

URGENCY ORDINANCE 1314

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, CALIFORNIA, APPROVING ZONE CHANGE 24-03, AND MUNICIPAL CODE TEXT AMENDMENT 24-08, A REQUEST TO CHANGE THE ZONING DESIGNATION OF HOUSING ELEMENT SITE #14 (THREE PARCELS) FROM MF-15 TO MF-25, AND AMEND TITLE 18 TO ALLOW MULTI-FAMILY RESIDENTIAL IN SPECIFIC PLAN 23 TO REFLECT THE PROPOSED ZONING DESIGNATION CHANGES, AND ASSOCIATED CODE CLEAN-UPS AS REQUIRED TO BRING THE CODE INTO COMPLIANCE WITH THE CITY'S HOUSING ELEMENT AND STATE LAW.

WHEREAS, a Zone Change and Municipal Code Text Amendment (Amendments) have been duly initiated by the City of San Dimas; and

WHEREAS, the Amendments are described as a request to change the zoning designation of Housing Element Site #14 (three parcels) from MF-15 to MF-25, and amend Title 18 to allow multi-family residential in Specific Plan 23 and reflect the proposed land use and zoning designation changes, and associated code clean-ups as required; and

WHEREAS, the Amendment would affect Housing Elements Sites #1 (APNs : 8386-006-010, 025, 026, 027, 028), #2 (APNs: 8386-015-014, 814, 815, 8386-015-019, 015, 019, 020, 021, 023, 022, 024 & 8386-016-035), Site #14 (APNs: 8386-010-040, 8386-006-015, 029); and

WHEREAS, the City, pursuant to State Housing Law, is required to update the Housing Element of the City's General Plan every eight years and to comply with the stated housing plan programs, as required by the Housing Element; and

WHEREAS, on September 1, 2022, the Planning Commission recommended approval of the Housing Element, which included the Housing Sites Inventory to meet the City's Regional Housing Needs Assessment (RHNA), to the City Council, and on September 27, 2022, the City Council voted 5-0 to adopt the Housing Element; and

WHEREAS, the Housing Sites Inventory consists of 14 Housing Sites, and the proposed amendments will change the zoning and land use designation of three of the 14 Housing Sites to be in compliance with the Housing Element, and the remaining 11 Housing Sites will be addressed as part of the City's Downtown Specific Plan under a separate action; and

WHEREAS, the Planning Commission, at a special and noticed public hearing on September 5, 2024, heard evidence and voted 5-0 to recommend approval to the City Council of Zone Change 24-03, and Municipal Code Text Amendment 24-08, along with General Plan Amendment 24-03; and

WHEREAS, notice was duly given of the public hearing on the matter and that public hearing was held on September 24, 2024, at the hour of 7:00 p.m. with all testimony received being made part of the public record; and

WHEREAS, pursuant to Government Code § 36937, subdivision (b), any ordinance for the immediate preservation of the public peace, health, or safety, containing a declaration of the

facts constituting the urgency, that is passed by a four-fifths (4/5) vote of the City Council, shall take effect immediately upon its adoption; and

WHEREAS, the City Council seeks and intends to protect the health, safety, and welfare of the residents of the City of San Dimas by adopting the Amendments which will facilitate the approval and implementation of the Downtown Specific Plan (DTSP), and allow the City to stay in compliance with the City's Housing Element and State law.

WHEREAS, the City Council has carefully and independently reviewed and considered all of the evidence presented with respect to the General Plan Amendment, Zone Change, and Municipal Code Text Amendment and to hear and consider evidence for and against the proposed Project and related actions and to investigate and make findings and recommendations in connection therewith, and voted 5-0 to approve General Plan Amendment 24-03, Zone Change 24-03, and Municipal Code Text Amendment 24-08; and

WHEREAS, the City Council voted to only apply the zone change and general plan amendment to the southern portion of Site No. 14, via an overlay, as highlighted in the Housing Inventory List. The Overlay will apply a zoning and general plan land use designation that will allow a density of 16.1 to 25 units to the acre, while the remaining portion of Site No. 14 will remain at 8.1 to 12 units to the acre. The overlay shall be applied to the entirety of Parcel 8386-006-029 and portions of Parcels 8386-006-015 and 8386-010-040 generally described as follows:

Parcel 8386-006-015

The overlay is bounded to the south by the southern property line with a lineal distance of 704 feet; to the west by the western property line starting at the intersection of the southern property line and runs north approximately 120 feet north along Amelia Avenue, to the north by the northern end of the parking stalls just south of buildings 28, 26, 23, 21 & 20, then a lineal distance of approximately 112 feet running from the southwest corner of building 20 eastward to the intersection of the planter across from building 20 and the eastern property line; and to the east by the eastern property line starting at the south property line and runs north approximately 260 feet along the eastern property line to a point in line with the landscape planter across from building 20.

See general map attached hereto as Exhibit A.

Parcel 8386-010-040

The overlay is bounded to the south by the south property line with a lineal distance of 705 feet; to the west by the western property line starting at the intersection of the south property line and runs northeast approximately 213 feet; to the north by the northern end of the parking stalls, just south of the laundry room, and buildings 31-34; and to the east by the eastern property line starting at the south property line and runs north approximately 75 feet along Amelia Avenue to the northern end of the parking stalls just south of building 31.

See general map attached hereto as Exhibit A.

NOW, THEREFORE, in consideration of the evidence received at the hearing, and for the reasons discussed by the City Council at the hearing, including written or oral staff reports, together with public testimony, the City Council now finds as follows:

- A. The proposed Zone Change and Municipal Code Text Amendment will not adversely affect adjoining property as to value, precedent or be detrimental to the area.

The proposed amendments will allow additional housing opportunities centrally located near the Downtown and town core areas of the City and adjacent to the Gold Line extension, a high-quality transit facility. Development of this area will require review and approval by the City ensuring the quality proposed multi-family opportunities that will meet the needs of the City's residents and will likely increase property values. As with all developments, maintenance of the site will ensure property values are not negatively impacted. To further mitigate any impacts to adjoining properties, development and operational standards have been included to prior code amendments that regulate all multi-family development options including senior citizen housing, and transitional and supportive housing.

- B. The proposed Zone Change and Municipal Code Text Amendment will further the public health, safety and general welfare.

The proposed amendments, which are required by the City's Housing Element to be in compliance with State law will further the public health, safety and general welfare by providing residents and the general public with increased housing opportunities. In addition, the amendments will encourage the development of housing sites that require assembly, which may lead to additional housing units and allow the City to meet its RHNA allocation. Lastly, the proposed amendments were previously analyzed as part of the Housing Element update, and future development will be subject to existing regulations and may require additional environmental analysis to mitigate any potential impacts.

- C. The proposed Zone Change and Municipal Code Text Amendment is consistent with the General Plan.

The proposed amendments are consistent with the City's Housing Element for the 2021-2029 planning period. Specifically, the Housing Element includes the City's Housing Plan which identifies the City's goals and policies required to address the housing needs of the community, and the and Housing Sites Inventory which identified parcels to accommodate the City's RHNA allocation for the 2021-2029 planning period. In addition, the proposed amendments will be consistent with the following General Plan goals and policies:

Land Use Element

Policy LU-6.1: Give priority for redevelopment activities to declining areas within the City, particularly the Town Core and Puddingstone Center.

Housing Element

Policy HE-2.1: Adequate Sites. Provide opportunities for new housing that responds to community needs in terms of housing type, cost, and location by providing appropriate zoning and development standards.

