

CHAPTER 18.110
EAST CENTER STREET DEVELOPMENT SPECIFIC
PLAN NO. 90-2 (SP 90-2)
ZONING AND DEVELOPMENT STANDARDS

Sections:

- 18.110.010 Purpose and intent.**
- 18.110.020 General provisions; definitions.**
- 18.110.030 Methods and procedures for specific plan implementation.**
- 18.110.040 Site and development standards.**
- 18.110.050 Land uses.**
- 18.110.060 Reclassification procedure – Violation.**

18.110.010 PURPOSE AND INTENT.

.010 The regulations set forth in this chapter have been established to provide for orderly development of that certain property (hereinafter referred to as the “Specific Plan Area”) described in that Specific Plan No. 90-2 (hereinafter referred to as the “Specific Plan”) marked Exhibit “A” and on file in the Office of the City Clerk, approved by the City Council by Resolution 90R-288 on July 24, 1990, as the same may be hereinafter amended. These regulations provide for the arrangement, development and use of various parcels (as defined in paragraph 18.110.020.050(d)) within the Specific Plan Area, which will provide for the creation of a new retail activity center as a central development spine for the Project Alpha Redevelopment Area, the intensification of residential development adjacent to the retail center to provide market support for the retail services, and the provision of on-site infrastructure and open-space development of the Specific Plan Area. The development contemplated by this Specific Plan is hereinafter referred to as the “East Center Street Development.”

Application of these regulations is specifically intended to provide and to ensure the most appropriate use of the Specific Plan Area, to create a harmonious relationship among land uses and to protect the health, safety and welfare of the community. Further, the Specific Plan is consistent with the intent, purpose and goals of the City's General Plan and Zoning Code (as defined in paragraph 18.110.020.050(1)), and the Redevelopment Plan for the Project Alpha Redevelopment Area adopted by the City Council and the Anaheim Redevelopment Agency.

.020 In accordance with the provisions of Chapter 18.72 (Specific Plans) (hereinafter referred to as the “Specific Plan Ordinance”), the standards herein are patterned after the zone districts and definitions contained in the Zoning Code. (Ord. 5161 § 1 (part); August 21, 1990.)

18.110.020 GENERAL PROVISIONS; DEFINITIONS.

.010 Governing Provisions. The provisions contained herein shall govern the zoning and development of the Specific Plan Area and the East Center Street Development. Where the provisions contained herein do not discuss a specific condition or situation which arises, the non-conflicting provisions of the Anaheim Municipal Code

shall apply to the East Center Street Development. In the event of a conflict between the provisions of this chapter and the other provisions of the Anaheim Municipal Code, the provisions set forth in this chapter shall govern. Any future amendments to the Zoning Code which are not addressed by the Specific Plan shall also apply to the Specific Plan Area as applicable.

.020 Boundaries of Parcels. The boundaries of the Parcels and the gross developable square footage to be developed therein, as described in the Specific Plan, are approximate. Precise Parcel boundaries and the gross developable square footage to be developed therein shall be established, as hereinafter provided, by the submittal, review and final approval of subdivision maps and “Site Plans” (as defined below in paragraph 18.110.020.050(h)). Minor variations from the Parcel boundaries and gross developable square footage to be developed therein, as described in the Specific Plan, shall be permitted as part of the site plan approval process and shall not require the Specific Plan to be amended.

.030 Grading. All grading shall comply with applicable regulations contained in Title 17 of the Anaheim Municipal Code.

.040 Construction. All construction shall comply with all provisions of the Uniform Building Code and other codes adopted pursuant to Title 15 of the Anaheim Municipal Code. Construction on any Parcel may commence only after Site Plan approval has been obtained from the City of Anaheim.

.050 Definitions. The following terms used in this chapter shall have the meanings ascribed to them below:

- (a) “Agency” shall mean the Anaheim Redevelopment Agency.
- (b) “Center Street Parking Structure” shall mean the parking structure located at 235 East Center Street, Anaheim, California, which is owned by the Agency.
- (c) “Paired Homes” shall mean those single family homes which are constructed in a duplex configuration.
- (d) “Parcel” and “Parcels” shall mean all or any one of the following parcels of land included in the Specific Plan Area, as further described in the Specific Plan: Parcel 22, Parcel 4d, Parcel 14N and Parcel 14S.
- (e) “Parking Areas” shall mean all parking spaces, aisles and interior accessways, excluding service accessways and loading areas.
- (f) “SFD” shall mean single-family detached houses.
- (g) “Setback” shall mean the distance from the exterior of the structural building wall closest to a given right-of-way (exclusive of canopies) to the nearest edge of that right-of-way. Setbacks may include landscaping, walkways, decorative walls up to three (3) feet in height, retaining walls up to ten (10) feet in height, signage, Parking Areas and plazas.
- (h) “Site Plan” shall mean a site plan for that phase, or portion thereof, under consideration.

