical work, including boats and recreational vehicles), vehicle detailing and painting, upholstery, etc;
7. Storage of flammable liquids or hazardous materials beyond that normally associated with a residential use;
8. Medical and dental offices, clinics, and laboratories (not including chiropractors or counselors/psychotherapists);
9. Activities or uses that are not compatible with residential activities or that would clearly conflict with other live/work activities or the character of the surrounding neighborhood as determined by the Community Development Director; and

10. Activities or uses that would adversely affect the health or safety of live/work unit residents, because of dust, glare, heat, noise, noxious gases, odor, smoke, traffic, vibration, or other impacts, or that would be hazardous because of materials, processes, products, or wastes.

C. Site Planning and Design Standards.

1. Each live/work unit fronting a public right-of-way shall have a pedestrian-oriented frontage that allows views into the interior of the nonresidential areas of the unit.
2. Each live/work unit shall have a clearly identified, separate access from other live/work units within the structure or development. Access to individual units shall be from common access areas, parking lots, or walkways. Access to each unit shall be clearly identified to provide for emergency services.
3. The living space within the live/work unit shall be contiguous with the working space, with direct access between the two areas.

D. Operational standards.

1. No portion of a live/work unit shall be separately sold or rented.
2. The owner or developer of a structure containing live/work units shall provide written notice to all occupants, tenants, and users that the surrounding area may be subject to higher impacts associated with nonresidential uses (e.g., noise) than exist in more predominantly residential areas. Performance standards for live/work units shall be those applicable to nonresidential uses allowed in the zoning district in which the live/work units are located.
3. All activities related to the "work" component of a live/work unit shall be conducted within a completely enclosed building.
4. Up to two additional persons who do not reside in the live/work unit may work in the unit.
5. Client and customer visits to live/work units are allowed.
6. Parking for each live/work unit shall be provided in compliance with Chapter 9.11 (Parking, Pedestrian, and Loading Requirements).
7. A live/work unit shall not be converted to either entirely residential use or entirely nonresidential use.
8. A live/work use may display a window or building-mounted sign up to a maximum of five percent of the building frontage area used for commercial purposes. Signs shall not be illuminated, including neon signs.

9.09.260 – Mixed-Use Development

This Section provides operational and compatibility standards for mixed-use development. These standards are in addition to the standards provided in Chapter 9.07.090 (Mixed-Use Overlay Districts).

A. Operational standards.

- 1. Hours of operation.** Outdoor nonresidential uses in mixed-use projects shall be prohibited from operating between the hours of 10:00 p.m. and 7:00 a.m. These hours may be modified through approval of a Conditional Use Permit in compliance with Section 9.02.060 (Conditional Use Permits).
- 2. Joint tenants and owners association.**
 - a. A joint tenants and owners association shall be formed to ensure the well-being of each tenant and owner in a mixed-use project.
 - b. The association bylaws, including voting rights, shall be subject to review by the City Attorney and approval by the Director. The association's bylaws shall include the following:
 - (1) Assignment of parking spaces per each use.
 - (2) Identification of maintenance responsibilities for landscaping, parking facilities, and recycling and refuse storage facilities.
 - (3) Noise notification procedures.
 - (4) Relationship between uses regarding association representation.
 - (5) Voting procedures.
 - (6) Procedures for solving problems that may arise between the different types of uses or residents.
- 3. Loading and unloading activities.** Where applicable, the covenants, conditions, and restrictions of a mixed-use project shall indicate the times when the loading and unloading of goods may occur on the street, provided that in no event shall loading or unloading take place after 10:00 p.m. or before 7:00 a.m. on any day of the week.
- 4. Noise notification.**
 - a. Residents, whether owners or tenants, of a mixed-use development project shall be notified in writing before taking up residence that they will be living in an urban type of environment and that the noise levels may be higher than a typical residential area.
 - b. The covenants, conditions, and restrictions of a mixed-use project shall require that the residents acknowledge their receipt of the written noise notification. Their signatures shall confirm receipt and understanding of this information.

B. Fences and walls. In addition to the regulations in Section 9.08.070 (Fences and Walls), fences and walls shall be subject to the following regulations:

1. Separation wall required. A masonry separation wall shall be constructed on all property lines adjacent to any single-family residential district. Pedestrian access points are encouraged and may be allowed subject to approval of the Community Development Director. The separation wall shall be six feet in height, as measured from the highest elevation of land contiguous to the wall, except in a required front setback area and in a required exterior side setback area for a corner, reverse corner or key lot, where the wall shall be limited to 36 inches in height.