Policy HE-2.4: Downtown Housing. Provide and actively facilitate opportunities for the development of mixed use and infill housing in downtown San Dimas as part of the City's ongoing revitalization strategy for the area.

Policy HE-3.3: Flexibility in Standards. Provide flexibility in development and design standards to accommodate new models and approaches to encourage mixed uses, live/work, accessory dwellings, and other types of housing.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN DIMAS DOES ORDAIN AS FOLLOWS:

SECTION 1. ADOPTION. Zone Change 24-03 amending the zoning designations as set forth in Exhibit A, and Municipal Code Text Amendment 24-08 amending Title 18 as set forth in Exhibit B, attached hereto and incorporated herein, are hereby adopted.

SECTION 2. SEVERABILITY. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more section, subsection, subdivision, sentence, clause, phrase, or portion thereof be declared invalid or unconstitutional.

SECTION 3. CEQA DETERMINATION. The City Council hereby finds and determines pursuant to the California Environmental Quality Act (CEQA), that the City prepared an Initial Study/Negative Declaration (IS/ND) for the Draft Housing Element update and circulated the IS/ND for a 30-day public comment period from March 16, 2022 to April 18, 2022. On September 27, 2022, the City Council adopted the IS/ND and the Housing Element for the 2021-2029 planning period. The proposed amendments are in compliance with Housing Element's housing programs, which were previously analyzed in the IS/ND; therefore, no further CEQA action is required.

SECTION 4. URGENCY FINDINGS

- A. San Dimas, along with all local governments in California, must prepare a housing element to meet its local housing needs, and provide proactive goals, policies, and programs to facilitate the development, improvement, and preservation of housing commensurate with the housing need established by the city, regional government, and the State of California. In addition, California law requires that all local governments develop housing programs, as part of their Housing Element, to meet their "fair share" of existing and future housing needs for all income groups.

- B. According to SCAG, San Dimas's housing stock is expected to increase to 14,051 units by 2030, consistent with the city's share of the regional housing need for 2021-2029. The majority of growth is anticipated to be multiple-family developments around the downtown and infill single-family developments. Rezoning of the subject sites, as required by the Housing Element, will allow for the development of multi-family development and provide a means to meet the City's RHNA allocation for the 2021-2029 planning period.
- C. The City's housing stock is primarily single-family homes with a shortage of apartments and other housing types that serve low and/or moderate income city residents. The proposed Amendments will facilitate the development of additional housing to assist in alleviating City and regional needs.
- D. Adoption of the urgency ordinance allows the zone changes and municipal code text amendments to be effective immediately which will put in place the zoning and development standards to develop multi-family residential units, as required by the Housing Element. In addition, adoption of the urgency ordinance will allow the City to meet deadlines set forth in the City's Housing Element and stay in compliance with the Housing Element and State law. The deadline stated in the City's Housing Element for adoption of the necessary zoning map and text amendments is September 27, 2024.
- E. Pursuant to the California Housing Accountability Act, cities that are found to be out of compliance with their Housing Element are subject to Builder's Remedy, amongst other penalties, which allows developers to build certain residential and mixed-use projects, even if they conflict with the City's zoning standards. Density, height, parking, and other standards that regulate the development would not be applicable. In addition, these residential developments would not be limited to residential zones; they could also be developed on properties zoned for commercial and offices uses. Builders Remedy projects will lead to various negative impacts including, but not limited to, loss of local control, sprawl development, disruption of established neighborhoods, and development that is not compatible with the high level of architectural quality that San Dimas is known for. Thus, adopting the urgency ordinance will prohibit this from happening.
- F. Adopting the urgency ordinance is for the immediate preservation of the public peace, health, or safety of the residents of the City of San Dimas, as it ensures the City stays in compliance with the Housing Element and State law, and avoids falling into situation where Builder's Remedy projects would be allowed.

SECTION 5. POSTING. The City Clerk shall certify the passage and adoption of this Ordinance by the City Council and shall cause this ordinance to be published or posted in accordance with Government Code section 36933 or as required by law.

SECTION 6. EFFECTIVE DATE. Pursuant to Government Code section 36937, this Urgency Ordinance shall take effective immediately upon approval of the same by a four fifths (4/5) affirmative vote of the City Council.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of San Dimas this 24th day of September, 2024, by the following vote:

AYES: Badar, Bratakos, Nakano, Vienna, Weber
NOES: None
ABSENT: None
ABSTAIN: None

Emmett G. Badar, Mayor

ATTEST:

APPROVED AS TO FORM:

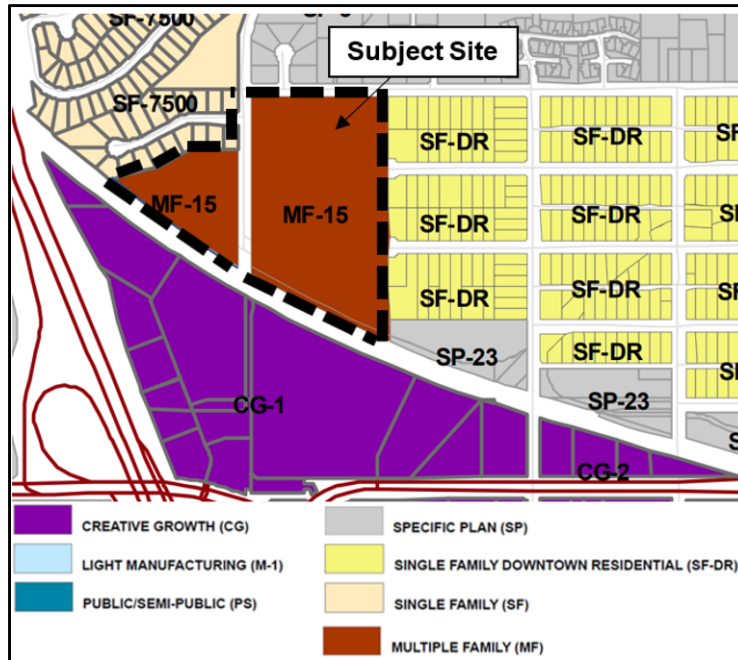
Debra Black, City Clerk

Jeff Malawy, City Attorney

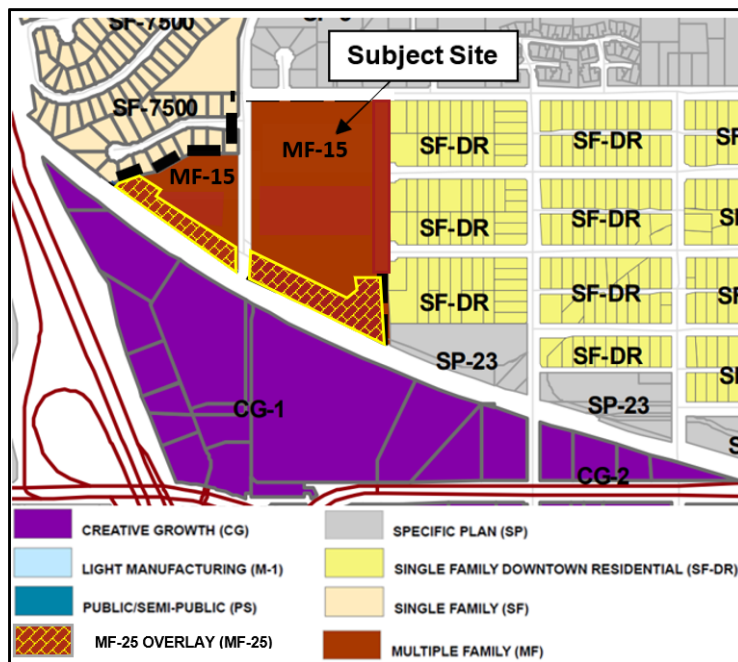
I, DEBRA BLACK, CITY CLERK of the City of San Dimas, do hereby certify that Ordinance 1314 was approved and adopted at a regular meeting of said City Council held on the 24 day of September, 2024.

