

CHAPTER 9.18 MIXED USE REGULATIONS AND DEVELOPMENT STANDARDS

Section 9.18.010 is hereby amended to read as follows:

Section 9.18.010 Mixed Use Zones—Purpose

9.18.010.010 Overall Purpose and Intent

- A. Purpose. These regulations for Mixed Use zones in the City of Garden Grove are established to implement General Plan Land Use Element and Community Design Element directives applicable to the Residential/Commercial Mixed Use 1, Residential/Commercial Mixed Use 2, Residential/Commercial Mixed Use 3, Civic Center Mixed Use, and Industrial/Residential 2 General Plan land use designations. The Mixed Use zones provide opportunities to blend residential, commercial, industrial, and/or civic/institutional uses as integrated developments or single-use structures. However, some Mixed Use zones require a commercial component in any new development to ensure that adequate commercial destinations and services are available for residents in surrounding neighborhoods. The use regulations and development and design standards set forth in this chapter establish minimum standards for the use and development of land within the Mixed Use zones.
- B. Intent. The intent of the Mixed Use zones is to:
1. Bring energy and vitality to the city during both daytime and after-work hours.
 2. Facilitate a pedestrian-scaled environment with buildings that provide exciting access, well-designed landscaping, and pedestrian amenities that foster interaction.
 3. Allow for the combining of complementary uses, thereby accommodating access to several goods and services in compact locations and reducing the need for additional vehicle trips.
 4. Encourage local and regional commerce.
 5. Enhance the city's image.
 6. Provide opportunities for commercial areas to work in harmony with adjacent residential uses.
 7. Provide for flexibility in the design and use of properties to respond to shifts in markets and changing land use trends.
- C. Chapter Organization. In addition to the use standards provided in Sections 9.18.020 through 9.18.070, this chapter includes development standards specific to each of the individual Mixed Use zones (Section 9.18.090), as well as development ~~standards~~ and design ~~guidelines~~ standards that are applicable to all Mixed Use zones (Sections 9.18.100 through 9.18.150). Additional unique standards for planned unit development projects and overlay zones are provided in Sections 9.18.160 through 9.18.180. Users of this chapter are required to read ~~all of the~~ provisions to understand how their property or properties can be developed. (2814, 2012)

9.18.010.020 Mixed Use Zones Establishment and Intent

The following Mixed Use zones and their purposes are established:

- A. Garden Grove Boulevard Mixed Use (GGMU). The purpose of the GGMU zones is to create and maintain a vibrant boulevard that is both a regional destination and a place where people can work and live. The boulevard links destinations and has a distinctive character and pattern along its length. Standards requiring enhanced building design; trees; landscaping; amenity areas for pedestrian activity, including plazas, walkways, and allowed outdoor dining; and creative use of open spaces contribute to an exciting pedestrian experience. Pedestrian orientation is emphasized in site and building design through active street frontages, well-scaled and designed buildings, and engaging outdoor spaces. Three GGMU zones provide opportunities for varying levels of intensity and new development along the boulevard, while ensuring sensitivity to existing nearby residential neighborhoods. Figure 9.18-1 (Garden Grove Boulevard Mixed Use Zones Rendering) illustrates how application of the flexible development and design standards for the GGMU zones will work to create a grand streetscape along Garden Grove Boulevard and encourage the interaction of uses and enhanced pedestrian activity.
1. Garden Grove Boulevard Mixed Use 1 (GGMU-1). The Garden Grove Boulevard Mixed Use 1 zone applies to specific properties along Garden Grove Boulevard, and provides for urban-scale, fully integrated commercial and residential mixed use developments near key intersection locations, consistent with the General Plan Residential/Commercial Mixed Use 1 land use designation. Development intensities allow buildings up to 10 stories in height. Use regulations and development and design standards encourage vibrant, urban-scale districts that attract visitors. Development approaches provide for ~~ample landscaping and enhanced a~~ pedestrian ~~environment~~ environment along Garden Grove Boulevard that tie into the adjacent lower-intensity development, with buildings generally built close to front property lines. Site and building design highlight Garden Grove Boulevard as one of the city's distinctive corridors.
 2. Garden Grove Boulevard Mixed Use 2 (GGMU-2). The Garden Grove Boulevard Mixed Use 2 zone applies to specific properties along Garden Grove Boulevard, and provides for commercial and residential use to be developed as integrated developments either on a single development site or as complementary uses within a district, such as commercial uses that provide goods and services for adjacent or integrated residential units. This zone implements the General Plan Residential/Commercial Mixed Use 2 ~~and 3~~ land use designations. Development intensities are lower in scale (no more than ~~three to~~ four stories) and respect adjacencies to lower-density residential neighborhoods. Development approaches provide for ~~ample landscaping and an~~ enhanced pedestrian environment along Garden Grove Boulevard that includes wide sidewalks, landscaping, street furniture, and public plazas, with buildings oriented toward the boulevard. Site and building design highlight Garden Grove Boulevard as one of the city's distinctive corridors.
 3. Garden Grove Boulevard Mixed Use 3 (GGMU-3). The Garden Grove Boulevard Mixed Use 3 zone applies to specific properties along Garden Grove Boulevard, and provides for commercial and residential use to be developed as integrated developments either on a single development site or as complementary uses within a district, such as commercial uses that provide goods and services for adjacent or integrated residential units. This zone implements the General Plan Residential/Commercial Mixed Use ~~1 and 3~~ land use designations. Development intensities are moderate in scale (no more than ~~five to seven stories~~) and respect adjacencies, with heights stepping down adjacent to lower-density residential neighborhoods. This zone provides a transition between lower-intensity mixed use developments along Garden Grove Boulevard and the most intense mixed use nodes. Development approaches provide for ~~ample landscaping and an~~ enhanced pedestrian environment along Garden Grove Boulevard that includes wide sidewalks, landscaping, street furniture, and public plazas, with buildings oriented toward the boulevard. Site and building design highlight Garden Grove Boulevard as one of the city's distinctive corridors.

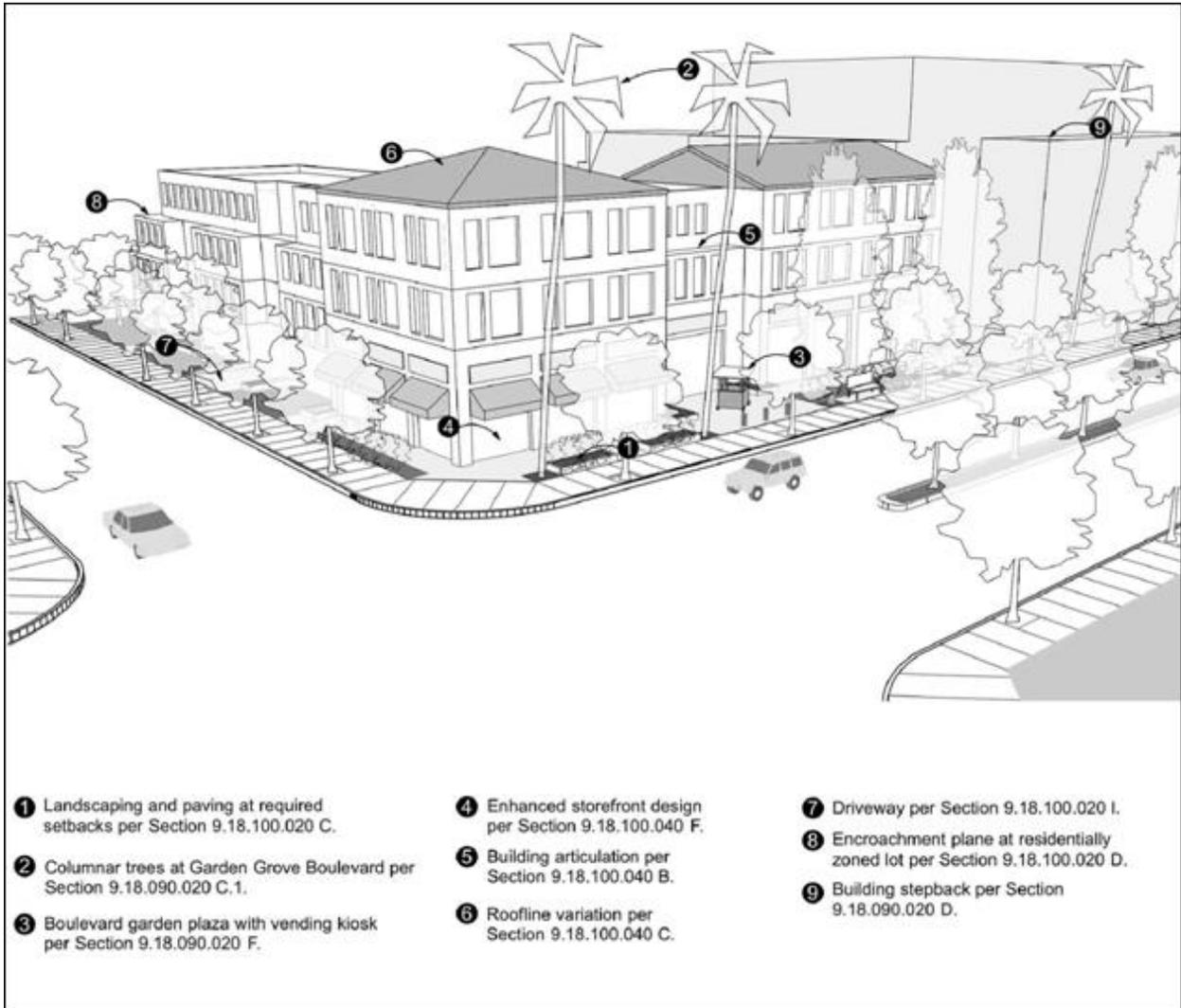


Figure 9.18-1: Garden Grove Boulevard Mixed Use Zones Rendering

A. Civic Center (CC) Zones. Four Civic Center zones provide for a mix of civic, institutional, educational, commercial, high-density residential, and open space uses within a pedestrian-oriented district. Developments are linked via local streets and pedestrian ways to create easy access to complementary uses, and to provide a center in the community where people can engage in civic, business, educational, and recreational activities near their homes. Parking facilities can be built to respond to the pedestrian orientation of the district and the ability of uses to share parking based on their functions and demands. The Civic Center is recognized as the historic city core and a public gathering place. Design, development, and use standards are intended to reinforce the area’s continued function as an area of prominence. Development standards bring building frontages and shopfronts towards the sidewalk, forming a consistent streetwall that enhances the pedestrian environment and supports a viable retail experience. These zones implement the General Plan Civic Center Mixed Use land use designation.

1. Civic Center East (CC-1). This zone allows for institutional and educational uses, together with a mix of residential and commercial uses. The intent is to allow uses and development approaches that maintain the character and form of the established neighborhoods within the Civic Center

- district. Existing residential structures may continue to be used for residential purposes or may be adapted for commercial use, provided that applicable development standards can be met.
2. Civic Center Main Street (CC-2). This zone applies to the historic Main Street District, a Garden Grove landmark. Main Street is recognized as a place of special character and aesthetic interest and value. This zone is established to preserve and enhance buildings and structures of historic and cultural significance, and incidental uses that advance and preserve the Main Street character and charm. Civic Center Core (CC-3). This zone is established to encourage civic, educational, commercial, high-density residential, and compatible uses that enliven the City's core and work together to create a walkable, lively district that encourages interaction and engagement in community activities. Shared parking facilities, pedestrian orientation of buildings, high-quality architecture, and pedestrian-scale landscaping, pathways, and signage reinforce the goal to create places where people, not cars, predominate.
 3. Civic Center Open Space (CC-OS). This zone applies to public properties dedicated to active and passive recreation uses, civic engagement, arts and culture, and institutional activities that benefit a broad population.
- C. Neighborhood Mixed Use (NMU). The Neighborhood Mixed Use zone is intended to enhance, revitalize, and provide opportunities for new development in neighborhood commercial centers. This zone allows for retail and service commercial businesses and moderate-density residential uses. Residential and commercial uses may be provided together as an integrated mixed use development, or stand-alone commercial uses are permitted. ~~However, all~~ New residential development in the NMU zone is required to include a commercial component, except for properties in the NMU zone that do not have access to a principal, major, primary, or secondary arterial street. Commercial uses and intensities are limited to those that serve local neighborhood needs, and that are compatible in terms of hours of operation and compliance with city noise standards with adjacent and surrounding residential development. ~~Compatible~~ Public and institutional facilities are allowed as well, provided such uses operate generally during day-time hours and do not directly route car and truck trips onto adjacent local streets. This zone implements the General Plan Residential/Commercial Mixed Use 2 land use designation.
- D. Adaptive Reuse (AR). The Adaptive Reuse zone allows for a mix of work-live, light industrial, technology, creative industry, office, limited entertainment, and complementary uses near the city's civic core. Residential uses are permitted only as work-live, either in new developments or as adaptive reuse of existing structures. Light industrial uses must be low impact in nature in terms of noise generation, hours of operation, and compatible with any use of hazardous materials to limit potential impacts on nearby existing or allowed residential uses. Development generally is ~~low to moderate in scale~~ no more than two stories in height, with higher intensities appropriate closer to existing and planned transit and multiuse corridors. ~~Preferred approaches to creating new spaces for allowed uses include the~~ Adaptive reuse of existing structures is allowed and encouraged, as is new development that supports ~~innovative~~ research and development uses. Projects shall be designed to ~~optimize~~ incorporate pedestrian ~~movements~~ pathways between the AR zone and the CC zones. This zone implements the Industrial/Residential Mixed Use 2 land use designation. (2814, 2012)

Section 9.18.010, Table 9.18-1 Use Regulations for Mixed Use Zones is hereby amended to read as follows:

Table 9.18-1: Use Regulations for the Mixed Use Zones

P = Permitted. Use permitted by right

C = Conditional Use. Use eligible for consideration under the conditional use procedures and permitted only if the conditional use permit is approved, subject to the specific conditions of such permit.

I = Incidental Use. Use permitted only if incidental to another primary use on the same site. If incidental to a use authorized by a conditional use permit, such incidental use is permitted only if included within the terms of the conditional use permit.

[-] = Not a permitted use.

| Permitted Uses | GGMU-1, -2, -3 | CC-1 | CC-2 | CC-3 | CC-OS | NMU | AR | Additional Regulations and Comments |
|--|----------------|------|------|------|-------|-----|-----|--|
| Residential & Associated Uses | | | | | | | | |
| Residential Uses | | | | | | | | |
| Single-Family Dwelling | [-] | P | [-] | [-] | [-] | [-] | [-] | See Section 9.18.110.040 (Existing Nonconforming Single-Family Dwellings). |
| Multiple-Family Residential Use - Stand-alone use with no commercial component | P | P | [-] | P | [-] | [-] | HP | Minimum density of 10 units/acre required in GGMU zones. Residential development requires a commercial component in GGMU-1 (unless 100% affordable development) and certain properties in CC-3; see Section 9.18.020.070 (Restrictions on Uses and Activities within a Vertically Integrated Residential/Commercial Mixed Use Development). <u>Stand-alone multiple-family residential development in the NMU zone is only permitted on sites that do not have access to a principal, major, primary, or secondary arterial street. Such development is not required to include a pedestrian plaza area.</u> <u>In all zones that allow multiple-family residential development, where the base density calculates to less than 2.0 dwelling units, two (2) multiple-family dwelling units are allowed, provided the development complies with all applicable</u> |

Table 9.18-1: Use Regulations for the Mixed Use Zones

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I = Incidental Use. Use permitted only if incidental to another primary use on the same site. If incidental to a use authorized by a conditional use permit, such incidental use is permitted only if included within the terms of the conditional use permit.

[-] = Not a permitted use.

| Permitted Uses | GGMU-1, -2, -3 | CC-1 | CC-2 | CC-3 | CC-OS | NMU | AR | Additional Regulations and Comments |
|--|----------------|------------|------------|----------|------------|------------|------------|---|
| | | | | | | | | <u>development standards of the respective zone.</u> |
| Small Lot Subdivision | [-] | P | [-] | P | [-] | [-] | [-] | Minimum density of 10 units/acre required. Section 9.12.040.060—Special Requirements Small Lot Subdivisions (Chapter <u>9.12</u> —Multi-Family Residential Development Standards) shall apply to all proposed small lot subdivisions. |
| <u>Single Room Occupancy</u> | <u>P</u> | <u>[-]</u> | <u>[-]</u> | <u>P</u> | <u>[-]</u> | <u>[-]</u> | <u>[-]</u> | <u>Shall comply with the provisions of Section 9.12.050 Single Room Occupancy Use Regulations and Development Standards.</u> |
| Supportive and Transitional Housing | P | <u>HP</u> | <u>HP</u> | P | [-] | <u>HP</u> | [-] | <u>Transitional and supportive housing are subject to the same approval requirements, development standards, and restrictions that apply to other residential dwellings of the same type in the same zone.</u> |
| <u>Supportive Housing for the Homeless</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>[-]</u> | <u>[-]</u> | <u>[-]</u> | <u>Subject to the requirements of subsection B. of Section 9.60.070.</u> |
| <u>Low-Barrier Navigation Center</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>[-]</u> | <u>P</u> | <u>[-]</u> | <u>Subject to the requirements of subsection C. of Section 9.60.070.</u> |

Section 9.18.030.300.C is hereby amended to read as follows:

9.18.30.300

Outdoor Dining at Eating Establishment/Restaurant

C. Location.

1.

~~The seating area shall not encroach into any required rear or side setback, parking and/or vehicular circulation area, required landscape areas, required paths of travel, or public rights-of-way.~~

Within any Mixed Use zone, outdoor dining areas may be permitted within the required front setback area, consistent with the requirements of this chapter.

2. Outdoor dining areas may be permitted within the required boulevard garden plaza or pedestrian plaza area, as set forth in Sections 9.18.090.020.F (Boulevard Garden Plaza Requirement) and 9.18.090.070.C (Pedestrian-Oriented Plaza Requirement).

3. The outdoor dining area must be located immediately adjacent to, abutting, and adjoining the establishment with which it is associated, and shall not extend beyond the building and/or storefront frontage and/or length of the tenant space of the associated primary establishment.

Section 9.18.030.360.B is hereby amended to read as follows:

9.18.030.360 Work-Live Units

A. Design Standards.

1. **Floor Area Requirement.** A work-live unit shall have a minimum floor area of at least 750 square feet. The maximum size of the residential portion of the work-live unit shall be no more than 40% of the unit to ensure that the residential portion remains accessory to the primary commercial use. All floor area other than that reserved for living space shall be reserved and regularly used for working space.
 - a. **Separation and Access of Individual Units.** Each work-live unit shall be separated from other units and other uses in the building. Access to each unit shall be provided via storefronts or from common access areas, corridors, or halls. The access to each unit shall be clearly separate from other work-live units or other uses within the building. with no shared access. Living space shall be located in the rear ground level or second floor and above to maintain activity and commercial access along the frontage.
 - b. **Facilities to Accommodate Commercial or Industrial Activities.** A work-live unit shall be designed to accommodate nonresidential uses as evidenced by the provision of ventilation, interior storage, flooring, and other physical improvements of the type commonly found in exclusively nonresidential facilities used for the same work activity.
 - c. **Integration of Living and Working Space.** Areas within a work-live unit that are designated as living space shall be an integral part of the work-live unit and not separated (or occupied and/or rented separately) from the work space, ~~except that mezzanines and lofts may be used as living space~~ subject to compliance with the other provisions of this title, ~~and living and working space may be separated by interior courtyards or similar private space including other applicable building standards codes and regulations.~~
 - d. **Mixed Occupancy Buildings.** If a building contains mixed occupancies of work-live units and other nonresidential uses, occupancies other than work-live shall meet all applicable requirements for those uses, and proper occupancy separations shall be provided between the work-live units and other occupancies, as determined by the ~~Garden Grove~~ Fire Chief or designee.

Sections 9.18.090 through 9.18.140 are hereby amended to read as follows:

9.18.090.020 Garden Grove Boulevard Mixed Use Zone (GGMU) Development Standards

In addition to the other applicable requirements of this chapter, the provisions of this Section 9.18.090.020 apply to development in the GGMU-1, GGMU-2, and GGMU-3 zones. Table 9.18-2 (Development Standards for the Garden Grove Boulevard Mixed Use Zones) sets forth the general development standards applicable to all development in the GGMU zones.

Table 9.18-2: Development Standards for the Garden Grove Boulevard Mixed Use Zones

| Development Standards | Garden Grove Boulevard Mixed Use Zones | | |
|---|---|--|--|
| | GGMU-1 | GGMU-2 | GGMU-3 |
| Minimum Lot Size | Minimum area and width for new lots. When a lot has less than the minimum required area or width as set forth in the development standards for the zone in which it is located and was of record on November 12, 1960, the lot shall be deemed to have complied with the current minimum required lot area or width. | | |
| Minimum Area | 22,500 sf | 15,000 sf | 15,000 sf |
| Minimum Width | 125 ft | 75 ft | 75 ft |
| Minimum Width (Corner Lot) | 125 ft | 75 ft | 75 ft |
| Maximum Density/Intensity | | | |
| Maximum Commercial Floor Area Ratio (FAR) | 1.0 | 0.5 | 0.5 |
| Maximum Residential Density (units/acre) | 60 units/acre Residential development requires an on-site commercial development component of a minimum 0.3 FAR unless a project consists of 100% affordable units, in which case no commercial component shall be required. | 24 units/acre No commercial component required. | 48 units/acre No commercial component required. |
| Setbacks | Minimum setbacks required. See Section 9.18.100 for setback measurement, allowed encroachments and projections into setbacks, and exceptions to setbacks. | | |
| Front | Minimum 10 ft | Minimum 15 ft | Minimum 15 ft |
| Side | None required | None required | None required |
| Corner Side | Minimum 10 ft | Minimum 10 ft | Minimum 10 ft |
| Rear | None required unless abutting a residentially zoned lot; minimum 10 ft and shall not encroach within an encroachment plane when abutting a residentially zoned lot. See Section. See Section 9.18.100. | | |
| Maximum Height | Maximum building height shall not exceed height limit in feet or stories. See Section 9.18.090.020.D and 9.18.090.020.E for additional building setback requirements. See also Section for rear and side yard encroachment plane requirements which may restrict heights adjacent to a residentially zoned lot. | | |
| | 110 ft or 10 stories, whichever is less | 50 ft or 4 stories, whichever is less | 75 ft or 7 stories, whichever is less |

Table 9.18-2: Development Standards for the Garden Grove Boulevard Mixed Use Zones

| Development Standards | Garden Grove Boulevard Mixed Use Zones | | |
|-----------------------|--|--------|--------|
| | GGMU-1 | GGMU-2 | GGMU-3 |
| Lot Coverage | | | |
| Minimum Lot Coverage | Not applicable | | |
| Maximum Lot Coverage | Not applicable | | |

- A. Garden Grove Boulevard Mixed Use Zone 1 (GGMU-1) Setback Requirements. For any property where the front lot line abuts Garden Grove Boulevard, the minimum required 10-foot front setback, measured from and perpendicular to the property line, shall be primarily for pedestrian use and shall be paved and augmented with landscaping such as planters and trees, as provided per Section 9.18.100.020.C (Setbacks) and subsection C (Garden Grove Boulevard Tree Requirements) of this section. Elements enhancing the pedestrian experience that create shading, seating, and safety features for pedestrians shall be incorporated into the design of the front setback, ~~including but not limited to~~ in the form of shade trees of minimum 24-inch box size, benches, lighting either in the pavement or mounted on poles 10 to 12 feet in height, and enhanced paving consisting of either textured concrete, bricks, or stonework. Painted concrete shall not be used.



Photo 9.18-2: Example of Paved Pedestrian Activity Area with Landscaping and Benches in the GGMU-1 Zone

- B. Garden Grove Boulevard Mixed Use Zones 2 and 3 Setback (GGMU-2 and GGMU-3) Requirements. ~~The first~~At least five feet within the minimum required 15-foot front yard setback, measured from and perpendicular to the property line, shall be for pedestrian use and shall be paved ~~and landscaped~~, as provided in Section 9.18.100.020.C (Setbacks). Elements ~~enhancing the pedestrian experience that create shading, seating, and safety features for pedestrians~~ shall be incorporated into the design of the front setback, ~~including but not limited to in the form of shade trees of minimum 24-inch box size~~, benches, lighting ~~either in the pavement or mounted on poles 10 to 12 feet in height~~, and enhanced paving consisting of either textured concrete, bricks, or stonework. Painted concrete shall not be used.
- C. Garden Grove Boulevard Tree Requirements. Trees are a significant and highly visual component of the urban environment for both the pedestrian and people in vehicles. For the pedestrian, trees create shade and provide comfort and an enhanced feeling of appropriate scale. For people in vehicles, a clear pattern of trees provides visual interest and enhances movement along and through the city's primary street corridors. For these reasons and to achieve General Plan goals with regard to enhancing city identity, for all properties having any property line adjacent to the Garden Grove Boulevard right-of-way, ~~enhanced~~ landscaping shall be provided within the required front setback area, ~~in addition to otherwise required paving and landscaping, and street trees.~~ Such ~~enhanced~~ landscaping shall consist of the following:
1. Columnar Trees Required. Columnar trees, ~~selected from the Planning Division's approved tree list for Garden Grove Boulevard,~~ shall be planted within 10 feet of the Garden Grove Boulevard property line within the front yard setback. Trees ~~should~~shall either be placed grouped or planted at ~~regular intervals and~~ no more than 40 feet on center. Trees shall be of a minimum 24-inch box size at planting and have a minimum height at maturity of 45 feet.
 2. Setback Canopy Trees Required. Canopy trees, ~~selected from the Planning Division's approved tree list for Garden Grove Boulevard,~~ shall be planted at a ratio of at least one tree for every 50 feet of Garden Grove Boulevard lot frontage. Trees may be placed at regular intervals along the front yard setback or may be clustered within the front yard setback.
 3. Trees within Public Rights-of-Way. Canopy trees within the street right-of-way are an essential component of the streetscape and pedestrian orientation of Garden Grove Boulevard. Street trees shall be provided no more than 30 feet apart on center, or as otherwise required by Public Works standards.
 3. Required Planting Area. A minimum of 16 square feet of planting of shrubs and/or groundcover shall be provided at the base of each required tree, ~~unless.~~ Tree grates ~~are approved through~~may be substituted for the ~~site plan review process~~shrubs or groundcover.