- (i) “Specific Plan” shall mean that specific plan for the Downtown Anaheim - East Center Street area approved by the City Council on July 24, 1990 by Resolution 90R-288.
- (j) “Specific Plan Area” shall mean that certain property described in the Specific Plan.
- (k) “Subdivision Code” shall mean Title 17 of the Anaheim Municipal Code.
- (l) “Zoning Code” shall mean Title 18 of the Anaheim Municipal Code.

Terms used in this chapter shall have the meaning set forth in the Anaheim Municipal Code unless otherwise defined in this chapter.

.060 Consistency with General Plan. In adopting Resolution 90R-288 approving and adopting the Specific Plan, the City Council of the City of Anaheim has made certain finding of consistency between the General Plan of the City of Anaheim and the Specific Plan. In granting future approvals as contemplated by this chapter and by the Specific Plan, the particular person or body so acting shall not do so in such a manner so as to abrogate or nullify those findings. (Ord. 5161 § 1 (part); August 21, 1990.)

18.110.030 METHODS AND PROCEDURES FOR SPECIFIC PLAN IMPLEMENTATION.

The methods and procedures for implementation and administration of the Specific Plan are as follows:

.010 Implementation of the Specific Plan. The Specific Plan shall be implemented through the processing and approval of subdivision maps and Final Site Plans (as defined below in subsection 18.110.030.030).

.020 Subdivision Map Approval. Subdivision maps shall be submitted, reviewed and approved in accordance with the provisions of Chapters 17.08 and 17.09 of the Anaheim Municipal Code. Notwithstanding the definition of “lot” as found in Chapter 18.92 (Definitions), parcels created by the subdivision of the Parcels shall not be required to front on a public street, provided that each such parcel has access for ingress and egress to a public street pursuant to a recorded reciprocal easement agreement reasonably approved as to form and content by the City Attorney, the Traffic Engineer, the Planning and Engineering Departments and the Community Development Department.

.030 Final Site Plan Approval. Final Site Plans (hereinafter collectively referred to as the “Final Site Plans”) may be submitted in phases or portions of phases. Final Site Plans shall be submitted to the Planning Director and the Executive Director of Community Development for approval prior to issuance of a building permit for each parcel or portion thereof. If the Planning Director and the Executive Director of Community Development determine that the Final Site Plan, subject to non-material boundary and minor variations, is in substantial conformance with the Specific Plan and this chapter, then the Final Site Plan shall be approved by the Planning Director and the Executive Director of Community Development. The decision of the Planning Director and the Executive Director of Community Development shall be final unless appealed to the Planning Commission within ten (10) days from the date of such decision. If either

the Planning Director or the Executive Director of Community Development determine that the Final Site Plan is not in substantial conformance with the Specific Plan and this chapter, then the Final Site Plan shall be reviewed by the Planning Commission at a duly noticed hearing for substantial conformance with the Specific Plan and this chapter. Notice of such hearing shall be given at the same time and in the same manner as specified for hearings for variances and conditional use permits in this Code. Subject to non-material boundary and other minor variations as authorized by subsection 18.110.020.020 of this chapter, if the Final Site Plan is found to be in substantial compliance with the Specific Plan and this chapter, the Planning Commission shall approve the Final Site Plan. The decision of the Planning Commission shall be final unless appealed to the City Council within ten (10) days from the date of such decision.

.040 Final Site Plan Conformance. Following approval of a Final Site Plan, if any changes are proposed regarding the size, location or alteration of any use or structures shown on an approved Final Site Plan, a revised Final Site Plan shall be submitted to the Planning Director and the Executive Director of Community Development for approval. If the Planning Director and the Executive Director of Community Development determine that the proposed revision is in substantial conformance with the provisions of the Specific Plan and the general intent of the approved Final Site Plan, the revised Final Site Plan shall be approved by the Planning Director and the Executive Director of Community Development. The decision of the Planning Director and the Executive Director of Community Development shall be final unless appealed to the Planning Commission within ten (10) days from the date of such decision. If the Planning Director or Executive Director of Community Development determine that the proposed revision is not in substantial compliance with the approved Final Site Plan, then the revised Final Site Plan shall be submitted to the Planning Commission for review and action pursuant to subsection 18.110.030.030 herein. Notwithstanding the foregoing, the Planning Director and the Executive Director of Community Development shall have the power to refer consideration of a revised Final Site Plan to the Planning Commission as a report and recommendation item. If the Planning Commission determines that the proposed revision is in substantial conformance with the provisions of the Specific Plan and this chapter and the general intent of the approved Final Site Plan, the revised Final Site Plan shall be approved by the Planning Commission. The decision of the Planning Commission shall be final unless appealed to the City Council within ten (10) days from the date of such decision.

.050 Specific Plan Amendments. Amendments to the Specific Plan shall be processed in accordance with the provisions of Chapter 18.76 (Zoning Amendments). (Ord. 5161 § 1 (part); August 21, 1990.)

18.110.040 SITE AND DEVELOPMENT STANDARDS.

.010 Purpose and Intent. The purpose of these site and development standards is to act as the controlling mechanism for the implementation of development within the Specific Plan Area. These site and development standards are intended to ensure that future development proceeds in a manner consistent with the goals and objectives of the Specific Plan, the Anaheim General Plan, and the Project Alpha Redevelopment Plan.