Debra Black, City Clerk

Exhibit A - Zone Changes



Existing Zoning Designation



Proposed Zoning Designation



General Map of Overlay on Parcels APNs 8386-006-015 & 8386-010-040

Exhibit B – Code Amendments

Chapter 18.538

SPECIFIC PLAN NO. 23*

Sections:

Article I. General

- 18.538.010 Purpose and intent.**
- 18.538.020 Authority.**
- 18.538.030 Location.**
- 18.538.040 General provisions.**
- 18.538.050 Definitions.**

Article II. Development Plan

- 18.538.060 Neighborhood setting.**
- 18.538.070 Site specific conditions.**
- 18.538.080 Existing improvements.**
- 18.538.090 Circulation.**
- 18.538.100 Planning areas—Purpose and intent.**

Article III. Development Standards

- 18.538.110 Planning area I— Mixed use – residential/industrial.**
- 18.538.130 Provisions for existing improvements.**

Article IV. General Development Standards

- 18.538.140 Streetscape design standards.**
- 18.538.150 General provisions.**

Article V. Plan Review and Disposition

- 18.538.160 Review requirements.**
- 18.538.170 Minor modifications.**
- 18.538.180 Appeal provisions.**

* **Editor’s Note:** Exhibit relating to Specific Plan No. 23 is located at the end of this chapter.

**Article I
General**

§ 18.538.010 Purpose and intent.

- A. The size, shape and location of Specific Plan No. 23 presents a unique development opportunity within the city. The site encompasses two blocks north of a railroad right-of-way and south of an established residential neighborhood referred to as the San Dimas towncore (see Exhibit A). The easterly project boundary is North Acacia Street and the

westerly project boundary is just east of the Trails Apartment Complex located at 444 N. Amelia Avenue

- B. Specific Plan No. 23 provides the best mechanism for comprehensive, high quality, and sensitive development for the project area. The purpose of Specific Plan No. 23 includes the following:
1. To ensure that the development of the project area is compatible to adjacent uses;
 2. To minimize the negative adverse impact of traffic generated by any development by directing traffic away from the residential neighborhood;
 3. To incorporate creative and sensitive planning, architecture, landscape architecture, and engineering to develop a project that will enhance the existing adjacent uses and promote the existing and future appearance of San Dimas;
 4. To provide provisions for the continued use and maintenance of existing improvements as the project areas recycle into development consistent with the provisions of the design standards within this specific plan;
 5. To provide home ownership opportunities responsive to the needs of the community;
 6. To reclaim the currently underutilized site and transform it into a vibrant living environment;
 7. To provide a desirable, high-quality residential community where people will want to purchase/live a new home within the City of San Dimas; and
 8. To stimulate revitalization efforts in nearby underutilized properties.

(Ord. 938 § 1 (I (A)), 1990)

§ 18.538.020 Authority.

The adoption of Specific Plan No. 23 by the city is authorized by and pursuant to sections 65450 through 65457 of the California Government Code.

(Ord. 938 § 1 (I (B)), 1990)

§ 18.538.030 Location.

Specific Plan No. 23 encompasses land area which totals approximately 6.1 acres. The project area is assembled into two land areas roughly resembling city blocks. Each "block" is adjacent to the railroad right-of-way which runs in a diagonal manner when compared to a traditional north, south, east, west grid street system. Each "block" has street frontage, however, visibility from Bonita Avenue is limited. The project boundaries are indicated on the attached Exhibit A.

(Ord. 938 § 1 (I (C)), 1990)

§ 18.538.040 General provisions.

The project area of Specific Plan No. 23 is designated as Mixed Use – Residential/Industrial by the City's General Plan. All development, uses and activity shall be subject to, but not limited to, the following general provisions:

- A. Unless otherwise specified, all development, uses and activity within Specific Plan No. 23 shall comply with this code. Terms used in this chapter shall have the same meaning as defined elsewhere in this code unless otherwise provided;
- B. Any details or issues not specifically covered by this specific plan shall be subject to the regulations of this code;
- C. The review and approval of development within the specific plan area shall be subject to Section 65450 et seq. of the state Government Code;
- D. All construction within the boundaries of the specific plan area shall comply with all provisions of the California Building Code and the various mechanical, electrical and plumbing codes as applicable and adopted by the city.
- E. Minor modifications to Specific Plan No. 23 which do not alter the intent of this specific plan pursuant to the provisions of Section 18.538.170 of this chapter;
- F. If any regulation, condition, program or portion thereof of this specific plan is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and the invalidity of such provision shall not affect the validity of the remaining provisions herein; and
- G. Any land use designation, permitted use, or conditionally permitted use not specifically provided by Specific Plan No. 23 shall not be permitted without a determination of use by the approving body pursuant to provisions of Chapter 18.192 of this Title.

(Ord. 938 § 1 (I (D)), 1990)

§ 18.538.050 Definitions.

Unless the context otherwise requires, or unless different definitions are set forth in individual titles, chapters, or sections of this title, the words or phrases defined in this specific plan shall have the meaning and construction ascribed to them in this section. When not inconsistent with the context, words in the singular shall include the plural and words in the plural shall include the singular. The word "shall" is mandatory and the word "may" is permissive. Words and phrases not defined in this chapter shall be defined in the following sources by the following order; (1) other chapters of this code; (2) definitions contained in the city adopted chapters of the California Building Code; (3) definitions contained in legislation of the state; and (4) Webster's Dictionary.

1. "Abut" means contiguous to. For example, two adjoining lots with a common property line are considered to be abutting.
2. "Accessory structure" means a structure located on the same lot or parcel as the primary structure. Said structure would serve an incidental or accessory use secondary to the principal use of the land.
3. "Accessory use" means a use which is incidental or secondary to the primary use of the lot or parcel. Such use is devoted exclusively to the primary land use.
4. "Adjacent" means the same as abutting; however, public rights-of-way and major utility

easements shall not be considered as separating "adjacent" uses.

5. "Architectural feature" means a part, portion, projection, or treatment that contributes to the visual beauty, elegance, historical consistency, or design integrity of a building or structure, and is not necessary for the structural integrity of the building or structure or to make said structure or building habitable. Said architectural feature does not include signs or other forms of use identification.
6. "Automobile parking" means parking of operational and street legal motor vehicles on a temporary basis within an improved off-street parking area.
7. "Berm" means a man-made mound(s) of earth incorporated into a landscape design used for the purpose of visual screening, decorative features, and landscape design enhancement.
8. "Buffer area" means an area of land used to visibly and physically separate one use from another. Such a buffer area would typically be devoid of structures and landscaped in a manner to shield noise, glare and other nuisances from neighboring uses.
9. "Building" means any structure built or maintained for the support, enclosure and protection of persons, equipment, animals, chattels or property of any kind. The word "building" as used in this title includes the word "structure."
10. Building, Accessory. "Accessory building" means the same as "accessory structure."
11. "Building coverage" means the gross area of a lot or parcel of land occupied by all of the ground floor, or building footprint, of a building or structure which is under roof.
12. "Building height" means the maximum vertical distance as measured from the interior floor level to the top of the uppermost part of the structure through any vertical section.
13. Building, Non-conforming. "Non-conforming building" means a building or portion thereof, lawfully existing pursuant to the ordinance in effect at the time of construction or subsequent alteration, but which does not comply with any development criteria adopted at a later date.
14. "Business" means the purchase, sale or other transaction or place thereof involving the handling, disposition or transaction of any article, substance, product, service or commodity for livelihood or profit. Such activity includes an addition, operation, or provision of any service or service establishment, office building, outdoor advertising sign and/or structure, recreational and/or amusement enterprise conducted for livelihood or profit.
15. "Business frontage" means the lineal footage of any side of a business building facing an adjacent street or the unit's designated automobile parking area and upon which a sign may be located as provided by this specific plan.

