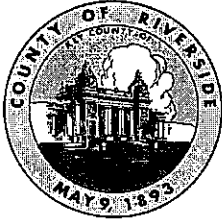


# MEMORANDUM

---



## RIVERSIDE COUNTY COUNSEL

September 22, 2009

TO: Matt Straite  
Contract Planner Supervisor

FROM: Larisa McKenna *MD*  
Deputy County Counsel *MD*

RE: Specific Plan Zoning Ordinance for SP 342 CZ 7055

---

Please see the attached Specific Plan zoning ordinance with my stamped approval and signature. If you have any questions please do not hesitate to call. Upon Board submittal we will issue a 348 number and complete the information regarding the map in Section 1. Thank you.



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

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

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

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

24 (2) The development standards for Planning Areas 5, 7, 21, and 22 of Specific Plan  
25 No. 342 shall be the same standards as those identified in Article VIIIe, Section  
26 8.101 of Ordinance No. 348.

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

1 c. Planning Areas 6 and 8.

2 (1) The uses permitted in Planning Areas 6 and 8 of Specific Plan No. 342 shall be the  
3 same as those uses permitted in Article VIIIe, Section 8.100 of Ordinance No. 348,  
4 except that the uses permitted pursuant to Article VIIIe, Section 8.100.a.(2) and (8),  
5 Section 8.100.b.(1), and Section 8.100.c.(1) shall not be permitted. In addition, the  
6 uses permitted under Article VIIIe, Section 8.100.a. shall include parks; swimming  
7 pools; community gardening activities; trails; paseos; hiking areas; permanent rock  
8 climbing walls; skateboard parks and other similar facilities; amphitheaters with  
9 non acoustic amplifications and shielded lighting. In addition, the uses permitted  
10 under Article VIIIe, Section 8.100.a. shall also include these temporary uses (those  
11 lasting less than 3 months) provided the procedures outlined in Section 18.30.d.(1)  
12 are met: food stands; Christmas tree farms, pumpkin patches, and fairs and  
13 carnivals; and accessory buildings to a specific use, provided that the accessory  
14 building is established as an incident to a principal use and does not change the  
15 character of that use. Any use that is not specifically listed herein may be  
16 considered a permitted or conditionally permitted use provided that the Planning  
17 Director finds that the proposed use is substantially the same in character and  
18 intensity as those listed in the designated subsections. Such a use is subject to the  
19 permit process which governs the category in which it falls.

20 (2) The development standards for Planning Areas 6 and 8 of Specific Plan No. 342  
21 shall be the same standards as those identified in Article VIIIe, Section 8.101 of  
22 Ordinance No. 348.

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

25 d. Planning Areas 9, 10, 12, 14, 15, 16, 17, 19, 20, 41, 42, 43, 45, 46, 50, 51, 52, 53, 55, 56,  
26 57, 58, 61, 62, 63, 64, 66, 67, 68, 69, 73 and 75.

27 (1) The uses permitted in Planning Areas 9, 10, 12, 14, 15, 16, 17, 19, 20, 41, 42, 43,  
28 45, 46, 50, 51, 52, 53, 55, 56, 57, 58, 61, 62, 63, 64, 66, 67, 68, 69, 73, and 75 of

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

19 (2) The development standards for detached single-family residential fee simple lots  
20 within Planning Areas 9, 10, 12, 15, 16, 17, 19, 20, 41, 42, 43, 45, 50, 51, 52, 53,  
21 55, 56, 57, 58, 61, 62, 63, 64, 66, 67, 68, 69, 73, and 75 of Specific Plan No. 342  
22 shall be the same standards as those identified in Article VI, Section 6.2 of  
23 Ordinance No. 348 except that the development standards set forth in Article VI,  
24 Section 6.2.a, b., c., d., e.(1), (2), (3), and (4), and g. shall be deleted and replaced  
25 with the following:

- 26 A. The height of buildings shall not exceed forty-five feet (45').  
27 B. Lot area shall be not less than two thousand eight hundred (2,800) square  
28 feet.

- 1 C. The minimum average width of each lot shall be forty feet (40') and the  
2 minimum average depth shall be seventy feet (70').
- 3 D. The minimum frontage of a lot shall be thirty-five feet (35'), except that  
4 lots fronting on knuckles or cul-de-sacs shall have a minimum frontage of  
5 thirty feet (30'). Lot frontage along curvilinear streets shall be measured at  
6 the building setback in accordance with zone development standards.
- 7 E. The front yard shall be not less than ten feet (10'), measured from the  
8 existing street right of way or from any future street right of way as shown  
9 on any specific plan of highways, whichever is nearer to the proposed  
10 structure. Porches in the front of the structure may encroach five feet (5')  
11 into the front yard setback.
- 12 F. Side yards on interior and through lots shall be not less than five feet (5').  
13 Side yards on corner and reverse corner lots shall not be less than five feet  
14 (5') from the existing street right of way or from any future street right of  
15 way as shown on any specific plan of highways, whichever is nearer to the  
16 proposed structure, upon which the main building sides.
- 17 G. The rear yard shall be not less than ten feet (10'), except that second floor  
18 living space and balconies located in the rear yard shall be permitted within  
19 one foot (1') of the rear property line, and garages shall be permitted within  
20 five feet (5') of the rear property line.
- 21 H. Fireplaces, media niches, bay windows, porches, window boxes, and  
22 similar architectural features shall be allowed to encroach a maximum of  
23 two and one-half feet (2.5') into setbacks. At least one side of the structure  
24 shall maintain a four foot (4') setback regardless of encroachments. Media  
25 niches shall be a maximum of eight feet (8') in width. No second floor  
26 structural encroachments shall be permitted within one foot (1') of the rear  
27 property line. No other structural encroachments shall be permitted in the  
28 front, rear or side yard setback except as provided for in Section 18.19 of

1 Ordinance No. 348.

2 I. In no case shall more than sixty percent (60%) of any lot be covered by a  
3 dwelling footprint.

4 (3) The development standards for detached high density single family home products  
5 not on fee simple lots as defined by Section 21.59a of Ordinance 348 within  
6 Planning Areas 9, 10, 12, 14, 15, 16, 17, 19, 20, 41, 42, 43, 45, 46, 50, 51, 52, 53,  
7 55, 56, 57, 58, 61, 62, 63, 64, 66, 67, 68, 69, 73, and 75 of Specific Plan No. 342  
8 shall be the same standards as those identified in Article XVIII, Section 18.5 of  
9 Ordinance No. 348 except that the development standards set forth in Article  
10 XVIII, Section 18.5.b. and c. shall be deleted and replaced with the following:

11 A. The height of buildings shall not exceed forty-five feet (45').

12 B. Lot area shall be not less than two thousand (2,000) square feet.

13 C. The minimum average width of each lot shall be thirty-five feet (35') and the  
14 minimum average depth shall be fifty-eight feet (58').

15 D. The minimum frontage of a lot shall be thirty-five feet (35'), except that lots  
16 fronting on knuckles or cul-de-sacs shall have a minimum frontage of thirty feet  
17 (30'). Lot frontage along curvilinear streets shall be measured at the building  
18 setback in accordance with zone development standards.