2. Other fences and walls. Fences and walls are allowed in any yard area subject to the following height regulations:

- a. Front yard area. In the front yard area, the height shall be limited to 36 inches.
- b. Street side yard. In street side yard areas, the height shall be limited to 36 inches.
- c. All other areas. In all other areas, the height shall be limited to six feet, as measured from the side of the fence or wall with the highest grade.

3. Location. All perimeter fences and walls shall be constructed on the property line unless a different location is permitted by the Community Development Director. No parallel wall or fence shall be constructed less than five feet from an existing wall or fence, unless approved by the Community Development Director.

4. Materials.

- a. Chain link fencing shall not be erected between a primary or accessory structure and a public or private street, except that chain link fencing may be used for security purposes for public utility structures and for temporary fencing needs (construction sites, special events, vacant lots, etc.).
- b. Barbed wire and concertina wire are prohibited, except at public utility structures.

C. Landscaping. Landscaping shall comply with Chapter 9.17 (Landscape and Water-Efficiency Requirements).

D. Screening and buffering standards. Mechanical and air-conditioning equipment shall be screened and buffered in compliance with Section 9.10.130 (Mechanical and Electrical equipment).

E. Signs. Signs shall comply with Chapter 9.12 (Sign Regulations). In addition, in a mixed-use overlay district where both residential and nonresidential uses are allowed, the signage rights and responsibilities applicable to a particular use shall be determined as follows: residential uses shall be treated as if they were located in the residential area where that type of use would be allowed as a matter of right, and nonresidential uses shall be treated as if they were located in a district where that particular use would be allowed, either as a matter of right or subject to a discretionary process.

I. Trash and recycling enclosures.

1. Recycling and refuse storage facilities shall be located as far away as possible from residential units and shall be completely screened from view from adjacent residential portions of the project or another adjacent residential uses in compliance with Section 9.08.150 (Screening Requirements).
2. The location and design of recycling and refuse storage facilities shall mitigate nuisances from odors when residential uses might be impacted.
3. The location and design of recycling and refuse storage facilities shall be integrated into and be compatible with the architectural design and details of the overall project.

J. Sound mitigation. Residential dwelling units shall be designed to be sound attenuated against present and future project noise. New projects or new nonresidential uses in existing projects shall provide an acoustical analysis report, by an acoustical engineer, describing the acoustical design features of the structure required to satisfy the exterior and interior noise standards.

K. Design criteria.

1. A mixed-use development project shall be designed and constructed to:
 - a. Be pedestrian in its focus by:
 - i. Providing direct pedestrian linkages to adjacent public sidewalks.
 - ii. Creating enhanced pedestrian connections throughout the project between residential and nonresidential uses and parking areas.
 - iii. Providing enhanced pedestrian amenities throughout the project, including seating, pedestrian area lighting, special paving, public art, water features, common open space, directories, and similar items to create a pleasant pedestrian experience.
 - iv. Incorporating architectural design elements and materials that relate to a pedestrian scale.
 - b. Locate uses in proximity to one another without large intervening parking lots so that it is convenient for people to walk between the various uses and park their vehicles only once.
 - c. Create a pedestrian scale and character of development along the street by providing significant wall articulation and varying roof heights, incorporating pedestrian scale elements (e.g., doors, windows, lighting, landscaping), and locating storefronts and common open space areas (e.g., plaza, courtyard, outdoor dining) near the public sidewalk to contribute to an active street environment.
 - d. Provide a transition to adjacent residential uses –in compliance with the standards provided in Table 9.075.050-10 (Mixed-Use Overlay District Development Standards).
2. Consistent use of architectural details and materials. Architectural style and use of quality materials shall be compatible and consistent throughout an entire mixed-use project. However, differences in architectural details and materials may occur to differentiate between the residential and nonresidential portions of the project. The overall project

design and site layout shall be one that promotes a strong pedestrian environment and active street frontage. This can be accomplished by incorporating features into the project as outlined in Paragraph 3, below.