16. "City" means the city of San Dimas.
17. "Commercial use" means a business, normally involving office, retail, sales, or service uses.
18. "Common open space" means land in a development held in common and is/or single ownership and not reserved for the exclusive use of benefit of an individual tenant or owner.
19. "City council" means the city council of the city.
20. "Courtyard" means an open, unoccupied space, other than a required yard, on the same lot or parcel with a building or buildings. Such courtyard is typically bounded on two or more sides by such building(s).
21. "Density" shall be determined by dividing the total number of homes by the net area of the parcel.
22. "Design review" means the process of city review and approval of development proposals as required by Chapter 18.12 of this title.
23. "Display frontage" means the lineal footage of the front of an area used for display and sale of merchandise located outdoors. Such display area typically faces a street or automobile parking area.
24. "Driveway" means an unobstructed paved area which provides access to vehicle parking, loading, or maneuvering area.
25. "Enclosed building" or "enclosed structure" means a building or structure with a permanent roof and enclosed on all sides by solid exterior walls. Such solid exterior walls may feature windows, loading doors, and customary entrance and exit doors.
26. "Enclosed space" means an area enclosed on all sides by a solid physical barrier such as a fence or wall.
27. "Existing improvements" means any improvements which exist at the time of the adoption of this specific plan. Such existing improvements must have been legally constructed in compliance with all building and zoning codes in effect at the time the improvements were constructed.
28. "Exterior boundary" means the perimeter of any lot or parcel of land or assembly of lots or parcels to be developed in an integrated, comprehensive manner.
29. "Fence" for industrial use properties means any device forming a physical barrier between two areas/parcels. Such barrier may be constructed of louver, wood stake, decorative masonry (i.e. slump stone, split face, stucco, stone veneer, brick, etc. plane CMU is not considered decorative masonry), dog ear lumber, or other similar material in accordance with adopted city standards.
30. "Fence" for residential use properties means any device forming a physical barrier between two areas/parcels. Such barrier may be constructed of decorative masonry (i.e. slump stone, split face, stucco, stone veneer, brick, etc. plane CMU is not considered decorative masonry). Gates maybe constructed of dog ear lumber, tubular iron, vinyl, or other similar material in accordance with adopted city standards.

31. Floor Area, Gross. "Gross floor area" means the total floor area of a building under roof measured in square feet. Such measurement would include each horizontal plane which constitutes a floor as measured to the outside of the exterior walls of all floors.

32. "Frontage" means, with regards to a lot, that side of a lot abutting on a street, typically the front lot line. With regards to a building, see "business frontage."

33. Garages, private. "private garage" means a portion of a building, used primarily for automobile parking, garages shall not be for habitation.

34. "Height" means the vertical distance from the lowest finish grade to the highest point of the coping of a flat or pitched roof ridge.

35. "Homeowner Association or HOA" means a community association which is organized within a development in which individual owners share common interests and responsibilities for open space, landscaping and facilities.

36. "Industry" means the manufacture, fabrication, processing or reduction of any article, substance or commodity or any other treatment thereof in such a manner as to change the form, character or appearance thereof. In addition, it shall include trucking facilities, warehousing, storage facilities, business facilities serving primarily industry, and similar enterprises.

37. "Institutional use" means a non-profit or quasi-public use or institution, such as a church, library, public or private school, utility, hospital, or municipally owned or operated building, structure or land used for public purpose.

38. "Landscaping" means the planting and maintenance of a combination of trees, shrubs, vines, ground cover, flowers and lawn. In addition, such landscaping may include design features such as rock and stone, garden-type fencing and decorative structures. Such design features may also include water elements, art works, decorative walks, benches, and decorative paving.

39. "Loading area" means the portion of a site developed to accommodate loading spaces including the related aisles, access drives and buffers.

40. "Loading space" means an off-street space or berth on the same lot and contiguous with the building it is intended to serve for temporary parking of commercial transport vehicles while loading and unloading merchandise, materials, supplies, manufactured products and similar items.

41. "Lot" means any numbered or lettered parcel shown on a recorded tract map.

42. "Main building" or "main structure," also referred to as principal and primary building or structure. Such building and structure would contain and enclose the activity which is the main use of the lot or parcel of land upon which the building is situated.

43. "Main use" means any use of a building, structure, or land which is the primary feature of the activity conducted on the lot or parcel of land.

44. "Mound" means a raised embankment of earth intended as a landscaping feature to visually obscure an area or provide design enhancement. Also see "berm."

45. "Multi-phase development" means a development project which is constructed in increments. Each increment would be capable of existing independent of the others, but the completed project would be a comprehensive design.

46. "Off-street parking space" means a temporary storage area for a motor vehicle that is not located on a dedicated street right-of-way. Such right-of-way may be public or private.
47. "Parking area" or "parking lot" means a portion of a site devoted to the temporary parking of motor vehicles, including actual parking spaces, aisles, access drives, and related landscaping.
48. "Permitted use" means any use allowed within the planning area regulations and subject to the restrictions applicable to that planning areas.
49. "Pet, household" means as described and regulated in Chapter 18.20 Residential Zone Generally.
50. "Planning Commission" means the Planning Commission of the City.
51. "Private open space" means a fenced or otherwise screened are designated for a specific tenant or resident intended for landscape, recreation, or leisure purposes.
52. "Public utility installation" means building(s) or other structure(s) and equipment owned and operated by a public or private utility company subject to regulation by the state Public Utilities Commission.
53. "Quasi-public" means a use which involves as its primary purpose, the administration of a required government program or a government regulatory program.
54. "Retail" means the selling of goods, wares or merchandise directly to the ultimate consumer or persons without a resale license.
55. "Service" means an act, or any result of useful labor, which does not in itself produce a tangible commodity.
56. "Setback" means the area between the building line and the nearest property line.
57. "Sign" means any device, or part thereof, capable of visual communication or attraction including any announcement, declaration, demonstration, display, illustration, insignia or symbol used to advertise or promote the interest of any person, partnership, association, corporation, institution, organization, product, service, event, location or other business entity by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination or projected images. "Sign" shall not include any official notice, declaration, warning, or information sign or structures issued by any federal, state, county or municipal authority.
58. "Storage area" means an area used or intended for the storage of materials, refuse, or vehicles and equipment not in service.
59. "Story" means that portion of the building between the upper surface of any floor and the upper surface of the floor next above except that if there is no floor above, then the space between such floor and the ceiling or roof above.
60. "Street furniture" means man-made, above ground items that are usually found in a street right-of-way such as benches, bus stops/enclosures, newspaper racks, hydrants, traffic lights, signs, utility poles and the like.
61. "Temporary structure" means a structure which is permitted within a land use district without a permanent foundation or footing and which is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.

62. "Temporary use" means a use permitted within a designated land use district and established for a fixed period of time with the intent of terminating such use upon the expiration of the time period.