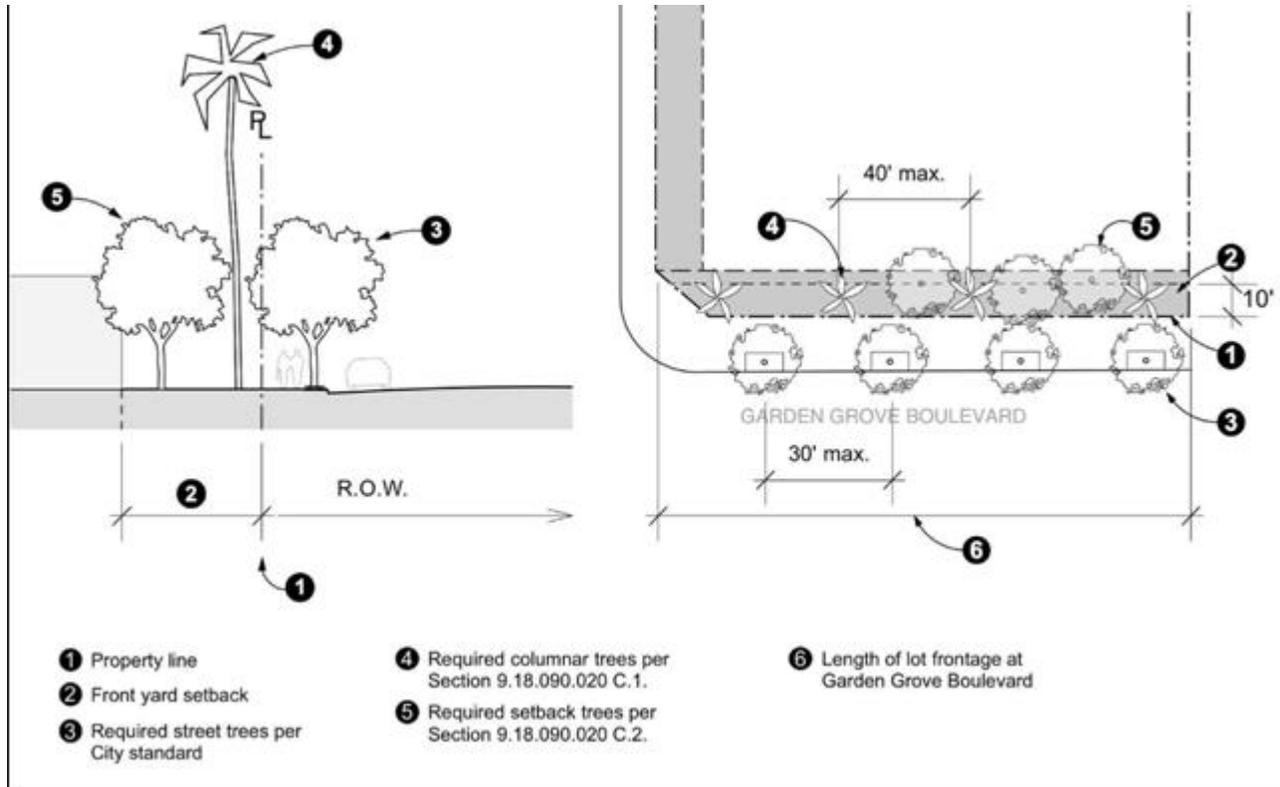


Figure 9.18-2: Garden Grove Boulevard Frontage Tree Requirements

- D. Building Stepback at Garden Grove Boulevard. Any portion of a building or structure located within 45 feet of the Garden Grove Boulevard right-of-way shall not exceed 50 feet in height. Where a building fronting Garden Grove Boulevard is located more than 45 feet away from Garden Grove Boulevard, no additional building stepback is required.
- E. Building Stepback at Side Streets. Any portion of a building or structure located within 25 feet of any public right-of-way other than Garden Grove Boulevard shall not exceed 50 feet in height. Where a building is located more than 25 feet away from another public right-of-way (other than Garden Grove Boulevard), no additional building stepback is required.

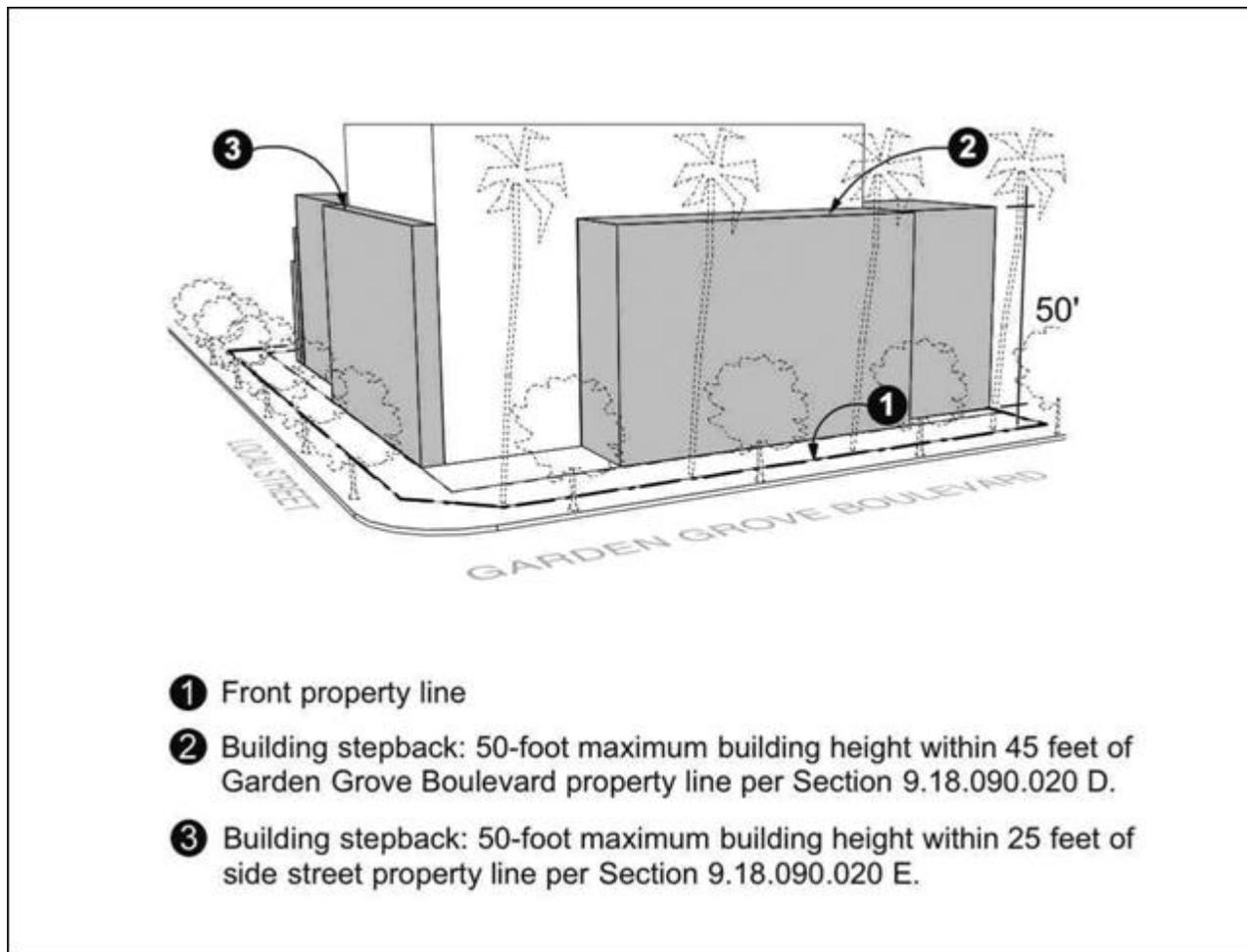


Figure 9.18-3: GGMU Required Building Setbacks

- F. Boulevard Garden Plaza Requirement. For projects having a property line that abuts the Garden Grove Boulevard right-of-way and where the buildings are clearly oriented immediately toward Garden Grove Boulevard, a boulevard garden plaza shall be provided. New stand-alone multiple-family residential development with no commercial component, in the Garden Grove Boulevard Mixed Use Zone (GGMU) zone, is only permitted on sites that do not have access to a principal, major, primary, or secondary arterial street and are not required to include a pedestrian plaza area. The purpose of this boulevard garden plaza is to provide a place adjacent to the public right-of-way that expands the area for use by pedestrians for passive recreation and public gathering, and that provides area for landscape amenities, display of public art, and similar uses that enhance the appearance and function of development. This boulevard garden plaza shall be provided at grade, and shall comply with the following design standards.
- ~~Where a building or buildings is located toward the rear of a lot and a surface parking lot is located between the public right-of-way and buildings on the site, a pedestrian plaza shall be required in lieu of the boulevard garden plaza, in conformance with the requirements set forth in Section 9.18.100.030.B (Pedestrian-Oriented Plazas).~~
1. Permitted Uses. The required boulevard garden plaza may include landscaped and paved areas, outdoor dining areas, public art display, fountains, or similar uses and amenities permitted in the applicable zone, including nonvehicular sales kiosks and outdoor dining. A minimum of three types of improvements and/or amenities shall be provided.

2. Minimum Area. The boulevard garden plaza area shall comply with the minimum area requirements set forth in Table 9.18-3 (Minimum Boulevard Garden Plaza Area in the GGMU Zones).

Table 9.18-3: Minimum Boulevard Garden Plaza Area in the GGMU Zones

| Garden Grove Boulevard Frontage Length | Minimum Plaza Area |
|--|--------------------|
| Less than 150 feet | 600 sf |
| 150—300 feet | 1,000 sf |
| More than 300 feet | 1,500 sf |

3. Shape and Minimum Dimensions. The boulevard garden plaza area shall have a minimum dimension of 10 feet in width and 10 feet in length. The required open space area may be split into no more than two contiguous areas.
4. Location. The boulevard garden plaza area shall adjoin the front yard setback.
5. Landscaping. A minimum of 25% of the boulevard garden plaza area shall be landscaped with live plant materials. Landscaping provided in raised planters or pots is permissible.

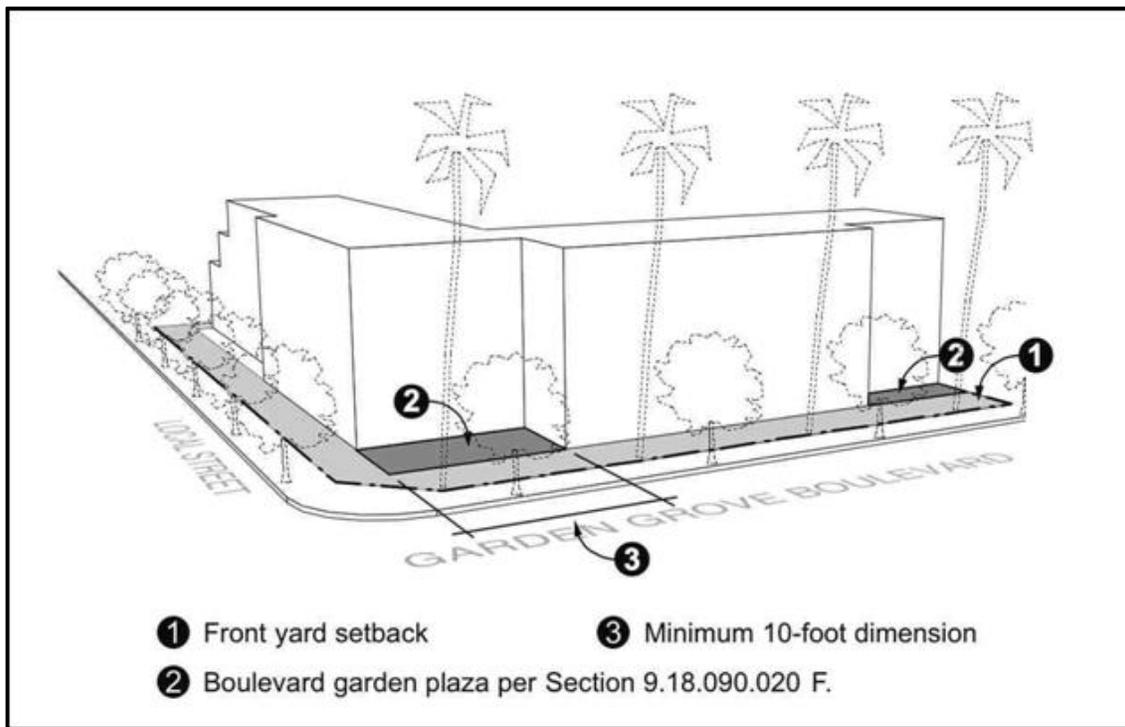


Figure 9.18-4: Required Boulevard Garden Plaza

- 6 Paving. Boulevard garden plazas shall be paved in high-quality materials ~~such as consisting of either~~ pavers, stone or cobblestone, or patterned or scored colored concrete, ~~or similar durable materials.~~ Plain and colored concrete and plain asphalt are prohibited.
- 7. Other Requirement. The boulevard garden plaza area shall not be enclosed or obstructed by fencing or walls and shall be well-integrated with the front yard setback area through similar paving and landscaping treatments, except as required for permitted outdoor dining areas.
- G. Where a building or buildings is located toward the rear of a lot and a surface parking lot is located between the public right-of-way and buildings on the site, a pedestrian plaza shall be required in lieu of the Boulevard Garden Plaza, in conformance with the requirements set forth in Section 9.18.100.030.B (Pedestrian-Oriented Plazas).
- H. Examples of Build-out Options for GGMU-1, GGMU-2, and GGMU-3. Figures 9.18-5 through 9.18-7 illustrate development approaches that may result from the application of the development standards for the GGMU zones.

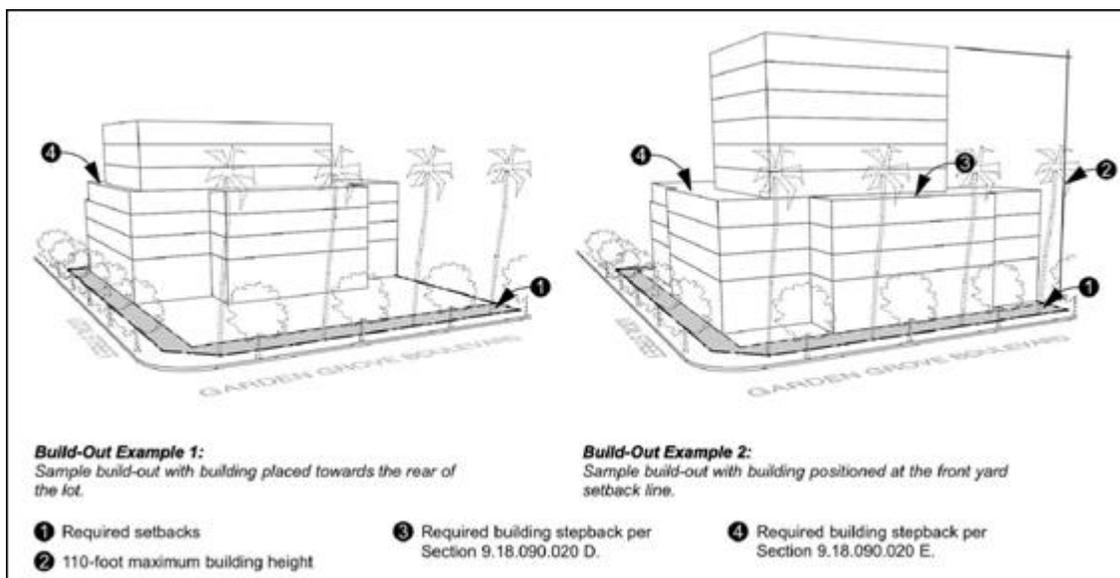


Figure 9.18-5: GGMU-1 Potential Development Examples

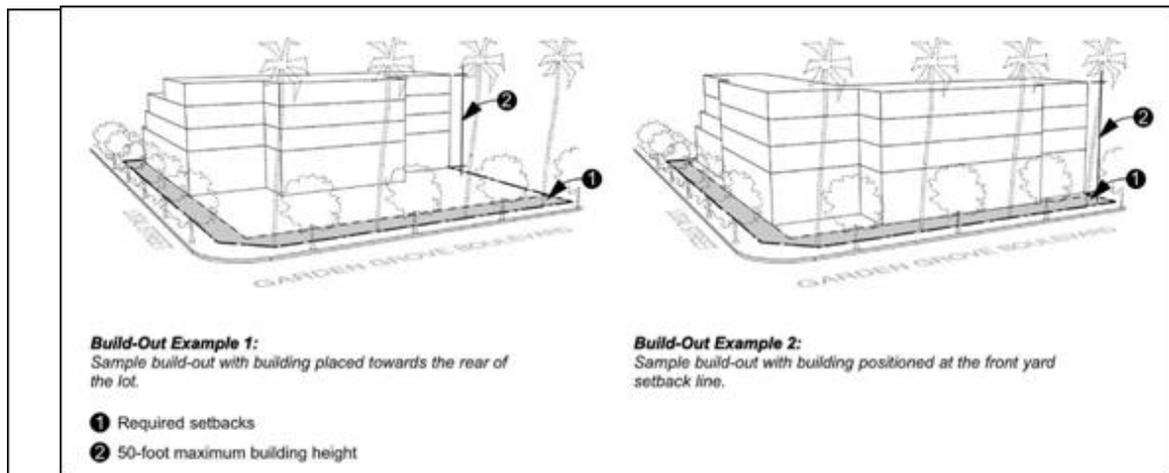


Figure 9.18-6: GGMU-2 Potential Development Examples

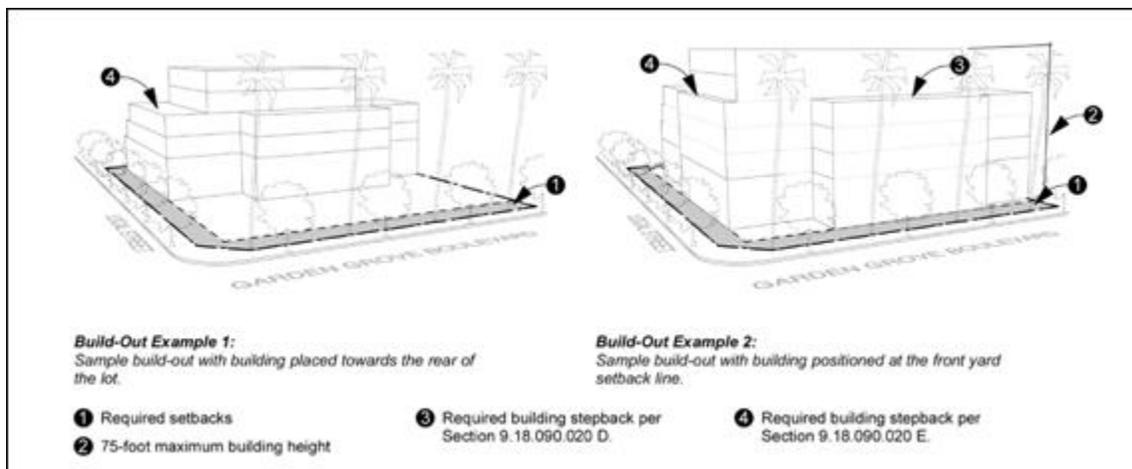


Figure 9.18-7: GGMU-3 Potential Development Examples

9.18.090.030 Civic Center Zone Development Standards

In addition to the other applicable requirements of this chapter, the provisions of this Section 9.18.090.030 apply to proposed development in the CC-1, CC-2, CC-3, and CC-OS zones. Table 9.18-4 (Development Standards for the CivicCenter Mixed Use Zones) and referenced figures establish the general development standards applicable to all development in the CC zones.

Table 9.18-4: Development Standards for the Civic Center Mixed Use Zones

| Development Standards | Civic Center Mixed Use Zones | | | |
|---|---|---|---|--|
| | CC-1 | CC-2 | CC-3 | CC-OS |
| Minimum Lot Size | Minimum area and width for new lots. When a lot has less than the minimum required area or width as set forth in the development standards for the zone in which it is located and was of record on November 12, 1960, the lot shall be deemed to have complied with the current minimum required lot area or width. | | | |
| Minimum Area | 10,000 sf | 5,000 sf | 15,000 sf | Development standards persite plan review process. |
| Minimum Width | 75 ft | 50 ft | 75 ft | |
| Minimum Width (Corner Lot) | 75 ft | 50 ft | 75 ft | |
| Maximum Density/Intensity | | | | |
| Maximum Commercial Floor Area Ratio (FAR) | 0.5 | 0.5 | 0.5 | Development standards persite plan review process. |
| Maximum Residential Density (units/acre) | 24 units/acre No commercial component required. | 48 units/acre Residential uses permitted above ground floor only (See Section 9.18.090.050.) | 60 units/acre Commercial storefronts required per Section 9.18.090.030.C and Figure 9.18-11. | |
| Setbacks | Minimum setbacks required. See Section 9.18.100 for setback measurement, allowed encroachments and projections into setbacks, and exceptions to setbacks. | | | |
| Front | As determined per Figure 9.18-8 | | | Development standards persite plan review process. |
| Side | <u>Minimum 5 ft None required unless abutting a residentially zoned lot; minimum 5 ft when abutting a residentially zoned lot. See Section 9.18.100.</u> | None required | None required | |
| Corner Side | As determined per Figure 9.18-8 | | | |
| Rear | <u>Minimum 20% of lot depth not to exceed 25 ft None required unless abutting a residentially zoned lot; minimum 5 ft when abutting a</u> | None required unless abutting a residentially zoned lot; minimum 10 ft when abutting a residentially zoned lot. See Section 9.18.100. | | |

Table 9.18-4: Development Standards for the Civic Center Mixed Use Zones

| Development Standards | Civic Center Mixed Use Zones | | | |
|---|---|----------------|-------------------------------|-------------------------------|
| | CC-1 | CC-2 | CC-3 | CC-OS |
| | <u>residentially zoned lot. See Section 9.18.100.</u> | | | |
| Maximum Height and Building <u>Stepbacks</u> | Maximum building height shall not exceed height limit in feet or stories. See also Section 9.18.100 for rear and side yard encroachment plane requirements which may restrict heights adjacent to a residentially zoned lot. | | | |
| | Maximum height and building stepbacks required as determined per Section 9.18.090.030.B, including Figure 9.18-9 and Figure 9.18-10. | | Per site plan review process. | |
| Lot Coverage | | | | |
| Minimum Lot Coverage | Not applicable | 70% | Not applicable | Per site plan review process. |
| Maximum Lot Coverage | 50%* | Not applicable | Not applicable | |

****** Maximum lot coverage requirement applies to stand-alone residential development only; does not apply to commercial or mixed use developments.

- A. Required Setbacks. All structures shall maintain the minimum required setbacks set forth on Figure 9.18-8 (CC Required Street Frontage Setbacks), below.

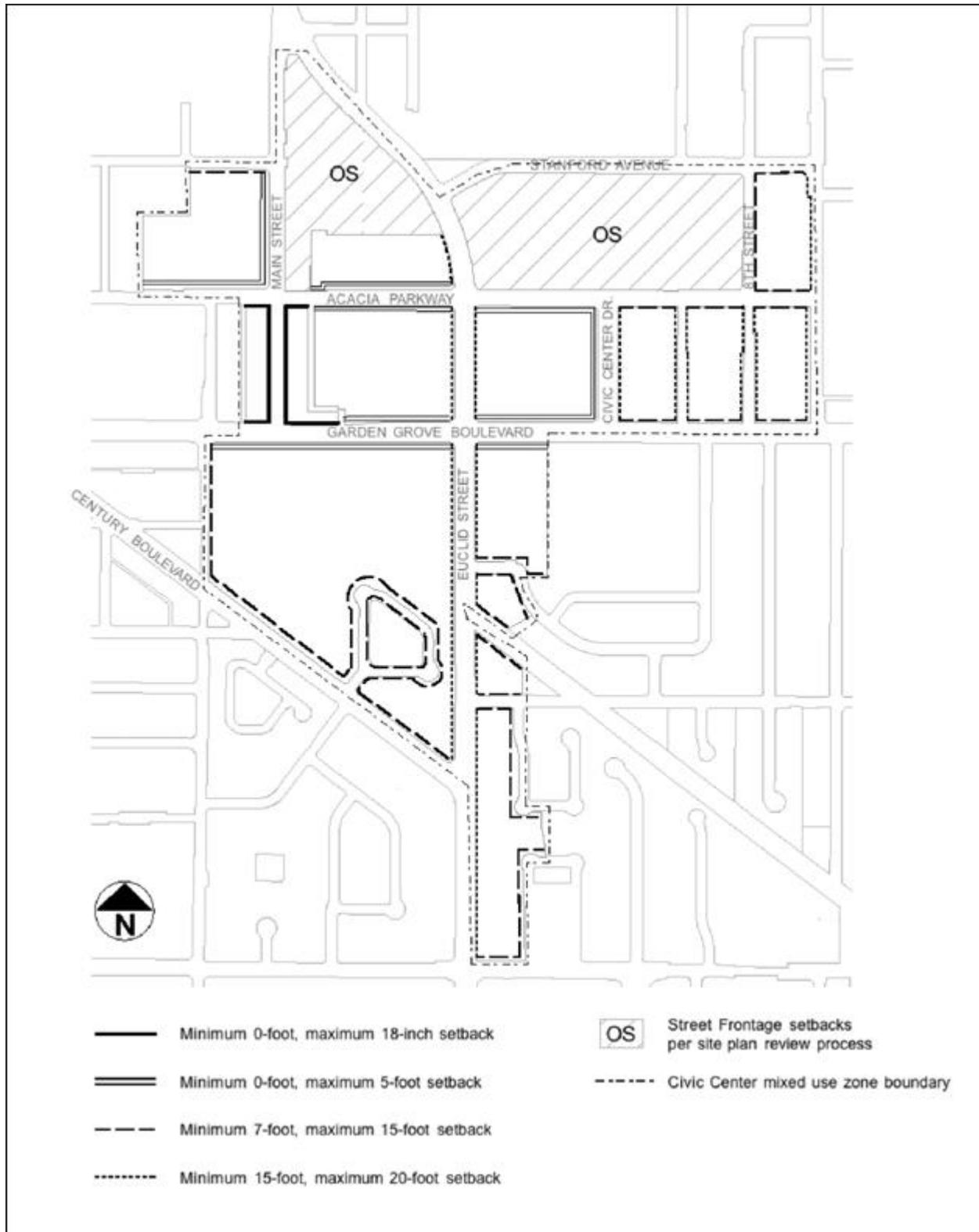


Figure 9.18-8: CC Required Street Frontage Setbacks

- B. Maximum Heights and Required Building Stepbacks. New buildings and structures shall conform to the maximum height and building setback requirements of this section.
1. In the CC-1 zone, no building setback shall be required.
 2. In the CC-2 zone, building setbacks shall be required pursuant to Figure 9.18-9 (CC Maximum Height Limits and Required Building Stepbacks) for any new development with a property line abutting Main Street, Garden Grove Boulevard, or Acacia Parkway and where a building will be located within 10 feet of the subject street.
 3. In the CC-3 zone, building setbacks shall be required pursuant to Figure 9.18-9 (CC Maximum Height Limits and Required Building Stepbacks) for any new development with a property line abutting Garden Grove Boulevard, Acacia Parkway, Main Street, Civic Center Drive, 8th Street, 9th Street, and Stanford Avenue east of Euclid Street and where a building will be located within 20 feet of the subject street. Where a building with frontage on a subject street is located more than 20 feet from the subject street, no additional building setback shall be required.
 4. Building setbacks shall be measured from the property line per Figure 9.18-10 (Required Building Stepbacks), below.