19 E. The front yard shall be not less than three feet (3'), measured from the existing  
20 street right of way or from any future street right of way as shown on any  
21 specific plan of highways, whichever is nearer to the proposed structure.

22 F. Side yards on interior and through lots shall be not less than three feet (3').  
23 Side yards on corner and reverse corner lots shall not be less than five feet (5')  
24 from the existing street right of way or from any future street right of way as  
25 shown on any specific plan of highways, whichever is nearer to the proposed  
26 structure, upon which the main building sides.

27 G. The rear yard shall be not less than three feet (3'), except that second floor  
28 living space and balconies located in the rear yard shall be permitted within one

1 foot (1') of the rear property line.

2 H. Fireplaces, media niches, bay windows, porches, window boxes, and similar  
3 architectural features shall be allowed to encroach a maximum of two feet and  
4 one-half (2.5') into setbacks. At least one side of the structure shall maintain a  
5 four foot (4') setback regardless of encroachments. Media niches shall be a  
6 maximum of eight feet (8') in width. No second floor structural encroachments  
7 shall be permitted within one foot (1') of the rear property line. No other  
8 structural encroachments shall be permitted in the front, rear or side yard  
9 setback except as provided for in Section 18.19 of Ordinance No. 348.

10 I. In no case shall more than seventy-five percent (75%) of any lot be covered by  
11 a dwelling.

12 J. All residential development that contains non fee-simple lots shall submit a  
13 Planned Residential Development application in conjunction with a land  
14 subdivision application.

15 (4) Attached two-family and multi-family residential uses homes as defined by Section  
16 21.59a of Ordinance 348 permitted in Planning Areas 9, 10, 12, 15, 16, 17, 19, 20,  
17 41, 42, 43, 45, 46, 50, 51, 52, 53, 55, 56, 57, 58, 61, 62, 63, 64, 66, 67, 68, 69, 73,  
18 and 75 of Specific Plan No. 342 shall be subject to the standards for Planned  
19 Residential Developments set forth in Article XVIII, Section 18.5 of Ordinance No.  
20 348 except that the standards set forth in Section 18.5.b., c., e. and j. shall be  
21 deleted and replaced with the following:

22 A. The height of buildings shall not exceed forty-five feet (45').

23 B. The distance between buildings shall be no less than six feet (6').

24 C. The minimum building setbacks from a project's exterior streets and  
25 boundary lines shall be two and one-half feet (2.5'). The minimum  
26 building setback from interior drives shall be three feet (3'), except that  
27 second floor living space and balconies located in the rear yard shall be  
28 permitted within one foot (1') of the rear property line.

1 D. The number of dwelling units in one building shall not exceed eighteen  
2 (18) units.

3 E. Pedestrian walkways with a minimum width of four feet (4') shall be  
4 installed between the dwelling units and the recreational areas of the  
5 project.

6 F. No dwelling shall be constructed unless it has a minimum floor living area  
7 of not less than 750 square feet. Porches, garages, patios and similar  
8 features, whether attached or detached to a dwelling, shall not be included  
9 when calculating the floor living area.

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

12 e. Planning Areas 26, 27, 28, 29, 30, 31, 33, 34, 35, and 36.

13 (1) The uses permitted included in Planning Areas 26, 27, 28, 29, 30, 31, 33, 34, 35,  
14 and 36 of Specific Plan No. 342 shall be the same as those uses permitted in Article  
15 VIII, Section 8.1 of Ordinance No. 348 except that the uses permitted pursuant to  
16 Section 8.1.a. (2), (3), (4), (6), (9), (10), (11), (12), (13), (14), (15), (16), (17), (18),  
17 (19), (20), (21), (23), (24), (25), (27), and (28); 8.1.b.(1), (2), (3), and (4); and 8.1.c.  
18 shall not be permitted. In addition, the permitted uses identified under Section  
19 8.1.a shall also include: amphitheaters; antique shops; art gallery; museum; library;  
20 assisted living facilities; bakery shops; financial institutions; beauty shops; bicycle  
21 sales and rentals; blueprint and duplicating services; ceramic sales / manufacturing;  
22 coffee shops; community gardening activities; community recreation facilities;  
23 confectionary stores; delicatessens; flood control drainage basins and facilities;  
24 florist shops; gift shops; growing produce for non-commercial use; health centers;  
25 hobby shops; household goods sales and repair; ice cream shops; interior  
26 decorating shops; jewelry stores; lakes, including noncommercial fishing;  
27 locksmith shops; manufacturer's agent; multi-family dwelling units; news stores;  
28

1 noncommercial community assembly facilities; nursery schools / preschool day  
2 care; on-site identification signs, max size – 10 square feet; Parcel/ postal store;  
3 parking lots and structures; parks; swimming pools; community gardening;  
4 permanent rock climbing walls; photography shops and studios; refreshment  
5 stands; restaurants, NOT including drive-in or take-out; shoe stores / repair shops;  
6 Studios for fine arts; tailor shops; temporary real estate tract offices (for 5 years);  
7 toy shops; trails / paseos; travel agencies; watch repair shops; temporary uses  
8 (those lasting less than 3 months) provided the procedures outlined in Section  
9 18.30.d.(1) are met: food stands; Christmas tree farms, pumpkin patches, and fairs  
10 and carnivals; and accessory buildings to a specific use, provided that the accessory  
11 building is established as an incident to a principal use and does not change the  
12 character of that use. In addition, the permitted uses identified under Section 8.1.b  
13 shall also include: art supply shops; auditoriums/conference rooms; auto parts and  
14 supply; bakery goods distributor; book stores; car washes; catering services;  
15 convenience stores - no gas sales; dance halls; drug stores; dry goods stores;  
16 employment agencies; equipment rental services; feed & grain stores; gasoline  
17 service stations; golf cart sales and service; hardware stores; leather goods; food  
18 market, retail or wholesale; and accessory buildings to a specific use, provided that  
19 the accessory building is established as an incident to a principal use and does not  
20 change the character of that use. Any use that is not specifically listed herein may  
21 be considered a permitted or conditionally permitted use provided that the Planning  
22 Director finds that the proposed use is substantially the same in character and  
23 intensity as those listed in the designated subsections. Such a use is subject to the  
24 permit process which governs the category in which it falls.

- 25  
26 (2) Unless one of the overlay zones as outlined in Section 3 of this ordinance is  
27 utilized, the development standards for the base zone classification of Planning  
28 Areas 26, 27, 28, 29, 30, 31, 33, 34, 35, and 36 of Specific Plan No. 342 shall be

1 the same as those standards identified in Article VIII, Section 8.2 and Article  
2 XVIII, Section 18.5 except that the development standards set forth in Article  
3 VIII, Section 8.2 a, b, c, d, f and h; and those development standards set forth in  
4 Article XVIII, Section 18.5 b, c, d, e, f, g, i, j, and k, shall be deleted and replaced  
5 by the following:

- 6 A. Detached single-family (cluster) homes shall not exceed 40  
7 feet in height, and attached multi-family structures shall not exceed  
8 55 feet in height.
- 9 B. All residential uses shall incorporate at least 50 square  
10 feet/dwelling unit of open space. Private usable open space shall  
11 have a minimum dimension on any one side of 6 feet.
- 12 C. Rooftop open space may be used as private open space when  
13 directly accessible to the unit(s) it serves.
- 14 D. The minimum setback between buildings shall be 6 feet for  
15 clustered single family units, and 10 feet for attached multi-family  
16 units.
- 17 E. Multi Family Residential building setbacks from a project's exterior  
18 streets and boundary lines shall be 10 feet. Detached Single Family  
19 Residential or Multi-Family Residential arranged in a Row House  
20 fashion shall be no less than 3 feet from the exterior street right of  
21 ways and primary access shall be located along the exterior streets.
- 22 F. The minimum block length shall be 700 feet, the maximum  
23 shall be 1,320 feet.
- 24 G. A maximum of 25% of any project area may be utilized for  
25 commercial purposes.