63. "Unique natural feature" means that part of the natural environment which adds character to a location which is not readily found in other locations, and if altered or damaged cannot be replaced.

64. "Use" means, the purpose for which land or a building is occupied, arranged, designed or intended, or for which either land or building is, or may be occupied or maintained. A use may be passive, such as parking and/or storage.

65. "Yard" means an open space that lies between the principal building and the nearest lot line. Such yard is unoccupied and unobstructed from the ground upward, except as may be specifically provided in the specific plan. Unless otherwise specified, a yard is fully landscaped.

66. Yard, Required. "Required yard" means a yard, as defined in this section, that occupies the area of a required setback.

(Ord. 938 § 1 (I (E)), 1990)

Article II Development Plan

§ 18.538.060 Neighborhood setting.

Specific Plan No. 23, is uniquely located. The project area is predominantly adjacent to the established towncore residential neighborhood. This neighborhood has a rich historical significance to the city in that the first homes built in the city were/are located in this area. To the east and south, the project area joins the Downtown Specific Plan area. This area is of considerable historical and cultural significance to city residents. The project area abuts the railroad right-of-way along the southerly project boundary. Beyond the railroad is the commercial area of Bonita Avenue. Development proposed within the project area should reflect the unique neighborhood setting surrounding the specific plan.

(Ord. 938 § 1 (II (A)), 1990)

§ 18.538.070 Site specific conditions.

- A. The site has several inherent development challenges. The most significant is the unusual parcel size and property configuration. The proximity of the residential neighborhood, the diagonal approach of the railroad, and limited street frontage are also significant design challenges. The project area is divided into two separate blocks. Thus, development alternatives are reduced because of the divided project area.
- B. The proximity of the residential neighborhood is an influential factor on the ultimate site and architectural design of a development proposal. It is important to the city that the towncore neighborhood retain its integrity. Therefore, a site design which is sensitive to the adjoining residential property is extremely important. Also, architecture which reflects a residential character is desirable. The final design consideration is the relationship the project area has with the downtown commercial and residential historic core.

(Ord. 938 § 1 (II (B)), 1990)

§ 18.538.080 Existing improvements.

Each of the "blocks" contain existing improvements and land uses. It is recognized that the existing activities within the boundaries of Specific Plan No. 23 are important to the city. The existing improvements which do not conform to the development standards provided within Specific Plan No. 23 shall be allowed to remain and be maintained as long as the existing improvements are not physically expanded beyond their present size, scope or intensity.

(Ord. 938 § 1 (II (C)), 1990)

§ 18.538.090 Circulation.

- A. Block 1 has street frontage on only one side, along its eastern boundary line facing N. Eucla Avenue. Block 2 has street frontage on two sides facing east and west, this block also has alley access on along the northern boundary line. All the "blocks" have the railroad right-of-way bordering their southerly project boundary. Project circulation design is very important. Traffic generation shall be monitored, planned and observed. Potential development should be sensitive to the surrounding neighborhood. Non-residential circulation access points should be as far away from the residential neighborhood as possible and located where deemed safe by the City Engineer and the Public Works Department. Also, the number of access points from the street should be limited to one, or two at the most, for each "block"; multiple access points are allowed from an alley for residential garages.
- B. The access points should be designed to accommodate all forms of project generated traffic. Therefore, the entry design is important from both a functional and aesthetic perspective. To ensure that access points are limited, on-site circulation should be efficiently designed. The long-term parking (for employees) for non-residential uses should be placed in a manner not to conflict with the higher turnover parking demands, such as visitor parking and loading areas. Residential parking should be onsite and convenient for residents and visitors.

(Ord. 938 § 1 (II (D)), 1990)

§ 18.538.100 Planning area—Purpose and intent.

- A. The incorporation of the planning area concept into this specific plan creates the opportunity for flexible project design and land uses relative to the unique project characteristics of the specific plan. The creation of the planning area acknowledges that portions of the project area have varying design and use opportunities because of visibility, street frontage, adjoining land uses and location. In this respect, development within the project area would be sensitive to adjoining land uses while maximizing the appropriate development potential within the specific plan.
- B. The configuration of the project area creates a logical planning area (see Exhibit A) within the two "blocks." The two "blocks" have direct relationship with the residential neighborhood. These "blocks" also have almost no direct visibility to Bonita Avenue. Also, the railroad and a portion of the A-line bridge creates a physical separation between Bonita Avenue land uses and the project area. Therefore, specialized uses not dependent upon drive-by, impulse patronage are the most appropriate uses for this planning area if developed with industrial uses. If developed with multi-family residential uses, the building can serve as a buffer from the non-residential more intense uses south of the railroad from the single-family residences in the Town Core. The multi-family developments are also a

transition point from the single-family detached developments to the multi-family development and to the commercial uses' south of the railroad. These types of developments will provide the existing community an opportunity to live in an alternative housing type with less maintenance within a close-knit living environment, without having to leave their existing community.

(Ord. 938 § 1 (II (E)), 1990)

Article III Development Standards

§ 18.538.110 Planning area I— Mixed Use – Residential/Industrial.

The Mixed Use – Residential/Industrial area is uniquely suited for residential, specialized light industrial and business uses. The Mixed Use area is intended to allow for residential projects and careful combination of high quality light industrial, warehousing, passive commercial, office and business uses, developed separately on each block. The minimum parcel size for residential development shall be three (3) acres and shall not be combined with industrial uses. The industrial development may be a single, high quality user, or as a high quality, amenity oriented, architecturally sophisticated business park.

- A. Permitted Uses. Limited light industrial, general business, office, passive commercial, and multi-family residential uses as set forth below. Each use shall be evaluated in terms of its operational characteristics and development plan in respect to the potential relationship with the adjoining residential neighborhood.

Buildings, structures, and land shall be used, and buildings and structures shall be altered or enlarged only for those uses specified herein. In addition, those uses the approving body may deem as similar but not more obnoxious or detrimental to the public health, safety and general welfare as those listed below may be permitted pursuant to the provisions of Chapter 18.12 of this title. All uses shall be conducted within a totally enclosed building, except as permitted by a conditional use permit.

1. Those uses permitted in the I-P Zone.
2. Upholstery shop.
3. Packaging business.
4. Electrical or neon sign manufacturing and maintenance.
5. Ice and cold storage plants.
6. Machinery and shops: Cabinet or carpentry shops, machine shops, sheet metal shops, tinsmiths, welding shops.
7. Garment manufacturing, including silk screen.
8. Manufacturing, compounding, processing, packaging, or treatment of products such as: bakery goods, candy, cosmetics, dairy products, pharmaceutical drugs, food products (excluding sauerkraut, vinegar, yeast, and rendering of fats and oils), perfumes and toiletries.