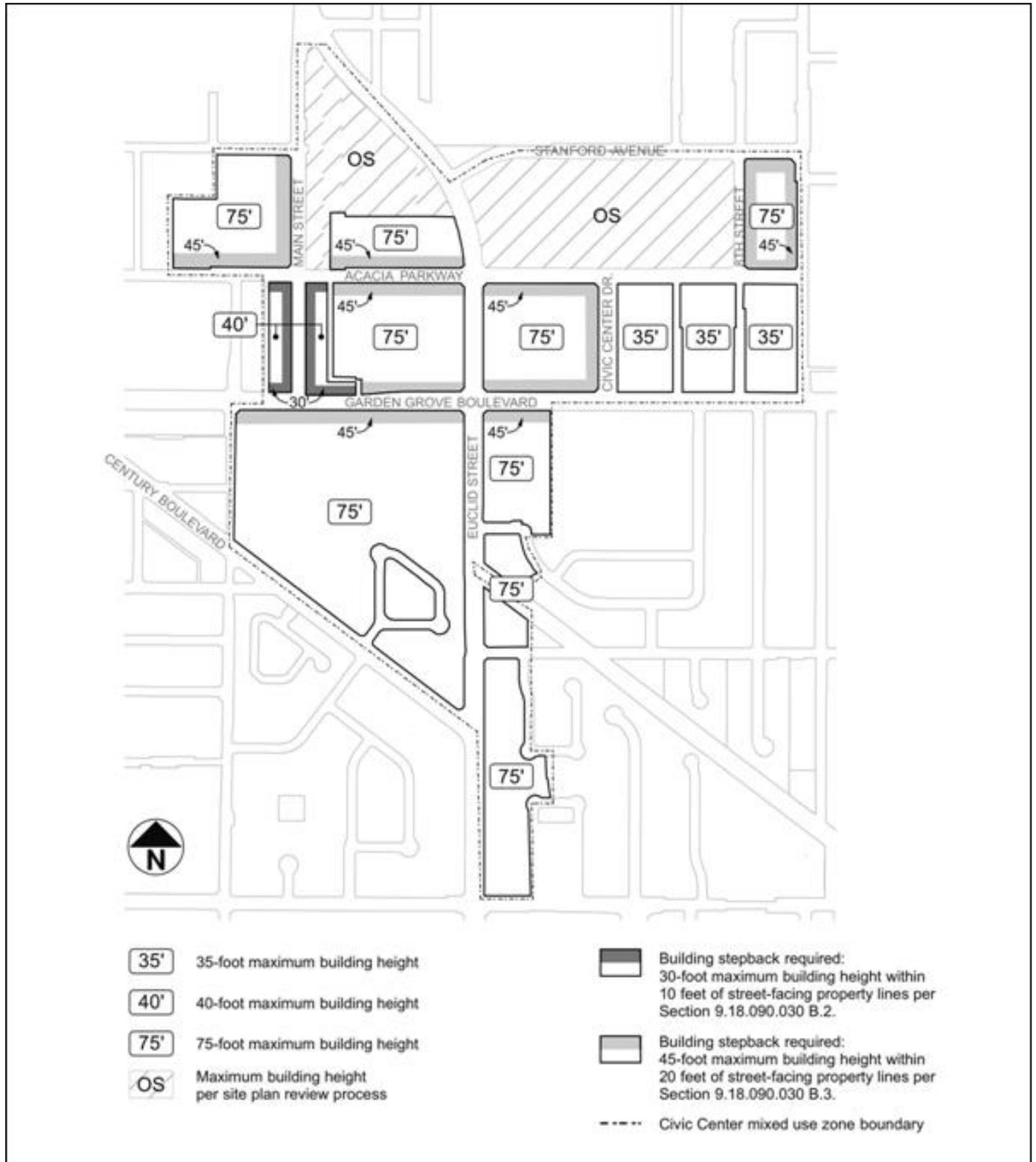


Figure 9.18-9: CC Maximum Heights and Required Building Stepbacks

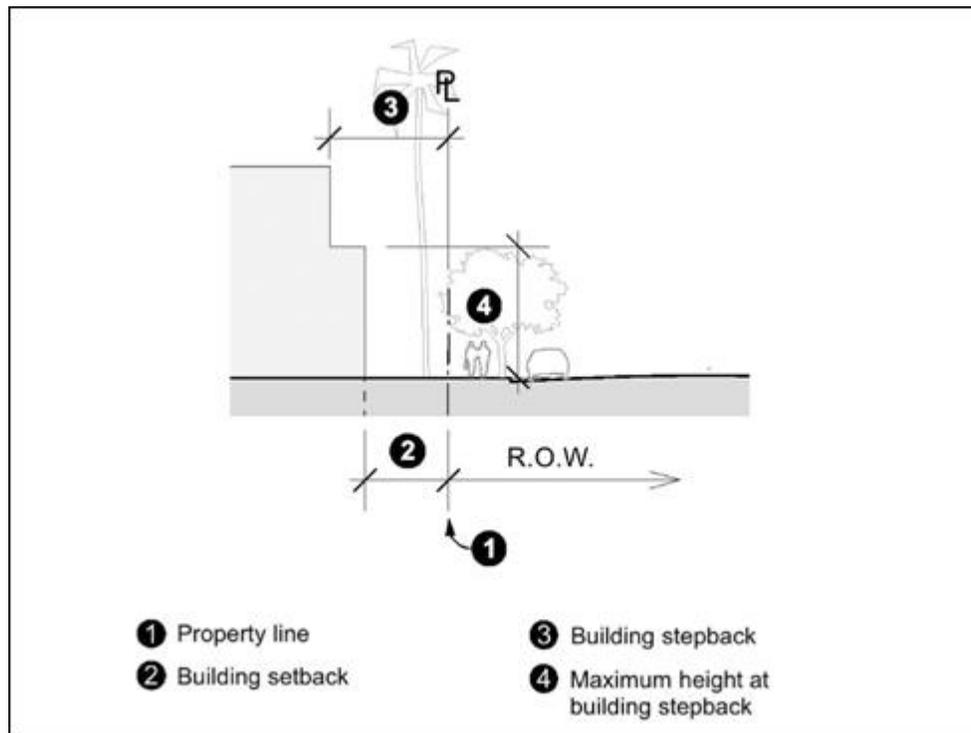


Figure 9.18-10: Required Building Stepbacks

- C. Storefronts and Commercial Uses Required at Ground Floors. Storefronts provide a means for commercial uses to orient display toward and access directly from public sidewalks. By providing visibility into these commercial spaces, increased pedestrian interest/interaction with businesses is enhanced to contribute to the pedestrian experience and encourage high pedestrian volumes provided. Storefronts and associated ground floor commercial space shall be required for certain properties with lot lines along Garden Grove Boulevard, Acacia Parkway, Main Street, and Euclid Street, as indicated on Figure 9.18-11 (CC Required Storefronts/Ground Floor Commercial Uses).
1. Where storefronts are required pursuant to Figure 9.18-11 (CC Required Storefronts/Ground Floor Commercial Uses), required commercial space shall have a minimum depth of 40 feet for a minimum of 60% of the length of the building façade measured parallel to the property line. The storefront shall be oriented toward the street indicated in Figure 9.18-11 (CC Required Storefronts/Ground Floor Commercial Uses).
 2. Commercial space shall be occupied by a commercial use that is permitted in the zone pursuant to Table 9.18-1 (Use Regulations for the Mixed Use Zones) of this chapter.
 3. For a civic, institutional, public, or similar use, a public lobby and offices may be considered a storefront.

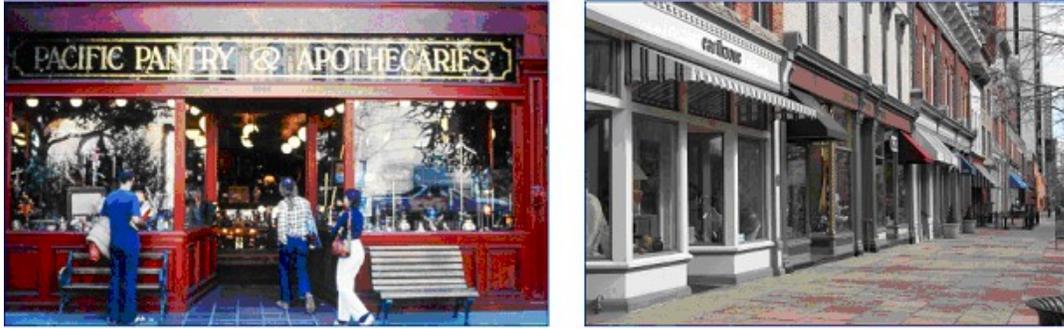
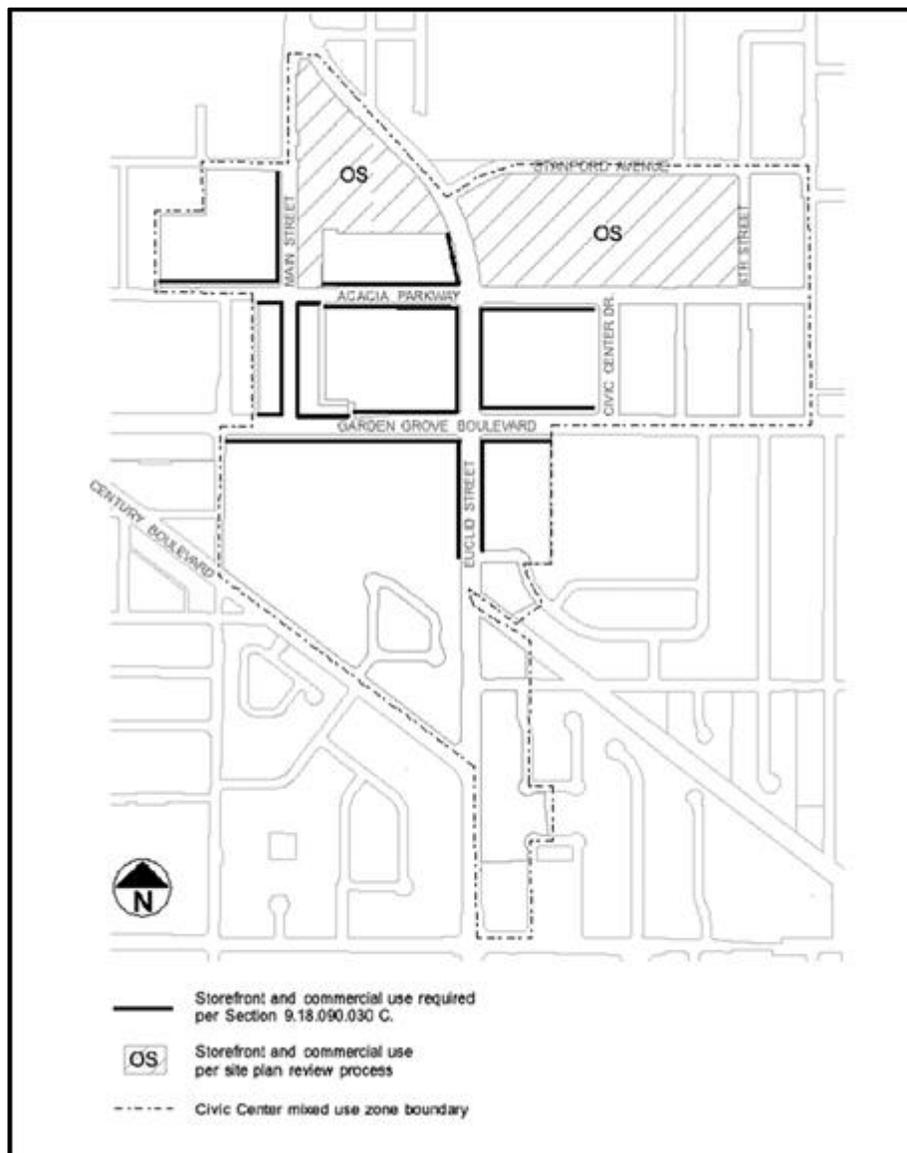


Photo 9.18-3: Examples of Storefronts

Figure 9.18-11: CC Required Storefronts/Ground Floor Commercial Uses



9.18.090.040 Additional Regulations Specific to the CC-1 Zone

- A. Purpose and Applicability. In addition to the other applicable requirements of this chapter, the provisions of this section apply to development in the CC-1 zone. These standards are established to maintain the one-to two-story character of ~~established~~ neighborhoods within the Civic Center East district.
- B. Architectural ~~Character. Architectural character of new buildings and structures shall be compatible with the character and scale of existing neighborhoods.~~ Components. New buildings and structures shall incorporate at least four of the following architectural components: 1) variation in building massing ~~and,~~ 2) roofline ~~variation,~~ 3) utilization of projecting bays or recesses, ~~changes in material, differentiation of color, changes in along all facades visible from a public right-of-way,~~ 4) at least two types of building materials, 5) at least two building colors, 6) front porch, and 7) architectural detailing or ornament, or similar architectural features. ~~ornamentation.~~
- C. Maximum Length of Building Façade. Façades of buildings and structures facing public ~~rights-of-way~~ waysway shall not exceed 50 feet of uninterrupted length measured parallel to the property line. Façades greater than this length shall be interrupted by breaks in façade plane not less than 10 feet in width and five feet in depth.

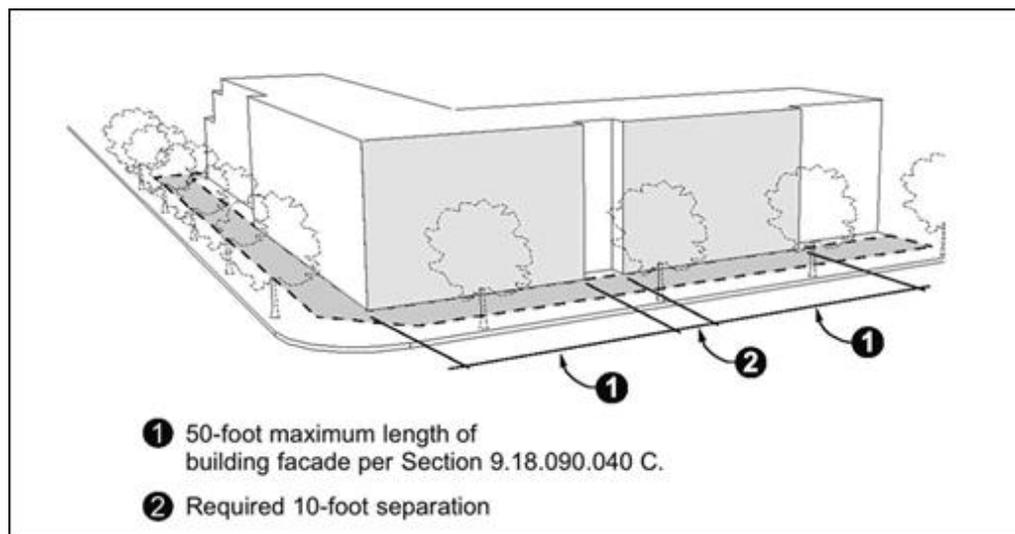


Figure 9.18-12: CC-1 Maximum Length of Building Façade

- D. Porches ~~and Patios~~ at Street-Fronting Setbacks. ~~Porches and patios~~ Where porches are ~~encouraged~~ at used along street-fronting setbacks ~~and, such~~ may encroach within required setbacks for not more than five feet measured perpendicular to the property line.
- E. Existing Single-Family Residential Development. Any legally established single-family residential development existing on the effective date of the ordinance establishing the CC-1 Mixed Use zone that is maintained as a single-family residential use shall be subject to the use regulations and development standards contained in Chapter 9.08 (Single-Family Residential Development Standards) of this title for any additions or modifications.
- F. Conversion of Single-Family Homes to Commercial Structures and Uses. Any legally established single-family home located within the CC-1 zone may be converted to a commercial structure and use, provided that the conversion complies with the following standards and all other applicable

requirements of Chapter 18 (Mixed Use Regulations and Development Standards) of this title and provided that a site plan is approved in accordance with Chapter 9.32. The following shall apply.

1. Compliance With Other Mixed Use Regulations and Development Standards. Except as otherwise provided in this section, all uses shall comply with all other applicable provisions in Chapter 18 of this title.
2. Maintenance of Residential Appearance. Converted homes shall maintain the residential appearance of the structure in order to maintain compatibility with the character and scale of the existing neighborhood.
3. Buffering from Residential Uses. Residential properties converted to commercial uses shall be buffered from existing residential properties in accordance with standards established by the Community Development Director. Buffering measures shall include, but not be limited to, fencing, landscaping, and low level lighting in order to reduce noise and light intrusion.
4. Hours of Operation. Hours of operation for all commercial uses in converted homes within the CC-1 zone shall be limited to 7:00 a.m. to 10:00 p.m. daily, unless located within an integrated development that provides adequate buffering to adjacent residentially developed properties. Extended hours of operation may be approved in conjunction with an approved site plan and/or other land use entitlement.
5. Pedestrian Linkages. When converting existing homes to a commercial use, pedestrian linkages providing a connection between the commercial uses and other streets and remote parking lots shall either already exist or be created in conjunction with the conversion.
6. Parking. Parking for commercial uses shall comply with Section 9.18.140, with the exception that off-site parking is permitted to be located further than 1,500 feet from the site it is serving, provided that it is located in the CC-1 zone or within the CC-3 and CC-OS zones that are located east of Euclid Street, west of 9th Street, north of Garden Grove Boulevard, and south of Stanford Avenue. Off-site parking areas that support commercial uses in converted single-family homes shall be approved in conjunction with the approval of a site plan pursuant to the site plan review procedure set forth in Chapter 9.32.
7. Additions/Modifications of Structures in Conjunction with Conversions. Additions/modifications shall maintain continuity with the architectural style of the remainder of the existing structure.
8. Additional Compatibility Standards. The additional compatibility standards set forth in subsection J of this section shall also apply to single-family homes converted to commercial uses and structures.
9. Conditional Use Permit Required for Uses Involving Entertainment and/or Alcohol Sales. Any home that converts from a residential use to a commercial use that will include entertainment and/or alcohol sales shall be appropriately buffered from adjacent residential uses, be subject to special operating conditions, and require review and approval of a conditional use permit. If entertainment and/or consumption of alcohol is conducted outdoors, buffering measures shall include, without limitation, sound attenuation walls and landscaping in order to protect adjacent residential uses. If the entertainment and/or alcohol sales or consumption is conducted, and the use does not meet the distance requirements for the subject uses as prescribed in Section 9.18.030 (Special Operating Conditions and Development Standards), a waiver of distance and location provisions may also be requested through the conditional use permit process. In conjunction with the approval of a conditional use permit, the hearing body may grant a waiver to any distance or location provision if it makes all of the following findings:-
 - a. That the proposed use will not be contrary to the public interest or injurious to nearby properties, and that the spirit and intent of this section will be observed;

- b. That the proposed use will not unreasonably interfere with the use and enjoyment of neighboring property or cause or exacerbate the development of urban blight;
 - c. That the use will not interfere with operation of other businesses or uses within the area;
 - d. That the establishment of an additional regulated use in the area will not be contrary to any program of neighborhood conservation or revitalization;
 - e. That the establishment complies with all other distance and pedestrian and vehicular requirements of this code; and
 - f. That all applicable regulations of this code will be observed.
- G. Communal Dining Areas. Communal dining areas may be created between properties and uses. Outside communal dining areas shall be sufficiently buffered from adjacent residential uses in a manner that will protect the peaceful enjoyment of adjacent residentially developed properties. In addition to the other applicable requirements of this chapter, including those prescribed in Section 9.18.090.040.F.9 (Conditional Use Permit Required for Uses Involving Entertainment and/or Alcohol Sales), the following provisions shall apply to uses that include communal dining with entertainment and/or alcohol:
- 1. A conditional use permit is required for communal dining with entertainment and/or alcohol.
 - 2. Entertainment shall only be permitted within a confined space with proper sound attenuation or within a wholly enclosed building.
 - 3. Outdoor communal dining areas where alcohol is served and/or consumed must be located in a controlled area or group of areas with monitored entrances and exits and enclosed by a perimeter barrier.
 - 4. The conditional use permit shall specify the requirements and the party or parties responsible for monitoring, managing and controlling the communal dining area(s).
- H. Nonvehicular and Vehicular Vending. Both nonvehicular kiosks and vehicular vending may include, without limitation, converted camper trailers, nostalgic vans, and food trucks, and may be temporarily or permanently installed/parked both on-site and off-site. In addition to meeting the requirements of Sections 9.18.070.010 and 9.18.070.020, both nonvehicular and vehicular vending shall comply with the following standards:
- 1. The design, materials, and colors are to be well crafted and considerate of the immediate surroundings of the proposed installation.
 - 2. The size of a nonvehicular vending kiosk located within the CC-1 zone may exceed 36 square feet provided that the size of the kiosk is appropriate in scale and massing for the location it is intended for. In no case shall the kiosk be larger than 100 square feet.
 - 3. Graphics and signs shall be appropriate to the size and design of the cart/trailer/kiosk and shall not cause light or glare on adjacent streets and residentially developed properties. Typical sign area approved is up to six square feet, not including menu boards, which are typically temporary and/or not permanently affixed to the kiosk.
 - 4. Kiosks may not be placed in any required parking space, driving aisle, or walkway. If installed/parked within the public right-of-way, the kiosk/vehicle shall be appropriately separated and buffered from adjacent vehicular traffic through the use of low fencing, planters, or similar barrier. Any street parking that is lost due to the installation of a vending structure shall be replaced elsewhere within the CC-1 zone either within the public right-of-way or within a joint-use parking lot.

5. Wheels located under the cart/trailers/kiosks are preferred (such as casters) and shall be permanently inflated. Projecting wheels must have fenders.
 6. Hitches attached to the cart/trailer/kiosk must be removable and detached during operation hours.
 7. The use of propane tanks may be permitted subject to the City's Fire Department and Building Division review and approval. Propane tanks must be attached to (or within) the kiosk and the kiosk must allow for adequate ventilation and screening.
 8. The location, design, and layout of both nonvehicular and vehicular vending structures shall be subject to the review and approval of the Community Development Director or designee. All vending structures located within the public right-of-way shall meet all requirements of the Public Works Department for encroachments into the public right-of-way and shall be subject to the review and approval of the Public Works Director.
 9. No external power, piping or plumbing is allowed. All vending structures shall be self-contained.
- I. Event Space. Outdoor and indoor event spaces, including banquet facilities, shall comply with the following standards and all other application requirements of Chapter 18 (Mixed Use Regulations and Development Standards) of this title:
1. With the exception as otherwise provided in this section, all uses shall comply with all other applicable provisions in Chapter 18 of this title.
 2. Parking for uses within outdoor and indoor event spaces shall comply with Section 9.18.140.
 3. Hours of operation shall be determined through the conditional use permit process.
- J. Additional Compatibility Standards. The following standards are intended to ensure the compatibility of uses within the CC-1 zone:
1. Within mixed use developments, residential units shall be designed to ensure the security of residents through the provision of secured entrances and exits that are separate from the nonresidential uses, and are directly accessible to parking areas. Nonresidential and residential uses shall not have common entrance hallways or common balconies. These separations shall be shown on the development plan, and the separations shall be permanently maintained. All commercial development/use shall submit a security plan to the Police Department for review and approval by the Police Chief or designee prior to establishment of the use.
 2. Commercial uses shall be designed and operated, and hours of operation limited where appropriate, so that neighboring residents are not exposed to offensive noise, especially from traffic, trash collection, routine deliveries or late night activity. No use shall produce continual loading or unloading of heavy trucks at the site between the hours of 8:00 p.m. and 6:00 a.m. Hours of operation for all commercial uses within the CC-1 zone shall be limited to 7:00 a.m. to 10:00 p.m. daily, unless located within an integrated development that provides adequate buffering to adjacent residentially developed properties, or otherwise authorized pursuant to a conditional use permit or minor deviation land use permit approved pursuant to Chapter 9.32. For uses requiring approval of a conditional use permit, extended hours of operation may be authorized pursuant to the conditional use permit. For uses not requiring a conditional use permit or other discretionary land use approval, requests for extended hours of operation shall require approval of a minor deviation land use permit pursuant to Section 9.32.030.D.11 of Chapter 9.32 of this title.
 3. Residential portions of a mixed use project shall be designed to limit the interior noise caused by the commercial and parking portions of the project, to a maximum of 45 decibels (db) community

noise equivalent level (CNEL) on annual basis in any habitable room with windows closed. Proper design may include, but shall not be limited to, building orientation, double or extra strength windows, wall and ceiling insulation, and orientation and insulation of vents. Where it is necessary that windows be closed in order to achieve the required level, means shall be provided for ventilation/cooling to provide a habitable environment.

4. No use, activity or process shall produce continual vibrations or noxious odors that are perceptible, without instruments, by the average person at the property lines of the site or within the interior of on-site residential units.
5. Outdoor lighting associated with commercial uses shall not adversely impact surrounding residential uses, but shall provide sufficient illumination for access and security purposes. Such lighting shall not blink, flash, oscillate, or be of unusually high intensity or brightness. (2888 §§ 7, 8, 2017; 2857 § 6, 2015; 2814, 2012)

9.18.090.050 Additional Regulations Specific to the CC-2 Zone

- A. Purpose and Applicability. In addition to the other applicable requirements of this chapter, the provisions of this section apply to proposed development in the CC-2 zone. These standards are established to maintain the low-scale character and architectural style of development of the early-20th century district located along Main Street.
- B. Limit on Residential Units. Residential units shall be permitted only above ground floor commercial space and shall be further limited as follows:
 1. The maximum allowable number of residential units within the entire CC-2 zone, located on the east and west sides of Main Street between Garden Grove Boulevard and Acacia Parkway, shall not exceed 102 units. As each property is developed with residential units, the number of units that have been approved shall reduce the maximum number of allowable units in the CC-2 zone as a whole. In the event that a commercial development is expanded that would reduce the number of available surplus parking spaces, the maximum allowable number of units will be reduced according to the number of parking spaces encumbered by the commercial development, unless parking has been provided for on site or within a parking structure.
 2. Each unit shall be limited to a maximum of two sleeping rooms.
 3. ~~The design of the individual units shall preserve the historic feel of the Main Street District and shall comply with the standards set forth in this title.~~

Adaptive reuse of above ground floor spaces for residential uses is permitted, provided that alterations to the exterior building facades, including windows, are limited to those required to comply with residential building code requirements.
 4. The design of new mixed use buildings whereby at least two-thirds of the overall floor area is occupied by residential units shall include the following components: 1) roofs of barrel-shaped red tile; 2) recessed entries; 3) building facades consisting of either brick or beige or off-white stucco; the use of stonework on the lower one-third of the first story is allowed; 4) awnings or trellises on the front façade; 5) at least 60% of the first-floor front façade consisting of doors and windows; and 6) upper-story detailing consisting of balconies, projecting windows, shuttered windows, and/or architectural detailing. Aluminum window and door frames are specifically prohibited.
- C. Parking. Parking shall be unassigned throughout the Main Street Parking District unless provided for on site, and any assigned parking shall not be counted toward meeting minimum parking requirements.

- D. General Design Regulations and Site Development Standards. The following site development standards for the CC-2 zone are established to provide for the orderly development, restoration, and revitalization of properties within the CC-2 zone; to provide for the proper relationship of various uses, buildings, structures and open spaces; to allow for the maximum flexibility in design and development within the parameters of the historical theme of Main Street; and to encourage the utilization of recognized economic, cultural, and social values of good environmental planning. The following standards shall apply to buildings used for nonresidential purposes and any mixed use building whereby the residential component constitutes less than two-thirds of the total floor area.
1. Architectural and Design Criteria. ~~In order~~ To ensure that the development, restoration, and revitalization of properties and buildings are completed in accordance with the general historical theme of the CC-2 zone, the Community Development Department shall adopt, by resolution, architectural and design criteria, which shall be filed in the office of the City Clerk. All development projects shall conform to such architectural and design criteria as though listed verbatim in this title.
 2. Site Plan Required. Prior to the issuance of a building permit for any building or structure, a site plan shall be adopted if either of the following conditions apply:
 - a. Floor area in excess of 10% will be added to an existing building or structure.
 - b. A new building or structure will be established. The proposed plan shall be submitted to the Downtown Commission for review and recommendation to the Planning Commission. All required site plans shall be submitted to the Community Development Department and Planning Commission for approval and architectural review.
 3. Building Design Plan. Under the provisions of this subsection, when a structural rehabilitation is requested and a site plan is not required, a building design plan shall be required. The proposed building design plan shall be submitted to the Zoning Administrator for technical review and recommendation to the Downtown Commission. The Downtown Commission shall review the proposed plan and make recommendations to the Community Development Department. All required building design plans shall be submitted to the Community Development Department for approval and architectural review. The specific drawings and contents required in the building design plan shall be determined by the Community Development Department and shall be adopted by resolutions as a portion of the architectural design criteria.
 4. Conformance with Site Plan and/or Building Design Plan Required. All work to be carried out in the development, restoration, or revitalization of any building or structure located within the CC-2 zone shall be performed in accordance with the provisions and conditions of an approved site plan or building design plan.
- E. Signs. All signs shall be regulated by the provisions of Chapter 9.20 (Sign Standards) of this title.
- F. Maintenance Requirements. All buildings and structures within the CC-2 zone shall be maintained in good repair and in a manner consistent with the general historical theme adopted for the zone. Maintenance shall include, but not be limited to, buildings being painted and awnings replaced periodically as required.
- G. The Downtown Commission shall monitor compliance and shall notify property owners and tenants in the event of noncompliance. In the event of continued noncompliance, the Downtown Commission shall make recommendations to the Community Development Department, which shall be empowered to utilize any available means to ensure compliance.
- H. Role of the Downtown Commission. The Downtown Commission shall review proposed building design plans and site plans, monitor the maintenance of the buildings in the CC-2 zone, and advise

the City Council regarding the levy of annual assessments for the Main Street Assessment District No. 1.