.020 Parcel 4d — Mixed Uses Consisting Of Attached Multiple-Family Housing and Commercial/Retail Uses. Except as otherwise specified herein, the standards of the RM-4 Multiple-Family Residential Zone in Chapter 18.06 (Multiple-Family Residential Zones) shall apply.

(a) Building Site Area Per Dwelling Unit. The minimum building site area per dwelling unit shall be nine hundred seventy-four (974) square feet.

(b) Building Height. The maximum building height shall be fifty-four (54) feet, as measured to the highest point of the structure exclusive of chimneys, vents and other mechanical or architectural appurtenances.

(c) Site Coverage. The maximum site coverage by the parking deck shall be ninety percent (90%).

(d) Structural Setback and Yard Requirements.

1. Center Street. The buildings adjacent to Center Street shall be located at or within one (1) foot of the street right-of-way. Commercial awnings encroaching into the public right-of-way shall be approved in accordance with the provisions of Title 17 of this Code.

2. Lincoln Avenue. The minimum structural setback to Lincoln Avenue shall be ten (10) feet; provided, however, that maximum five (5) foot encroachments are permitted for a distance no greater than fifteen percent (15%) of the lineal street frontage for usable private outdoor living areas, walkways and parking structures.

3. Olive Street. The minimum structural setback to Olive Street shall be ten (10) feet.

4. Philadelphia Street. The minimum structural setback to Philadelphia Street shall be fifteen (15) feet; provided, however, that maximum ten (10) foot encroachments are permitted for a distance no greater than fifteen percent (15%) of the lineal street frontage in order to accommodate building siting flexibility and elevator shafts, and that maximum five (5) foot encroachments for usable private outdoor living area are permitted for the remainder of the lineal street frontage.

(e) Required Recreational-Leisure Areas. The minimum recreational-leisure area per dwelling unit shall be two hundred fifty (250) square feet of usable open space, of which at least one-third (0.33) shall be private space for the exclusive use of individual units and at least one-half (0.5) shall be common space shared by residents of the housing complex.

1. Private Recreational-Leisure Areas. All of the dwelling units on the deck level and one-half (0.5) of the dwelling units on the upper level shall be provided with private usable recreational-leisure space. Private recreational-leisure areas shall consist of patios, balconies, decks and other areas which are directly accessible from the living room, dining room or family room of an individual unit. Such private areas shall be visually screened and protected from public view by grade separation, landscaping, fencing, walls and/or trellises. To be considered usable, deck level open space shall be not less than eighty (80) square feet in area, with a minimum dimension of

eight (8) feet; and upper level open space shall be not less than sixty (60) square feet in area, with a minimum dimension of six (6) feet.

2. Common Recreational-Leisure Areas. Common recreational-leisure areas shall consist of courtyards, front yards, rear yards, decks and other open space used primarily for outdoor living and recreation. To be considered usable, common recreational-leisure space shall have a minimum dimension of sixteen (16) feet and shall be located close to major pedestrian circulation routes but shall not be part of such circulation routes. Common recreational-leisure areas shall be accessible to all residents of the housing complex.

(f) Minimum Number of Parking Spaces. Based on the combination of uses proposed, the following minimum number of parking spaces shall be provided. For the parking spaces to be located in the Center Street Parking Structure, a parking lease agreement between the applicant and the Agency which is satisfactory to the City Attorney and the City Engineer shall be in effect prior to issuance of a certificate of occupancy.

1. Residential Uses. For each dwelling unit there shall be provided not less than two and one-half (2.5) parking spaces. At least two and one-tenth (2.1) parking spaces per unit shall be covered and located on-site (for a total of not less than two hundred twelve (212) spaces). The remaining parking spaces (not more than four-tenths (0.4) parking spaces per unit) shall be provided in the Center Street Parking Structure (for a total of not more than forty (40) spaces).

2. Commercial Uses. A minimum of five and one-half (5.5) parking spaces per one thousand (1,000) square feet of gross floor area of commercial/retail uses shall be provided in the Center Street Parking Structure (for a total of not less than thirty-six (36) spaces).

(g) Sign Regulations. Prior to issuance of a certificate of occupancy, a complete sign program shall be submitted for review and approval by the Planning Director and Executive Director of Community Development, in the manner set forth in subsection 18.110.040.070 of this Code.

(h) Dwelling Unit Storage. There shall be one hundred cubic feet of private storage space for each dwelling unit. (Ord. 5998 § 59; October 25, 2005.)

.030 Parcel 14N — Attached Multiple-Family Housing. Except as otherwise specified herein, the standards of the “RM-4” Multiple-Family Residential Zone in Chapter 18.06 (Multiple-Family Residential Zones) shall apply.

(a) Building Height. The maximum building height shall be forty-six (46) feet, as measured to the highest point of the structure exclusive of chimneys, vents and other mechanical or architectural appurtenances.

(b) Site Coverage. The maximum site coverage by the parking deck shall be eighty-five percent (85%).