3. Features.

- a. Street level features. Variations in the front building plane shall be incorporated through the use of varying building setbacks, variations in wall planes, and the inclusion of pedestrian amenities (e.g., plaza, courtyard, outdoor dining, landscaping). Long expanses of blank walls shall be prohibited.
- b. Pedestrian-oriented features. At least 75 percent of the building frontage facing a public street, primary pedestrian way, or parking lot shall be devoted to pedestrian-oriented features (e.g., storefronts, pedestrian entrances to nonresidential uses; transparent display windows; landscaping).
- c. Upper level features. Upper floor balconies, bays, and windows shall be provided whenever opportunities exist for these types of features.
- d. Entrances. When nonresidential and residential uses are located in a vertical mixed use structure, separate pedestrian entrances shall be provided for each use. The entrances for nonresidential uses shall be designed to be visually distinct from the entrances for residential uses. Entrances to individual residential units in a vertical mixed use project shall not be allowed along a street frontage. Instead shared entrances to residential units located above the ground floor shall be from lobbies that serve multiple units.
- e. Neighborhood interface. The design of new infill development shall be sensitive to the scale and design characteristics of established structures in abutting residential neighborhoods, with the objective of achieving a harmonious transition between the new development and existing neighborhood. Consideration shall be given to factors including, but not limited to, orientation of architectural features, building articulation, and exterior building treatments.
- f. Lighting. Lighting shall be incorporated along sidewalks or other pedestrian walkways, plazas, paseos, courtyards, and other common open areas to enhance the pedestrian environment and increase public safety. Lighting for nonresidential uses shall be designed, located, and shielded to ensure that they do not adversely impact the residential uses, but shall provide sufficient illumination for access and security purposes consistent with the provisions of Section 9.08.100 (Lighting).
- g. Security. Projects shall be designed to minimize security risks to residents and to minimize the opportunities for vandalism and theft. This may be accomplished by:
 - i. Maximizing visibility to common open space areas, internal walkways, and public sidewalks. Use opportunities for natural surveillance to increase visibility.
 - ii. Using walkways, low fences, lighting, signage, and landscaping to clearly guide people and vehicles to and from the proper entrances.
 - iii. Eliminating areas of concealment, hiding places, and dead spaces.
 - iv. Using lighting to improve the visibility of common areas while enhancing the pedestrian environment. Lighting should not be overly bright and should provide a uniform level of light over the subject area to eliminate dark spaces.

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9.09.270 – Outdoor Dining

This Section provides standards for outdoor dining areas.

A. Public property. Outdoor dining on public property shall require approval of an encroachment permit by the Public Works Director and compliance with the standards of the Public Works Department.

B. Private property. Outdoor dining on private property shall comply with the following standards:

1. **Coordinated design scheme.** The design and appearance of proposed improvements or furniture (e.g., tables, chairs, benches, umbrellas, planters, menu boards, etc.) to be placed in an outdoor dining area shall present a coordinated theme and shall be compatible with the appearance and design of the primary structure, as determined by the Director.
2. **Hours of operation.** Hours of operation for outdoor dining areas shall coincide with those of the associated indoor restaurant.
3. **Property maintenance.** The operator shall maintain the outdoor dining area(s) in a neat, clean, and orderly condition at all times. This shall include all tables, benches, chairs, displays, or other related furniture. An adequate number of trash receptacles shall be provided to serve the outdoor dining area.
4. **Outdoor bar prohibited.** A bar designed and/or operated to sell or dispense any alcoholic beverages shall not be allowed in the outside dining area.
5. **Location.** Outdoor dining areas may be allowed to locate in required setback areas but shall not encroach into required parking areas. They may be allowed to encroach into a public right-of-way with an approved Encroachment Permit issued by the City Engineer.
6. **Noise.** Amplified sound (e.g., music, television, etc.) shall not be audible beyond the lot line.

C. Review criteria. When reviewing an application to allow outdoor dining, the review authority shall consider the relation of outdoor dining areas to sensitive noise receptors (e.g., hospitals, schools, and residential uses). Mitigation measures shall be applied to eliminate potential impacts related to glare, light, loitering, and noise.

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Addition of “H. Rear Parking” to existing Section 9.11.030 – General Regulations the following:

Chapter 9.11 – Parking, Pedestrian, and Loading Requirements

9.11.030 – General Regulations

H. Rear Parking. Parking in the rear of buildings and service area shall be limited to five percent of the total required off-street parking, except in the mixed-use overlay districts identified in Chapter 9.075 (Mixed-Use Overlay Districts).