- I. Outdoor Dining in the Public Right-of-Way on Historic Main Street. Eating establishments located on Main Street between Acacia Parkway and Garden Grove Boulevard may locate and operate incidental and accessory outdoor dining areas on the adjacent public right-of-way, subject to compliance with the provisions of this subsection, approval of a Main Street outdoor dining permit by the Director or applicable hearing body pursuant to Chapter 9.32, and issuance of an encroachment permit by the City pursuant to Title 11. The provisions of this subsection, and not Section 9.18.030.300, shall govern outdoor dining areas in the public right-of-way on Main Street.

1. Definitions. The following definitions shall apply to this section:

- a. “Barrier” means a fabricated physical barrier that is firmly anchored to the ground meant to demarcate an outdoor dining area in the public right-of-way.
- b. “Dining alcove” means an outdoor recess opening out of an eating establishment in conjunction with an outdoor dining area in the public right-of-way.
- c. “Director” means the Director of Economic and Community Development for the City.
- d. “Encroachment permit” means a temporary revocable permit issued by the City pursuant to Title 11 authorizing use of a portion of the public right-of-way.
- e. “Main Street outdoor dining permit” means a permit approved by the City in accordance with this subsection and Chapter 9.32 authorizing the owner of an eating establishment that fronts on Main Street between Acacia Parkway and Garden Grove Boulevard to establish and maintain an outdoor dining area in the public right-of-way on Main Street immediately adjacent to the eating establishment.
- f. “Obstruction” means any object or obstacle, which completely or partially blocks a path of travel on a public right-of-way, including, but not limited to, a sign, lamp post, bench, tree, tree grate, table, chair, umbrella, or other object attendant to an outdoor dining area in the public right-of-way.
- g. “Outdoor dining area in the public right-of-way” means a specific area within the public right-of-way adjacent to an eating establishment that contains seating for patrons of the eating establishment and where food and/or beverage service and other activities related to dining that are incidental and accessory to operation of the eating establishment may occur.

2. Application for Main Street Outdoor Dining Permit. An application for a Main Street outdoor dining permit shall be filed on forms provided by the Director, and submitted under penalty of perjury, and shall be accompanied by a fee in the amount established by the City Council for a Director’s Review. The application shall be filed concurrently with an application for an encroachment permit and shall include, without limitation, the following information and documents:

- a. The name and business address of the eating establishment with which the proposed outdoor dining area in the public right-of-way is associated.
- b. The name, business address, telephone number, and email address of the applicant, which must be the owner of the adjacent eating establishment, and the applicant’s responsible managing officer signing the application. An applicant that is a corporation, limited liability company, or partnership shall designate one of its officers, members, managers, or general partners to act as its responsible managing officer to complete and sign the application and to bind the entity in contract, and shall submit evidence acceptable to the Director that such individual is authorized to act on behalf and bind the applicant.

- c. If the applicant is not the legal or beneficial owner of the adjacent property on which the eating establishment is located, include the name and address of the property owner(s) and a written authorization executed by the property owner(s), or the property owner(s) authorized agent, authorizing the applicant to establish and maintain an outdoor dining area in the public right-of-way and to submit the application. If said authorization is executed by an agent of the property owner(s), written authorization of such agency satisfactory to the Director shall also be provided.
 - d. Plans, drawings, and a description of the proposed outdoor dining area in the public right-of-way and/or dining alcove satisfactory to the Director. At a minimum, the plans shall show in detail the dimensions of the proposed outdoor dining area in the public right-of-way; the locations and dimensions of all existing and proposed obstructions; the proposed locations, number, and arrangement of all barriers, tables, chairs, umbrellas, and other furnishings; and the location and dimensions of the proposed pedestrian path of travel. If construction of a dining alcove is proposed, detailed architectural and building plans for all structural alterations are required. The plans shall also include a description, satisfactory to the Director, of the colors, types, styles, and materials of all barriers, furnishings, umbrellas, and other objects proposed to be utilized within the outdoor dining area in the public right-of-way.
 - e. A description of the anticipated periods of use during the year, the proposed hours of daily use, and whether the service of alcoholic beverages is requested.
 - f. Sufficient evidence to establish, to the satisfaction of the Director, in his or her sole discretion, that the proposed outdoor dining area in the public right-of-way will not be inconsistent with the underlying dedication for public right-of-way or the City's title or estate in the underlying public right-of-way.
3. Design Requirements. Outdoor dining areas in the public right-of-way shall be subject to the following design and locational standards and requirements:
- a. An outdoor dining area in the public right-of-way may only be located adjacent to Main Street. No existing trees, lamp posts, or planters may be removed or relocated. Existing benches and trash receptacles may not be removed, but may be relocated subject to approval of the Public Works Director or designee.
 - b. Each approved outdoor dining area in the public right-of-way may only be located adjacent to the storefront of the eating establishment with which it is associated and may not extend across any portion of the storefront of an adjacent business or structure.
 - c. An outdoor dining area in the public right-of-way shall be arranged and located in such a manner that a four-foot minimum unobstructed path of travel for pedestrians along the right-of-way can be maintained at all times. Possible seating arrangements providing for a four-foot minimum path of travel are depicted in Figures 9.18-12a through d of this subsection.
 - d. In accordance with applicable building code requirements, a minimum three-foot clear width of walking surfaces around dining furniture must be maintained, unless a lesser buffer is otherwise permitted. Where no barrier is installed, a three-foot minimum clearance buffer shall also be maintained between all dining furniture and the parallel parking limit line on Main Street.
 - e. All outdoor dining areas in the public right-of-way must be fully accessible to and useable by the physically handicapped in compliance with applicable law.
 - f. The amount of seating that may be permitted within an outdoor dining area in the public right-of-way is subject to applicable occupancy limits set forth in the uniform building codes,

- requirements of the City's Public Works Department, and any other applicable regulations set forth in this title.
- g. The use of removable table umbrellas is encouraged, provided such umbrellas maintain at least seven feet of clearance above the sidewalk level, do not exceed 10 feet in height, and do not encroach into parking areas, walkways, or vision clearance areas.
 - h. Portable heating units acceptable to the Fire Department may be utilized.
 - i. Lighting for an outdoor dining area shall be provided. Lighting may be incorporated into the façade of the building and shall complement the style of the building. Lights on buildings shall not be glaring to pedestrian or vehicular traffic and should illuminate only the outdoor dining area. Battery-operated table lamps or candles, or other lighting sources that do not require electrical wiring, are encouraged.
 - j. Barriers. Barriers demarcating an approved outdoor dining area in the public right-of-way may be installed, subject to an encroachment permit. A barrier is required if alcoholic beverages are sold, served, and/or consumed in the outside eating area. The following requirements apply where barriers are installed:
 - i. Barriers shall be fabricated from wrought iron or other sturdy materials approved by the City that are consistent with the aesthetic and architectural character of the Historic Main Street area. Barriers may not be fabricated of chain link, cyclone fencing, plastic, vinyl, or chicken wire and may not include fabric or canvas inserts, spears, spikes, and/or finials. An example of an acceptable type of barrier is shown in Photo 9.18-3a, below.



Photo 9.18-3a: Example of a fabricated wrought iron barrier.

- ii. All barriers shall be firmly anchored to the ground. At the time the barrier is removed, the paving shall be returned to its original condition.
- iii. A barrier may be no less than three feet and no more than three feet six inches in height.

- iv. The location of any barrier shall be subject to the approval of the Director or applicable hearingbody and the provisions and conditions of the encroachment permit.
- k. Dining Alcoves. Storefronts may be altered to allow for dining alcoves in conjunction with an outdoor dining area that encroaches into the public right-of-way. In addition to all applicable requirements set forth in this chapter, the following provisions shall apply to dining alcoves:
 - i. No new structural portion of the dining alcove shall encroach into the public right-of-way.
 - ii. The outdoor dining area may be located both within the dining alcove on private property and in the public right-of-way, provided the portion of the outdoor dining area in the public right-of-way complies with all requirements of this subsection, including, but not limited to, the maintenance of a minimum four-foot pedestrian path of travel.
 - iii. The dining alcove must include an entrance from the public right-of-way to the abutting property storefront.
 - iv. The dining alcove may be no more than one story in height.
 - v. The design of the dining alcove, including storefront systems, barriers, and glazing, shall be consistent with the aesthetic and architectural style of the building.
 - vi. The storefront shall completely enclose the abutting property building area behind, with the exception of doors and operable windows. The building area within shall not be open to the outside.
 - vii. Minimum glazing of the storefront shall be consistent with Section 9.18.100.040.F and Table 9.18-8, Storefront Glazing Calculation. The glazing of the storefront shall be clear and unobstructed, with the exception of the allowance under Section 9.20.040.D, Window Displays, to permit views into the establishment.
- l. Any proposed structural rehabilitation or significant alterations of existing building façades proposed in conjunction with an outside eating area in the public right-of-way, including the construction of dining alcoves, shall be subject to review and recommendation by the Zoning Administrator and the Downtown Commission in accordance with this section.
- m. The area subject to the Main Street outdoor dining permit and the size, number, location, orientation, type, and materials of all barriers, tables, chairs, umbrellas, and other furniture shall be limited to that described in the approved Main Street outdoor dining permit. Any changes not otherwise authorized by the conditions of approval to the Main Street outdoor dining permit shall require the filing of an application for a Modification to Approved Plans pursuant to Chapter 9.32 and shall be subject to review and approval by the Director or applicable hearing body.

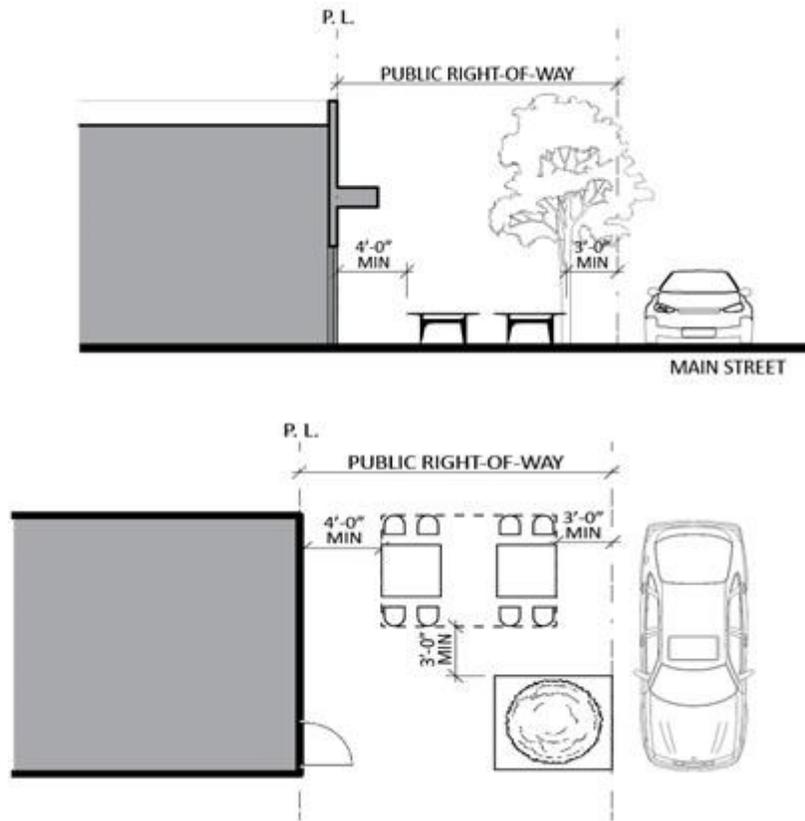
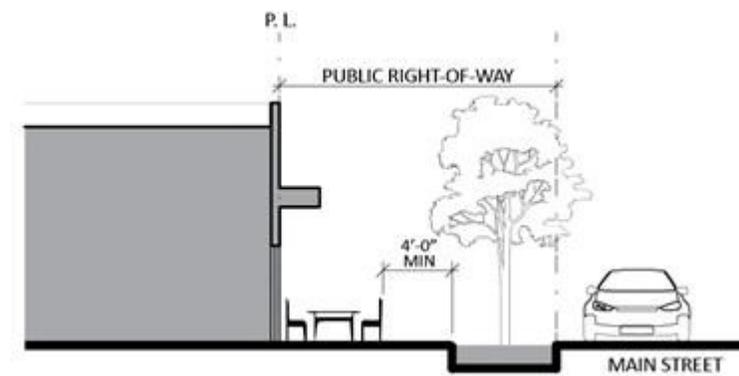


Figure 9.18-12a: Example of an outdoor dining area in the public right-of-way without a barrier.



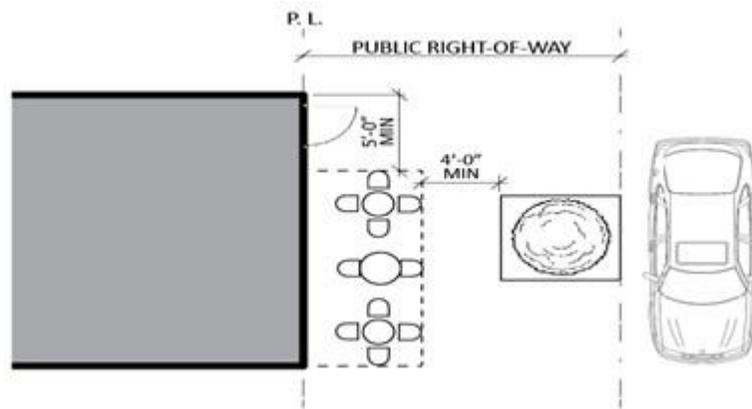


Figure 9.18-12b: Example of an outdoor dining area in the public right-of-way abutting a storefront wall without a barrier.

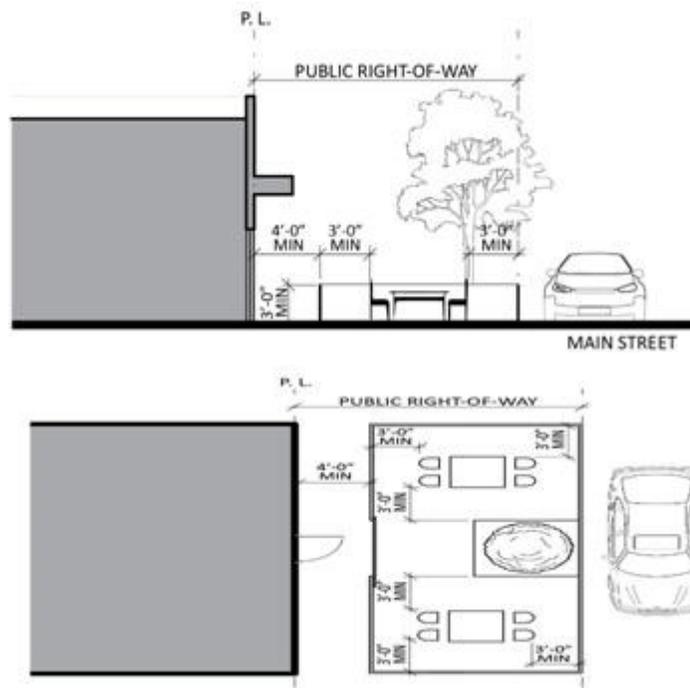


Figure 9.18-12c: Example of an outdoor dining area in the public right-of-way with a barrier.

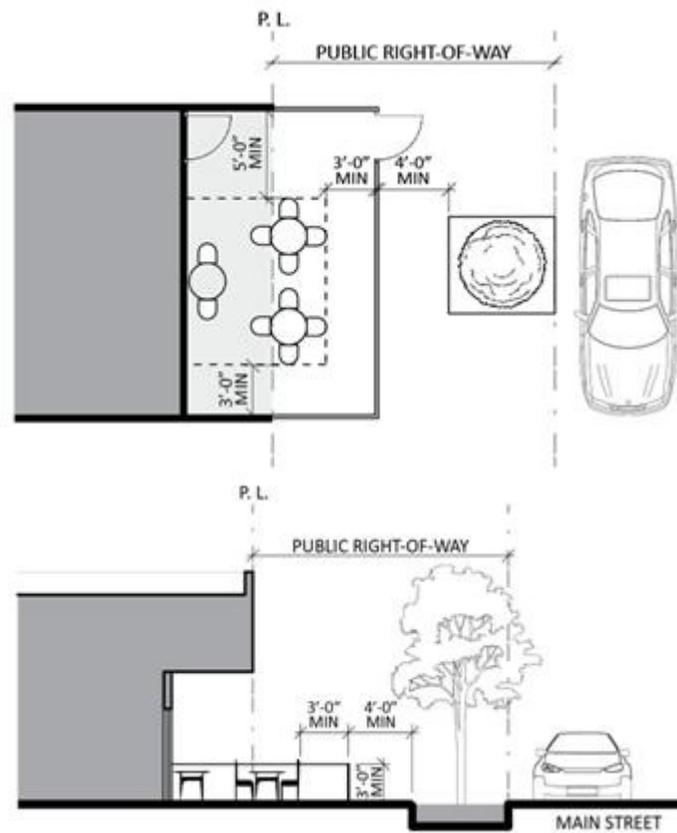


Figure 9.18-12d: Example of a dining alcove in conjunction with an outdoor dining area in the public right-of-way with a barrier.

4. Operational Requirements. All outdoor dining areas in the public right-of-way shall be subject to the following operational standards:
 - a. The business owner and operator shall comply with all provisions of this subsection and all conditions of approval of the encroachment permit, the Main Street outdoor dining permit and any applicable conditional use permit at all times. Failure to comply with any applicable Municipal Code or permit provisions or applicable conditions of approval may result in suspension or revocation of the Main Street outdoor dining permit.
 - b. Hours of operation of an outdoor dining area in the public right-of-way shall not extend beyond 10:00 p.m. during any day of the week.

- c. Tables, chairs, table lamps, umbrellas, portable heaters, and other furniture and related items may not be stored within the public right-of-way and shall be removed and stored inside the building when the business is closed or the outdoor dining area in the public right-of-way is not in operation. Approved barriers do not need to be removed except as otherwise required pursuant to the encroachment permit.
 - d. Outdoor dining areas shall be kept in a good state of repair and maintained in a clean, safe, and sanitary condition and in accordance with applicable Orange County Health Department regulations.
 - e. All building entryways and the required pedestrian path of travel shall remain clear and unobstructed at all times.
 - f. All outdoor dining areas shall be used for sit-down food and beverage service only; no stand-up service is permitted.
 - g. No entertainment shall be permitted within an outdoor dining area.
 - h. The use of mist systems or other devices spraying water over the public right-of-way is prohibited, unless the spraying of water is confined to seating located directly adjacent to the storefront or within an dining alcove. Overspray onto the required path of travel is prohibited.
 - i. All plans and permits for an outdoor dining area in the public right-of-way and/or dining alcove shall be kept on the premises of the eating establishment for inspection at all times the establishment is open for business.
5. Sale and/or Service of Alcoholic Beverages. The service of alcoholic beverages and its consumption by customers in an outdoor dining area in the public right-of-way shall comply with Section 9.18.060 (Alcohol Beverage Sales) and furthermore, shall be restricted as follows:
- a. The sale, service, and/or consumption of alcoholic beverages within an outdoor dining area is prohibited unless authorized pursuant to a conditional use permit approved by the City and a valid license issued by the Department of Alcoholic Beverage Control. All provisions and conditions of such permits and licenses shall be complied with at all times.
 - b. A barrier acceptable to the City and the Department of Alcoholic Beverage Control is required.
 - c. The service of food shall accompany any sale or service of alcoholic beverages.
 - d. All alcoholic beverages shall be served, delivered, and removed to and from the outdoor dining area by the staff of associated eating establishment. (2894 § 3, 2018; 2887 § 3, 2017; 2814, 2012)

9.18.090.060 Additional Regulations Specific to the CC-3 Zone

- A. Intent. It is the City's intent to create a Civic Center district that consists of a several distinct neighborhoods connected to the Civic Core and public park areas by a series of pedestrian pathways, thereby enhancing district cohesion and allowing people to easily walk to uses throughout the Civic Center district, as defined in the General Plan. While public sidewalks provide the primary means of pedestrian mobility within the district, additional connections can be provided via pathways, paseos, trails, and walkways that traverse private properties. This is particularly the case where large blocks either obstruct or are not well integrated into the traditional grid street pattern shaping the historic civic district. Thus, to fully realize the General Plan goal of providing connecting pathways throughout the Civic Center district, these regulations are established to incentivize provision of pedestrian access across private properties to connect one public right-of-way to another. These regulations shall

become effective upon the City's adoption of guidelines and a pedestrian pathway plan for the Civic Center district.



Photo 9.18-4: Example of Pedestrian Pathway with Benches and Landscape Features

- B. Applicability. These regulations shall apply to all new development within the CC-3 zone, as specified in subsections C (Commercial, Mixed Use, Education, and Institutional/Civic Developments) and D (Residential

Developments) of this section for particular types of development. The design and dimensions of such pedestrian pathways shall conform to any guidelines the City may adopt for such.

- C. Commercial, Mixed Use, Educational, and Institutional/Civic Developments. All new commercial, mixed use, educational, and institutional/civic developments, and any additions or improvements to an existing development whereby the new construction equals or exceeds 50% of the replacement value of the existing construction, as determined by the city's Community and Economic Development Director or his/her designee, shall integrate into the development a pathway, paseo, walkway, or similar pedestrian access that connects the primary entrance along an adjacent public street or alley to either another adjacent public street or alley, or to a similar pathway on an abutting property. The area devoted to such pathway can be credited toward any open space requirement of the development.
- D. Residential Developments. All new development projects with a residential component shall integrate into the development a pathway, paseo, walkway, or similar pedestrian access that connects the primary entrance along an adjacent public street or alley to either another adjacent public street or alley, or to a similar pathway on an abutting property. The area devoted to such pathway can be credited toward any open space requirement of the development.
- E. General Requirements. All pathways, paseos, walkways, or similar pedestrian accesses shall be reviewed as part of any required site plan review or discretionary permit review process. The project

may be conditioned to address such issues as, but not limited to, design materials, hours during which such pathway shall be available for general public access, pedestrian safety enhancements, lighting, and security of the businesses and residences with direct access to the pathway.

- F. Conditional Use Permit Required for Uses Involving Entertainment and/or Alcohol Sales. Any mixed use development, or commercial development adjacent to a residential use(s), that will include entertainment and/or alcohol sales, shall be appropriately buffered from adjacent residential uses, be subject to special operating conditions, and require review and approval of a conditional use permit. If entertainment and/or consumption of alcohol is conducted outdoors, buffering measures shall include, without limitation, sound attenuation walls and landscaping in order to protect adjacent residential uses. If the entertainment and/or alcohol sales or consumption is conducted, and the use does not meet the distance requirements for the subject uses as prescribed in Section 9.18.030 (Special Operating Conditions and Development Standards), a waiver of distance and location provisions may also be requested through the conditional use permit process. In conjunction with the approval of a conditional use permit, the hearing body may grant a waiver to any distance or location provision if it makes all of the following findings:
1. That the proposed use will not be contrary to the public interest or injurious to nearby properties, and that the spirit and intent of this section will be observed;
 2. That the proposed use will not unreasonably interfere with the use and enjoyment of neighboring property or cause or exacerbate the development of urban blight;
 3. That the use will not interfere with operation of other businesses or uses within the area;
 4. That the establishment of an additional regulated use in the area will not be contrary to any program of neighborhood conservation or revitalization;
 5. That the establishment complies with all other distance and pedestrian and vehicular requirements of this code; and
 6. That all applicable regulations of this code will be observed.
- G. Communal Dining Areas. Communal dining areas may be created between properties and uses. Outside communal dining areas shall be sufficiently buffered from adjacent residential uses in a manner that will protect the peaceful enjoyment of adjacent residentially developed properties. In addition to the other applicable requirements of this chapter, including those prescribed in Section 9.18.090.060.F (Conditional Use Permit Required for Uses Involving Entertainment and/or Alcohol Sales), the following provisions apply to uses that include communal dining with entertainment and/or alcohol.
1. A conditional use permit is required for communal dining with entertainment and/or alcohol.
 2. Entertainment shall only be permitted within a confined space with proper sound attenuation or within a wholly enclosed building.
 3. Outdoor communal dining areas where alcohol is served and/or consumed must be located in a controlled area or group of areas with monitored entrances and exits and enclosed by a perimeter barrier.
 4. The conditional use permit shall specify the requirements and the party or parties responsible for monitoring, managing and controlling the communal dining area(s). (2888 § 9, 2017; 2814, 2012)

9.18.090.070 Neighborhood Mixed Use Zone (NMU) Development Standards

- A. General. In addition to the other applicable requirements of this chapter, the provisions of this section 9.18.090.070 apply to proposed development in the NMU zone. Table 9.18-5 (Development Standards for the Neighborhood Mixed Use Zone) sets forth the general development standards applicable to all development in the NMU zone.