(c) Structural Setback and Yard Requirements.

1. Center Street. The minimum structural setback to Center Street shall be ten (10) feet; provided, however, that maximum five (5) feet encroachments are

permitted for a distance of no greater than fifteen percent (15%) of the lineal street frontage for usable private outdoor living areas, walkways and parking structures.

2. Lincoln Avenue. The minimum structural setback to Lincoln Avenue shall be nine (9) feet; provided, however, that maximum five (5) foot encroachments are permitted for a distance no greater than fifteen percent (15%) of the lineal street frontage for usable private outdoor living areas, walkways and parking structures.

3. Olive Street. The minimum structural setback to Olive Street shall be fifteen (15) feet; provided, however, that maximum ten (10) foot encroachments are permitted for a distance no greater than fifteen percent (15%) of the lineal street frontage in order to accommodate building siting flexibility and elevator shafts, and that maximum five (5) foot encroachments for usable private outdoor living areas are permitted for the remainder of the lineal street frontage.

4. Side Yards. The minimum side yard setbacks adjacent to parks, open space areas and/or train stations shall be five (5) feet.

5. Building Walls Containing a Main Entrance or Windows Opening Onto a Habitable Space. For any building wall containing a main entrance or windows opening onto habitable space, the minimum building separation shall be fifteen (15) feet.

(d) Required Recreational-Leisure Areas. The minimum recreational-leisure area per dwelling unit shall be two hundred fifty (250) square feet of usable open space, of which at least one-third (0.33) shall be private space for the exclusive use of individual units and at least one-half (0.5) shall be common space shared by residents of the housing complex.

1. Private Recreational-Leisure Areas. All of the dwelling units on the ground level and one-half (0.5) of the dwelling units on the upper level shall be provided with private usable recreational-leisure space. Private recreational-leisure areas shall consist of patios, balconies, decks and other areas which are directly accessible from the living room, dining room or family room of an individual unit. Such private areas shall be visually screened and protected from public view by grade separation, landscaping, fencing, walls and/or trellises. To be considered "usable," ground level open space shall be not less than eighty (80) square feet in area, with a minimum dimension of eight (8) feet; and upper level open space shall be not less than sixty (60) square feet in area, with a minimum dimension of six (6) feet.

2. Common Recreational-Leisure Areas. Common recreational-leisure areas shall consist of courtyards, front yards, rear yards, decks and other open space used primarily for outdoor living and recreation. To be considered "usable," common recreational-leisure space shall have a minimum dimension of sixteen (16) feet and shall be located close to major pedestrian circulation routes but shall not be part of such circulation routes. Common recreational-leisure areas shall be accessible to all residents of the housing complex.

(e) Minimum Number of Parking Spaces. For each dwelling unit there shall be provided not less than two and one-half (2.5) parking spaces. At least two and one hundred twenty-five thousandths (2.125) spaces shall be covered and shall be provided

on-site (for a total of not less than three hundred ninety one (391) parking spaces). The remainder may be provided in the Center Street Parking Structure. For the parking spaces to be located in the Center Street Parking Structure, a parking lease agreement which is satisfactory to the City Attorney and the City Engineer between the applicant and the Agency shall be in effect prior to issuance of a certificate of occupancy.

(f) Sign Regulations. Prior to issuance of the first certificate of occupancy, a complete sign program shall be submitted for review and approval by the Planning Director and the Executive Director of Community Development, in the manner set forth in subsection 18.110.040.070 of this Code.

(g) Dwelling Unit Storage. There shall be one hundred (100) cubic feet of private storage area for each dwelling unit. (Ord. 5998 § 60; October 25, 2005.)

.040 Parcel 14S — Attached Single-Family Housing (Condominiums). Except as otherwise specified herein, the standards of the RM-3 Multiple-Family Residential Zone in Chapter 18.06 (Multiple-Family Residential Zones) shall apply.

(a) Building Height. The maximum building height shall be thirty-five (35) feet or two (2) stories, whichever is less, as measured to the highest point of the structure exclusive of chimneys, vents and other mechanical or architectural appurtenances.

(b) Site Coverage. The maximum site coverage by all residential buildings, including enclosed garages, shall be fifty-five percent (55%).

(c) Structural Setback and Yard Requirements.

1. Atchison Street. The structural setback to Atchison Street shall be a minimum of ten (10) feet and a maximum of twenty-two (22) feet; provided, however, that privacy fences enclosing private open spaces may encroach into said setback.

2. Center Street. The minimum structural setback to Center Street shall be six (6) feet; provided, however, that maximum five (5) foot encroachments for architectural projections for entry porches and fences are permitted.

3. Kroeger Street. The structural setback to Kroeger Street shall be a minimum of ten (10) feet and a maximum of twenty-two (22) feet; provided, however, that privacy fences enclosing private open spaces may encroach into said setbacks.

4. Melrose Street. The structural setback to Melrose Street shall be a minimum of ten (10) feet and a maximum of twenty-two (22) feet; provided, however, that privacy fences enclosing private open spaces may encroach into said setbacks.