26 f. Planning Areas 37, 48, and 49.

- 27 (1) The uses permitted in Planning Areas 37, 48, and 49 of Specific Plan No. 342 shall  
28 be the same as those uses permitted in Article VIIIe, Section 8.100 of Ordinance

1 No. 348, except that the uses permitted pursuant to Article VIIIe, Section 8.100.a  
2 (8) and Section 8.100.b.(1) shall not be permitted. In addition, the uses permitted  
3 under Article VIIIe, Section 8.100.a. shall include parks; swimming pools;  
4 community gardening activities; trails; paseos; hiking areas; driving ranges not  
5 associated with a golf course; miniature golf facilities; amphitheaters with non  
6 acoustic lighting amplifications; temporary real estate tract offices located within a  
7 subdivision; to be used only for and during the original sale of the subdivision, but  
8 not to exceed a period of five (5) years in any event. In addition, the uses permitted  
9 under Article VIIIe, Section 8.100.a. shall also include these temporary uses (those  
10 lasting less than 3 months) provided the procedures outlined in Section 18.30.d.(1)  
11 are met: food stands; Christmas tree farms, pumpkin patches, and fairs and  
12 carnivals; and accessory buildings to a specific use, provided that the accessory  
13 building is established as an incident to a principal use and does not change the  
14 character of that use. Any use that is not specifically listed herein may be  
15 considered a permitted or conditionally permitted use provided that the Planning  
16 Director finds that the proposed use is substantially the same in character and  
17 intensity as those listed in the designated subsections. Such a use is subject to the  
18 permit process which governs the category in which it falls.

19 (2) The development standards for Planning Areas 37, 48, and 49 of Specific Plan No.  
20 342 shall be the same standards as those identified in Article VIIIe, Section 8.101  
21 of Ordinance No. 348.

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

24 g. Planning Area 39.

25 (1) The uses permitted in Planning Area 39 of Specific Plan No. 342 shall be the same  
26 as those permitted in Article VIIIe, Section 8.100 of Ordinance No. 348, except  
27 that the uses permitted pursuant to Article VIIIe, Sections 8.100.a.(8),8.100.b.(1),  
28 and 8.100.c.(1) shall not be permitted. In addition, the permitted uses identified

1 under Section 8.100.a shall include parks; schools; libraries; publically owned  
2 museums; non-commercial community centers and recreation facilities; day care  
3 facilities; community theater and arboretum; swimming pools; community  
4 gardening activities; trails; paseos; hiking areas; permanent rock climbing walls;  
5 driving ranges not associated with a golf course; miniature golf facilities;  
6 temporary real estate tract offices not to exceed a period of five (5) years in any  
7 event. In addition, the uses permitted under Article VIIIe, Section 8.100.a. shall  
8 also include these temporary uses (those lasting less than 3 months) provided the  
9 procedures outlined in Section 18.30.d.(1) are met: food stands; Christmas tree  
10 farms, pumpkin patches, and fairs and carnivals; and accessory buildings to a  
11 specific use, provided that the accessory building is established as an incident to a  
12 principal use and does not change the character of that use. Any use that is not  
13 specifically listed herein may be considered a permitted or conditionally permitted  
14 use provided that the Planning Director finds that the proposed use is substantially  
15 the same in character and intensity as those listed in the designated subsections.  
16 Such a use is subject to the permit process which governs the category in which it  
17 falls.

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

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

5 A. There is no minimum lot area requirement.

6 B. There are no yard requirements.

7 C. No building or structure shall exceed fifty (50') feet in height, unless a  
8 greater height is approved pursuant to Section 18.34 of Ordinance 348. In  
9 no event, however, shall a building or structure exceed seventy-five (75')  
10 feet in height, unless a variance is approved pursuant to Section 18.27 of  
11 Ordinance 348.

12 D. All roof mounted mechanical equipment shall be screened from the ground  
13 elevation view to a minimum sight distance of 1,320 feet.

14 h. Planning Areas 60 and 70.

15 (1) The uses permitted in Planning Areas 60 and 70 of Specific Plan No. 342 shall be  
16 the same as those uses permitted in Article VIIIe, Section 8.100 of Ordinance No.  
17 348, except that the uses permitted pursuant to Article VIIIe, Section 8.100.a.(1),  
18 (2), (3), (4), (5) and (8); Section 8.100.b.(1) and Section 8.100.c.(1) shall not be  
19 permitted. In addition, the uses permitted under Section 8.100.a. shall include fire  
20 fuel modification areas; trails; paseos; on-site directional or instructional signs;  
21 kiosks; hiking areas; and accessory buildings to a specific use, provided that the  
22 accessory building is established as an incident to a principal use and does not  
23 change the character of that use. Any use that is not specifically listed herein may  
24 be considered a permitted or conditionally permitted use provided that the Planning  
25 Director finds that the proposed use is substantially the same in character and  
26 intensity as those listed in the designated subsections. Such a use is subject to the  
27 permit process which governs the category in which it falls.

28 (2) The development standards for Planning Areas 60 and 70 of Specific Plan No. 342

1 shall be the same standards as those identified in Article VIIIe, Section 8.101 of  
2 Ordinance No. 348.

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

5 i. Planning Area 77.

6 (1) The uses permitted in Planning Area 77 of Specific Plan No. 342 shall be the same  
7 as those uses permitted in Article VI, Section 6.1 of Ordinance No. 348, except that  
8 the uses permitted pursuant to Article VI, Section 6.1.a. (3), (5), (6), (7) and (8);  
9 Section 6.1.b.(1), (2), (4) and (5); and Section 6.1.c.(1) shall not be permitted. In  
10 addition, the uses permitted under Article VI, Section 6.1.a. shall include two-  
11 family dwellings; multiple family dwellings; parks; pedestrian paseos; and  
12 accessory buildings to a specific use, provided that the accessory building is  
13 established as an incident to a principal use and does not change the character of  
14 that use. In addition, the uses permitted in Article VI, Section 6.1.b shall include  
15 the following: community recreation facilities; swimming pools; nursery schools /  
16 preschool day care with off-street parking and on a minimum ½ acre lot; offices,  
17 including business, law, medical, dental, chiropractic, architectural, engineering,  
18 community planning; restaurants and other eating establishments; financial  
19 institutions; office equipment sales and service; barber and beauty shops; health  
20 and exercise centers; feed and grain sales; churches; schools; community centers;  
21 monuments; boat and RV storage; mini storage; and temporary real estate tract  
22 offices located within a subdivision, to be used only for and during the original sale  
23 of the subdivision, but not to exceed a period of five (5) years in any event; and  
24 temporary uses (those lasting less than 3 months) provided the procedures outlined  
25 in Section 18.30.d.(1) are met: food stands; Christmas tree farms, pumpkin patches,  
26 and fairs and carnivals, and accessory buildings to a specific use, provided that the  
27 accessory building is established as an incident to a principal use and does not  
28 change the character of that use. In addition, the uses permitted under Article VI,

1 Section 6.1.c shall include the following: commercial fertilizer operations-the  
2 stockpiling, drying, mechanical processing and sale of farm animal manure  
3 produced on and off the premises. Any use that is not specifically listed herein may  
4 be considered a permitted or conditionally permitted use provided that the Planning  
5 Director finds that the proposed use is substantially the same in character and  
6 intensity as those listed in the designated subsections. Such a use is subject to the  
7 permit process which governs the category in which it falls.