Table 9.18-5: Development Standards for the Neighborhood Mixed Use Zone

| Development Standards | Neighborhood Mixed Use Zone (NMU) |
|---|---|
| Minimum Lot Size | Minimum area and width for new lots. When a lot has less than the minimum required area or width as set forth in the development standards for the zone in which it is located and was of record on November 12, 1960, the lot shall be deemed to have complied with the current minimum required lot area or width. |
| Minimum Area | 15,000 sf |
| Minimum Width | 75 ft |
| Minimum Width (Corner Lot) | 75 ft |
| Maximum Density/Intensity | |
| Maximum Commercial Floor Area Ratio (FAR) | 0.5 |
| Maximum Residential Density (units/acre) | 24 units/acre |
| | Residential development requires an on-site commercial development component of a minimum 0.2 FAR. |
| | <u>Stand-alone multiple-family residential development in the NMU zone is only permitted on sites that do not have access to a principal, major, primary, or secondary arterial street and is not required to include a pedestrian plaza area.</u> |
| Setbacks | Minimum setbacks required. See Section 9.18.100 for setback measurement, allowed encroachments and projections into setbacks, and exceptions to setbacks. |
| Front | Minimum 15 ft |
| <u>Side</u> | <u>None required</u> |
| <u>Corner Side</u> | <u>Minimum 10 ft</u> |
| <u>Rear</u> | <u>None required unless abutting a residentially zoned lot; minimum 10 ft when abutting a residentially zoned lot. See Section 9.18.100.</u> |
| Maximum Height | Maximum building height shall not exceed height limit in feet or stories. See also Section 9.18.100 for rear and side yard encroachment plane requirements which may restrict heights adjacent to a residentially zoned lot. |
| | <u>50 ft or 4 stories, whichever is less</u> |
| Lot Coverage | |
| <u>Minimum Lot Coverage</u> | <u>Not applicable</u> |
| <u>Maximum Lot Coverage</u> | <u>Not applicable</u> |

| | |
|---------------------------|--|
| Side | None required |
| Corner Side | Minimum 10 ft |
| Rear | None required unless abutting a residentially zoned lot; minimum 10 ft when abutting a residentially zoned lot. See Section. |
| Maximum Height | Maximum building height shall not exceed height limit in feet or stories. See also Section for rear and side yard encroachment plane requirements which may restrict heights adjacent to a residentially zoned lot. |
| | 50 ft or 4 stories, whichever is less |
| Lot Coverage | |
| Minimum Lot Coverage | Not applicable |
| Maximum Lot Coverage | Not applicable |

- B. Maximum Gross Building Footprint. In the NMU zone, the gross building footprint of any structure at the ground level shall not exceed 40,000 square feet of contiguous floor area.
- C. Pedestrian-Oriented Plaza Requirement. Each project in the NMU zone shall provide a pedestrian plaza, except for projects that are 100 percent residential, in which case the plaza shall not be required. The purpose of the pedestrian-oriented plaza is to provide a place for passive recreation, public gathering, landscape amenities, display of public art, and similar uses that enhance the appearance and function of development and integrate multiple uses on a site. For a building that is constructed with orientation toward the street, the pedestrian-oriented plaza shall be in the form of a boulevard garden plaza along the front setback and shall conform to the standards of Section 9.18.090.020.F (Boulevard Garden Plaza Requirement). For other development approaches and types, the plaza shall be a pedestrian plaza that ~~provides enhanced pedestrian circulation and~~ connects the various uses/buildings on the site. In particular, for sites at Brookhurst Street and Chapman Avenue, ~~efforts pedestrian pathways in the form of sidewalks and crosswalks shall be made used to physically and/or visually connect pedestrian pathways to~~ uses across the street from each other.
 - 1. Permitted Uses. The required pedestrian plaza may consist of landscaped and paved areas, outdoor dining, public art display, fountains, or similar uses and amenities permitted in the applicable zone. A minimum of three types of improvements and/or amenities shall be provided.
 - 2. When the plaza is interior to a property, nonvehicular vending kiosks may be permitted.
- 23. Minimum Area. The pedestrian plaza shall comply with the minimum area requirements set forth in Table 9.18-6 (Minimum Pedestrian Plaza Area in the NMU Zone).

Table 9.18-6: Minimum Pedestrian Plaza Area in the NMU Zone

| <u>Right-of-Way Frontage Length</u> | <u>Minimum Plaza Area</u> |
|-------------------------------------|---------------------------|
| <u>Less than 150 feet</u> | <u>600 sf</u> |
| <u>150—300 feet</u> | <u>1,000 sf</u> |
| <u>More than 300 feet</u> | <u>1,500 sf</u> |

- 34. Shape and Minimum Dimensions. The required plaza area shall have minimum dimensions of 10 feet inwidth and 10 feet in length. The required area may be split into no more than two contiguous areas.
- 45. Location. The plaza area may be located anywhere on a site, but ~~in a manner that provides for easy accessibility and maintenance. The plaza area shall be well integrated into other development features and accessible to the public via~~ pedestrian accessways ~~on the site. Proposed locations shall be reviewed through the site plan review process of a minimum five-foot width.~~
- 56. Other Requirement. The plaza area shall not be enclosed or obstructed by fencing or walls, except asrequired for permitted outdoor dining areas abutting a public right-of-way. ~~(2025 § 5, 2021; (2814, 2012)~~

9.18.090.080 Adaptive Reuse Zone (AR) Development Standards

In addition to the other applicable requirements of this chapter, the provisions of this Section 9.18.090.080 apply to proposed development in the AR zone. Table 9.18-7 (Development Standards for the Adaptive ~~Re-use~~Reuse Zone) establishesthe development standards applicable to all development in the AR zone.

Table 9.18-7: Development Standards for the Adaptive Reuse Zone

| Development Standards | Adaptive Reuse Zone (AR) |
|---|--|
| Minimum Lot Size | Minimum area and width for new lots. When a lot has less than the minimum required area or width asset forth in the development standards for the zone in which it is located and was of record on November 12, 1960, the lot shall be deemed to have complied with the current minimum required lot area or width. |
| Minimum Area | 15,000 sf |
| Minimum Width | 75 ft |
| Minimum Width (Corner Lot) | 75 ft |
| Maximum Density/Intensity | |
| Maximum Commercial Floor Area Ratio (FAR) | 0.5 |
| Maximum Residential Density (units/acre) | 48 units/acre All residential units shall be work-live units, per Section 9.18.020.070. |
| Setbacks | Minimum setbacks required. See Section 9.18.100 for setback measurement, allowed encroachmentsand projections into setbacks, and exceptions to setbacks. |
| Front | Minimum 15 ft |
| Side | None required |
| Corner Side | Minimum 10 ft |
| Rear | None required unless abutting a residentially zoned lot; minimum 10 ft when abutting a residentiallyzoned lot. See Section 9.18.100. |
| Maximum Height | Maximum building height shall not exceed height limit in feet or stories. See also Section 9.18.100for rear and side yard encroachment plane requirements which may restrict heights adjacent to a residentially zoned lot. |
| | 50 ft or 4 stories, whichever is less |
| Lot Coverage | |
| Minimum Lot Coverage | Not applicable |

Table 9.18-7: Development Standards for the Adaptive Reuse Zone

| Development Standards | Adaptive Reuse Zone (AR) |
|-----------------------|--------------------------|
| Maximum Lot Coverage | Not applicable |

Section 9.18.100 Development and Design Standards Applicable to All Mixed Use Zones

9.18.100.010 Purpose and Applicability of Development and Design Standards in Mixed Use Zones

- A. Purpose. These development and design standards are established to achieve General Plan goals of encouraging local and regional commerce in the Mixed Use zones, creating attractive districts, and enhancing city image. The city's goal is to ensure that developments interact with each other and provide a consistent pattern and urban form along boulevards and within mixed use districts, rather than exist as stand-alone, individual projects. Developments within the Mixed Use zones are intended to harmonize with adjacent residential uses by maintaining a pedestrian scale and compatible architectural styles, and by providing inviting and attractive access, well-designed landscaping, and pedestrian amenities that encourage walking throughout the districts. While vehicular access is important to support broad-based use of businesses within the Mixed Use zones, parking areas and driveways shall be considered as an integral part of project design, with detailed attention to quality and accommodation of pedestrian movement.
- B. Application of Design Standards. Sections 9.18.100.030 (Site Design Standards) and 9.18.100.040 (Enhanced Building Design Standards) establish standards for the design of sites and buildings in all Mixed Use zones. ~~If, through the discretionary review process, a finding is made that the project substantially meets the intent of the design standards of these subsections, an alternative design may be approved. However, approvals of alternatives shall not be permitted for any of the general development standards set forth in Section (Development Standards Applicable to All Mixed Use Zones).~~

9.18.100.020 Development Standards Applicable to All Mixed Use Zones

- A. Applicability. Subdivisions, new land uses and structures, and alterations to existing land uses and structures shall be designed, constructed, and established in compliance with the requirements set forth in Section 9.18.090 (Development Standards Specific to Individual Mixed Use Zones) and Section 9.18.100 (Development and Design Standards Applicable to All Mixed Use Zones), in addition to all applicable standards of Title 9.
- B. Lot Area. No lot area shall be reduced or diminished so that the setbacks or other open spaces shall be less than prescribed for the zone in which it is located.
- C. Setbacks. Setbacks, as required by Section 9.18.090 (Development Standards Specific to Individual Mixed Use Zones) and Section 9.18.100 (Development and Design Standards Applicable to All Mixed Use Zones), are diagrammed in Figure 9.18-13 (Required Setbacks).

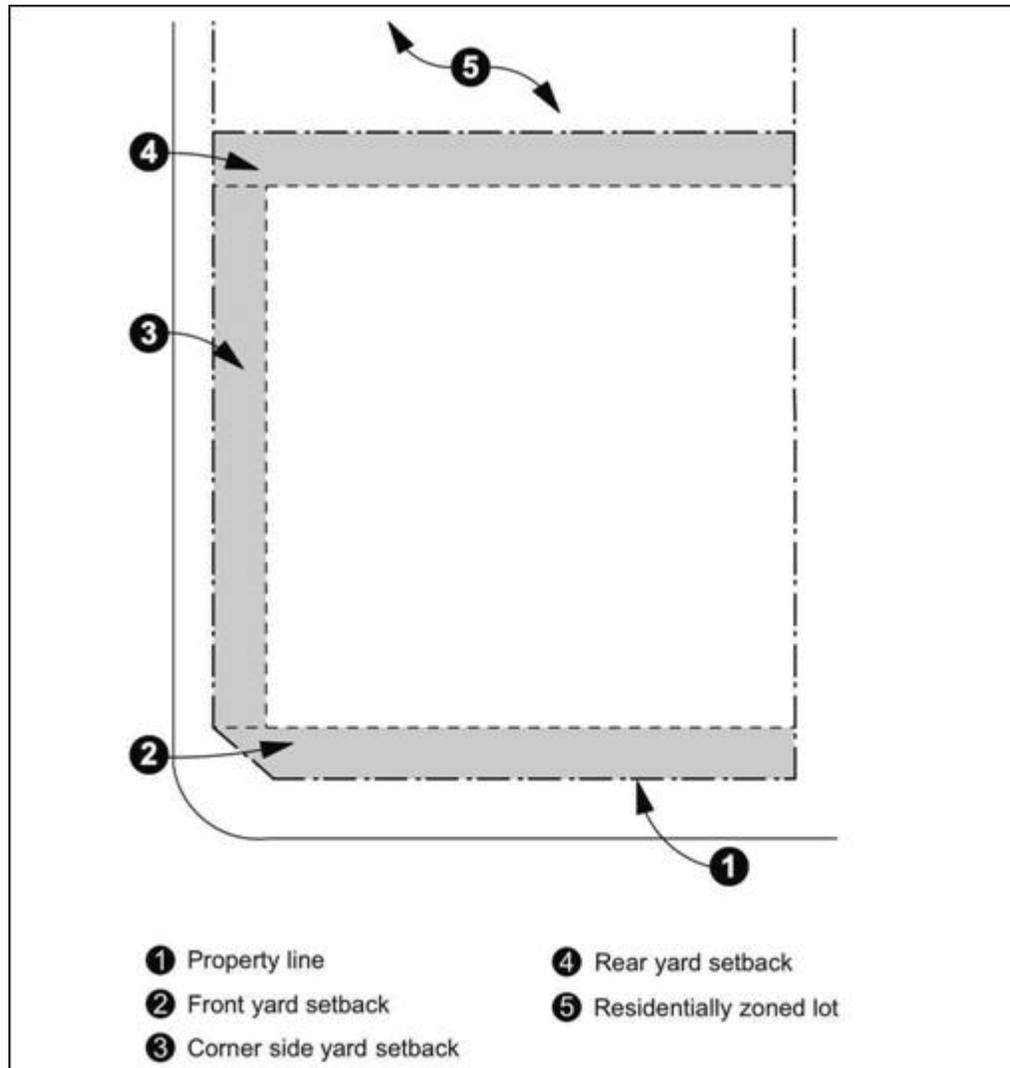


Figure 9.18-13: Required Setbacks

1. Garden Grove Boulevard Adjacent Setbacks. For properties with any property line abutting the Garden Grove Boulevard right-of-way, said property line shall be considered the front line for the purpose of determining required setbacks.
2. Setbacks Unobstructed. Required setbacks shall be open and unobstructed from the ground to the sky except for trees and other plant material. No building, parking space, or turning aisle to any parking space shall occupy any portion of any required setback. Notwithstanding this section, parking spaces, and turning aisles to parking spaces, within the CC-1 (Civic Center East), CC-2 (Civic Center Main Street), and CC-3 (Civic Center Core) zones may be located within required setbacks, ~~subject to Site Plan approval~~, and shall require a landscaped buffer between the property line and parking space(s) and/or turning aisle(s) to any parking space(s) fronting along a street. Any landscaped buffer shall have a minimum depth of five feet. This excludes the depth of any driveway throat, ~~which shall be as determined by the Traffic Engineering Division, Public Works Department.~~ The depth of the driveway throat shall be 20 feet unless alternative standards have been adopted by Public Works. Easements for utilities (e.g., electrical, communications) are exempt from the requirements of this section.

3. Permitted Intrusions in Setbacks. The following may project into any required setback a maximum of two feet: cornices, eaves, belt courses, sills, buttresses, planter boxes, masonry planters, guard railings, chimneys, or similar architectural features.
4. Setback Point of Measurement. All building setbacks shall be measured from the ultimate street right-of-way.
5. Landscaping Required in Setbacks. A minimum of 60% of the surface area of required setbacks shall be landscaped in all Mixed Use zones, with the exception of the required front and corner side yard setbacks in the GGMU-1 and CC-2 zones. In the GGMU-1 zone, a maximum of 60% and a minimum of 15% of the surface area of required setbacks shall be landscaped. In the CC-2 zone, landscaping in setbacks is not required. Any non-landscaped area within a required setback shall be paved per the requirements of Section 9.18.100.020.C.6 (Paved Areas in Setbacks), below.
6. Paved Areas in Setbacks. Areas not landscaped shall be paved in ~~high-quality materials such as consisting of either~~ pavers, stone or cobblestone, ~~or~~ patterned or scored colored concrete, or ~~similar durable materials as otherwise indicated in section 9.08.040.060 (Landscaping Requirements)~~. Plain and colored concrete and plain asphalt are prohibited.
7. Limited Outdoor Dining/Seating Permitted in Setbacks. Outdoor seating may be allowed in accordance with the requirements of Section 9.18.030.300 (Outdoor Dining at Eating Establishment/Restaurant) in the front yard setback. No more than 30% of the required front yard setback area may be occupied by outdoor dining/seating.
8. Vending Permitted. Nonvehicular vending kiosks and vehicular vending may be allowed in accordance with the requirements of Section ~~9.18.070~~ (Outdoor Sales of Goods and Merchandise).



Photo 9.18-5: Example of Landscaping and Paving and a Vending Kiosk in Required Setback Areas

- D. Rear or Side Yard Setback and Encroachment Plane Required when Abutting a Residentially Zoned Lot. Where the rear lot line and/or side lot line of a Mixed Use zoned lot abuts an “R” zoned property or a PUD established exclusively for residential uses, the following standards shall be met in addition to all other required setbacks:
1. Ten-Foot Rear Yard Setback. A 10-foot rear yard setback or side yard setback, as applicable, shall be provided.
 2. Encroachment Plane. No buildings or structures shall be located within an encroachment plane sloping upward and inward to the site at a 45-degree angle, commencing 15 feet above the existing grade at the property line (see Figure 9.18-14: Rear or Side Yard Setback and Encroachment Plane at Residentially Zoned Lot).

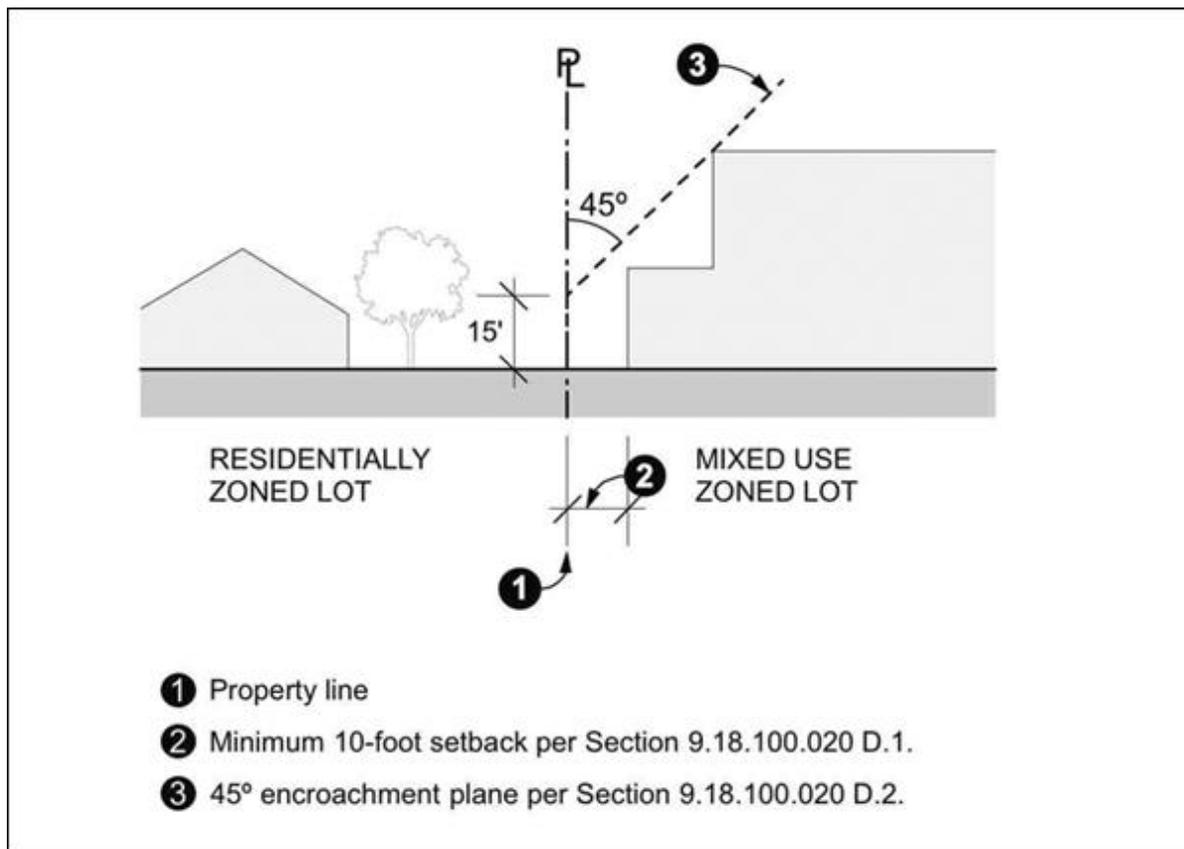


Figure 9.18-14: Rear or Side Yard Setback and Encroachment Plane at Residentially Zoned Lot

3. Encroachment Plane at Alley. Where an alley separates the rear lot line of a Mixed Use zoned lot from a property zoned exclusively for residential uses, no building or structure shall be located within an encroachment plane sloping upward and inward to the site at a 45-degree angle, commencing 15 feet above the existing grade at the centerline of the alley (see Figure 9.18-15: Rear Yard Setback and Encroachment Plane at Alley Abutting Residentially Zoned Lot).

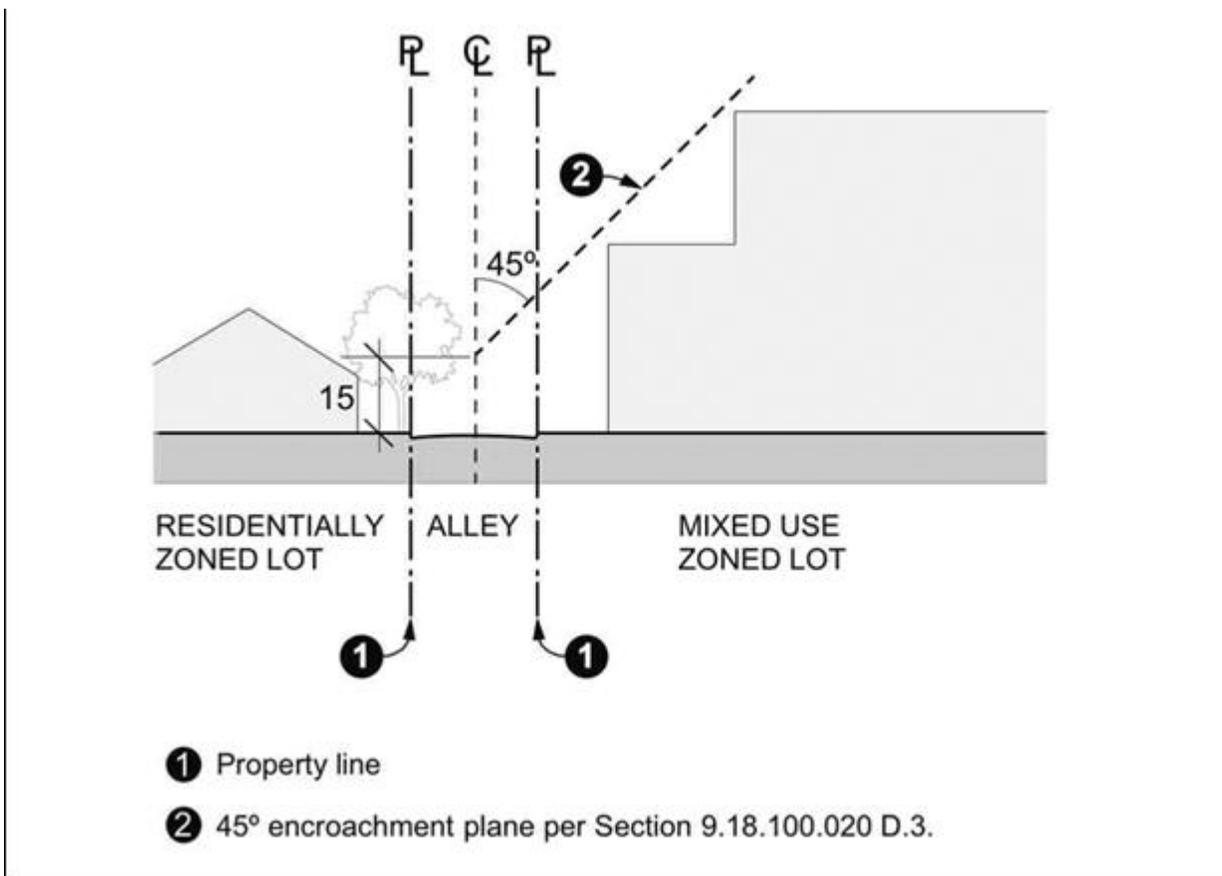


Figure 9.18-15: Rear Yard Setback and Encroachment Plane at Alley Abutting Residentially Zoned Lot

4. **Property Line Wall Required.** A solid decorative masonry wall or concrete block wall shall be provided at the property line. The wall shall be at least six feet in height but shall not exceed eight feet in height.
- E. **Access to Nonresidential Uses.** Primary access to any nonresidential use shall be taken from a primary, major, or principal arterial street classification, as defined by the General Plan Circulation Element. No access shall be provided to a nonresidential use from local residential streets, as defined by the General Plan Circulation Element, unless specifically allowed through the site plan review process. Emergency access from local residential streets shall be permitted only where no other feasible emergency access to a primary arterial or higher street classification is possible. On through lots, no access to nonresidential uses shall be provided on local residential streets, unless specifically allowed through the site plan review process.
 - F. **Building Height Exceptions for Uninhabited Penthouses and Roof Structures.** Penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, fire or parapet walls, skylights, towers, flagpoles, chimneys, smokestacks, wireless masts, and similar structures may be erected above the height limits established by this chapter by no more than 15 feet. No penthouses, roof structure, or other space above the height limit shall be allowed for the purpose of providing additional usable floor space.

- G. Outdoor Lighting. All on-site lighting shall be stationary and directed away from adjoining properties and public ~~right~~rights-of-ways.
- H. Modification of Required Front Yards on Lots Fronting on the Curves of Cul-de-Sacs or Knuckles. Where the street pattern of a subdivision includes lots fronting upon cul-de-sac turnarounds or knuckle widenings at right angles or approximate right angle turns in a street, and where such fronting lots by reason of the cul-de-sac or knuckle creating a greater street width with the resultant reduced depth of fronting lots, the required front yard may be reduced in the following manner:
1. Any lot fronting entirely on an arc formed by a knuckle or cul-de-sac, the front setback shall be no less than one-half the required setback for that zone; however, no setback shall be less than 10 feet. ~~The prescribed setback shall be measured by maintaining a constant parallel arc to the front property line.~~ The prescribed setback shall be measured by maintaining a constant parallel arc to the front property line.
 2. Where lots have only a portion of the property located on a cul-de-sac, knuckle, reverse curve, or where the street widens from the established parallel right-of-way, that portion where the reduction occurs may have the front yard setback reduced in the following manner: The setback shall be determined by first locating a point of reference on the property line, of the subject lot, that establishes the required setback for that zone in which the property is located. The second point of reference shall be established by locating a point on the property line establishing the property's depth from street's arc, by locating the point one-half the required setback for that zone and in no instance shall the setback at any point along the property street frontage be less than 10 feet. Once the two points are established, a line is drawn from one point to the other, thus reflecting the front yard setback.
- I. Vision Clearance and Driveway Site Design.
1. Vision Clearance at Street Intersections. All corner and reverse corner lots shall maintain, for safety vision purposes, an open to the sky and unobstructed triangular area at the intersection of the front and side street property lines. One angle and two sides of the triangular area shall be formed by the intersection of the front and the side street property lines or their projection to a point of intersection. The third side of the triangle shall be a straight line connecting those points on the front and side property lines measured 25 feet from the point of intersection.
 2. Vision Clearance at Street Intersections Paving and Landscaping. The area comprising an open and unobstructed triangular area for vision clearance shall be paved and landscaped in accordance with Section 9.18.120 (Landscaping) and other applicable tree and landscaping standards required for specific zones, except that no trees, shrubs, fences, or other physical obstructions higher than 36 inches above existing grade shall be permitted.
 3. Maximum Number of Driveways and Total Allowable Driveway Width. The number of permitted driveways and the width of driveways shall comply with Public Works standards established in Ordinance No. 2155.
 4. Vision Clearance at Driveways. On corner lots or reverse corner lots, if a vehicular entrance is provided from the side street side, an area for safety vision clearance shall be maintained on each side of the driveway. Such area for vision clearance shall be defined by a diagonal line beginning at the intersection of the edges of the driveway and the inside line of the required side yard and extending away from the driveway at an angle of 45 degrees to the edge of the driveway toward the side street property line of the lot. (2888 § 10, 2017; 2814, 2012)

9.18.100.030 Site Design Standards

- A. Pedestrian Walkways.

1. **Pedestrian Walkway Location.** Pedestrian walkways shall be provided and located ~~on the site in a manner that allows easy and to allow~~ clearly identifiable pedestrian access from sidewalks at public rights-of-way to building entrances, publicly accessible amenity areas, any required pedestrian-oriented plaza (including boulevard garden plazas and pedestrian plazas), and similar on-site uses. Pedestrian walkways shall also provide access between building entrances and uses on the same site.
2. **Pedestrian Walkway Design.** Pedestrian walkways shall have a minimum width of four feet. Pedestrian walkways shall be paved in ~~high-quality~~ materials ~~such as consisting of either~~ pavers, stone or cobblestone, ~~or~~ patterned or scored colored concrete, or similar durable materials. Plain and colored concrete and plain asphalt are prohibited.