5. Olive Street. The structural setback to Olive Street shall range from a minimum of ten (10) feet and a maximum of twenty-two (22) feet. No encroachments shall be permitted.

6. Alleys. The minimum structural setback to alleys shall be fourteen (14) feet as measured from the centerline of the alley. No encroachments shall be permitted.

(d) Permitted Encroachments Into Required Yards.

1. Side Yards. Privacy fences are permitted to encroach into required side yards.

(e) Required Recreational-Leisure Areas. The minimum recreational-leisure area per dwelling unit shall be three hundred fifty (350) square feet of usable open space. The minimum recreational-leisure area requirement per dwelling unit may be fulfilled solely by private individual recreational/leisure areas. Private recreational-leisure areas shall consist of patios, balconies, decks and other areas which are directly accessible from the living room, dining room or family room of an individual unit. Such private areas shall be visually screened and protected from public view by grade separation, landscaping, fencing, walls and/or trellises. To be considered “usable,” ground level open space shall be not less than eighty (80) square feet in area, with a minimum dimension of eight (8) feet; and upper level open space shall be not less than sixty (60) square feet in area, with a minimum dimension of six (6) feet.

(f) Fence Height. The maximum fence height shall be six (6) feet; provided, however, that the maximum fence height in the required front yard setback shall not exceed four (4) feet.

(g) Minimum Number of Parking Spaces. For each dwelling unit there shall be provided not less than two and thirty-two hundredths (2.32) parking spaces. At least two (2) parking spaces per unit shall be covered and the other thirty-two hundredths (0.32) parking spaces per unit shall be reserved for guest parking.

(h) Sign Regulations. Prior to issuance of the first certificate of occupancy, a complete sign program shall be submitted for review and approval by the Planning Director and the Executive Director of Community Development, in the manner set forth in subsection 18.110.040.070 of this Code.

.050 Parcel 22 — Detached Single-Family Housing. Except as otherwise specified herein, the standards of the RS-3 Single-Family Residential Zone in Chapter 18.04 (Single-Family Residential Zones) shall apply.

(a) Building Height. The maximum building height shall be thirty-five (35) feet or two (2) stories, whichever is less, as measured to the highest point of the structure exclusive of chimneys, vents and other mechanical or architectural appurtenances.

(b) Site Coverage. The maximum site coverage by all residential buildings shall be forty percent (40%).

(c) Structural Setback and Yard Requirements.

1. Cypress Street. The minimum structural setback to Cypress Street shall be twenty (20) feet.

2. Lincoln Avenue. The minimum setback to the boundary wall along Lincoln Avenue, as required by paragraph 18.110.040.050(h) herein and pertaining to required site screening, shall be ten (10) feet.

3. Olive Street. The minimum structural setback to Olive Street shall be fifteen (15) feet.

4. Sabina Street Extension. The minimum structural setback to the southerly extension of Sabina Street, a private entry street, shall be ten (10) feet.

5. “Front-on” Garages. The minimum setback to any “front-on” garage having an automatic garage door opener shall be twenty (20) feet.

6. Side Yards. All side yards shall have setbacks of five (5) feet; provided, however, that on corner lots the minimum side yard setback to the street right-of-way shall be ten (10) feet.

7. Atchison, Topeka and Santa Fe Railroad Right-Of-Way. The minimum structural setback to the Atchison, Topeka and Santa Fe Railroad right-of-way shall be thirty (30) feet.

(d) Permitted Encroachments into Required Yards.

1. Front Yard. Maximum five (5) foot encroachments permitted into required front yards adjacent to public streets, for a distance no greater than twenty percent (20%) of the lineal street frontage.

2. Side Yards. Fireplaces are permitted to encroach a maximum of twenty-four (24) inches into any required side yard.

(e) Required Recreational-Leisure Areas. The minimum recreational-leisure area per dwelling unit shall be four hundred (400) square feet of usable open space. The minimum recreational-leisure area requirement per dwelling unit may be fulfilled solely by private individual recreational-leisure areas. Private recreational-leisure areas shall consist of patios, balconies, decks and other areas which are directly accessible from the living room, dining room or family room of an individual unit. Such private areas shall be visually screened and protected from public view by grade separation, landscaping, fencing, walls and/or trellises. To be considered “usable,” ground level open space shall be not less than eighty (80) square feet in area, with a minimum dimension of eight (8) feet; and upper level open space shall be not less than sixty (60) square feet in area, with a minimum dimension of six (6) feet.

(f) Minimum Distance Between Buildings. The minimum distance between any building walls separated by a side yard property line shall be ten (10) feet.

(g) Sign Regulations. Prior to issuance of the first certificate of occupancy, a complete sign program shall be submitted for review and approval by the Planning Director and Executive Director of Community Development, in the manner set forth in subsection 18.110.040.070 of this Code.

(h) Required Site Screening. A six (6) to thirteen (13) foot high block wall shall be constructed for noise attenuation as shown on Figure 22 of the Specific Plan (SP 90-2); provided, however, that the specific wall height shall be determined by a sound attenuation study prepared by a qualified engineer licensed by the State of California and approved by the Planning Director and the Executive Director of Community Development.