9. Manufacturing, compounding, assembly or merchandise from the following previously prepared materials: Bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horns, leather, metals, paper, plasters, precious and semi-precious stones and metals, shells, textiles, tobacco, wood, yarns, rubber and metal stamps, shoes, stone monuments works.
10. Processing: Laboratories, blueprinting or photocopying, laundries, carpet rug cleaning plants, dry cleaning and dyeing plants.
11. Fabrication: Fabrication of products made from finished rubber and plastics.
12. Wholesaling and warehousing: Wholesaling and warehousing facilities, storage and distribution agencies, janitorial supplies, service/building maintenance, TV repair and service, athletic supply.
13. Office and related uses: Business and administrative offices, bookkeeping service, catalog store, data processing; employment agency, finance office, import-export offices and wholesale warehouse, mail-order; office machines sales and service, stock and commodity brokerage, telephone answering and exchange.
14. Other uses incidental and directly related to the service and operation of a permitted use: On-site employee recreational facilities, on-site medical clinics, industrial and business training facilities, conference and meeting rooms.
15. Other similar uses which the development plan review board finds compatible and similar to the permitted uses described herein, subject to a determination of use pursuant to Chapter 18.12 of this title.
16. Apartments, condominiums, townhouses, senior citizen housing, and similar multiple-family developments.
17. Incidental uses for residential developments only.
 - a. Home based businesses per. Section 18.184;
 - b. Household pets as described and regulated in Chapter 18.20 Residential Zones Generally; and
 - c. Other uses similar to those stated in this section which the Director of Community Development finds consistent with the spirit and intent of this Specific Plan.
19. Accessory structures. The following structures are permitted when they are accessory to the primary permitted uses listed under No. 16 in this Section:
 - a. Community recreation facilities;
 - b. Security gating structures at the vehicular entrance; and
 - c. Other accessory structures of a similar nature which the Director of Community

Development finds consistent with the spirit and intent of this specific plan.

B. Uses Subject to a Conditional Use Permit. Any use listed in subsection A of this section which because of operational characteristics specific to that particular business is found by the director of community development to have the potential to impact negatively adjoining properties, businesses or residences, and is therefore, appropriate to receive additional review and consideration. Said impacts may be related to, but not necessarily limited to impacts of traffic, hours of operation, assemblages of people, noise, or site location. The following uses may be permitted subject to a conditional use permit pursuant to Chapter 18.200 of this title:

1. Manufacturing plants which manufacture or process chemicals.
2. Outdoor storage incidental to and directly related to those uses permitted in subsection A.
3. Ceramic products using only previously pulverized clay and fired in kilns using only electricity or gas.
4. Bottling plants.
5. Contractor equipment storage yards provided such storage is incidental and directly related to an office or administrative facility as permitted in subsection A.
6. Machinery and shops, paint shops, punch presses.
7. Manufacturing, compounding, assembly or treatment of articles or merchandise from the following previously prepared materials: paints not employing a boiling process, plastics and synthetics, petroleum and petroleum products.
8. Processing: Creameries.

The following residential and industrial uses have their own development standards as follows:

- C. Development Standards. The following standards shall apply to all improvements, structures and uses within Planning Area I for industrial uses:
1. Building setbacks.
 - a. Property Lines Adjacent to Streets. Minimum of thirty feet for structures of building height of up to twenty-six feet. For structures greater than twenty-six feet, the minimum setback shall be forty feet. A minimum of fifty percent of the area created by the building setback shall be maintained as landscaping exclusive of parking, driveways and access aisles pursuant to subsection (C)(4)(b).
 - b. Interior Property Lines. Interior property lines which abut residential property shall maintain a minimum fifteen foot setback. Where an interior property line abuts a non-residential use, no setback is required. However, each project shall be required to submit illustrative line-of-site drawings to demonstrate that the project is designed sufficiently to accommodate the type of uses permitted in accordance with the development standards in this section. The

development plan review board may require greater setbacks as deemed appropriate pursuant to Chapter 18.12 of this title.

2. **Maximum Building Coverage.** None Required. Permitted maximum coverage shall be a secondary consideration subordinate to compliance with all other design regulations contained in this specific plan.
3. **Maximum Building Height.** The maximum building height shall be thirty-five feet. Buildings shall be designed in such a manner so that no vertical plane greater than twenty-six feet shall compromise more than fifty percent of any elevation visible to a street or residential property.
4. **Landscaping.** The following areas shall be fully landscaped and irrigated, maintained in good appearance and kept in a weed and disease free manner:
 - a. **Adjacent to Streets.** A minimum twenty foot deep landscape area is required adjacent to all property lines abutting a street. Said twenty foot deep landscape area shall not be required at points of drive-way access, however decorative paving a minimum of twenty feet deep shall be applied in lieu of the landscape area.
 - b. **Within required building setbacks adjacent to streets.** A minimum of fifty percent of the area created from the setback required in subsection (C)(1)(a) shall be maintained as landscaping exclusive of drive aisles, parking and driveways.
 - c. **Buffer landscape** a minimum of fifteen feet deep shall be provided where an area abuts residential property.
 - d. **All landscaping required in this Section** shall be contained within planters of raised concrete curbing six inches in height.
 - e. **All interior side and rear setbacks** shall be fully landscaped, except where paved for parking or enclosed as a storage yard.
5. **Signage.** The provisions of Chapter 18.152 apply, except as provided below.
 - a. **Center identification or single user freestanding signs** permitted pursuant to Chapter 18.152 shall be a maximum of four feet in height, as measured from the sign base to the top of sign.
 - b. **Wall mounted and facade signs** permitted pursuant to Chapter 18.152 shall be constructed of individual mounted letters and symbols.
 - c. **Signs which are illuminated** shall not produce glare or unnecessary light as to create a nuisance for the nearby residential neighborhood. This shall be accomplished by using low wattage illumination and muted colors. Exposed neon lighting is prohibited.
 - d. **A sign program is required for all multitenant complexes** pursuant to Chapter 18.152.
6. **Off-Street Parking and Loading.** The provisions of Chapter 18.156 shall apply.

7. Architecture. Building and structural architecture shall be compatible with the surrounding towncore residential area and shall be approved by the development plan review board pursuant to Chapter 18.12 of this title. Architecture shall be high quality using textures, materials, colors and architectural treatments and fixtures to accomplish the following goals:
 - a. Compatibility with the surrounding residential neighborhood: This neighborhood is primarily single-family residences constructed with wood siding. Architectural features which employ, reflect and is sensitive to the predominately wood-sided residences shall be incorporated into any architectural design.
 - b. Roof features which reflect the full roofs of residential structures. All architectural designs shall incorporate roof features which either function as or appear as a full roof. Full roof features may be employed to conceal roof mounted equipment pursuant to Section IV (B)(2) of this specific plan.
 - c. Innovative architectural features and design treatments: Features and treatments such as staggered planes, decorative piers and decorative treatment of exposed concrete shall be incorporated into any architectural design. Such design features are intended to create light and shadow pockets, reduce mass and create an interesting entrance to the residential neighborhood.
 - d. Sensitive Use of Colors. Colors which complement the surrounding residences and enhances architectural features shall be used.

(Ord. 938 § 1 (III (A)), 1990)

D. Development Standards. The following standards shall apply to all improvements, structures and uses within Planning Area I for residential uses, distance requirements shall be minimums unless noted otherwise:

1. Density. The density for Specific Plan 23, Mixed-Use Residential/Industrial zone shall be 12 to 16 units per net acre.
2. Site area. The minimum site area for development of shall be three (3) gross acres.
3. Building height. No building or structure shall exceed three stories or thirty-nine feet in height, whichever is less. Buildings adjacent to the northern boundary line, Eucla Avenue, and Acacia Street, shall not exceed two-stories with a maximum height of twenty-eight feet. The predominate roof design shall be sloping or pitched, rather than a flat roof design.
4. Building Length. No building shall exceed a length of one hundred-fifty feet.
5. Yard & building separation setbacks.
 - a. Twenty feet from property boundary along Eucla Avenue for Block 1 and for Block 2 facing Acacia Street. Fifteen feet from property boundary for Block 2 along Eucla Avenue.
 - b. Block 1: Fifteen feet from the northern property boundaries and five feet from the southern property boundary;
 - c. Block 2: Ten feet along the northern property boundary unless the parking garages are facing the alley, in that case a three (3) or twenty-foot setback is allowed. Five-feet from the southern property boundary.
 - d. Twenty-five feet between buildings front/entrance to front/entrance;

- e. Twenty-eight feet between buildings from rear/garage to rear/garage;
- f. Fifteen feet for all other setbacks between buildings.
- g. Five feet for accessory structures from both buildings and property boundaries/lines.