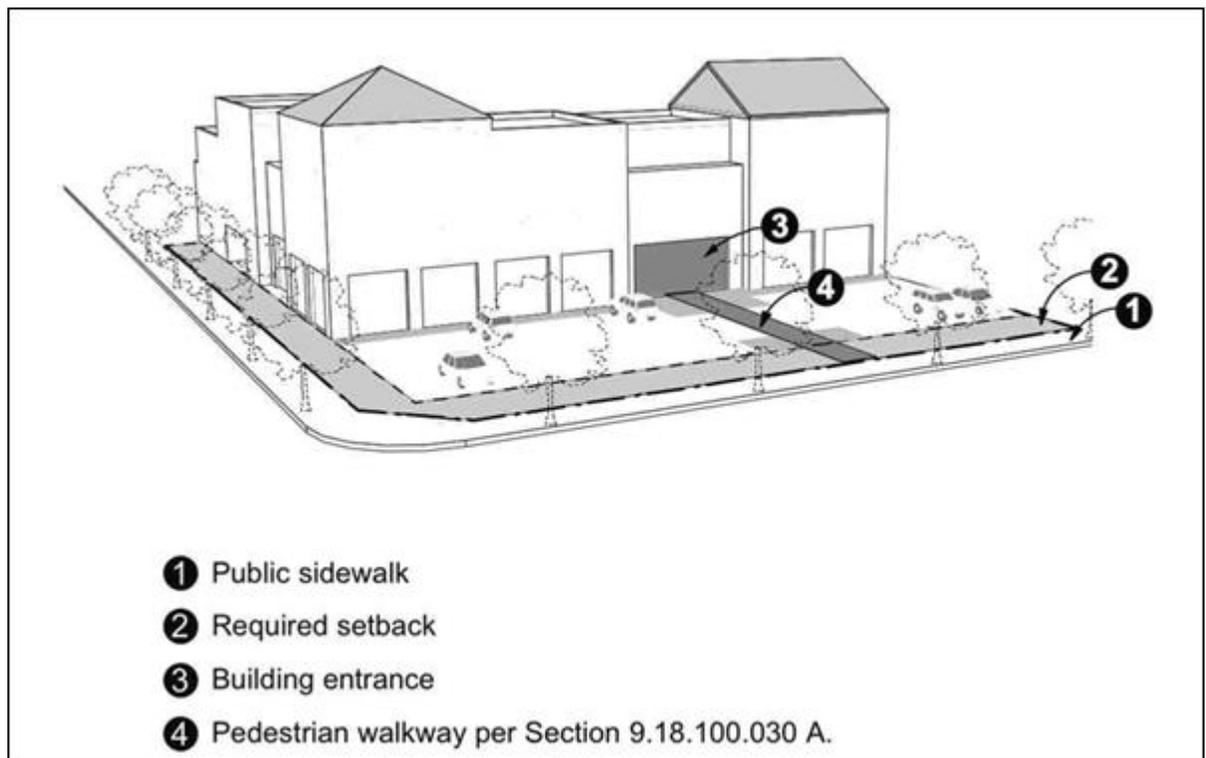


Figure 9.18-16: Pedestrian Walkway

3. **Pedestrian Walkway Visibility and Site Features.** Pedestrian walkways shall be located so that they are clearly visible from sidewalks at the public right-of-way. Additional site features shall include but not be limited to directional signage (as permitted by this code), placement of markers, landscape planters, or vegetation. These features shall be used to emphasize the location of the pedestrian walkway at the public right-of-way and throughout the development.
4. **Pedestrian Walkways within Parking Areas.**
 - a. Where parking areas are located between public sidewalks and buildings, publicly accessible amenity areas, and similar on-site uses, pedestrian walkways shall be located to provide the most direct access from public sidewalks to building entrances, publicly accessible amenity areas, and similar on-site uses.

- b. Where pedestrian walkways pass through parking areas, they shall be differentiated from parking areas using raised walkways, raised curbs, enhanced paving clearly differentiated from the parking areapaving, and/or landscape buffers.
- c. Pedestrian walkway requirements shall apply in addition to the landscaping standards of Section 9.18.120 (Landscaping) and the parking design standards of Section 9.18.140.070 (Parking Design Standards).



Photo 9.18-6: Example of Enhanced Pedestrian Walkway in a Parking Area

- B. Pedestrian-Oriented Plazas. Pedestrian-oriented plazas, whether required pursuant to Section 9.18.090.020.F (Boulevard Garden Plaza Requirement) or 9.18.090.070.C (Pedestrian-Oriented Plaza Requirement), or provided as a non-required on-site improvement, shall follow the following standards:
 - 1. Pedestrian-Oriented Plaza Design. Pedestrian-oriented plazas shall have minimum dimensions of 10 feet in any direction. Pedestrian-oriented plazas shall be visible and easily accessible from ~~areas of pedestrian activity, including public rights-of-way~~, required pedestrian walkways, building entrances, and parking lots. ~~Pedestrian-oriented plazas shall include elements including but not limited to enhanced paved areas, benches and seating, landscape planters, gazebos, or similar amenities. Pedestrian-oriented plazas shall be located so as to be convenient for a diversity of users of a development.~~
 - 2. Paving. Pedestrian-oriented plazas shall be ~~paved in high-quality materials such as improved~~ with pavers, stone or cobblestone, patterned or scored colored concrete, or ~~similar durable materials-stonework~~. Plain and colored concrete and plain asphalt are prohibited. ~~Landscaping. A minimum of 25% of the pedestrian-oriented plaza shall be landscaped with live materials. Pedestrian-oriented plazas shall feature landscape amenities including but not limited to landscape planters, low hedges, and shade-providing trees, water features, or unique features that enhance the appearance, desirability, and usability of the plaza.~~
 - 3.

Pedestrian-Oriented Plazas Abutting Parking Areas. Pedestrian-oriented plazas abutting parking areas shall be separated from drive aisles and parking stalls with raised curbs. Additional safety features creating a sense of safety such as to include either decorative bollards, low and well-maintained hedges, or landscaped planters are strongly encouraged shall be provided.

- Count towards Open Space Requirement. Pedestrian-oriented plazas that are accessible to both commercial and residential components of an integrated mixed use development and not allocated to specific uses or tenants may be counted towards open space, recreation, and leisure area requirements per Section 9.18.110.030.F (Open Space, Recreation, and Leisure Area Requirements for Residential Components of Integrated Mixed Use Developments).



Photo 9.18-7: Example of Pedestrian Plaza Featuring Paving, Landscaping, and Pedestrian-Oriented Amenities

9.18.100.040 Enhanced Building Design Standards

New buildings and structures shall be designed and constructed in compliance with the following standards and as illustrated in Figure 9.18-17 (Enhanced Building Design Standards).

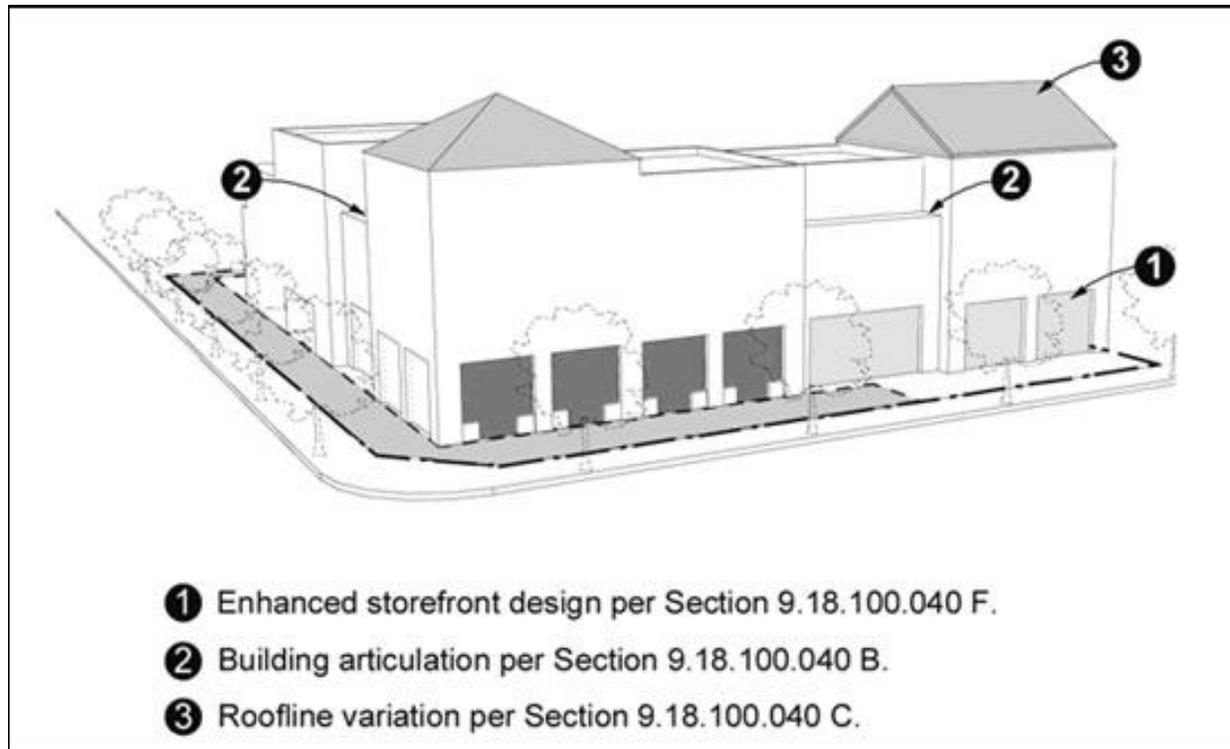


Figure 9.18-17: Enhanced Building Design Standards

- A. Architectural Character. The architectural character of all new construction and additions as established by subparagraphs B through G in this subsection 9.18.100.040 shall be consistently utilized and expressed at all faces of buildings visible from public rights-of-way.
- B. Building Articulation. Façades shall be modulated to create visual and architectural interest. Architectural elements including shall include: 1) bays and recesses, 2) balconies and terraces, 3) inset windows that allow for the expression of wall thickness, 4) patterns of shade and shadow at facades, 5) changes of material and color use of architectural details such as horizontal and vertical banding, cornices, door and window surrounds, and 6) use of high-quality materials, such as smooth finished stucco, brick, and stone are encouraged. A minimum of four of the six components listed here shall be employed.
- C. Roofline Variation. Variation of roof forms shall be used to create visual distinction between buildings and to incorporate human-scale modulation that breaks down the bulk of structures and buildings, and at the same time, creates a sense of common identity unified style throughout the development.



Photo 9.18-8: Example of Architecturally Treated and Human-Scaled Buildings

- D. Maximum Length of Building Façade. Façades of buildings and structures facing public rights-of-way shall not exceed ~~7560~~ feet of uninterrupted length measured parallel to the property line. Façades greater than this length shall be interrupted by breaks in façade plane, ~~major changes~~ change in building massing, and utilization of projecting bays or recesses, along with changes in material, differentiation of color, or changes in architectural detailing or ornament.

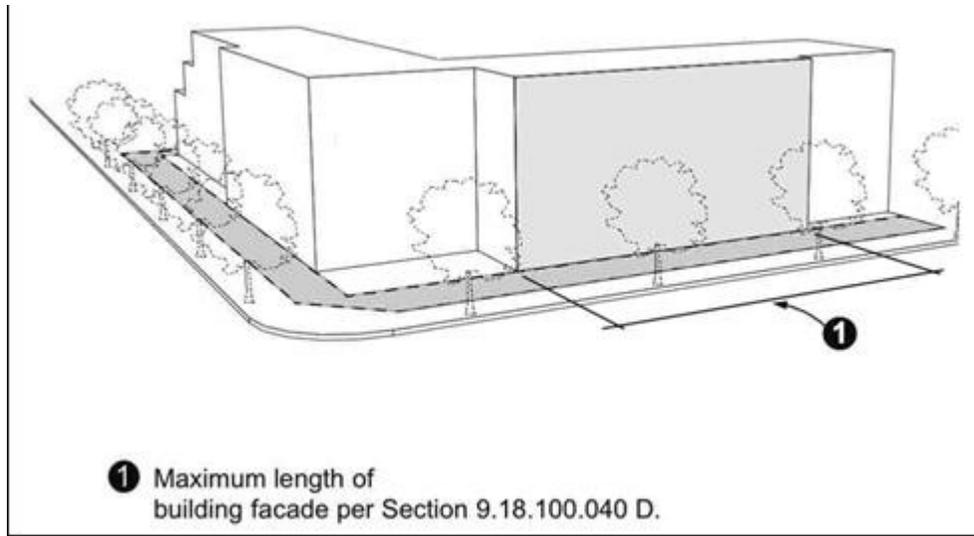


Figure 9.18-18: Maximum Length of Building Façade

- E. Entrance Frequency. At street frontages, ground-related entrances shall occur at least once every 150 feet, as measured along the street-facing property line. In addition to entrances to ground-related uses, entrances to residential units, clusters of residential units, lobbies, or private courtyards may be applied towards meeting this requirement.
- F. Enhanced Storefront Design. For nonresidential street frontages, glazing at the ground floor adjacent to or facing a front property line shall comprise a minimum of 40% of the ground floor height at the façade of the building. The glazing at the ground floor height of other façades that face public and private streets at side yards shall comprise a minimum of 20% of the ground floor height. Minimum storefront glazing shall be calculated per Table 9.18-8 (Storefront Glazing Calculation).

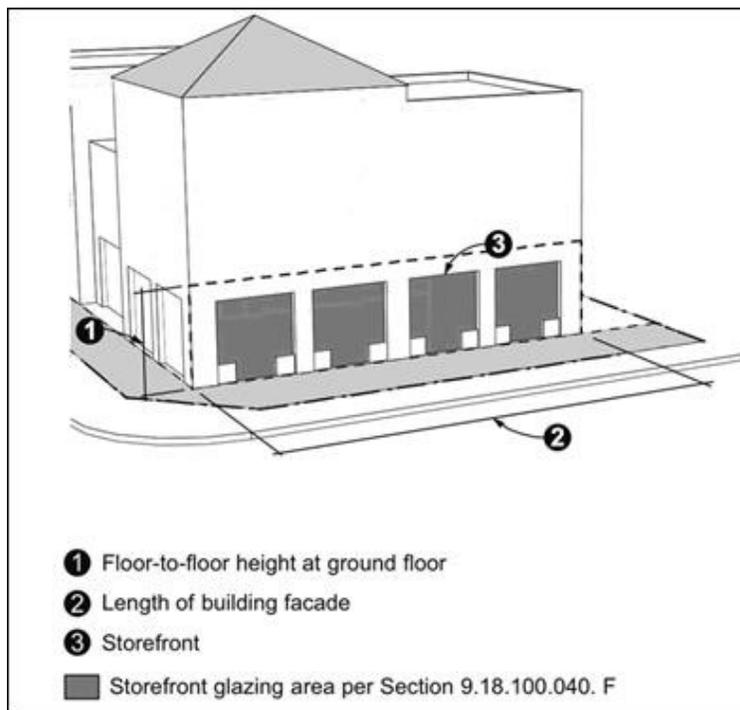


Figure 9.18-19: Required Storefront Glazing

Table 9.18-8: Storefront Glazing Calculation

| Storefront Glazing at Front Property Line | | | | | | |
|---|---|---------------------------|---|-----|---|-------------------------------|
| Ground Floor Floor-to-Floor Height | X | Length of Building Façade | X | 40% | = | Minimum Glazing Area Required |
| Storefront Glazing at Other Façades Facing Public and Private Streets | | | | | | |
| Ground Floor Floor-to-Floor Height | X | Length of Building Façade | X | 20% | = | Minimum Glazing Area Required |

G. Window Design and Glazing. Storefronts and windows shall be inset from exterior façade planes and/or adjoining exterior wall planes a minimum of two inches to realize increased shade, shadow, and visual texture along the building face. Alternatively, windows shall be articulated by adjacent and adjoining projecting sills, jambs, heads, frames, and/or ornamental surrounds that project a minimum of one inch from the exterior building plane. Curtain walls and storefronts shall incorporate mullions and/or vertical and horizontal dividers that permit glazing placement a minimum of two inches behind the plane of the curtain wall, as measured from the exterior face of the mullions and dividers. Glazing at the ground plane and first level of buildings shall be clear, colorless, and transparent. Use of reflective glazing is prohibited. (2814, 2012)

Section 9.18.110 Development Standards for Specific Uses in Mixed Use Zones

9.18.110.010 Purpose and Applicability

Certain categories of uses vary in their needs for unique development requirements. For example, residential uses require on-site open space to ~~achieve a high level of livability~~ create indoor and outdoor spaces for residents. The development standards applicable to all buildings housing residential and commercial uses in the Mixed Use zones are provided in this Section ~~9.18.110~~. Standards for existing nonconforming single-family dwellings located in the Mixed Use zones are also provided in this Section ~~9.18.110~~. (2814, 2012)

9.18.110.020 Development Standards for Commercial Uses within All Mixed Use Zones

In addition to the other applicable requirements of this chapter, the provisions of this Section 9.18.110.020 apply to all commercial developments and commercial portions of residential/commercial mixed use developments, with the exception of the conversion of single-family homes to commercial structures and uses in the CC-1 zone, which shall comply with the provisions of Section ~~9.18.090.040~~.

A. Commercial Ground Floor Design Standards.

1. Elevation of First Floor. The ground floor elevation shall be located no more than one foot above the existing grade and no more than one foot below existing grade.
2. Minimum Ground Floor Height. The minimum height of commercial ground floor spaces shall be ~~48~~ 12 feet. This height shall be measured from the floor of the at-grade level to the floor of the second story. If there is no second story, the height shall be measured to the top of the roof.
3. Building Entrances to Commercial Uses. Commercial uses shall provide at least one entrance facing the front property line, which shall serve as the primary entrance to the business. Walkways, architectural elements, directional signage, or similar means shall be used to emphasize and direct persons toward that entrance. Interior space shall be arranged to orient towards the primary entrance. Street-facing entrances shall be unlocked and accessible to the public during business hours. (2857 § 9, 2015; 2814, 2012)

9.18.110.030 Development Standards for Multifamily Residential Uses within All Mixed Use Zones

In addition to the other applicable requirements of this chapter, the provisions of this Section 9.18.110.030 apply to all multifamily residential developments and residential portions of residential/commercial mixed use developments.

- A. Minimum Dwelling Unit Area. New dwelling units shall have a minimum floor area established in Table 9.18-9 (Minimum Dwelling Unit Size) excluding garages.

Table 9.18-9 Minimum Dwelling Unit Size

| | | | | |
|-----------------------------|--------|--------|--------|-----------|
| Number of Bedrooms | 0 | 1 | 2 | 3 or more |
| Minimum Floor Area per Unit | 500 sf | 750 sf | 900 sf | 1,050 sf |

- B. Maximum Number of Bedrooms per Unit. No single dwelling unit shall have more than four bedrooms.
- C. Residential Building ~~Separation~~Setbacks. In addition to the setback requirements set forth in Section 9.18.090 (Development Standards Specific to Individual Mixed Use Zones) and Section 9.18.100 (Development and Design Standards Applicable to All Mixed Use Zones), residential portions of residential developments and residential portions of residential/commercial mixed use developments shall meet the minimum building ~~separation~~setback requirements set forth in Table 9.18-10 (Building ~~Separation~~Setback Requirements).

| Table 9.18-10: <u>Building Separation</u>Setback Requirements | |
|---|---------|
| <u>Minimum Building Separation</u>Setbacks | |
| From Rear Property Line | 10 feet |
| From Interior Side Property Line | 10 feet |

- D. Elevation of First Floor. The first habitable floor of a residential-only building shall be located no more than four feet above the existing grade and no more than one foot below existing grade along the required front yard setback.
- E. Minimum Floor-to-Floor Height. The minimum floor-to-floor height of residential spaces shall be nine feet six inches. This height shall be measured from the floor of one story to the floor of the next story. Where a building has only one story, the height shall be measured to the top of the roof.
- F. Private and Common Open Space, ~~and Recreation, and Leisure Area~~ Requirements for Residential Components of Integrated Mixed Use Developments. Residential components of integrated residential/commercial mixed use developments shall provide a combination of private and common open space, ~~recreation, and leisure area~~ equal of a minimum 300 square feet per dwelling unit. The following spaces shall contribute to the private and common open space, ~~recreation area, and leisure area requirement requirements~~:
 - 1. Private Open Space. Private open space shall be provided at each unit. Private open space may be provided in the form of a patio, yard, balcony, immediately adjacent deck, or combination thereof and shall be directly adjacent to and accessible from each unit. Private open space shall

have a minimum area of ~~9060~~ square feet and a minimum dimension of six feet in any direction and a minimum vertical clearance of eight feet.

~~Active Recreation Areas. Active recreation areas shall include one or more of the following: spa, pool, tennis, volleyball, racquetball courts, basketball half court, or other similar usable recreational activities. Active recreation areas shall be open to and accessible to all residents. The required active recreational amenities shall be based on a needs assessment evaluation of the proposed project. The evaluation shall take into consideration the following criteria:~~

2.

Active Common Open Space/Recreation Area. Common open space/recreation areas shall be designed to provide specific amenities as shown in the table below based on the number of units to be provided. The list of amenities is additive, meaning that up to the first five units, the amenity noted shall be provided (barbeque with table seating). Then for the next five units up to 10 units, in addition to the barbeque with table seating, a community garden area shall be provided. Then for the next five units up to 15 units, in addition to the barbeque with table seating and community garden area, an outdoor active use area shall be provided, and so on. An applicant may substitute an amenity further down the list for the one listed for the project size under consideration; for example, for a 15-unit project, a substitution may be made for the required barbeque with table seating, community garden area, or outdoor active use area.

The selection of amenities shall take into consideration the following criteria:

- a. Size and shape of active recreation area;
- b. Location and placement of buildings;
- c. Diversity of recreational amenities; and
- d. Number of units and/or lot size.

~~Active recreation areas-~~

Multifamily Residential Development Amenity Standards

| <u>Number of Units</u> | <u>Base Amenity Type and Minimum Size</u> | <u>Additive Amenity Ratio</u> |
|------------------------|--|--|
| <u>0-5</u> | <u>Barbeque with Table Seating</u> | <u>1 per 10 units, but at least 1 in all cases</u> |
| <u>up to 10</u> | <u>Community Garden Area – 32 sf minimum</u> | <u>8 sf/4 units</u> |
| <u>up to 15</u> | <u>Outdoor Active Use Area – 400 sf minimum</u> | <u>50 sf/unit</u> |
| <u>up to 20</u> | <u>Provide One of Two:</u> <ul style="list-style-type: none"> • <u>Business Center with Workstations – 2 minimum</u> • <u>Indoor or Outdoor Gym – 250 sf minimum</u> | <ul style="list-style-type: none"> • <u>1 Workstation/8 Units</u> • <u>5 sf/1 Unit</u> |
| <u>up to 35</u> | <u>Provide Two of Three:</u> <ul style="list-style-type: none"> • <u>Business Center with Workstations – 2 minimum</u> • <u>Indoor or Outdoor Gym – 250 sf minimum</u> • <u>Clubhouse with 400 sf Kitchen</u> | <ul style="list-style-type: none"> • <u>1 Workstation/8 Units</u> • <u>5 sf/1 Unit</u> • <u>5 sf/1 Unit</u> |
| <u>up to 45</u> | <u>One In-Ground Outdoor or Indoor Spa</u> | <u>1 - 64 sf Spa at 65 Units</u> <u>2 - 36 sf Spas at 80 Units</u> <u>2 – 64 sf Spas at 100 Units</u> <u>1.5 sf Increase/ 1 Unit > 100 Units</u> |
| <u>up to 80</u> | <u>Provide One of Two:</u> <ul style="list-style-type: none"> • <u>Pool - 20,000-gallon minimum</u> • <u>Children’s Play Area¹ – 500 sf minimum</u> | <ul style="list-style-type: none"> • <u>10 sf/1 Unit</u> • <u>50 sf/1 Unit</u> |

Multifamily Residential Development Amenity Standards

| <u>Number of Units</u> | <u>Base Amenity Type and Minimum Size</u> | <u>Additive Amenity Ratio</u> |
|------------------------|--|---------------------------------|
| <u>up to 100+</u> | <u>One additional amenity from the list not otherwise provided</u> | <u>Same Rates for All Apply</u> |

Notes:

1. Substitute 400 sf Wellness Facility 55+ Age Restricted Development, with an Additive Amenity Ratio calculated at 5 sf/1 unit.
2. Allows Wellness Facility Substitution for 55+ Age Restricted Development

3. Common Open Space Dimensions. Common open spaces shall ~~never~~ have a minimum horizontal dimension ~~of~~ in any direction of 20 feet on the ground floor level. Upper story decks shall be no less than 20 feet. ~~Increased dimensions may be required through the site plan review process based upon specific project circumstances and the intended use of that active recreation area.~~ 10 by 10 feet in horizontal dimension. Roof decks shall be no less than 15 by 15 feet in horizontal dimension. The minimum vertical dimension shall be 15 feet.

4. Common Open Space Location. Active ~~recreation areas~~ common open spaces shall not be located in any required setback area and shall be buffered at the ground level from adjacent residentially zoned lots ~~by minimum six-foot high block wall.~~ Active ~~recreation areas~~ common open spaces may be located ~~indoors, at the outdoor portions of habitable levels, or at ground level, on upper story decks, on roof decks, indoors, or outdoors.~~ Areas located at upper story decks or on roof decks may contribute 100 percent towards the required common open space area. Areas located indoors ~~or on roof decks~~ shall not contribute more than 50% percent of the required ~~open space, recreation, and leisure areas.~~ Active recreation areas that feature such activities as pools, spas, court activities shall be placed common open space area.

5. Passive Common Open Space. Up to 50 percent of the required common open space areas may be developed and ~~operated so as not to infringe upon the peacefulness of nearby residential properties,~~ maintained as passive common open space consisting of landscape areas that incorporate pathways, waterscapes, and hardscape areas. Such passive open space shall have dimensions of no less than 10 feet in any direction and shall be located at least three feet clear of any onsite structure. Such passive open space areas shall be improved with at least three types of the amenities in the following list.

~~Passive Recreation Areas. Passive recreation areas shall consist of landscape areas that incorporate pathways, waterscape, hardscape (i.e., large rocks or boulders, benches, gazebos, raised planters constructed on site of bricks, concrete or rocks, railroad ties) and unique features that enhance the appearance, desirability and usability of the area. The intent is to provide landscaped areas that can be utilized for walking, sitting, viewing plants and vegetation, reading, and similar types of activities. Passive recreation areas shall have a minimum dimension of 10 feet in width and 30 feet in length. Said areas shall not contribute more than 50% of the required open space, recreation, and leisure areas.~~

a.