.060 Parcel 22 — Attached Single-Family Housing (Paired Homes). Except as otherwise specified herein, the standards of the RM-3 Multiple-Family Residential Zone in Chapter 18.06 (Multiple-Family Residential Zones) shall apply.

(a) **Building Height.** The maximum building height shall be thirty-five feet or two (2) stories, whichever is less, as measured to the highest point of the structure exclusive of chimneys, vents and other mechanical or architectural appurtenances.

(b) **Site Coverage.** No maximum site coverage is specified.

(c) **Structural Setback and Yard Requirements.**

1. **Lincoln Avenue.** The minimum setback to the boundary wall along Lincoln Avenue, as required by paragraph 18.110.040.060(i) herein and pertaining to required site screening, shall be ten (10) feet.

2. **Olive Street.** The minimum structural setback to Olive Street shall be fifteen (15) feet.

3. **Abutting Any Street Other Than an Arterial Highway.** The minimum landscaped structural setback to any street other than an arterial highway shall be eighteen (18) feet.

4. **Side Yards.** All side yards shall have setbacks of six (6) feet; provided, however, that on corner lots the minimum side yard setback to the street right-of-way shall be nine (9) feet and that no setback is required between common walls of paired homes.

5. **Building Walls Containing a Main Entrance or Windows Opening Onto Habitable Space.** For any building wall containing a main entrance or windows opening onto habitable space, the minimum structural separation shall be twelve (12) feet.

6. **“Front-on” Garages.** Along private streets, the minimum structural setback shall be eighteen (18) feet from the curb face to any “front-on” garage with an automatic garage door opener.

(d) **Encroachments Into Required Yards.**

1. **Front Yard.** No encroachments are permitted.

2. **Side Yards.** The second story is permitted to encroach a maximum of two (2) feet into required side yards.

(e) **Required Recreational-Leisure Areas.** The minimum recreational-leisure area per dwelling unit shall be four hundred (400) square feet of usable open space. The minimum recreational-leisure area requirement per dwelling unit may be fulfilled solely by private individual recreational-leisure areas. Private recreational-leisure areas shall consist of patios, balconies, decks and other areas which are directly accessible from the living room, dining room or family room of an individual unit. Such private areas shall be visually screened and protected from public view by grade separation, landscaping, fencing, walls and/or trellises. To be considered “usable,” ground level open space shall be not less than eighty (80) square feet in area, with a minimum dimension of eight (8) feet; and upper level open space shall be not less than sixty (60) square feet in area, with a minimum dimension of six (6) feet.

(f) **Minimum Distances Between Buildings.** The minimum distance between any building walls separated by a side yard property line shall be twelve (12) feet for grade level dwelling units and ten (10) feet for second story dwelling units.

(g) **Minimum Dimensions of Parking Spaces.** The minimum dimensions of parking spaces shall comply with the provisions of Chapter 18.42 (Parking and Loading) and with the latest revision of the applicable Engineering Standard(s) as adopted by the Public Works Engineering Department; provided, however, that a maximum of twenty-seven (27) Paired Homes may have minimum garage dimensions of seventeen (17) feet by twenty (20) feet.

(h) **Sign Regulations.** Prior to issuance of the first certificate of occupancy, a complete sign program shall be submitted for review and approval by the Planning Director and Executive Director of Community Development, in the manner set forth in subsection 18.110.040.070 of this Code.

(i) **Required Site Screening.** A six (6) to thirteen (13) foot high block wall shall be constructed for noise attenuation as shown on Figure 22 of the Specific Plan; provided, however, that the specific wall height shall be determined by a sound attenuation study prepared by a qualified engineer licensed by the State of California and approved by the Planning Director and the Executive Director of Community Development.

(j) **Fence Height.** Fences having a maximum height of seven (7) feet may be constructed along any side or rear property lines abutting a public or private street; provided, however, that the maximum fence height shall not exceed four (4) feet in the required front yard setback.

(k) **Private Street Widths.** Private streets other than main entries shall have minimum widths of twenty-five (25) feet. Private entry streets shall comply with the latest revision of the applicable Engineering Standard Details on file in the office of the Director of Public Works pertaining to private streets. (Ord. 5998 § 61; October 25, 2005.)

.070 **Other Requirements.** The following requirements shall apply to all Parcels within the Specific Plan Area except as otherwise specified therein:

(a) **Roof Pitch.** Roof pitches less than three in twelve (3 in 12) are not permitted.

(b) **Projections and Equipment.** No fans or space conditioning equipment or duct work visible from outside the site shall be allowed on any roof surface, except as specifically approved by the Planning Director and the Executive Director of Community Development. Plumbing shall be organized so as to minimize vents. Plumbing vents shall be concealed from view or grouped into an organized pattern where visible. No galvanized metal or other contrasting finishes shall be visible from the public right-of-way or any other surrounding properties.