6. Projections into northern and southern property line boundaries. Fireplaces may project not more than twenty-four inches.

7. Architecture. All building elevations shall reflect a historic architectural style found in the Downtown and representative of the Town Core Residential Design Guidelines. All developments shall have street facing units on N. Eucla Avenue and N. Acacia Street with front porches to blend into the downtown street scape.

8. Open Space Areas. A minimum of five hundred square feet per unit shall be maintained as open space area for common use among residents.

- a. Open space areas shall be conveniently located and easily accessible from all dwelling units.
- b. At least fifty percent of the open space area must be provided as a contiguous space which must measure at least fifteen feet in any given direction.
- c. Open space areas may include swimming pools, putting greens, court game facilities, playground areas and recreational buildings, provided that such improvements do not exceed more than fifty percent of the required open green area for lots up to fifteen thousand square feet, and not more than twenty-five percent for lots over fifteen thousand square feet.
- d. When a development includes one or more units containing more than two bedrooms, a portion of the open green area required by this chapter shall be improved with playground equipment intended specifically for use by children. The size, location and design of said area shall be established in conjunction with the project approval.
- e. Open green areas shall not include streets, vehicle parking areas or accessways; distance between buildings of less than ten feet, or required yard setbacks, except that side and/or rear yard setbacks may be included with the approval of a conditional use permit when the following findings are made:
 - i. The side and/or rear yards are designed to create usable open green areas.
 - ii. The overall site design is enhanced by allowing the use of the setbacks as open green areas.

9. Mechanical Equipment. All ground mechanical equipment shall be screened behind a permanent structure. All rooftop mechanical equipment shall be completely screened by architectural components integral to the design of the building.

10. Off-Street Parking. The provisions of Chapter 18.156 shall apply.

11. Fences and Walls.

- a. Block 1: A six-foot high decorative (i.e. double-sided slump stone or split-face) block wall with decorative finish cap shall be required along the north, west and south boundary lines. Decorative pilasters shall be placed at every corner layout and every fifty feet of a solid wall plane. Patio/court yard walls shall also be decorative. Side and rear yard patios shall be boarded by a six-foot high decorative wall. Such walls within the first twenty feet from the boundary lines on N. Eucla Avenue shall be reduced to not more than forty-two inches in height, or may be eliminated.
- b. Block 2: A six-foot high decorative (i.e. double-sided slump stone or split-face) block wall with decorative finish cap shall be required along the north and south boundary lines. The

wall requirement along the northern boundary line may be avoided if the garages are directly facing and accessed off the ally. Decorative pilasters shall be placed at every corner layout and every fifty feet of a solid wall plane. Patio/court yard walls shall also be decorative. Side and rear yard patios shall be boarded by a six-foot high decorative wall. Such walls within the first twenty feet from the boundary lines on N. Eucla Avenue and N. Acacia Street shall be reduced to not more than forty-two inches in height, or may be eliminated.

12. Laundry Facilities. When laundry facilities are not provided in each unit, such facilities shall be provided within a totally enclosed permanent building, convenient to all units, and provided with automatic washers and dryers.

13. Refuse Storage. Communal refuse storage facilities shall comply with the City's standard.

14. Circulation. Vehicular access designs shall be in accordance with the city.

- a. Modifications to the standards in this section shall be as approved by the city engineer.
- b. Driveways and drives shall be designed to provide the maximum of safety and convenience for vehicular, emergency and pedestrian uses and, in a manner, which will not interfere with drainage or public use of the sidewalks and/or drive areas.
- c. All drives shall be provided with a level of street lighting designed to protect the health, safety and welfare of those living within the development. Street lights shall be mounted on city standard electroliers.
- d. The development shall have internal walkways that are a minimum five feet in width and connect with all the units and buildings within the complex and to the public street.

15. Exterior lighting. All exterior lighting of the building, landscape areas, parking, refuse and storage areas shall be placed so as to not reflect onto adjoining properties; a detailed lighting plan will be required for review and approval.

16. Utilities.

- a. All utility services shall be installed underground.
- b. For condominiums and other multiple-family projects with individual ownership, each unit shall have individual water, sewer and utility connections and each utility that is consumed within the unit shall be separately metered and/or have a separate lateral, as appropriate.

17. Landscaping.

- a. All required yards, spaces between buildings, and open green areas shall be landscaped pursuant to an approved landscape plan prepared by a landscape architect and comply with Chapter 18.14 Water Efficient Landscapes. Landscaping shall be maintained by an electric remote-control automatic sprinkler system and kept weeded and disease-free.
- b. In all cases, there shall be a minimum of five feet of landscaped setback adjacent to side property lines which shall be free from all driveways, parking, trash enclosures and similar facilities.

18. Signs. The provisions of Chapter 18.152 shall apply.

§ 18.538.130 Industrial provisions for existing improvements.

Existing improvements built in conformance to all building and zoning codes in effect at the time of construction may be maintained as currently existing, pursuant to the following provisions:

- A. Such existing improvements and site conditions may be maintained, repainted, repaired, and landscaping upgraded, without the requirements to conform with Sections 18.538.110 and 18.538.120 of Article III of this chapter.
- B. Review and approval of such repairs, repainting and similar actions is required pursuant to Article V of this chapter.
- C. All proposed additions, enlargements and improvements shall conform to the development standards as applicable in Sections 18.538.110 and 18.538.120 Article III of this chapter.

(Ord. 938 § 1 (III (C)), 1990)

**Article IV
General Development Standards**

§ 18.538.140 Streetscape design standards.

This section identifies three streetscape concepts to be applied along designated street frontages within the specific plan project boundaries. Each concept is intended to address a specific design concern.

- A. Acacia Street and Eucla Avenue. These streets are the entrances into the towncore residential area as well as the entrance into the Mixed Use – Residential/Industrial area. The landscaping concept along these street frontages should appear residential. Such landscaping techniques would include use of lawn for groundcover and ornamental trees. The entrances into the business park should be treated with low level monument style signage and subdued groundcover.
- B. General Landscape Design Standards. The following general guidelines are intended to promote a consistent and careful treatment of street tree plantings and landscaping programs.
 - 1. Unless a formal design is recommended during the design review process, street tree planting should generally consist of random patterns. Interesting tree massing with random spacing are encouraged to provide an undulating and varied streetscape, with view "windows" created at selected points. In some cases, often depending on adjacent architectural styles, a more formal "on-center" spacing of a single tree species may be more appropriate. Whether a formal or informal design concept is used, the selected design concept should be reflected along the entire length or substantial continuous segment of the street.
 - 2. Street trees along Acacia Street and Eucla Avenue should be planted in groundcover, or low shrubs.
 - 3. Landscaping should be intensified to emphasize entries, transitions and destinations. Entries should be enhanced with tree, shrub and groundcover plantings.