Pathways

b. Benches/Tables

c. Raised landscaped beds

d. Gazebo or similar shade structure

e. Community garden

f. Outdoor game feature

g. Water fountains or other water features

6. ~~Residential/Commercial Shared Passive Recreation Areas-Common Open Spaces.~~ Passive ~~recreation areas common open spaces~~ and joint use patios and plazas ~~may contribute toward the requirement for open space, recreation, and leisure areas~~, the use of which is shared with the commercial components of a residential/commercial mixed use development, ~~may contribute toward the requirement for common open space~~, provided that such areas are not used for outdoor dining ~~by the commercial tenants~~, fenced, or otherwise restricted to use by a single business or ~~residential~~ tenant. These areas may include required front and corner side yard setbacks designed and landscaped to meet the requirements for passive ~~recreation areas- common open spaces~~ above and the requirements for minimum setbacks per Section 9.18.090 (Development Standards Specific to Individual Mixed Use Zones) and Section 9.18.100 (Development and Design Standards Applicable to All Mixed Use Zones). ~~Shared passive common open spaces shall have a minimum dimension of 10 feet in in any direction. Such areas shall not contribute more than 25 percent of the required residential common open space.~~ ~~(Development and Design Standards Applicable to All Mixed Use Zones). Shared passive recreation areas shall have a minimum dimension of 10 feet in width and 30 feet in length. Such areas shall not contribute more than 25% of the required open space, recreation, and leisure areas.~~
- G. Open Space Requirements for Stand-Alone Multifamily Developments. All stand-alone multifamily residential developments shall comply with the open space standards for the R-3 zone, as established in Chapter 9.12 (Multifamily Residential Development Standards) of this title.
- H. Additional Residential Unit Requirements. Each residential unit in a multiple family development shall comply with the following requirements.
1. Laundry Facilities. Each unit shall be provided with washer and dryer hookups and laundry space within the unit or garage. For apartment units, common laundry facilities may be provided.
 2. Storage Facilities. Each unit shall be provided with a separate storage area having a minimum of 300~~150~~ cubic feet of private and secure storage space. This storage may be provided within the parking garage provided it does not interfere with garage use for automobile parking. Closet and cupboard space within the dwelling unit shall not count towards meeting this requirement.
- I. Residential Parking Requirements.
1. Enclosed Parking Required. Required residential parking, per Section 9.18.140 (Parking), shall be provided within a parking structure or enclosed one- and two-car garages. Parking spaces shall be assigned to each individual unit.
 2. Individual One- and Two-Car Garages. Individual one- and two-car garages shall maintain a minimum clear parking area of not less than 10 feet by 20 feet for a one-car garage and not less than 20 feet by 20 feet for a two-car garage. No storage cabinets or mechanical equipment, including but not limited to water heaters, utility sinks, or washers and dryers, shall encroach into the required parking area. (2814, 2012)

9.18.110.040 Existing Nonconforming Single-Family Dwellings

Single-family dwellings existing as of October 27, 2011 in any Mixed Use zone that allows residential uses shall be considered a permitted use and shall be subject to R-1 property standards for modifications and additions, as set forth in Chapter 9.08 (Single-Family Residential Development Standards) of this title.

9.18.120.010 Landscaping General Provisions

- A. Intent and Applicability.

1. The landscape provisions in this section are established to provide for property improvements that enhance the overall character of development within the Mixed Use zones; to provide for the planting and maintenance of trees that contribute shade and visual quality to streets and properties; and to provide functional, attractive open spaces.

2. It is not the intent of this section to require identical landscape materials or landscape designs for all developments. Where existing mature landscaping is in good, healthful condition, every effort shall be made to retain and incorporate that landscaping into the overall landscape theme.

3. The hearing body may, through the site plan review procedure, modify the requirements with consideration to the size and species of trees used, and may require landscaping in excess of the minimum area specified for a proposed development in order to achieve a superior project.

4. The general landscaping requirements established in this section shall apply to all Mixed Use zones.

B. Single-Family Residential Development. Parcels developed with single-family residential uses shall provide landscaping in all areas not covered by buildings, structures, patios, or driveways.

C. Compliance with Regard to Additions. All developed properties shall be required to be in substantial compliance with the provisions of this section when any additions of one or more square feet are proposed. Guidelines for implementation of the City of Garden Grove Landscape Water Efficiency Provisions can be found in Appendix 1, Title 9.

D. General Standards.

1. Adjacent uses shall be considered when designing landscaping to mitigate the negative impacts of parking areas, activities, storage, or structures by appropriate screening measures.

2. Every effort shall be made to provide landscaping that is compatible with neighboring uses.

3. All unpaved areas shall be planted with an effective combination of trees, grass berms, groundcover, lawn, shrubbery, and/or approved dry decorative landscape material. (2814, 2012)

9.18.120.020 Water Efficiency Requirements

- A. Applicability. Beginning January 1, 2010, the following Landscape Water Efficiency Provisions shall apply to all planting, irrigation, and landscape-related improvements for projects included within the following categories:
1. New landscape installations or landscape rehabilitation projects by public agencies or private nonresidential developers, except for cemeteries, with a landscaped area, including pools or other water features, but excluding hardscape, equal to or greater than 2,500 square feet, and which are otherwise subject to a discretionary approval of a landscape plan, or which otherwise require a ministerial permit for a landscape or water feature.
 2. New landscape installations or landscape rehabilitation projects by developers or property managers of single-family and multifamily residential projects or complexes with a landscaped area, including pools or other water features, but excluding hardscape, equal to or greater than 2,500 square feet, and which are otherwise subject to discretionary approval of a landscape plan, or which otherwise require a ministerial permit for a landscape or water feature;
 3. New landscape installation projects by individual homeowners on single-family or multifamily residential lots with a total project landscaped area, including pools or other water features, but excluding hardscape, equal to or greater than 5,000 square feet, and which are otherwise subject to a discretionary approval of a landscape plan, or which otherwise require a ministerial permit for a landscape or water feature.
- B. Exceptions. The water efficient landscape regulations do not apply to the following:
1. Registered local, state, or federal historical sites; or
 2. Ecological restoration projects that do not require a permanent irrigation system; or
 3. Mined-land reclamation projects that do not require a permanent irrigation system; or
 4. Plant collections, as part of botanical gardens and arboretums open to the public.
- C. Irrigation Design Criteria. Water-efficient irrigation design criteria, as set forth in this section shall apply to: all landscaped areas, whether installed prior to or after January 1, 2010; and all landscaped areas installed after January 1, 2010 to which this Section 9.18.120.020 is applicable.
1. Runoff and Overspray. Soil types and infiltration rate shall be considered when designing irrigation systems. All irrigation systems shall be designed to avoid runoff, low-head drainage, overspray or other similar conditions where irrigation water flows onto non-targeted areas, such as adjacent property, non-irrigated areas, hardscapes (walks, etc.), roadways or structures.
 2. Runoff on Slopes. Special attention shall be given to avoid runoff on slopes and to avoid overspray on narrow and irregularly shaped areas, including turf, less than eight feet in width in any direction. Such narrow and irregularly shaped areas shall be irrigated with subsurface irrigation or a low volume overhead irrigation system.
 3. Irrigation Efficiency.
 - a. For applicable landscape installations or rehabilitation projects subject to Section 9.18.120.020.A (Applicability), the estimated applied water use allowed for the landscaped areas shall not exceed the MAWA calculated using an ET adjustment factor of 0.7, except for special landscaped areas where the MAWA is calculated using an ET adjustment factor of 1.0;

- or the design of the landscaped areas shall otherwise be shown to be equivalently water-efficient in a manner acceptable to the city; as provided in the *Guidelines*.
- b. Irrigation of all landscaped areas shall be conducted in a manner conforming to the rules and requirements, and shall be subject to penalties and incentives for water conservation and water waste prevention as determined and implemented by the Water Department, or as mutually agreed by the Water Department and the local agency.
 - c. The project applicant shall understand and implement the requirements in the City of Garden Grove, Water Conservation Ordinance.
4. Equipment. The *Guidelines* provide design criteria for irrigation equipment in Section 2.5 “Irrigation Design Plan.”
- D. Documentation Required. The following shall be required for all landscape projects subject to these landscapewater efficiency provisions:
1. Prior to installation, a landscape documentation package shall be submitted to the City for review and approval of all landscape projects subject to the provisions of this section and the landscape water efficiency provisions. Any landscape documentation package submitted to the City shall comply with the provisions of the *Guidelines*.
 2. The landscape documentation package shall include a certification by a professional, appropriately licensed in the State of California, stating that the landscape design and water use calculations have been prepared by, or under, the supervision of the licensed professional and are certified to be in compliance with the provisions of this section and the *Guidelines*.
 - a. Landscape and irrigation plans shall be submitted to the City for review and approval with appropriate water use calculations. Water use calculations shall be consistent with calculations contained in the *Guidelines* and shall be provided to the Water Department, as appropriate, under procedures determined by the City.
 - b. Verification of compliance of the landscape installation with the approved plans shall be obtained through a certification of completion in conjunction with a certificate of use and occupancy or permit final process, as provided in the *Guidelines*.
- E. Landscape Water Efficiency *Guidelines*. *Guidelines* for implementation of the City of Garden Grove landscapewater efficiency provisions referenced in this chapter have been adopted as an Appendix to Title 9 (Land Use Code) and are maintained on file in the offices of the Planning Division of the Community Development Department. (2814, 2012)

9.18.120.030 Landscaping Requirements

All landscaping shall comply with the provisions of this section in addition to any other applicable landscaping requirements of this chapter. Where landscaping provisions conflict, the stricter standard shall prevail.

- A. Minimum Landscaped Area. Ten percent of the total net developable site area shall be landscaped. Required setbacks shall be excluded from the calculation of the minimum landscaped area and landscaping provided in required setbacks shall not contribute towards the required minimum landscaped area. Minimum landscaped area that may be counted is 24 square feet.
- B. Paved Areas. Only those portions that are required by the chapter or by the site plan to be used directly for structures, parking spaces, aisles, refuse storage areas, drives, or walkways shall be paved. All other areas not needed for the above shall be landscaped or provided with complementary hardscape materials and fountains consistent with this chapter.

C. Ground Cover. All landscaped areas shall be covered with turf, non-deciduous groundcover, or other types of plantings. All plant spacing shall be as indicated on the landscape plans. Substitute landscaping such as crushed rock, redwood chips, pebbles, and stone may not be used in lieu of live plant materials. Mulch may be used in place of groundcover where groundcover will not grow or where groundcover will cause harm to other plants, but not more than 30 percent of the groundcover area shall have the mulch substitute.

D. Artificial Plants Prohibited. Artificial plants, with the exception of artificial turf, are prohibited.

E. Artificial Turf. Artificial turf ~~may~~ shall be ~~approved by the hearing body through the site plan review process. Artificial turf, where permitted,~~ within the front and rear yards and shall comply with the following criteria:
~~Artificial turf shall not be located in front yards, corner side yards, or portions of side yards visible from a public right-of-way.~~

1.

Artificial turf shall have a minimum eight-year no fade warranty.

2. Artificial turf shall be installed by a licensed professional and shall be installed pursuant to manufacturer's requirements.

3. Artificial turf shall be installed and maintained to effectively simulate the appearance of a well-maintained lawn. The turf shall be maintained in a green fadeless condition and shall be maintained free of weeds, debris, tears, holes, and impressions.

4. The use of indoor or outdoor plastic or nylon carpeting as a replacement of artificial turf or natural turf ~~is~~ shall be prohibited. Artificial shrubs, flowers, trees, and vines in-lieu of living plant material shall be prohibited.

5. Areas of living plant material (i.e., flower beds, tree wells, etc.) within the front yard, side, rear, and common areas shall be included within the overall landscape design ~~within the front, side, and rear yards, as well as common areas~~ when installing artificial turf. Living plant material shall include shrubs, vines, trees, and flowering ground covers.

6. Artificial turf shall be separated from flowerbeds by a concrete mow strip, bender board, or other barrier acceptable to the City in order to prevent intrusion of living plant material into the artificial turf.

7. Three sets of detailed landscape and irrigation plans shall be submitted to the planning division for review and approval prior to installation of the artificial turf in order to confirm compliance with the City Code and any valid land use entitlement for the property.

F. Trees.

1. Tree Location. No trees shall be planted under any eave, balcony, or overhang.

2. Root Barriers Required. Trees in landscape planters measuring 10 feet or less in width or depth shall be provided with tree root barriers.

3. Tree Staking. All trees shall be staked in accordance with standards maintained by the City Manager or designee.

4. Visibility. All trees whether singularly placed or placed on clusters shall not inhibit standard visibility parameters.

5. Required Site Trees. One tree shall be provided for every 1,000 square feet of site area that is not a required setback, occupied by buildings, or used for parking or pedestrian walkways. Trees shall conform to the matrix of plant materials established by the City Manager or designee. Minimum tree size at planting shall be 24-inch box.
6. Street Trees. Street trees shall be provided per City standards.
- G. Substantial Landscaping. All required landscaped areas and planters shall be landscaped with a mix of shrubs, perennials, ornamental grasses, vines, and ground cover to create a dense and layered design. A substantial quantity ~~of plants shall be planted to create a naturalistic setting. (2814, 2012)~~ of plants shall be planted to create a naturalistic setting. (2814, 2012)

9.18.120.040 Landscaping Compliance

- A. Modifications. Any modification to an approved landscape or irrigation plan must be approved by the hearing body prior to installation of the landscaping or irrigation.
- B. Approvals. All approvals of such plans are subject to and dependent upon the applicant complying with all applicable ordinances, codes, regulations, adopted policies and the payment of all applicable fees and assessments.
- C. Consistency with Approved Plans. No final inspection or occupancy clearance will be granted until all of the landscaping and irrigation is installed in accordance with the approved plans.
- D. Location and Design. Landscaping and irrigation systems shall be located and designed as specified on the approved plans. (2814, 2012)

9.18.120.050 Maintenance Requirements and Violations

- A. Maintenance. All landscaping shall be maintained in a neat and healthy condition. Maintenance of landscaping areas shall include, but not be limited to, the following:
 1. Irrigation equipment shall be in working condition at all times.
 2. Litter shall be removed from all landscaped areas in a timely manner.
 3. All sod areas shall be mowed on a regular basis. Sod areas shall at all times be kept green. Accumulation of leaves, bark and other similar plant materials shall be removed in a timely fashion. Planting areas must be kept in a weed free fashion.
 4. Landscaping maintenance shall include pruning, cultivating, weeding, fertilizing, replacement of plants and watering on a regular basis.
 5. Landscape maintenance shall also include pruning or removal of overgrown vegetation, cultivated or uncultivated, that is likely to harbor rats, vermin or other nuisances, or that causes detriment to neighboring properties or property.
 6. Landscape maintenance shall also include the removal of dead, decayed, diseased or hazardous trees, weeds and debris constituting unsightly appearance, dangerous to public safety and welfare or detrimental to neighboring properties or property values. Compliance shall be by removal, replacement or maintenance requirements.
 7. Any removal of mature landscaping must be replaced with landscaping of similar size and maturity as that which was removed.

- B. Prohibition on Use of Landscaped Areas. Use of landscaped areas for purposes other than for landscaping as approved in the landscape plan and as authorized in the amenity area in the GGMU zones shall be a misdemeanor. Willful failure to maintain the landscaping shall be punishable by fine, or by imprisonment, or both fine and imprisonment.
- C. Delegation. The City may delegate to, or enter into a contract with, a local agency to implement, administer, and/or enforce any of the Landscape Water Efficiency Provisions on behalf of the City. (2814, 2012)

Section 9.18.130 Walls, Fences, and Hedges

9.18.130.010 Location and Height

Walls, fences, or hedges may be maintained in the following locations:

- A. General. A wall, fence, or hedge no more than 36 inches in height may be located and maintained on any part of a lot in any Mixed Use zone except within a required front yard setback of a commercial or mixed use development and within the required pedestrian-oriented plaza area in the GGMU and NMU zones. However, in the CC and AR zones, a residential component of a mixed use development may include a wall, fence, or hedge within the front yard setback if approved by the hearing body.
- B. Interior Lots. On interior lots, a fence, wall, or hedge not exceeding eight feet in height above the adjacent natural grade may be located anywhere on the lot behind the required front yard setback line.
- C. Corner and Reverse Corner Lots. On corner and reverse corner lots, a fence, wall, or hedge not exceeding eight feet in height above the adjacent natural grade may be located anywhere on the lot behind the required front yard setback line and behind the required corner side yard setback line.
- D. Retaining Wall below Natural Grade. Where a retaining wall protects a cut below the natural grade and is located on the line separating lots or parcels, the retaining wall may be topped by a wall, fence, or hedge of the same height that would otherwise be permitted at the location if no retaining wall existed.
- E. Retaining Wall Containing Fill. Where a retaining wall contains a fill, the height of the retaining wall built to retain the fill shall be considered as contributing to the permissible height of a wall, fence, or hedge, provided that in any event, a protective fence or wall not more than 36 inches in height may be erected at the top of the retaining wall. Any portion of a fence above the maximum height shall be an open-work fence. An openwork fence means a fence in which the component solid portions are evenly distributed and constitute not more than 60% of total surface area of the face of the fence.
- F. Open Space. No wall, fence, or hedge exceeding 42 inches in height may be located in open space required between buildings used for human habitation when the buildings are situated front to front, front to rear, or front to end.
- G. Freeway Right-of-Way Adjacent. A wall or fence not exceeding eight feet in height may be constructed along that portion of a lot or parcel that abuts a freeway right-of-way, provided that:
 - 1. The wall or fence does not extend into any front yard.
 - 2. A wall or fence exceeding six feet in height shall be subject to the review and approval of the hearing body, which shall consider the effect of such wall or fence on other property in the vicinity.
 - 3. Walls used for sound attenuation purposes along arterial roadways shall be attractive and subject to approval by the hearing body.

- H. Residential Zone Adjacent. Any other provision of the Chapter notwithstanding, a wall, fence, or hedge that is provided along a common boundary line separating property used for commercial or industrial purposes from an “R” zoned property or any PUD established exclusively for residential use, and that is permitted or required to maintain a height of six feet, may be extended to a height not to exceed eight feet. However, no wall, fence, or hedge shall extend more than six feet above the highest existing grade elevation on a subject lot.
- I. Railroad or Flood Control Channel Adjacent. When commercial or industrial property has a common property line with an “R” zoned property or any PUD established exclusively for residential use, and that is a right-of-way for a railroad or flood control channel, the hearing body may waive the requirement for a zone separation wall or fence.
- J. Setback Area. Notwithstanding the above requirements, no fence, wall, or hedge shall be permitted within any required street-fronting setback area for any commercial or residential/commercial mixed use development, with the exception of any fence or wall required for any outdoor dining area. (2814, 2012)
- K. Any walls or fences facing a street or alley shall include clinging vines, low ~~or~~ shrubs, or other landscaping treatment to deter graffiti.

9.18.130.020 Fences at Public Utility Installations, Schools, and Public Playgrounds

The provisions of this section shall not apply to fences required by the state to surround and enclose public utility installations, or to chain link fences enclosing school grounds and public playgrounds. (2814, 2012)

Section 9.18.140 Parking

9.18.140.010 Purpose

- A. Purpose. These regulations are established to define the regulations applicable to on-site parking and circulation, and to ensure that parking facilities are properly designated and located to meet the parking needs created by specific uses within the respective zones.
- B. Intent. The intent of these regulations is to:
 1. Ensure adequately designed parking areas with sufficient capacity and adequate circulation to minimize traffic congestion;
 2. Ensure the usefulness of the facilities by providing on-site circulation patterns that facilitate client/business relationships;
 3. Contribute to public safety and health;
 4. Promote efficient use of land and, where appropriate, buffer and transition land uses from foreseeable impacts; and
 5. Utilize landscaping as an effective buffer between different uses and to promote an aesthetic quality within the parking area and site. (2814, 2012)

9.18.140.020 General Provisions

- A. **Applicability.** In all districts, off-street parking shall be provided subject to the provisions of this chapter for:
1. Any new building or structure constructed;
 2. Any new use established;
 3. Any structural addition or enlargement of an existing building or use; however, additional parking spaces may be required for the entire building or use as a condition of approval of a conditional use permit, site plan or other discretionary permit granted by the City; or
 4. Any change in the occupancy or use of any building that would result in a requirement for additional parking spaces pursuant to this section.
- B. **Restriction within Reserved Right-of-Way.** Property within the ultimate right-of-way of a street or highway shall not be used to provide required parking or loading or unloading facilities.
- C. **Restriction on Streets, Driveways, and Drives.** On-street parking within public or private streets, driveways, or drives shall not be used to satisfy the off-street parking requirements.
- D. **Garages to Be Used for Parking Only.** For developments required to provide garages, each such garage shall only be utilized for the parking of vehicles. No garage shall be used for storage, rental, or lease or for any use other than the parking of vehicles related to the unit or development for which the garage is required by this section and storage areas required by Section 9.18.110.030.H.2 (Storage Facilities).
- E. **Parking Must Remain Accessible.** All off-street parking spaces and areas required by this section shall be designed and maintained to be fully usable for the duration of the use requiring such areas and spaces. All required off-street parking spaces shall be designated, located, constructed and maintained so as to be fully available for use by patrons and employees of commercial, industrial, public or semi-public premises during operating hours.
- F. **Compliance with Design Standards.** Parking facilities constructed or substantially reconstructed subsequent to the effective date of the ordinance codified in this title, whether or not required, shall conform to the City's design standards set forth in Parking Design Standards, Section 9.18.140.070.
- G. **Requirements for Uses not Listed.** The parking requirement for uses not specifically listed in the parking schedule shall be determined by the Planning Commission for the proposed use on the basis of the requirements for similar uses and on any traffic engineering and planning data that is appropriate to the establishment of a minimum requirement.
- H. **Surfacing Required.** All parking spaces, driveways, and maneuvering areas shall be fully paved and maintained with asphalt, concrete, or other City approved material.
- I. **Tandem Parking Restricted.** Tandem parking is expressly prohibited, except in the following circumstances:
1. **Valet Parking.** Parking associated with valet services may be provided in tandem format through the discretionary permit review process. If an approved valet parking arrangement ceases, the use for which the valet parking was approved shall be considered in violation of the provisions of this title. Also, no new use shall be allowed to use the buildings with which the valet parking was provided unless that use meets the requirements of this title and this section in particular.
 2. **Work-Live Units.** Parking provided for each unit may be provided in tandem format subject to conditional use permit approval.

3. Residential/Commercial Mixed Use Development. Parking for the residential component of a residential/commercial mixed use development may be provided in tandem format subject to conditional use permit approval.
- J. Restriction on Commercial Vehicles in Residential Developments. Commercial vehicles shall not be parked or stored on properties used exclusively for residential purposes, except while the operator of the vehicle is making normal deliveries or providing services to the residential premises.
- K. Restriction on Commercial Vehicle Parking in Residential/Commercial Mixed Use Developments. No commercial vehicle shall be parked on any property zoned Mixed Use except while the operator of the vehicle or trailer is patronizing or serving a business or residential use, or unless that vehicle is associated with the day-to-day operations of an on-site business.
- L. Restrictions on Recreational Vehicle Parking. The parking or storing of trailers, vessels, campers, camper shells, motor homes, and similar recreational vehicles shall be prohibited in all Mixed Use zones, except for such vehicles associated with single-family dwellings established prior to the effective date of the ordinance codifying these provisions, in which case the applicable standards contained in Chapter 9.08 (Single-Family Residential Development Standards) shall apply.
- M. Parking of Vehicles for Sale or Hire Prohibited. No person shall park a vehicle, camper, camper shell, or vessel upon a public or private street, parking lot, or any public or private property for the purpose of displaying such vehicle thereon for sale, hire or rental, unless the property is duly zoned and permitted by the City to transact that type of business at that location. However, this section shall not prohibit persons from parking vehicles displayed for sale on private residential property belonging to or resided on by the registered owner of the vehicle. For purposes of this section, a vehicle, camper, camper shell, or vessel shall be presumed to be for sale if there is a price, or phone number, or a contact person, or address displayed thereon. Any person violating the provisions of this section shall be guilty of an infraction.
- N. Restriction of Vehicle Repair. No person shall repair, grease, or service, or cause to be repaired, greased, or serviced, any vehicle or any part thereof in a parking lot, or anywhere outside of a wholly enclosed building.
- O. Camping in Parked Vehicles Prohibited. No person shall occupy or use any camp car, camper, mobile home, recreational vehicle, camper shell, trailer, vessel, or other vehicle or trailer as a dwelling or for living or sleeping quarters upon any public street, right-of-way, alley, private street or alley, or any private property except in an approved trailer, mobile home, or recreational vehicle park.
- P. Parking in Required Yards. No above-grade or surface parking shall be allowed in required yards and setbacks. However, partially subterranean and fully subterranean parking shall be permitted beneath required yards.
- Q. Parking Prohibited in Rear Yards Abutting a Residentially Zoned Lot. No above-grade, surface, partially subterranean, or fully subterranean parking shall be located in rear yards abutting any “R” zoned lot.
- R. Parking Height. Where any part of a building is over parking, the parking shall be considered a full story. Partially subterranean and fully subterranean parking shall not be considered a story.
- S. Maintenance Required. Any development requiring parking lot improvements will be required to file with the City conditions, covenants, and restrictions requiring maintenance of the parking area. The conditions, covenants, and restrictions shall run with the land. (2814, 2012)

9.18.140.030 Parking Spaces Required

- A. General. The number of off-street parking spaces required shall be no less than as set forth in Table 9.18-11 (Required Parking Spaces). Parking shall be calculated by the maximum building occupancy and/or the gross floorarea, as applicable. Where the application of these schedules results in a fractional space, then the resulting fractionshall be rounded up to the higher whole number.
- B. Residential/Commercial Mixed Use Developments. The calculation of required parking spaces for residential/commercial mixed use developments shall be based upon the parking required for each individual usewithin the development. Through the site plan review process or review of any required discretionary permit, the hearing body may reduce the total number of spaces required by up to 10% of the total requirement in recognition ofthe shared nature of the parking facilities and in particular, by allowing parking spaces provided for a commercial component to satisfy the guest parking needs of the residential component. If an applicant seeks relief greater than 10%, the provisions regarding shared parking and the requirements for provision of a parking management plan pursuant to Section 9.18.140.060 (Joint Use and Parking Management) shall apply.