(c) **Skylights.** Skylights shall be flat and placed on exposed, sloped roof surfaces. Bubble or pyramidal skylights shall be concealed.

(d) **Building Appurtenances.**

1. Utility Meters. Utility meters shall be located within architectural enclosures.
2. Trash Storage Enclosures. All refuse containers shall be located within parking structures.
3. Air Conditioners. Condenser units shall be sited so as to be screened from view.
4. Ground-Mounted Antennas. Ground-mounted antennas, including dish-type antennas, shall be screened from view within a separate enclosure.

(e) Utilities and Site Appurtenances. All utilities shall be installed underground. Surface-mounted appurtenances, transformers, switches, meters, valve boxes, and other utility appurtenances shall be screened from view and shall be grouped together into one area located away from streets, public view and activity. Plant materials shall be used, when feasible, as a screening material.

(f) Chain Link Fences. Chain link fencing may only be used as temporary fencing.

(g) Pools and Spas. Any swimming pool, spa, jacuzzi or hot tub shall be set back a minimum of five (5) feet from the side or rear yard property lines and may not be located within the front yard building setback area. Pool enclosures and equipment may not be placed within any set-back area. Pool equipment shall be screened from view.

(h) Room Additions and Garden or Patio Structures. Room additions shall maintain the minimum setbacks provided elsewhere in this chapter. Patio roofs or other unenclosed and unwallled spaces may be located within five (5) feet of the side or rear property lines with approval of the Planning Director and the Executive Director of Community Development.

.080 Approval of Signs. A detailed sign program for each project within the Specific Plan Area shall be submitted to the Planning Director and the Executive Director of Community Development for their review and approval prior to the issuance of a certificate of occupancy. The sign program shall be in substantial conformance with the provisions of Chapter 18.44 (Signs) and that portion of Chapter 7 (Zoning and Development Standards) of the East Center Street Development Specific Plan document entitled "Signs" (collectively the "Sign Guidelines"). If the Planning Director and the Executive Director of Community Development determine that the sign program is in substantial conformance with the sign guidelines, the sign program shall be approved by the Planning Director and the Executive Director of Community Development. If either the Planning Director or the Executive Director of Community Development determines that the sign program is not in substantial compliance with the Sign Guidelines, the sign program shall be disapproved and such decision shall be final unless appealed to the Planning Commission within ten (10) days from the date of such decision. If such decision is appealed, the sign program shall be reviewed by the Planning Commission at a duly noticed hearing for substantial compliance with the Sign Guidelines. Notice of such hearing shall be given at the same time and in the same manner as specified for hearings for variances and conditional use permits in this Code. If the sign program is found to be in substantial compliance with the Sign Guidelines, the Planning Commission

shall approve the sign program. The decision of the Planning Commission shall be final unless appealed to the City Council within ten (10) days from the date of such decision. (Ord. 5161 §1 (part); August 21, 1990) (Ord. 5944 § 32; Sept. 28, 2004)

18.110.050 LAND USES.

.010 Parcel 14N. The land use standards of the “RM-4” Multiple-Family Residential Zone in Chapter 18.06 (Multiple-Family Residential Zones) shall apply. (Ord. 5998 § 62; October 25, 2005.)

.020 Parcel 14S. The land use standards of the RM-3 Multiple-Family Residential Zone in Chapter 18.06 (Multiple-Family Residential Zones) shall apply.

.030 Parcel 22. The land use standards of the RS-3 Single-Family Residential Zone in Chapter 18.04 (Single-Family Residential Zones) and the RM-3 Multiple-Family Residential Zone in Chapter 18.06 (Multiple-Family Residential Zones) shall apply.

.040 Parcel 4d:

(a) Residential. Attached, deck-type multiple-family housing shall be permitted, subject to the provisions for the “RM-4” Multiple-Family Residential Zone in Chapter 18.06 (Multiple-Family Residential Zones), except as otherwise provided in this chapter.

(b) Commercial. Commercial and retail uses, not to exceed six thousand six hundred (6,600) square feet, shall be permitted along Center Street at street level, as specified herein.

1. Permitted Commercial Uses.

a. Convenience Retail Sales. Convenience Retail Sales refers to establishments or places of business primarily engaged in the provision of frequently or recurrently needed small personal items or services for residents within reasonable walking distance. These include various general retail sales and personal services of an appropriate size and scale to meet the above criteria. Typical uses include neighborhood grocery or drug stores.

b. Eating and Drinking Establishments. Eating and Drinking Establishments refers to establishments or places of business primarily engaged in the sale of prepared foods and non-alcoholic beverages for on-premises consumption. Typical uses include restaurants and short-order eating places or bars, including outdoor eating. Drive-up food service facilities are specifically prohibited.

c. Food and Beverage Retail Sales. Food and Beverage Retail Sales refers to establishments or places of business primarily engaged in the retail sale of food and non-alcoholic beverages for home consumption. Typical uses include groceries or delicatessens.

d. General Retail Sales. General Retail Sales refers to the sale or rental from the premises of goods and merchandise for personal or household use (for example, florist and gift shops), but excluding those uses listed in paragraphs a, b and c above.

e. **In-Structure Parking.** In-Structure Parking refers to at-grade or partially above or below grade parking areas partially enclosed and with a complete structural roof supporting other uses.

f. **Esplanades.** Esplanades refers to a pedestrian- oriented urban streetscape environment with limited vehicular circulation. Use of the right-of-way is encouraged for special outdoor events and limited commercial activity associated with pedestrian circulation, limited service deliveries, public outdoor eating or resting areas to serve the adjacent commercial uses, and limited outdoor eating or resting activities on a temporary basis associated with adjacent food service establishments. Private commercial uses will be limited to business hours only.