8 (2) The development standards for detached single-family residential lots within  
9 Planning Area 77 of Specific Plan No. 342 shall be the same standards as those  
10 identified in Article VI, Section 6.2 of Ordinance No. 348 except that the  
11 development standards set forth in Article VI, Section 6.2.b., c., d., e.(1), (2), (3),  
12 and (4) and g. shall be deleted and replaced with the following:

- 13 A. Lot area shall be not less than two thousand eight hundred (2,800) square  
14 feet.
- 15 B. The minimum average width of each lot shall be forty feet (40') and the  
16 minimum average depth shall be seventy feet (70').
- 17 C. The minimum frontage of a lot shall be thirty-five feet (35'), except that  
18 lots fronting on knuckles or cul-de-sacs shall have a minimum frontage of  
19 thirty feet (30'). Lot frontage along curvilinear streets shall be measured  
20 at the building setback in accordance with zone development standards.
- 21 D. The front yard shall be not less than ten feet (10'), measured from the  
22 existing street right of way or from any future street right of way as shown  
23 on any specific plan of highways, whichever is nearer to the proposed  
24 structure. Porches in the front of the structure may encroach five feet (5')  
25 into the front yard setback.
- 26 E. Side yards on interior and through lots shall be not less than five feet (5').  
27 Side yards on corner and reverse corner lots shall not be less than five feet  
28 (5') from the existing street right of way or from any future street right of

1 way as shown on any specific plan of highways, whichever is nearer to the  
2 proposed structure, upon which the main building sides.

3 F. The rear yard shall be not less than ten feet (10'), except that second floor  
4 living space and balconies located in the rear yard shall be permitted  
5 within one foot (1') of the rear property line, and garages shall be  
6 permitted within five feet (5') of the rear property line.

7 G. Fireplaces, media niches, bay windows, porches, window boxes, and  
8 similar architectural features shall be allowed to encroach a maximum of  
9 two feet and one-half (2.5') into setbacks. At least one side of the  
10 structure shall maintain a four foot (4') setback regardless of  
11 encroachments. Media niches shall be a maximum of eight feet (8') in  
12 width. No second floor structural encroachments shall be permitted within  
13 one foot (1') of the rear property line. No other structural encroachments  
14 shall be permitted in the front, rear or side yard setback except as provided  
15 for in Section 18.19 of Ordinance No. 348.

16 H. In no case shall more than fifty percent (60%) of any lot be covered by a  
17 dwelling footprint.

18 I. All residential development that contains non fee-simple lots as defined at  
19 Article XVIII, section 18.5 of Ord. 348 shall submit a Planned Residential  
20 Development application in conjunction with a land subdivision  
21 application.

22 (3) The development standards for detached high density single family home products  
23 as defined by Section 21.59a of Ordinance 348 within Planning Area 77 of Specific  
24 Plan No. 342 shall be the same standards as those identified in Article XVIII,  
25 Section 18.5 of Ordinance No. 348 except that the development standards set forth  
26 in Article XVIII, Section 18.5.b. and c. shall be deleted and replaced with the  
27 following:

28 A. Lot area shall be not less than two thousand (2,000) square feet.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

- B. The minimum average width of each lot shall be thirty-five feet (35') and the minimum average depth shall be fifty-eight feet (58').
- C. The minimum frontage of a lot shall be thirty-five feet (35'), except that lots fronting on knuckles or cul-de-sacs shall have a minimum frontage of thirty feet (30'). Lot frontage along curvilinear streets shall be measured at the building setback in accordance with zone development standards.
- D. The front yard shall be not less than three feet (3'), measured from the existing street right of way or from any future street right of way as shown on any specific plan of highways, whichever is nearer to the proposed structure.
- E. Side yards on interior and through lots shall be not less than three feet (3'). Side yards on corner and reverse corner lots shall not be less than five feet (5') from the existing street right of way or from any future street right of way as shown on any specific plan of highways, whichever is nearer to the proposed structure, upon which the main building sides.
- F. The rear yard shall be not less than three feet (3'), except that second floor living space and balconies located in the rear yard shall be permitted within one foot (1') of the rear property line.
- G. Fireplaces, media niches, bay windows, porches, window boxes, and similar architectural features shall be allowed to encroach a maximum of two feet and one-half (2.5') into setbacks. At least one side of the structure shall maintain a four foot (4') setback regardless of encroachments. Media niches shall be a maximum of eight feet (8') in width. No second floor structural encroachments shall be permitted within one foot (1') of the rear property line. No other structural encroachments shall be permitted in the front, rear or side yard setback except as provided for in Section 18.19 of Ordinance No. 348.
- H. In no case shall more than seventy-five percent (75%) of any lot be

1 covered by a dwelling.

2 (4) Attached two-family and multi-family residential uses homes as defined by Section  
3 21.59a of Ordinance 348 permitted in Planning Area 77 of Specific Plan No. 342  
4 shall be subject to the standards for Planned Residential Developments set forth in  
5 Article XVIII, Section 18.5 of Ordinance No. 348 except that the standards set  
6 forth in Section 18.5.b., c., e. and j. shall be deleted and replaced with the  
7 following:

8 A. The height of buildings shall not exceed forty-five feet (45'). The distance  
9 between buildings shall be no less than six feet (6').

10 B. The minimum building setbacks from a project's exterior streets and  
11 boundary lines shall be two and one-half feet (2.5'). The minimum  
12 building setback from interior drives shall be three feet (3'), except that  
13 second floor living space and balconies located in the rear yard shall be  
14 permitted within one foot (1') of the rear property line.

15 C. The number of dwelling units in one building shall not exceed eighteen  
16 (18) units.

17 D. Pedestrian walkways with a minimum width of four feet (4') shall be  
18 installed between the dwelling units and the recreational areas of the  
19 project.

20 E. No dwelling shall be constructed unless it has a minimum floor living area  
21 of not less than 750 square feet. Porches, garages, patios and similar  
22 features, whether attached or detached to a dwelling, shall not be included  
23 when calculating the floor living area.

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

26 j. Planning Areas 59 and 71.

27 (1) The uses permitted in Planning Areas 59 and 71 of Specific Plan No. 342 shall be  
28 the same as those uses permitted in Article VIIIe, Section 8.100 of Ordinance No.