Table 9.11.040A-12 in Section 9.11.040 – Off-Street Parking Requirements for Residential Uses will be replaced with the following table:

Table 9.11.040A-12

Off-Street Parking Requirements

Use	Requirement	Covered Parking	Notes
Residential Uses			
Single-family	2/unit	Within an enclosed garage	
Second units	2/unit	Carport or garage	
Duplex	2/unit	Within an enclosed garage	
3 or more units: Studio 1 bedroom 2 bedrooms 3+ bedrooms	1.25/unit 1.5/unit 2.0/unit 2.5/unit	1 covered/unit 1 covered/unit 1 covered/unit 2 covered/unit	Guest parking is required for all units at 0.25 spaces/unit. Guest parking is included in the minimum required parking standard.
Senior housing: Studio 1 bedroom 2+ bedrooms	1.0/unit 1.25/unit 1.5/unit	1 covered/unit 1 covered/unit 1 covered/unit	Guest parking is required for all units at 0.25 spaces/unit. Guest parking is included in the minimum required parking standard. Alternate parking requirements may be permitted subject to approval of a parking study pursuant to Section 9.11.070(A) of this chapter.
Mobile home parks	2.5/unit		Tandem spaces may be used to meet resident parking requirements.

Residential care homes	Parking requirements shall be determined by the community development director subject to an approved parking study.		
Live-Work Units (residential component)	2/unit	2 covered/unit	Guest parking is required for all units at 0.25 spaces/unit. Guest parking is NOT included in the minimum required parking standard and can be shared with the business aspect of the "Live-Work" parking standard.
Residential Component of Mixed-Use Project	See Multiple-Family requirements in Table 9.11.040A-12	See Multiple-Family requirements in Table 9.11.040A-12	Guest parking is required for all units at 0.25 spaces/unit. Guest parking is included in the minimum required parking standard and may be shared with the non-residential component. Alternate parking requirements may be permitted subject to approval of a parking study pursuant to Section 9.11.070(A) of this chapter.

Table 9.11.040B-12 in Section 9.11.040 – Off-Street Parking Requirements for Commercial Uses will be replaced with the following table:

**Table 9.11.040B-12
Off-Street Parking Requirements**

Commercial Uses	Requirement	Notes
General retail (unless specified elsewhere)	1/225 sq. ft. of gross floor area	
Automobile, boat, mobile home, or trailer sales, retail nurseries, or other similar outdoor commercial activities	1/2,000 sq. ft. of display area	1. Display area shall include all office, service and repair, or other related activities and areas that are accessible to the public.

Commercial Uses	Requirement	Notes
		2. No required off-street parking spaces shall be used for display, sales, service or repair of vehicles.
Automobile service stations, repair and service facilities	2 spaces + 4/service bay for 4 or less bays and 2/service bay for 5 or more bays	Any related retail activities shall be subject to the general retail parking standards (mini-markets, tire sales, and the like).
Automobile washing and waxing establishments: Self-serve Automated	2 spaces + 2/washing stall 10 + 1 per 2 employees	
Business and professional offices	1/250 sq. ft. of gross floor area	
Banks, savings and loans and medical/dental offices	1/225 sq. ft. of gross floor area	
Day care center	1/employee + 1/500 sq. ft. of gross floor area	Special design requirements shall apply for bus loading or parent drop-off points.
Eating and Drinking Establishments	1/100 sq. ft. of gross floor area up to 6,000 sq. ft. 1/75 sq. ft. of gross floor area over 6,000 sq. ft.	A minimum of 10 spaces required for stand-alone use. No additional parking required if outdoor dining area comprises no more than 15 percent of the interior gross floor area of the primary food service use; If outdoor dining area is over 15%, 1 space for every 60 sq ft or 1 space for every 3 seats, whichever is greater.
Eating and drinking establishments within shopping centers of 25,000 square feet of building area or greater.	1/225 sq. ft. of gross floor area up to 15% of the shopping center gross building square footage.	Eating and drinking establishments within shopping centers of 25,000 square feet of building area or greater.

The NEW Section 9.11.060 - Off-street bicycle parking requirements will read as follows:

9.11.060 – Off-Street Bicycle Parking Requirements

A. Type of Facilities.

1. Class 1 Facilities. Class 1 bicycle facilities required pursuant to the provisions of this chapter are intended for long-term parking, and shall be protected against theft of the entire bicycle and of its components and accessories.
2. Class 2 Facilities. Class 2 facilities are intended for short-term parking, and shall include a stationary object to which the owner or operator can lock the frame and both wheels with a user-provided lock. The facility shall be designed so as to protect the lock from physical assault.
3. Class 3 Facilities. Class 3 facilities are also intended for short-term parking, and shall include a stationary object to which the user can lock the frame and both wheels with a user-provided six-foot cable (or chain) and lock.