4. All community-wide and common area landscape plantings shall be adequately irrigated and maintained. Automatic irrigation systems should be utilized to insure the continued growth of plant materials.
5. Landscaping should be used to accentuate view windows into commercial office and residential neighborhoods. Trees and shrubs can be planted to frame or screen views selectively.
6. Vegetation of varying heights, textures, and colors should be used in conjunction with walls and fences to define discreet boundaries.
7. Walls and fences should be designed as an integral element of the streetscape design concept, enhancing and complementing the landscaped setback areas.
8. Primary landscape elements should be "mature" specimen, long-lived trees, with perennial shrubs and/or groundcover included where appropriate. Annual flower beds can serve as attractive accent elements, particularly at entry monument locations.
9. Landscape elements should complement architectural design elements. Expansive horizontal and vertical surfaces, comprised of singular materials should be modulated or, interrupted by foliage masses.
10. Within individual projects, trees should be used to define and enclose exterior spaces intended for different activities.
11. Landscaping and architectural features should be used to screen from view certain visually undesirable elements such as parking, storage, loading, refuse containers, utilities and irrigation controls.

(Ord. 938 § 1 (IV (A)), 1990)

§ 18.538.150 Industrial general provisions.

The following standards shall apply to all developments/improvements within Specific Plan No. 23.

- A. Utilities. All utilities within the project boundaries to serve the uses and buildings therein shall be installed underground.
- B. Mechanical Equipment. Roof mounted mechanical equipment including, but not limited to, air conditioning, heating, and ventilating and exhaust ducts, shall be screened from view from any surrounding property, street or highway. Said screening shall be designed in such manner as to appear to be an integral component of the overall building architecture. This can be accomplished by full roof treatments, equipment wells, and architectural design features. Line-of-sight drawings shall be required as a component of all design review submittals to verify equipment screening. Wall or ground mounted equipment shall be enclosed in a manner which incorporates the same materials used in the building.
- C. Trash Storage. Enclosed trash storage area(s) built to the city's standard specifications shall be provided in appropriate locations pursuant to city standards.

- D. Walls/Fences. Walls shall be permitted and/or required pursuant to the following provisions. All walls shall be constructed of decorative concrete tilt-up or masonry as described in Definitions in this section.
1. Required Walls. Walls shall be required to screen truck and storage areas where allowed by this specific plan. Interior walls may be required by the development plan review board as a component of the design review process. All screening walls shall be architecturally compatible with the buildings within the project and shall incorporate vertical landscaping such as vines, trees and shrubbery. The vertical landscaping elements shall be located on the public right-of-way side to provide visual relief from the horizontal expanse. The height of the screening walls shall be governed by the view shed from the surrounding areas which shall take into consideration the height of equipment and/or trucks to be stored behind said walls.
 2. Permitted Walls. Walls shall be permitted on or within all property lines not abutting streets and on or to the rear of all required yard setback lines abutting streets. The height of such walls shall be set by the director of community development after giving reasonable due consideration to alternative screening techniques and devices. Walls not over forty-two inches in height may be permitted within the required setback areas.
 3. Corner Cutback Areas. The cutback line shall be in a horizontal plane, making an angle of forty-five degrees with the side, front, or rear property line. It shall pass through a point not less than ten feet from the intersection of the front, side, or rear property line; or ten feet from the edges of a driveway where it intersects the street or alley, as the case may be.
 - a. Streets and Alleys. There shall be a corner cutback area at all intersecting or intercepting streets and/or alleys.
 - b. Driveways. There shall be a corner cutback area on each side of any private driveway intersecting a street or alley.

(Ord. 938 § 1 (IV (B)), 1990)

Article V **Plan Review and Disposition**

§ 18.538.160 Industrial review requirements.

A development plan review shall be required. No person shall construct any building or structure, or relocate, rebuild, alter, enlarge, or modify any existing building or structure, until a development plan has been reviewed and approved in accordance to the provisions of Chapter 18.12 of this title, or until a minor modification has been approved by the director of community development in accordance with the provisions of Section 18.538.170. Prior to the submittal of a formal application to the development plan review board, the applicant may request that the board review and approve a conceptual design plan for the project. An application for conceptual design review shall be accompanied by the following materials:

- A. A scaled site plan.
- B. Conceptual architectural floor plans and building elevations.

- C. A preliminary grading plan.
- D. A conceptual landscape plan.
- E. Breakdown of land uses, i.e., parking (compact vs. standard), floor area(s), building coverage(s), landscape coverages, etc.
- F. Written description of all proposed uses.

Prior to any submittal to the development plan review board, applicants shall submit the above items to city staff for informal review and comments regarding city development standards and policies. Such meetings will serve to reduce expenditures of time and money through the development process.

(Ord. 938 § 1 (V (A)), 1990)

§ 18.538.170 Industrial minor modifications.

Minor modifications to the provisions of this specific plan are intended to provide for the reasonable deviation of review and/or development requirements pursuant to the provisions of this section.

- A. The director of community development without public hearing, may grant a variance allowing a minor modification from the requirements of this specific plan limited to the following:
 - 1. Reduction of open areas by permitting portions of a building to extend into and occupy not more than ten percent of the area of a required yard.
 - 2. Waive the development review requirement for minor alterations to existing structures which conform to the following:
 - a. Repainting of an existing structure the same or similar color hue which currently exists on the site.
 - b. Minor alterations in location of landscape features or plant materials from an approved landscape plan.
 - c. Minor alterations to approved plans which would not create a noticeable difference in the building design. Such minor alterations would not include the elimination of approved building materials.
- B. In granting a minor modification, the director of community development shall make the findings in accordance with Section 18.204.020 of this title.
- C. The determination of the director of community development may be appealed to the planning commission pursuant to the provisions of this chapter.

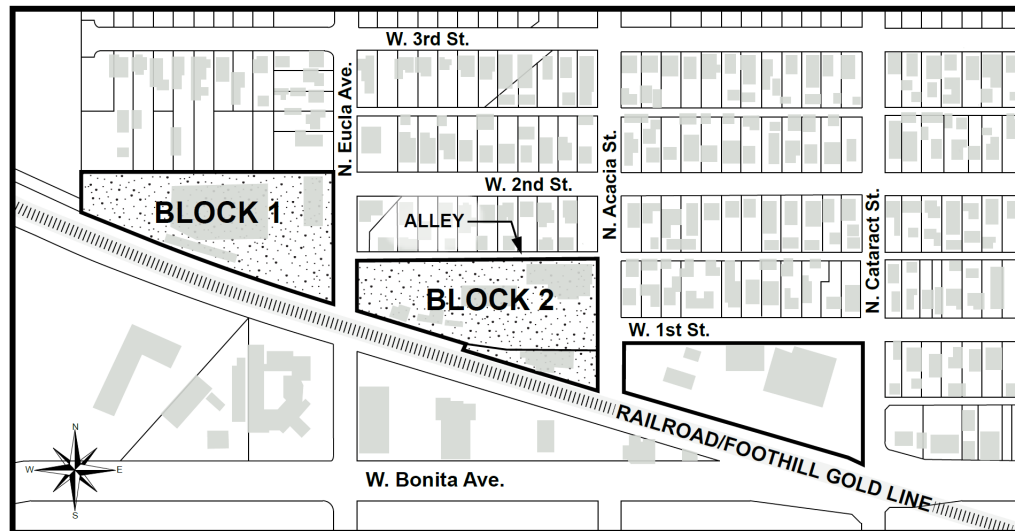
(Ord. 938 § 1 (V (B)), 1990)


§ 18.538.180 Appeal provisions.

The determinations of the director of community development, development plan review board and/or the planning commission as applicable, may be appealed to the city council pursuant to the provisions of Chapter 18.212 of this title.

EXHIBIT A

SPECIFIC PLAN NO. 23



 PLANNING AREA I — MIXED USE - RESIDENTIAL / INDUSTRIAL