1 348, except that the uses permitted pursuant to Section 8.100.a.(1), (3), and (8);  
2 Section 8.100.b.(1) and Section 8.100.c.(1) shall not be permitted. In addition, the  
3 uses permitted under Article VIIIe, Section 8.100.a. shall include trails; paseos;  
4 hiking areas; kiosks; instructional signs; parking lots; riding academies and stables;  
5 parks; and accessory buildings to a specific use, provided that the accessory  
6 building is established as an incident to a principal use and does not change the  
7 character of that use; swimming pools; community gardening activities; permanent  
8 rock climbing walls; skateboard parks and other similar facilities; driving ranges  
9 not associated with a golf course; miniature golf facilities; amphitheaters with non  
10 acoustic lighting amplifications; temporary Christmas tree sales and uses (those  
11 lasting less than 3 months) provided the procedures outlined in Section 18.30.d.(1)  
12 are met: food stands; Christmas tree farms, pumpkin patches, and fairs and  
13 carnivals; and accessory buildings to a specific use, provided that the accessory  
14 building is established as an incident to a principal use and does not change the  
15 character of that use. Any use that is not specifically listed herein may be  
16 considered a permitted or conditionally permitted use provided that the Planning  
17 Director finds that the proposed use is substantially the same in character and  
18 intensity as those listed in the designated subsections. Such a use is subject to the  
19 permit process which governs the category in which it falls.

20 (2) The development standards for Planning Areas 59 and 71 of Specific Plan No. 342  
21 shall be the same standards as those identified in Article VIIIe, Section 8.101 of  
22 Ordinance No. 348.

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

25 k. Planning Areas 78 and 84.

26 (1) The uses permitted in Planning Areas 78 and 84 of Specific Plan No. 342 shall be  
27 the same as those uses permitted in Article VIIIe, Section 8.100 of Ordinance No.  
28 348, except that the uses permitted pursuant to Section 8.100.a.(1), (2), (3), (4), (6),

1 and (8); Section 8.100.b.(1); and Section 8.100.c.(1) shall not be permitted. In  
2 addition, the uses permitted under Article VIIIe, Section 8.100.a. shall include  
3 trails; paseos; hiking areas; kiosks; instructional signs; and accessory buildings to a  
4 specific use, provided that the accessory building is established as an incident to a  
5 principal use and does not change the character of that use. Any use that is not  
6 specifically listed herein may be considered a permitted or conditionally permitted  
7 use provided that the Planning Director finds that the proposed use is substantially  
8 the same in character and intensity as those listed in the designated subsections.  
9 Such a use is subject to the permit process which governs the category in which it  
10 falls.

11 (2) The development standards for Planning Areas 78 and 84 of Specific Plan No. 342  
12 shall be the same standards as those identified in Article VIIIe, Section 8.101 of  
13 Ordinance No. 348.

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

16 1. Planning Area 81.

17 (1) The uses permitted in Planning Area 81 of Specific Plan No. 342 shall be the same  
18 as those uses permitted in Article VIIIe, Section 8.100 of Ordinance No. 348,  
19 except that the uses permitted pursuant to Section 8.100.a.(1), (2), (3), (4), (8),  
20 8.100.b.(1), and 8.100.c.(1) shall not be permitted. In addition, those uses  
21 permitted pursuant to Article VIIIe, Section 8.100.a shall include on-site directional  
22 or instructional signs; kiosks; trails; paseos; and hiking areas; and accessory  
23 buildings to a specific use, provided that the accessory building is established as an  
24 incident to a principal use and does not change the character of that use. Any use  
25 that is not specifically listed herein may be considered a permitted or conditionally  
26 permitted use provided that the Planning Director finds that the proposed use is  
27 substantially the same in character and intensity as those listed in the designated  
28 subsections. Such a use is subject to the permit process which governs the category

1 in which it falls.

2 (2) The development standards for Planning Areas 81 of Specific Plan No. 342 shall be  
3 the same as those standards identified in Article VIIIe, Section 8.101 of Ordinance  
4 No. 348.

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

7 Section 3. Mixed Use Overlays

8 (1) INTENT. This section of the ordinance hereby creates three Mixed Use Overlay  
9 Zones (MUOZ) for Specific Plan 342. Although the allowable uses as listed in  
10 Section 2.f.1 of this ordinance are applicable over all three MUOZ, the  
11 development standards and required findings are unique to each MUOZ. The  
12 developer of a project may decide to apply the development standards of the  
13 Section 2.f., or use an Overlay Zone, but may not use both. The MUOZ are  
14 intended to encourage a mixture of compatible and synergistic land uses, such as  
15 residential with compatible non-residential uses including office, retail, personal  
16 services, public spaces and other community amenities with a particular focus on  
17 fostering pedestrian activity. Each of the three distinct Overlays are described  
18 below. The intent of the individual MUOZ are as follows:

19 A. MUOZ-1 provides uses and standards for areas appropriate for the  
20 development of traditional commercial development with the possibility of  
21 office uses combined with retail. Development may be developed as  
22 vertically or horizontal mixed use. All development shall maintain strong  
23 pedestrian integration with neighboring Planning Areas and schools.  
24 Singular use structures in this overlay are acceptable. It is envisioned that  
25 this overlay will permit primarily traditional retail, restaurant and  
26 commercial services intended to develop early in the Specific Plan and  
27 provide basic services.

28 B. MUOZ-2 provides uses and standards for areas appropriate for the

1 development of the highest density residential development with strong  
2 retail and office use integration. Development will be vertical or very high  
3 density horizontal with the intent of creating a pedestrian focused core with  
4 residential uses coupled with retail and/or office uses. Limited singular use  
5 structures are acceptable. It is envisioned that most, if not all, of the  
6 MUOZ-2 will be mixed uses.

7 C. MUOZ-3 provides uses and standards for areas appropriate for the  
8 development of the office uses with limited retail and residential use  
9 integration. Development will be horizontally or vertically mixed use with  
10 strong pedestrian and vehicular integration with neighboring Planning  
11 Areas. Residential uses in this Overlay are not a requirement of the Overlay  
12 but are provided as an option. It is envisioned, though not required, that  
13 about thirty percent (30%) of the overlay will be mixed use.

14 (2) APPLICABILITY.

15 A. The MUOZ zones shall only be used with the Town Center Village of  
16 Specific Plan 342 as defined by Specific Plan. The boundary of the Town  
17 Center Village shall be legally defined by zoning ordinance in conjunction  
18 with approval of the Village Refinement Plan (VRP) for the Town Center  
19 Village as outlined in Specific Plan No. 342.

20 B. The boundaries of the individual MUOZ to be used in the Town Center  
21 Village must be legally defined by a change of zone in conjunction with  
22 approval of the Village Refinement Plan (VRP) for the Town Center  
23 Village as outlined in Specific Plan No. 342. All overlays within the  
24 Village must be mapped at the time that the Village Refinement Plan is  
25 approved if an overlay is to be employed within the Village. Changes to the  
26 boundaries of the overlays shall require a change of zone application to be  
27 approved.

28 C. The provisions of the MUOZ zones shall further apply to all currently

1 approved, and future developments for individual parcels, tracts and parcel  
2 maps, and use plans within the Town Center Village unless it is otherwise  
3 specified in this section.