B. Number of Parking Spaces Required.

1. Bicycle parking spaces shall be provided in all commercial, office and industrial districts equal to five percent of the required automobile parking spaces, with a minimum of two bicycle parking stalls required for any one use.
2. Single and Multiple-family residences are exempt from this section.

C. Class Requirements. All required bicycle parking spaces shall include a Class 2 or 3 facility, except elementary and junior high schools, which shall include an enclosed Class 1 facility.

D. General Requirements.

1. All bicycle spaces shall be located as close as possible to the entrance(s) of the use that they are intended to serve, but situated as not to obstruct primary pedestrian circulation. If this is not possible, signs should be posted to direct bicyclists to the bike parking.
2. All bicycle facilities shall be located in highly visible areas to minimize theft and vandalism.
3. All bicycle parking and storage areas shall be surfaced so as to keep the area in a dust-free condition. Pervious pavement is recommended.
4. A minimum aisle width of five feet shall be provided between and adjacent to rows of bicycle racks or spaces for access and pedestrian pathways.
5. Bicycle parking areas shall be separated from automobile parking areas by a physical barrier of sufficient identification and distance to protect parked bicycles from damage by cars.
6. Signage should be posted to direct bicyclists to the locations of bicycle racks that may not be readily apparent. Similarly, signs indicating the location of bicycle parking should be posted wherever a NO BICYCLE PARKING sign is posted.

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The addition of the Mixed-Use Overlay District has provided new development terms to the Municipal Code. The list below will be added into the current definitions section in alphabetic order:

Chapter 9.15 – Definitions [New]

9.15.030 – Definitions

The following terms shall be added to Chapter 9.15 (Definitions).

Block. The aggregate of lots, pedestrian passages, and rear alleys, circumscribed on all sides by streets.

Block Length. The linear dimension of a block along one of its street frontages.

Block Perimeter. The aggregate dimension of a block along all of its street frontages.

Build-to-Zone. The area between the minimum and maximum setbacks within which the principal building's front façade (building façade line) is to be located. See Figure 9.15.030-1 (Build-to-Zone).

**Figure 9.15.030-1
Build-To-Zone**

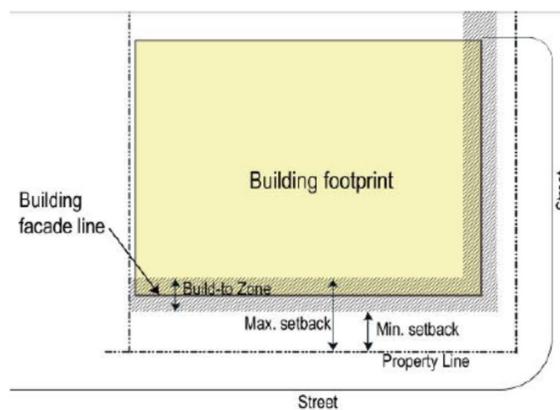


Illustration indicating the location of the build-to zone relative to the minimum and maximum setbacks and the building façade line

Building Façade Line. The vertical plane along a lot where the building's front façade is actually located. See Figure 9.15.030-1 (Build-to-Zone).