Table 9.18-11

Required Parking Spaces

| Use | Required Minimum Parking Spaces |
|--|--|
| Residential Uses—Single Family | |
| 1—4 sleeping rooms | 2 spaces in an enclosed garage plus 2 open spaces |
| 5—7 sleeping rooms | 3 spaces in an enclosed garage plus 3 open spaces |
| More than 7 sleeping rooms | 4 spaces in an enclosed garage plus 4 open spaces |
| Residential Multiple Family—Stand Alone | |
| Developments with fewer than 50 units, and adjacent to any principal, major, primary or secondary arterial street Fewer than 3 sleeping rooms | 2.75 spaces per dwelling unit within a parking structure or enclosed garage |
| 3 or more sleeping rooms | 3.5 spaces per dwelling unit within a parking structure or enclosed garage |
| Developments with fewer than 50 units and <u>not</u> adjacent to any principal, major, primary or secondary arterial street Fewer than 3 sleeping rooms | 2.5 spaces per dwelling unit within a parking structure or enclosed garage |
| 3 or more sleeping rooms | 3.25 spaces per dwelling unit within a parking structure or enclosed garage |
| Developments with 50 or more units, and adjacent to any principal, major, primary or secondary arterial street Fewer than 3 sleeping rooms | 2.75 spaces per dwelling unit within a parking structure or enclosed garage |
| 3 or more sleeping rooms | 3 spaces per dwelling unit within a parking structure or enclosed garage |
| Developments with more than 50 units and <u>not</u> adjacent to any principal, major, primary or secondary arterial street Fewer than 3 sleeping rooms | 2.5 spaces per dwelling unit within a parking structure or enclosed garage |
| 3 or more sleeping rooms | 2.75 spaces per dwelling unit within a parking structure or enclosed garage |
| Residential Multiple Family—Part of Mixed Use Development | |
| Developments with fewer than 50 units Fewer than 1 sleeping room | Within a parking structure or enclosed garage: 2 spaces per dwelling unit |
| 1 sleeping room | 2.25 spaces per dwelling unit |
| 2 sleeping rooms | 2.75 spaces per dwelling unit |
| 3 or more sleeping rooms | 3.5 spaces per dwelling unit |
| Developments with 50 units or more | Within a parking structure or enclosed garage: |

| Use | Required Minimum Parking Spaces |
|--|--|
| Fewer than 1 sleeping room | 2 spaces per dwelling unit |
| 1 sleeping room | 2.25 spaces per dwelling unit |
| 2 sleeping rooms | 2.75 spaces per dwelling unit |
| 3 or more sleeping rooms | 3 spaces per dwelling unit |
| Other Residential Uses and Uses Incidental to Residential | |
| Community residential care facility | 0.5 spaces per bed |
| Senior Citizen Housing | |
| Apartment | 1 space per unit |
| Congregate general care | 0.5 spaces per bed or unit |
| Congregate general care with on-site transportation provided | 0.3 spaces per bed or unit |
| Work-live | 2 spaces per unit plus one additional space per unit |
| Day Care | 1 space per care provider and staff member, plus 1 space for each 6 children |

| Commercial Uses | |
|--|--|
| Retail | |
| Under 40,000 square feet | 1 space per 200 square feet gross floor area |
| 40,000—100,000 square feet | 1 space per 225 square feet gross floor area |
| 100,000+ square feet | 1 space per 250 square feet gross floor area |
| Restaurants Eating, Drinking Establishments, Cafes, Coffeehouses, Bars | |
| Attached 0—16 seats with less than 300 square feet of customer/dining area | 1 space per 200 square feet of gross floor area |
| Attached 16+ seats | 1 space per 100 square feet of gross floor area, with a minimum of 10 spaces |
| Freestanding | 1 space per 100 square feet of gross floor area, with a minimum of 10 spaces |
| With entertainment | 1 space per 100 square feet of gross floor area (seating and service), plus 1 space per 35 square feet of entertainment area, plus 1 space per 7 square feet of dance floor |
| Outdoor Dining | No additional parking required for the first 500 square feet of outdoor dining area. For any area in excess of 500 square feet, parking shall be provided as required above for the applicable use. Where outdoor dining is covered by a roof structure, all parking shall be provided as required for the above applicable use. |
| Service Station | |
| With convenience store | 1 space per pump, plus 1 space per 200 square feet of gross floor area of sales area, plus 3 spaces per service bay |
| Without convenience store | 1 space per employee, plus 3 spaces per service bay |
| Financial institutions | 1 space per 200 square feet of gross floor area if a drive-up window exists. If no window, 1 space per 150 square feet of gross floor area |
| Funeral home/mortuary with no crematorium | |
| Fixed seats in viewing room(s): | 1 space per each 3 fixed seats in area(s) designated for assembly purposes |
| No fixed seats in viewing room(s): | 1 space for each 21 sq. ft. of area designated for assembly purposes All usable ancillary area(s) shall provide 1 space for each 250 sq. ft. of gross floor area |
| Massage establishment | 1 space per 200 sq. ft. of gross floor area |
| Nursery, home improvement center, building materials, furniture, general appliance stores (large display area) | 1 space per 200 square feet gross floor area |
| Hotel, motel, bed and breakfast | 1 space per room/unit plus 2 spaces for hotel manager unit, plus any parking required for restaurant, assembly, or other permitted ancillary use |
| Personal service | 1 space per 200 square feet of gross floor area |
| Professional studios and galleries | |
| Art gallery/retail business with tattoo art studio | The art gallery portion of the business and service areas shall be parked at 1 space for every 500 square feet of gross floor area and the tattoo art studio shall be parked at 1 space for every 200 square feet of gross floor area |
| Art, music, dance, martial arts | 1 space per employee, plus 1 space per 2 student capacity |

| Use | Required Minimum Parking Spaces |
|--|--|
| Photography, portrait, radio, TV, recording | 1 space per 200 square feet of gross floor area |
| Karaoke studios | 1 space per 200 square feet of gross floor area |
| Art studios and galleries | 1 space per 500 square feet of gross floor area |
| Automatic car wash | 5 times the internal washing capacity for stacking and drying, plus 1 space per employee based on the maximum shift, not less than 3 (internal capacity is defined as conveyor length divided by 20 feet) |
| Auto rental | |
| Office only | 1 space per 250 square feet of gross floor area |
| Vehicle storage | 1 space per 350 square feet of gross floor area of office, plus 1 space per vehicle |
| Auto and boat sales, leasing | 1 space per 400 square feet of gross floor area of inside display, plus 1 space per 2,000 square feet of outside display, plus 1 space per 500 square feet of gross floor area of repair, plus 1 space per 300 square feet of gross floor area of parts storage and sales area |
| Auto repair and maintenance | 1 space per 200 square feet of gross floor area including auto paint and body of office space, plus 3 spaces per service bay |
| Office Uses | |
| General business offices | 1 space per 250 square feet of gross floor area |
| Medical, dental and related service support facilities | 1 space per 170 square feet of gross floor area |
| Industrial Uses | |
| Buildings with less than 20,000 sq. ft. of gross floor area | 2.25 spaces per 1,000 square feet of gross floor area |
| Buildings 20,001 to 100,000 sq. ft. of gross floor area | 2 spaces per 1,000 square feet of gross floor area |
| Buildings with more than 100,000 sq. ft. of gross floor area | 1 space per 1,000 square feet of gross floor area |
| Incidental Office: | |
| Under 30% of gross floor area | No additional requirements |
| 30 to 50% of gross floor area of a building | 1 space per 250 square feet of gross floor area |
| Public and Semi-Public Uses | |
| Hospital | 4 spaces per bed |
| Private school—elementary through high school | 1 space per each employee, plus 1 space for each 6 student capacity |
| College or university | 1 space per employee, plus 1 space per 3 student capacity |
| Trade school; adult education | 1 space per employee, plus 1 space per 3 students capacity (based on maximum occupancy allowable by building code), or 1 space per 35 square feet of instructional area, plus 1 space per 250 square feet of office space |
| Churches/religious facilities | |
| Fixed seats: | 1 space per each 3 fixed seats |
| No fixed seats: | 1 space for each 21 square feet of area designated for assembly purposes All ancillary area(s) shall provide 1 space for each 250 square feet of gross floor area |
| Commercial Recreation Uses | |
| Golf driving range | 1.5 spaces per tee |
| Bowling alley | 3 spaces per alley plus spaces for other uses on-site |
| Movie theaters | |
| Single screen | 0.5 space per seat |
| Multi screen | 0.3 space per seat |
| Arcades, pool hall | 1 space per 200 square feet of gross floor area |
| Night clubs | 1 space per 7 square feet of dance floor, plus 1 space per 35 square feet of additional gross floor area |
| Assembly halls and dance floors | 1 space per 7 square feet of dance floor or assembly area, plus 1 space per 35 square feet of additional gross floor area |
| Spa/health clubs/gyms | 1 space per 200 square feet of gross floor area |
| Private clubs | 1 space per each 15 square feet of assembly area |
| Skating rinks | 1 space per 100 square feet of gross floor area, plus spaces required for other uses on-site |

(2883 § 10, 2017; 2861 § 16, 2015; 2850 § 7, 2014; 2814, 2012)

9.18.140.040 Parking Requirements

The following parking requirements are applicable to all land uses, unless stated otherwise in this chapter.

A. Parking Space Size. All parking spaces shall conform to the minimum dimensions:

1. Open Parking Spaces and Parking Spaces Within a Parking Structure.

Standard Space: 9 feet wide by 19 feet long

Compact Space: 8 feet wide by 15 feet long

Parallel Space: 8 feet wide by 22 feet long

Wherever a space is adjacent to a wall, fence, or hedge, an additional one foot of width shall be provided to that space.

2. Enclosed Parking Spaces. All enclosed parking spaces shall conform to the minimum interior dimensions of 10 feet wide by 20 feet long for each space. For example: A two-car garage shall maintain minimum interior dimensions of 20 feet wide by 20 feet long.

B. Compact Car Parking Spaces.

1. Up to 20% of the required **commercial** parking stalls may be compact parking spaces. The determination of the percentage to be allowed will be made through the site plan review or applicable discretionary permit review process.
2. Compact stall size is subject to Public Works Department standards for compact car spaces.
3. Compact spaces, where provided, shall be consolidated into a specific area of a parking lot or structure. The area shall include signage designating the spaces by signs, colored lines, or other appropriate indicators for compact vehicles only.

C. Automated Parking Systems and Mechanical Parking Lifts. Parking spaces in automated parking systems and vertical parking lifts may be utilized to meet the required number of parking spaces pursuant to Section 9.18.140.030 (Parking Spaces Required), as well as additional/supplemental parking, provided that all of the following conditions can be met.

1. The use of automated parking systems and mechanical parking lifts does not increase the building bulk and mass, in that the area occupied by the automated parking system or mechanical parking lift is no greater in volume than a parking structure that would be configured exclusively with conventional structured parking.
2. The parking system shall be located entirely within the confines of a building and shall not be visible from the public right-of-way.
3. Systems may be self-service or fully automated.
4. Sufficient vehicle queuing distance for the area accessing the parking system shall be provided, as determined through the site plan review or discretionary permit review process.

~~Motorcycle Parking Spaces. Commercial and industrial facilities with 25 or more parking spaces shall provide at least one paved designated parking area for use by motorcycles.~~

D.

Bicycle Parking. ~~For all new developments where parking is not provided in the form of individual garages, secure and convenient~~ Short- and long-term bicycle parking shall be provided ~~at a rate of~~

~~one bicycle space for every 10 required parking spaces pursuant to the applicable requirements of the building code.~~ (2814, 2012)

9.18.140.050 Location of Parking Spaces

- A. Located On-Site. All required open parking spaces and garages shall be located on the same building site or within the same development, except where allowed by Section 9.18.140.050.B (Off-site Parking), below.
- B. Off-Site Parking. Off-site parking for new uses or new construction may be permitted on either a privately owned property or public property through the site plan review process or other applicable discretionary review permit process for an individual use or development project.
 - 1. Joint Use Off-Site Parking. Where more than one use is involved, joint use or shared parking shall require preparation of a parking management plan in accordance with Section 9.18.140.060 (Joint Use and Parking Management).
 - 2. Location of Off-Site Parking. In no event shall any off-site parking facility be located more than 1,500 feet from the use it is intended to serve.
 - 3. Deed Restriction Required. Where off-site parking for an individual use or development project is approved, a deed restriction, subject to the review and approval of the City Attorney, shall be recorded against all affected properties. Such deed restriction shall indicate the restrictions on the properties relative to future use and development due to the off-site parking arrangement.
 - 4. Irrevocable Access and/or Parking Easement. If parking is provided on a site other than the subject site, an irrevocable access and/or parking easement shall be obtained on the other site for use and benefit of the site in issue. Such access and/or parking agreement, when fully exercised, shall not diminish the available parking capacity of the site subject to the easement to less than required by this section.
- C. Accessibility. All off-street open and enclosed parking spaces shall be located and maintained so as to be accessible and usable for the parking of motor vehicles.
 - 1. All motor vehicles must be parked or stored on a fully paved surface with approved entrances and exits to the street.
 - 2. For projects approved and developed after April 25, 1991, where security gates are proposed to be provided, 70% of the guest parking spaces shall be located outside the secured area. (2814, 2012)

9.18.140.060 Joint Use and Parking Management

- A. Applicability and Where Allowed. These regulations apply in situations where two or more separate uses or developments look to share parking and/or loading facilities due to staggered hours of operation or other varying operational characteristics that would allow parking and loading facilities to provide for joint use. If an applicant seeks to provide for shared or joint use parking, preparation of a parking management plan shall be required to allow any deviation from parking requirement standards established by this section, as set forth below. When prepared, a parking management plan shall provide applicable parking standards that address current development trends and the benefits of parking alternatives.

Where off-site parking is requested, the provisions in Section 9.18.140.050.B (Off-Site Parking), above, shall also apply.

- B. Parking Management Plan Required. A parking management plan shall be required as follows:

1. Where parking is to be shared or jointly used among the same or different developments or uses.
 2. Where the number of parking spaces required is proposed to be reduced, except as provided in Section 9.18.140.030.B (Residential/Commercial Mixed Use Developments) regarding required parking for residential/commercial mixed use developments, where a 10% reduction shall be permitted as part of the site plan review or conditional use permit process for that development. However, any reduction beyond 10% shall require a parking management plan.
- C. **Limitation on Parking Space Reduction and Distance.** No proposed reduction in parking spaces due to joint or shared use may exceed 25% of the parking required pursuant to this section. Also, no joint use or shared facility shall be located more than 1,500 feet from the use it is intended to serve.
- D. **Plan Contents.** The parking management plan shall be prepared by a qualified transportation engineer, in accordance with Planning Commission policy, and shall include, at minimum, the following elements:
1. Breakdown and description of the proposed uses, including their functional and spatial components.
 2. Statement of the functional area square footage based on the proposed plan.
 3. Statement of parking demands by uses for morning, midday, and evening periods, and a statement of employee parking demands.
 4. A peak-demand calculation by adding the various components together to determine the midday and evening demands with the higher figure represents the minimum number of spaces to be provided.
 - a. A 10% increase in the minimum number of spaces shall be added to the peak demand calculation to allow for future changes in the types of uses proposed in the original development plan, and
 - b. Use changes throughout the life of the project requiring more than the 10% figure shall require the submittal and approval of an amended parking management plan.
 5. A cross-check analysis for functional and operational aspects.
 6. Parking management plans shall include a copy of proposed easements or conditions, covenants, and restrictions tying the parking agreement to the project in perpetuity, prohibiting revision without City approval. Pre-existing, shared parking proposals shall be accompanied by a recorded off-site parking covenant running with the land. The City Attorney shall have the authority to review and dictate the contents of the CC&Rs and any deed restrictions or easement language proposed.
- E. **Shared Loading Spaces.** Loading spaces may be shared in compliance with this section. However, the loading spaces shall only be shared if located on an adjoining lot.
- F. **Review Process.** For development projects involving new construction, a parking management plan for joint or reduced parking shall be considered by the appropriate review authority at the same time the project is considered. Where a new use is proposed to occupy an existing building and where a parking management plan is required, the parking management plan shall be subject to Community Development Director's review.
- G. **Required Findings-Requirements for Approval.** Where a shared parking facility serving more than one use will be provided, the total number of required parking spaces may be reduced only if the **Planning Commission hearing body** finds that all of the following are **true** ~~met~~:

1. The peak hours of use will not overlap or coincide to the degree that peak demand for parking spaces from all uses will be greater than the total supply of spaces;
2. The adequacy of the quantity and efficiency of parking provided will equal or exceed the level that can be expected if parking for each use were provided separately;
3. A parking demand study prepared by an independent traffic engineering professional approved by the City supports the proposed reduction; and
4. The applicant submitted a signed contract between the applicant and the other property owner(s) providing the off-street parking spaces subject to the shared parking arrangement. The contract shall be subject to the approval of the ~~Planning Commission~~ hearing body and shall also be subject to review by the City Attorney as to form and content. (2814, 2012)

9.18.140.070 Parking Design Standards

A. Parking Improvements.

1. **Paving.** Parking and loading facilities and pedestrian pathways shall be surfaced and maintained with asphalt concrete, concrete, or other permanent surfacing material acceptable to the Community Development Director or designee and sufficient to prevent loose surfacing materials and other nuisances.
2. **Striping.** Parking lot striping shall be maintained at all times consistent with City standards.
3. **Drainage.** All parking and loading facilities shall be graded and provided with permanent storm drainage facilities.
 - a. Surfacing, curbing and drainage improvements shall be sufficient to preclude free flow of water onto adjacent properties or public streets or alleys.
 - b. Measures listed above shall be taken to preclude standing pools of water within the parking facility.
4. **Safety Features.** Parking and loading facilities shall meet the following standards:
 - a. Safety barriers, protective bumpers, or curbing and directional markers shall be provided to assure pedestrian and vehicular safety, efficient utilization, protection to landscaping, and prevent encroachment onto adjoining public or private property.
 - b. Unobstructed visibility shall be maintained at all times while vehicles are circulating within the parking area.
 - c. Internal circulation patterns and the location and traffic direction of all access drives shall be designated and maintained in accordance with accepted principles of traffic engineering and traffic safety.
 - d. Striping of parking lots must at all times be clearly visible and maintained throughout the life of the facility.
5. **Lighting.** Lights provided to illuminate any parking facility or paved area shall be designed with automatic timers (photovoltaic cells) and maintained in accordance with the provisions of this title. Parking lot security lights shall be maintained and shall be operated during all hours of darkness.
 - a. All nonresidential parking area lighting shall be provided during the hours of darkness the establishment is open at a minimum of two footcandles of light on the parking surface.

- b. A minimum of one footcandle of light shall be provided during all other hours of darkness.
 - c. Lighting in the parking area shall be directed, positioned, or shielded in such a manner so as not to unreasonably illuminate the window area of nearby residences.
6. Noise. Areas used for primary circulation, or for frequent idling of vehicular engines or for loading facilities, shall be designed and located to minimize impacts on adjoining properties, including sound attenuation to adjacent property and visibility screening from adjacent property.
 7. Screening. Open off-street parking areas shall be screened from view of public streets and adjacent landuses that are more restrictive.
 8. Walls. High walls shall not block or otherwise impair visual access from adjacent residential properties.
- B. Surface Parking Lot Landscaping. In addition to the Site Design Standards of Section 9.18.100.030, the following landscaping standards shall apply to all surface parking lot areas:
1. Surface Parking Lots Visible from Streets. Surface parking lots that are visible from public and private streets, and in particular surface parking lots located between the public right-of-way and buildings and structures shall meet the following landscaping, paving, and tree requirements:
 - a. Landscaping. At least 10% of the total area of any surface parking lot shall be landscaped.
 - b. Paving Area. At least five percent of the total area of any surface parking lot shall be paved in ~~high-quality materials~~ such as consisting of either pavers, stone or cobblestone, patterned or scored concrete, or similar durable materials. Paving is encouraged at highly visible locations such as main drive aisles, parking areas adjacent to required front and corner side yard setbacks, enhanced stall demarcations throughout the parking lot, or pedestrian walkways.
 - c. Trees. One tree shall be provided for every four parking spaces. Trees shall be shade-producing trees and shall be evenly distributed throughout the parking lot so as to shade the parking area. Trees shall be located in landscape planters. Trees shall conform to the matrix of plant materials established by the Planning Division. Minimum tree size at planting shall be 24-inch box.
 2. Surface Parking Lots Not Visible from Streets. Surface parking lots that are not visible from public and private streets and are located towards the rear and interior of the site shall meet the following landscaping and tree requirements:
 - a. Landscaping. At least five percent of the total area of any surface parking lot shall be landscaped.
 - b. Trees. One tree shall be provided for every 10 parking spaces. Trees shall be shade-producing trees and shall be evenly distributed throughout the parking lot so as to shade the parking area. Trees shall be located in landscape planters. Trees shall conform to the matrix of plant materials established by the Planning Division. Minimum tree size at planting shall be 24-inch box.
 3. Landscape Buffer. Where a surface parking lot abuts a parking structure or is adjacent to a surface parking lot on another lot, a landscape buffer not less than 10 feet in depth shall be provided between the lots or structures. Where adjacent surface parking lots allow common parking to serve multiple businesses and pedestrian walkways provide access to all businesses served, no landscape buffer shall be required.

4. Wheel Stops at Landscaping. Concrete wheel stops shall be installed in parking areas to protect landscaping. Any broken or damaged wheel stops shall be replaced. Alternatively, parking may be designed to overhang landscaped areas. Parking shall overhang landscaping no more than two feet with a minimum planter dimension of five feet.
 5. Landscape Planters. All landscape planters shall have a minimum width of four feet.
 6. Screening Required. Storage areas, trash enclosures, public utilities, and other similar land uses or elements that do not contribute to the enhancement of the surrounding area shall be screened with landscaping. Landscape screening shall consist of evergreen shrubs, vines, or closely spaced trees.
- C. Architectural Treatment of Parking Structures. All façades of a parking structure shall include architectural and landscaping treatment pursuant to the standards established in 9.18.090 (Development Standards Specific to Individual Mixed Use Zones), 9.18.100 (Development and Design Standards Applicable to All Mixed Use Zones), and 9.18.120 (Landscaping) of this chapter. The intent is to ensure that parking structures have the same quality treatment as the buildings and uses they serve, that such structures are well integrated into a development project, and that their design contributes to the overall character and function of the area in which they are located. In particular, any façade that can be viewed from a public right-of-way shall include treatments that make the structure resemble a habitable building.



Photo 9.18-9: Example of Parking Structure Architectural Treatment

9.18.140.080 Loading Areas

All nonresidential developments must provide loading berths in accordance with this section.

- A. Retail Stores, Warehouses, Wholesaling, Manufacturing and Other Goods Handling Uses. Loading spaces shall be provided as set forth in Table 9.18-12 (Required Loading: General Commercial and Industrial).

Table 9.18-12: Required Loading: General Commercial and Industrial

| Gross Floor Area of Building or Use | Number of Loading Berths Required |
|-------------------------------------|---|
| Less than 100,000 sf | 0 |
| 100,001—200,000 sf | 1 |
| 200,001—500,000 sf | 2 |
| More than 500,000 sf | 3 plus 1 for each additional 400,000 sf |

- B. Offices and Hotels/Motels. Where loading facilities are provided, the standards in Table 9.18-13 (Required Loading: Offices and Lodging) shall apply.

Table 9.18-13: Required Loading: Offices and Lodging

| Number of Berths | Width | Length | Height |
|------------------|---------|---------|---------|
| 1 | 10 feet | 25 feet | 12 feet |
| 2 or more | 10 feet | 35 feet | 14 feet |

- C. Minimum Size of Berths. All berths must be provided with an on-site maneuvering area to the loading berth that provides a turning radius of not less than 48 feet.
- D. Screening. All loading areas shall be screened from view of adjacent streets.
- E. Access.
 - 1. Access to the loading docks shall be provided without the necessity of vehicle maneuvers in the public right-of-way.
 - 2. The dock approach may not be encumbered by parking stalls or physical obstructions.
 - 3. All loading must be conducted in loading berths when berths are provided. Loading and unloading operations shall not be conducted so as to be a nuisance to adjacent residential areas.
 - 4. Loading areas shall not interfere with parking or with vehicle and pedestrian access. (2814, 2012)

Section 9.18.150 Collection of Recyclable Materials

9.18.150.010 On-Site Accommodation for Recyclable Materials Containers and Collection Areas

- A. Purpose. These standards are established to ensure that all developments in the Mixed Use zones are provided with convenient and appropriately sized areas for the collection of recyclable materials so that residents and businesses in Garden Grove can contribute toward the achievement of city goals

relating to solid waste diversion, recycling, and greenhouse gas reduction, pursuant to state law. The city recognizes that in lieu of providing separate areas for the collection of recyclable materials, development projects can provide convenient and adequately sized areas where collection bins for both solid waste and recyclables can be maintained.

- B. Area Required; Applicability. Any new development project, including a public facility, for which a building permit application has been filed, or any addition or modification to an existing development whereby the addition or modification exceeds 1,000 square feet or 10% of the existing floor area (whichever is less), shall include adequate, accessible, and convenient areas for the collection and loading of recyclable materials. These areas, to the maximum extent possible, shall be provided as part of the collection areas for solid waste. Construction of an addition to an existing single-family unit, or less than one full unit to multiple-family residential development, shall be exempt from this requirement.
- C. Minimum Collection Areas. Areas for solid waste and recyclable materials storage shall be adequate in capacity, number, and distribution to serve the development where the project occurs, and shall be based on the following requirements:
 - 1. Office, Commercial, Industrial, and Institutional. Collection bins of a minimum size of three cubic yards shall be provided. A storage enclosure shall be provided sufficient to hold one or more standard three-cubic-yard bins or similar collection bins available from approved haulers. Each enclosure shall provide sufficient area for the collection of solid waste and recyclable materials. Where appropriate, separate collection bins for food waste associated with food service uses shall also be provided consistent with other City regulations. The area must accommodate, at a minimum, the bins indicated in Table 9.18-14 (Recyclable Collection Areas), below, or as otherwise may be approved through the discretionary permit review process.

Table 9.18-14 Recyclable Collection Areas

| Building Square Footage | Types of Receptacles | Number of Receptacles |
|-------------------------|----------------------|-----------------------|
| 0—5,000 | Bin | 1 |
| 5,001—10,000 | Bin | 2 |
| 10,001—15,000 | Bin | 3 |
| 15,001—20,000 | Bin | 4 |
| 20,001—25,000* | Bin | 5 |

* Each additional 5,000 square feet requires one additional bin, or more than one pickup per week, per bin

- 2. Residential Developments.
 - a. For developments consisting of five or fewer residential units, and if containers are utilized, the exterior collection area shall consist of an area sufficient in size for the storage of containers for each residential unit consistent with city contract requirements with approved waste haulers. The suggested area for each container is a minimum of 38 inches by 38 inches.
 - b. For developments with more than five residential units, ~~sufficient area to accommodate at least one three-cubic-yard bin or similar all refuse container storage and collection bins available from approved haulers areas shall be provided. Each enclosure shall provide sufficient area for meet~~ the collection requirements of refuse and recyclable materials City of Garden Grove Standard B-502 and State-mandated commercial organic recycling regulations set forth in Public Resources Code Sections 42469.8-42469.86, as it may be amended from time to time, as well as any other applicable State laws related to refuse, recyclables, and/or organics.

- c. No unit shall be located more than 300 lineal feet from a common refuse storage area; such distance shall measured by a clear pedestrian path to such areas.

3. Mixed Use Developments.

- a. To the greatest extent practicable, separate solid waste and recyclable materials collection areas shall be provided for residential and nonresidential components of a residential/commercial mixed use development. Where separate facilities can be and are provided, the areas shall meet the standards specified above for nonresidential and residential uses.
- b. Where it is not practicable to separate such areas, as determined through the development review process, the recyclable materials collection area shall provide aggregate space sufficient to accommodate the minimum requirements specified above for each individual use. Such areas shall be conveniently located to all users.
- c. Recycling and solid waste storage facilities for nonresidential uses shall be located as far as possible from residential units and shall be completely screened from view from the residential portion of the development. Recycling and solid waste storage facilities for nonresidential uses shall be compatible in architectural design and details with the overall project. The location and design of enclosures shall mitigate nuisances from odors when residential uses might be impacted. Trash areas for food service and sales uses, when occupying the same building as residential uses, shall be refrigerated or otherwise designed to control odor.

D. Design Standards. The following standards shall apply to all developments utilizing three-cubic-yard bins or similar collection bins available from approved haulers.

1. All solid waste and recyclable material storage areas shall be readily accessible to the users they serve, as well as for collection operations, and shall be enclosed by a solid masonry or concrete block wall.
2. Recycling bins or containers shall provide protection against adverse environmental conditions that might render the collected materials unmarketable. Solid waste and recyclable materials must be stored within the bins or containers.
3. Driveways or travel aisles shall provide unobstructed access for collection vehicles and personnel and provide at least the minimum clearance required by the collection methods and vehicles utilized for the particular project.
4. A sign clearly identifying all recycling and solid waste collection and loading areas and the materials accepted shall be posted adjacent to the storage areas.
5. The design and construction of solid waste and recyclable materials storage areas shall be compatible with surrounding land uses.
6. The storage area shall be shielded from public view by a wall that matches the exterior building material and color.
7. The storage area shall be designed as per the Garden Grove design guidelines, as approved by City Council resolution.
8. Storage areas shall not be located in any required front, side, or rear setback or any area required to be maintained as unencumbered according to any public safety laws as adopted.
9. Where collection of solid waste and recyclable materials is separated, whenever feasible, areas for collecting and loading recyclable materials should be adjacent to the refuse storage areas. (2814, 2012)