4 (3) DEFINITIONS. As used in this section, the following terms shall have the  
5 following meanings:

- 6 A. Base Zone. The set of allowable uses and zoning standards that are  
7 applicable over the entire Town Center Village found in Section 2.f.1 of  
8 this Ordinance.
- 9 B. Mixed Use Structure. A building or structure that contains at least one floor  
10 devoted to allowed nonresidential uses and at least one devoted to allowed  
11 residential uses.
- 12 C. Block. Traditional grid pattern development with street length limitations,  
13 defined within each village, to foster a pedestrian friendly environment.  
14 The grid pattern is required to have at least one of the streets defining such  
15 a grid be a public street.
- 16 D. Mixed Use Dwelling. A dwelling located above the ground floor of a  
17 permitted commercial, retail, office or institutional use permitted by a  
18 MUOZ.
- 19 E. Horizontal Mixed Use. A mixing of uses in a development project or with  
20 neighboring structures, though not necessarily in the same building.
- 21 F. Vertical Mixed Use. A mixing of uses within the same structure, usually  
22 with residential over commercial though this is not required to meet the  
23 definition.
- 24 G. Pedestrian Friendly. Landscaping, amenities, sidewalk design, structure  
25 placement, all designed with an emphasis on creating a lively, walkable,  
26 and comfortable environment.
- 27 H. Covenants, Conditions and Restrictions (CC &Rs). A document used to  
28 describe restrictive limitations placed on real property and its uses, and

1 which usually are made a condition of holding legal title to, or leasehold  
2 interest in, the real property in question.

3 I. Overlay Zone. A set of zoning requirements that are superimposed upon an  
4 underlying zone. Overlay zones are generally used when a particular area  
5 requires special protection or has a special neighborhood concern.

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

8 J. Human Scale. The design of neighborhoods, buildings, and recreational  
9 spaces that are welcoming and inviting to pedestrian uses, and also  
10 encourage the reduced use of automobiles. Density of the neighborhoods  
11 and the heights of the buildings are not restricted in this definition.

12 K. Conventional Shopping Center. A development of retail and/or other  
13 commercial establishments that are planned, developed, owned and  
14 managed as a single property, typically with on-site parking provided. The  
15 center's size and orientation will be generally determined by the market  
16 characteristics of the trade area served by the center.

17 L. Project. A development proposal by one or more applicants proposing a  
18 single structure or series of structures, under one development application.

19 (4) REQUIRED FINDINGS. In order for the applicable hearing body to approve a  
20 project in Town Center Village, the following findings must be made-

- 21 A. The project is consistent with the Village Refinement Program for the  
22 Town Center Village.
- 23 B. The project integrates with neighboring uses in vehicular connection,  
24 pedestrian connection on and off street, architectural styles and landscaping.
- 25 C. The development is designed to a human scale.
- 26 D. Efforts have been adequately made so that parking areas have been located  
27 where they can be conveniently and safely accessed and not interfere with  
28 pedestrian activity.
- E. Parking does not dominate street frontage and is screened appropriately.

1 F. The project is complimentary to a mix of uses and blends with surrounding  
2 development.

3 G. Uses and structures are sited and designed to complement one another.

4 (5) Mixed Use Overlay Zone 1

5 A. The uses permitted in Mixed Use Overlay Zone 1 (MUOZ-1) of Planning  
6 Areas 26, 27, 28, 29, 30, 31, 33, 34, 35, and 36 of Specific Plan No. 342  
7 shall be the same as those uses permitted in Article VIII, Section 8.1 of  
8 Ordinance No. 348 except that the uses permitted pursuant to Section 8.1.a.  
9 (1), (2), (3), (4), (6), (7), (9), (10), (11), (12), (13), (14), (15), (16), (17),  
10 (18), (19), (20), (21), (23), (24), (25), (27), and (28); 8.1.b.(1), (2), (3), and  
11 (4); and 8.1.c. shall not be permitted. In addition, the following permitted  
12 uses identified under Article VIII, Section 8.1.a shall also include:  
13 amphitheaters; antique shops; art gallery; library; museum; art supply shops  
14 and studios; assisted living facilities; auto parts and supply; bakery shops;  
15 financial institutions; barber / beauty shops; bicycle sales and rentals;  
16 blueprint and duplicating services; book stores; bowling alleys; car washes;  
17 catering services; ceramic sales / manufacturing; churches;  
18 clinics; coffee shops; community recreation facilities; confectionary / candy  
19 stores; costume design studios; dance halls; delicatessens; department  
20 stores; drug stores; employment agencies; equipment rental services; feed &  
21 grain stores; fishing and casting pools; flood control drainage facilities;  
22 florist shops; food markets / frozen food lockers; gift shops; golf cart sales  
23 and service; growing of produce for non-commercial use; hardware stores;  
24 health centers; hobby shops; hotels / motels; household goods sales and  
25 repair; ice cream shops; interior decorating shops; jewelry stores; lakes,  
26 including noncommercial fishing; leather goods; locksmith shops;  
27 manufacturer's agent; market, retail or wholesale; meat markets, but no  
28

1 slaughtering; mortuaries; music stores; noncommercial community  
2 association facilities; nurseries / garden supply; offices, including business,  
3 law, medical, dental, chiropractic, architectural, engineering, community  
4 planning, and real estate; on-site identification signs, max size – 10 square  
5 feet; outdoor storage of materials; paint and wall paper stores; parcel, postal  
6 store; parking lots and structures; parks; swimming pools; party supply  
7 stores; pet shops and pet supply; pharmacy, incidental to office use on site;  
8 photography shops and studios; plumbing shops, not including contractors;  
9 radio / television studios; recycling facilities; refreshment stands;  
10 restaurants, NOT including drive-in or take-out; schools, business and  
11 professional; shoe stores / repair shops; sporting goods stores; sports and  
12 recreational facilities; stained glass assembly; stationary stores; studios for  
13 fine arts; tailor shops; temporary uses (those lasting less than 3 months)  
14 provided the procedures outlined in Section 18.30.d.(1) are met: food  
15 stands; Christmas tree farms, pumpkin patches, and fairs and carnivals;  
16 temporary real estate tract offices located within a subdivision to be used  
17 only for and during the original sale of the subdivision, but not to exceed a  
18 period of five (5) years in any event; theaters, not drive-in; tire sales and  
19 service, no recapping; tobacco shops; toy shops; trails / paseos; travel  
20 agencies; watch repair shops; wholesale businesses. In addition, the  
21 following permitted uses identified under Article VIII, Section 8.1.b shall  
22 also include: animal hospitals; auto repair garages, not including body and  
23 fender shops or spray painting; automobile sales and rental agencies; bars /  
24 cocktail lounges; billiard and pool halls; boat/marine sales, parking and  
25 storage; cleaning and dyeing shops; convenience stores - no gas sales;  
26 gasoline service stations; labs; film, dental, medical, research, or testing;  
27 laundromats; miniature golf facilities; multi-family dwelling units;  
28

1 restaurants; single family dwelling units; stations: bus, railroad, taxi. Any  
2 use that is not specifically listed herein may be considered a permitted or  
3 conditionally permitted use provided that the Planning Director finds that  
4 the proposed use is substantially the same in character and intensity as those  
5 listed in the designated subsections. Such a use is subject to the permit  
6 process which governs the category in which it falls.