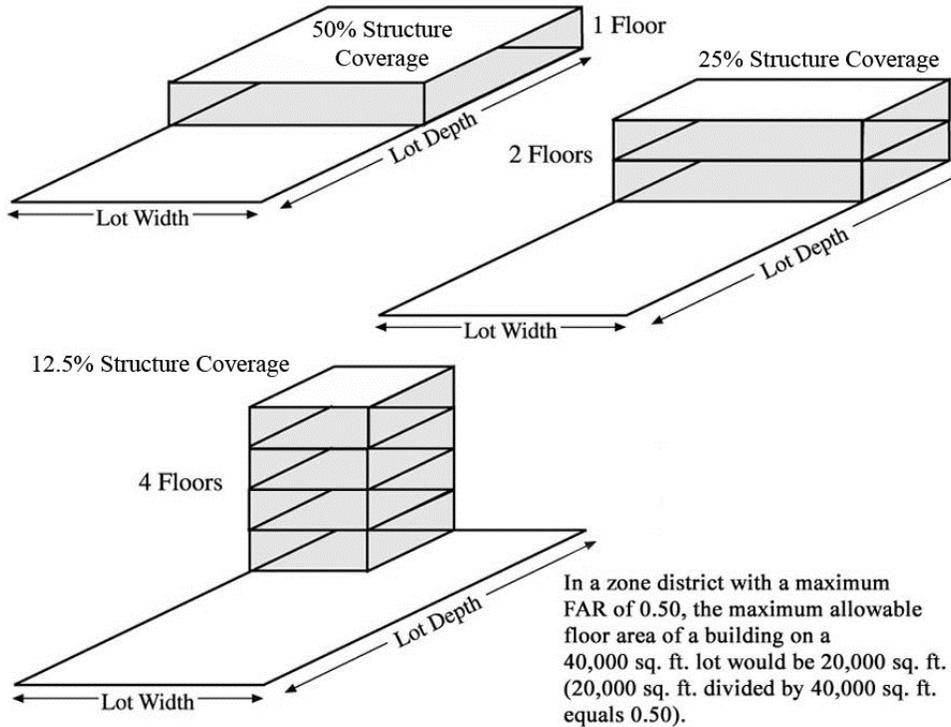
Commercial-Ready Space. Ground floor interior space constructed with a minimum height as established in Section 9.075.060 (Building Frontage Type Standards) that may be used for either residential or nonresidential uses. The intent of Commercial-Ready space is to provide flexibility so that a space can be converted between residential and nonresidential uses in response to market demand.

Floor Area Ratio (FAR). The mathematical relation between volume of building and unit of land expressed as the ratio of gross floor area of all structures on a lot to total lot area. See Table

9.075.050-10 (Mixed-Use Development Standards) for FAR figures applicable to the mixed-use overlay districts. See Figure 9.15.030-2 (Floor Area Ratio).

Figure 9.15.030-2: Floor Area Ratio

Possible Building Configurations for 0.50 FAR



NOTE: Variations may occur if upper floors are stepped back from ground level lot coverage.

$$\text{Floor Area Ratio (FAR)} = \frac{\text{Gross Building Area (All Floors)}}{\text{Lot Area}}$$

Integration of uses. Potential ways to integrate uses allowed in mixed-use development include:

1. Vertical integration. A mix of nonresidential uses (i.e., commercial, retail, and/or office) located on the ground floor with residential dwelling units located above.
2. Horizontal integration. A mix of nonresidential uses located on the primary street frontage of a lot and residential uses located at the rear of a lot.

Live-Work. A structure or complex of structures that integrates space for both residential and nonresidential uses within individual units.

Live/Work Unit. A unit with both residential and nonresidential uses and where neither use is subordinate to the other.

Mezzanine. An intermediate floor between main floors of a building. The floor often projects from the walls and does not completely close the view of the ceiling from the floor immediately below. A mezzanine floor and the floor below it share the same ceiling.

Mixed-Use Vertical Development. Development that combines two or more types of land uses (e.g., residential, commercial, office, industrial, institutional, or recreation) in a single building in a vertical configuration, typically with residential uses located above nonresidential uses.

Mixed-Use Horizontal Development. Development that combines two or more types of land uses (e.g., residential, commercial, office, industrial, institutional, or recreation) on a single development site, but not necessarily in the same building, typically nonresidential uses are located adjacent to the street and residential uses are located away from major streets behind nonresidential uses.

Mixed-Use Overlay District. A land use designation (zoning district) that allows a combination of uses, which may include residential, commercial, office, industrial, institutional, or recreational uses.

Podium Parking. Parking spaces that are covered by the ground floor of a building and are completely enclosed by walls. Podium parking may occur at or below the grade of the adjacent sidewalk.

Private Realm. Any privately-owned property.

Public Realm. Any publicly owned streets, roadways, sidewalks, parks, plazas, and other open spaces that comprise the shared space of a city for its visitors, employees and residents. It is the space between buildings where civic interaction occurs and is defined in contrast to private property.

Surface Parking. Parking spaces that are not covered by a building and are not enclosed by walls. Surface parking is also known as a “parking lot”.

Tuck-Under Parking. Parking spaces that are covered by the upper floor of a building, but are otherwise open.

Underground Level. That portion of a structure between the floor and ceiling which is wholly or partly below grade and having more than one half of its height below grade.