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

- 14 1. Attached multi-family structures shall not exceed 55 feet in height.  
15 All other buildings shall not exceed 55 feet in height, with  
16 architectural projections adding 2% to the height of the building.
- 17 2. All residential uses shall incorporate at least 50 square  
18 feet/dwelling unit of open space. Private usable open space shall  
19 have a minimum dimension on any one side of 6 feet.
- 20 3. The minimum setback between buildings shall be 10 feet for  
21 attached multi-family units. No setback is required between  
22 commercial structures.
- 23 5. Building setbacks from a project's exterior streets and boundary  
24 lines shall be 10 feet.
- 25 6. A maximum of 30% of any project area may be utilized for  
26 residential purposes unless residential units are placed above  
27 commercial uses in which case there are no limits.  
28

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

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

6 (6) Mixed Use Overlay Zone 2

7 A. The uses permitted in Mixed Use Overlay Zone 2 (MUOZ-2) of Planning  
8 Areas 26, 27, 28, 29, 30, 31, 33, 34, 35, and 36 of Specific Plan No. 342  
9 shall be the same as those uses permitted in Article VIII, Section 8.1 of  
10 Ordinance No. 348 except that the uses permitted pursuant to Section 8.1.a.  
11 (1), (2), (3), (4), (6), (7), (9), (10), (11), (12), (13), (14), (15), (16), (17),  
12 (18), (19), (20), (21), (23), (24), (25), (27), and (28); 8.1.b.(1), (2), (3), and  
13 (4); and 8.1.c. shall not be permitted. In addition, the following permitted  
14 uses identified under Article VIII, Section 8.1.a shall also include: antique  
15 shops; art gallery; library; museum; art supply shops and studios;  
16 auditoriums/conference rooms; auto parts, supply, repair, not including  
17 body and fender shops or spray painting; bakery shops; financial  
18 institutions; barber / beauty shops; bicycle sales and rentals; blueprint and  
19 duplicating services; book stores; bowling alleys; catering services; ceramic  
20 sales / manufacturing; cleaning and dyeing shops; clinics; coffee shops;  
21 community recreation facilities; confectionary / candy stores; costume  
22 design studios; dance halls; delicatessens; department stores;  
23 drug stores; employment agencies; equipment rental services; feed & grain  
24 stores; fishing and casting pools; flood control drainage facilities; florist  
25 shops; food markets / frozen food lockers; gift shops; golf cart sales and  
26 service; growing of produce for non-commercial use; hardware stores;  
27 hobby shops; hotels / motels; household goods sales and repair; ice cream  
28

shops; interior decorating shops; jewelry stores; labs: film, dental, medical, research, or testing; lakes, including noncommercial fishing; laundromats; leather goods; locksmith shops; manufacturer's agent; market, retail or wholesale; meat markets, but no slaughtering; mortuaries; multi-family dwelling units; music stores; noncommercial community association facilities; nursery schools / preschool day care; offices, including business, law, medical, dental, chiropractic, architectural, engineering, community planning, and real estate; on-site identification signs, max size – 10 square feet; paint and wall paper stores; parcel, postal store; parking lots and structures; parks; swimming pools; party supply stores; pet shops and supply; pharmacy, incidental to office use on site; photography shops and studios; plumbing shops, not including contractors; printers and publishers; radio / television studios; recording studios; recycling facilities; refreshment stands; restaurants, not including drive-in or take-out; schools, business and professional; shoe stores / repair shops; signs, on-site advertising; sporting goods stores; stained glass assembly; stationary stores; stations: bus, railroad, taxi; studios for fine arts; tailor shops; theaters, not drive-in; tire sales and service, no recapping; tobacco shops; toy shops; trails / paseos; travel agencies; watch repair shops; temporary real estate tract offices located within a subdivision to be used only for and during the original sale of the subdivision, but not to exceed a period of five (5) years in any event; temporary uses (those lasting less than 3 months) provided the procedures outlined in Section 18.30.d.(1) are met: food stands; Christmas tree farms, pumpkin patches, and fairs and carnivals. In addition, the following permitted uses identified under Article VIII, Section 8.1.b shall also include: auto repair garages, not including body and fender shops or spray painting; bakery goods distributor; bars / cocktail lounges; billiard and pool

1 halls; convenience stores - no gas sales; gasoline service stations; nurseries /  
2 garden supply; pawn shops; restaurant; bars; sports and recreational  
3 facilities. Any use that is not specifically listed herein may be considered a  
4 permitted or conditionally permitted use provided that the Planning Director  
5 finds that the proposed use is substantially the same in character and  
6 intensity as those listed in the designated subsections. Such a use is subject  
7 to the permit process which governs the category in which it falls.

8 B. The development standards for Mixed Use Overlay Zone 2 of Planning  
9 Areas 26, 27, 28, 29, 30, 31, 33, 34, 35, and 36 of Specific Plan No. 342  
10 shall be the same as those standards identified in Article IX, Section 9.4 and  
11 Article XVIII, Section 18.5, except that the development standards set forth  
12 in Article IX, Section 9.4 b, c, d, and e; and those development standards set  
13 for in Article XVIII, Section 18.5 b, c, d, e, f, g, i, j, and k, shall be  
14 deleted and replaced by the following:

- 15 1. Attached multi-family structures shall not exceed 55 feet in height.  
16 All other buildings shall not exceed 55 feet in height. At least one  
17 architectural projection shall be required and shall be at least 2%  
18 higher than the primary structure however at no time shall any  
19 architectural projection over 20 feet be permitted on any structure.
- 20 2. The maximum floor to area ratio for mixed-use projects is 3.0. All  
21 other projects cannot exceed a floor area ratio of 1.0.
- 22 3. All residential uses shall incorporate at least 50 square  
23 feet/dwelling unit of open space. Private usable open space shall  
24 have a minimum dimension on any one side of 50 feet.
- 25 4. Rooftop open space may be used as private open space when  
26 directly accessible to the unit(s) it serves.
- 27 5. The minimum setback between buildings shall be, 10 feet between  
28

1 residential units, and 10 feet between all residential structures and  
2 commercial structures if structures do not exceed three (3) stories,  
3 otherwise no setback is required. No setback is required between  
4 commercial uses.

- 5 6. Building setbacks from a project's exterior streets and boundary  
6 lines shall be 10 feet.
- 7 7. The minimum block length shall be 200 feet and the maximum  
8 shall be 700 feet.
- 9 8. At least one structure on each block will be required to use a  
10 design related architectural projection.
- 11 9. All ground floor nonresidential uses shall be less than 7,500 square  
12 feet unless residential uses are located above the non-residential use.  
13 A 20% increase can be granted by the Planning Director. All office  
14 or commercial uses above the ground floor have no limit.
- 15 10. If residential uses are located above nonresidential uses then the  
16 ground floor use shall be less than 50,000 square feet. A 20%  
17 increase can be granted by the Planning Director. All office or  
18 commercial uses above the ground floor have no limit.
- 19 11. All singular use nonresidential structures shall be less than  
20 5,000 square feet.
- 21 12. A minimum of sixty percent (60%) of non-residential street-facing  
22 building façades between two feet and eight feet in height must be  
23 comprised of clear windows that allow views of indoor space or  
24 product display areas.
- 25 13. Buildings must have a primary entrance door facing a public  
26 sidewalk. Entrances at building corners may be used to satisfy  
27 this requirement.
- 28

- 1 14. Building entrances may include doors to individual shops or  
2 businesses, lobby entrances, entrances to pedestrian-oriented plazas,  
3 or courtyard entrances to a cluster of shops or businesses.  
4 15. No curb cuts are allowed for lots that abut alleys.  
5 16. Residential structures may place residential uses on the ground  
6 floor of a structure provided said structure is contiguous to a non-  
7 residential ground floor use.

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

- 10 1. The project integrates residential and nonresidential uses with a  
11 pedestrian focused core or if the project is a single use  
12 structure/project it is contiguous (less than ten feet (10')) to a  
13 differing use.  
14 2. The project provides usable public and private open spaces,  
15 including but not limited to plazas in commercial areas that enhance  
16 commercial activity.

17 (7) Mixed Use Overlay Zone 3

18 A. The uses permitted in Mixed Use Overlay Zone 3 (MUOA-3) of Planning  
19 Areas 26, 27, 28, 29, 30, 31, 33, 34, 35, and 36 of Specific Plan No. 342  
20 shall be the same as those uses permitted in Article VIII, Section 8.1 of  
21 Ordinance No. 348 except that the uses permitted pursuant to Section 8.1.a.  
22 (1), (2), (3), (4), (6), (7), (9), (10), (11), (12), (13), (14), (15), (16), (17),  
23 (18), (19), (20), (21), (23), (24), (25), (27), and (28); 8.1.b.(1), (2), (3), and  
24 (4); and 8.1.c. shall not be permitted. In addition, the following permitted  
25 uses identified under Article VIII, Section 8.1.a shall also include:  
26 ambulance services; art gallery; library; museum; art supply shops and  
27 studios; auditoriums / conference rooms; auto parts, supply and repair  
28 garages, not including body and fender shops or spray painting; bakery

1 goods distribution and shops; financial institutions; barber / beauty shops;  
2 bicycle sales and rentals; blueprint and duplicating services; book stores;  
3 bowling alleys; car washes; catering services; ceramic sales /  
4 manufacturing; cleaning and dyeing shops; coffee shops; community  
5 recreation facilities; confectionary / candy stores; delicatessens; department  
6 stores; drug stores; employment agencies; equipment rental services; feed &  
7 grain stores; fishing and casting pools; flood control drainage basins and  
8 facilities; florist shops; gift shops; golf cart sales and service; growing of  
9 produce for non-commercial use; hardware stores; hobby shops; hotels /  
10 motels; household goods sales and repair; ice cream shops; interior  
11 decorating shops; jewelry stores; labs: film, dental, medical, research, or  
12 testing; lakes, including noncommercial fishing; laundromats; leather  
13 goods; locksmith shops; manufacturer's agent; market, retail or wholesale;  
14 meat markets, but no slaughtering; mortuaries; multi-family dwelling units;  
15 music stores; noncommercial community assembly facilities; nurseries /  
16 garden supply; offices, including business, law, medical, dental,  
17 chiropractic, architectural, engineering, community planning, and real  
18 estate; on-site identification signs, max size – 10 square feet; outdoor  
19 storage of materials; paint and wall paper stores; parcel, postal store;  
20 parking lots and structures; parks; swimming pools; party supply stores; pet  
21 shops and supply; pharmacy, incidental to office use on site; photography  
22 shops and studios; plumbing shops, not including contractors; printers and  
23 publishers; radio / television studios; recording studios; recycling facilities;  
24 refreshment stands; schools, business and professional; senior housing; shoe  
25 stores / repair shops; signs, on-site advertising; sporting goods stores;  
26 stained glass assembly; stationary stores; stations: bus, railroad, taxi; tailor  
27 shops; theaters, not drive-in; tire sales and service, no recapping; tobacco  
28

1 shops; toy shops; trailer and boat storage; trails / paseos; travel agencies;  
2 watch repair shops; wholesale businesses; temporary real estate tract offices  
3 located within a subdivision to be used only for and during the original sale  
4 of the subdivision, but not to exceed a period of five (5) years in any event;  
5 temporary uses (those lasting less than 3 months) provided the procedures  
6 outlined in Section 18.30.d.(1) are met: food stands; Christmas tree farms,  
7 pumpkin patches, and fairs and carnivals. In addition, the following  
8 permitted uses identified under Article VIII, Section 8.1.b shall also  
9 include: animal hospitals; automobile sales and rental agencies; bars /  
10 cocktail lounges; billiard and pool halls; boat/marine sales, parking and  
11 storage; clinics; convenience stores - no gas sales; gasoline service stations;  
12 miniature golf facilities; pawn shops; restaurants; sports and recreational  
13 facilities; studios for fine arts; truck and trailer rental; and truck sales and  
14 service. Any use that is not specifically listed herein may be considered a  
15 permitted or conditionally permitted use provided that the Planning Director  
16 finds that the proposed use is substantially the same in character and  
17 intensity as those listed in the designated subsections. Such a use is subject  
18 to the permit process which governs the category in which it falls.

19 B. The development standards of MUOZ-3 of Planning Areas 26, 27, 28, 29,  
20 30, 31, 33, 34, 35, and 36 of Specific Plan No. 342 shall be the same as  
21 those identified in Article IXd, Section 9.73 of Ordinance No. 348 and  
22 Article XVIII, Section 18.5, except that the development standards set  
23 forth in Article IXd, Section 9.73 b, c, d, e, and m; and those development  
24 standards set for in Article XVIII, Section 18.5 b, c, d, e, f, g, i, j, and k,  
25 shall be deleted and replaced by the following:

26 1. Attached multi-family structures shall not exceed 55 feet in height.

27 All other buildings shall not exceed 55 feet in height, with  
28

1 at least one architectural projection shall be at least 2% higher  
2 than the primary structure however at no time shall any architectural  
3 projection over 20 feet be permitted on any structure.

4 2. The maximum floor to area ratio for mixed-use projects is 3.0. All  
5 other projects have a floor area ratio of 1.0.

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

9 4. Rooftop open space may be used as private open space when  
10 directly accessible to the unit(s) it serves.

11 5. The minimum setback between buildings shall be 6 feet between  
12 clustered single family units and other clustered single family units,  
13 10 feet between attached multi-family units and other residential  
14 units, and 10 feet between all residential structures and commercial  
15 structures. No setback is required between non-residential uses.

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

18 7. The minimum block length shall be 200 feet and the maximum shall  
19 be 1,320 feet. At least one structure on each block will be required  
20 to use a design related architectural projection.

21 Section 4. Conflict between ordinance requirements. If there is any conflict between the  
22 requirements of this and any other ordinance, the more stringent requirements shall apply.  
23  
24  
25

26 ///

27 ///

28 ///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

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

By \_\_\_\_\_  
Chairman, Board of Supervisors

ATTEST:  
CLERK TO THE BOARD

By \_\_\_\_\_  
(Deputy)

(SEAL)

APPROVED AS TO FORM:  
September 22, 2009

By Larisa R. McKenna  
LARISA REITHMEIER-MCKENNA  
Deputy County Counsel