2. **Conditionally Permitted Commercial Uses.** The following uses shall be permitted, subject to the approval of a conditional use permit and subject to the conditions and required showings of Chapter 18.66 (Conditional Use Permits).

a. **Administrative and Professional Services.** Administrative and Professional Services refers to offices of private firms or organizations or public or quasi-public organizations which are primarily used for the provision of professional, executive, management or administrative services. Any drive-up service is specifically prohibited.

b. **Business Support Services.** Business Support Services refers to establishments primarily engaged in the provision of services of a clerical, employment, protective or minor processing nature to firms, rather than individuals, and where the storage of goods other than samples is prohibited. Typical uses include secretarial services, telephone answering services, or blueprint duplicating services.

c. **Sports and Recreation.** Sports and Recreation refers to establishments or places primarily engaged in the provision of sports or recreation by and for participants. Any spectators would be incidental and on a non-recurring basis. Included in Sports and Recreation Use are those conducted within an enclosed space of four thousand (4,000) square feet or less. Typical uses include athletic clubs or physical fitness centers, including personal massage when accessory to a principal use.

d. **Finance, Insurance and Real Estate Services.** Finance, Insurance and Real Estate Services refers to establishments primarily engaged in the provision of financial, insurance, real estate or securities brokerage services. Typical uses include banks, insurance agencies or real estate firms.

e. **Medical Services.** Medical Services refers to establishments primarily engaged in the provision of personal health services including prevention, diagnoses and treatment or rehabilitation services provided by physicians, dentists, nurses and other health personnel, as well as the provision of medical testing and analysis services, but excludes those classified as any public use type. Typical uses include “drop-in clinics,” medical and dental offices, dental laboratories, or health maintenance organizations.

f. **Personal and Repair Services.** Personal and Repair Services refers to establishments primarily engaged in the provision of informational, instructional personal improvement, provision of laundering, dry cleaning or dyeing services as

personal services and similar services of a non-professional nature, and to establishments primarily engaged in the provision of repair services to individuals and households, rather than firms, but excludes services classified as Entertainment or Transient Habitation, industrial laundry services, laundry agencies, diaper services, or linen supply services. Typical uses include photography studios, driving schools or reducing salons, dry cleaners, laundries, self-service laundromats, barbershops and hair salons, apparel repair firms or musical instrument repair firms.

g. Temporary Real Estate Marketing Offices. Real Estate Marketing Offices refers to the offices and ancillary facilities to promote the sales, lease or rental of the development included within the Specific Plan Area.

h. Temporary Construction Contractor's Offices. Construction Contractor's Offices refers to the temporary on-site construction offices used by the general contractor for the various development projects within the Specific Plan Area.

i. Sale of alcoholic beverages for consumption on-premises or off-premises.

3. Prohibited Commercial Uses. Retail uses classified as Agricultural Supplies and Services, Animal Sales and Services, Automotive and Equipment, Business Equipment Sales and Services, Construction Sales and Services, Gasoline Sales and Services, and drive-up service, shall not be permitted. (Ord. 5998 § 63; October 25, 2005.)

.050 Open Space Parcels. The Open Space Parcels are those improvements for public open space to be located south of Center Street and east of Atchison Street. The Open Space Uses shall permit all necessary vehicular circulation uses, such as auto circulation or transit vehicle circulation, as identified in the Circulation Chapter of the Specific Plan. The following uses are permitted:

(a) Public Open Space. The Public Open Space Use type includes all outdoor recreation-oriented public uses appropriate to the size and configuration of the open space. A stadium, bleachers or formal athletic fields are not permitted. Public open space improvements may include landscaped or paved areas for public gathering, outdoor use areas to support private development such as outdoor seating, adjacent eating and drinking establishments, or food and beverage sales, and all outdoor public pedestrian or bicycle circulation improvements. Excluded uses are vehicular parking, except where specifically noted in the provisions of the Specific Plan.

(b) Esplanade. The Esplanade Use Type promotes a pedestrian oriented urban streetscape environment with limited vehicular circulation. Use of the right-of-way is encouraged for special outdoor events and limited commercial activity associated with pedestrian circulation, limited service deliveries, public outdoor eating or resting areas to serve the adjacent commercial uses, and limited outdoor eating or resting activities on a temporary basis associated with adjacent food service establishments. Private commercial uses will be limited to regular business hours only.

(c) Community Facilities. This use type includes public facilities associated with the historic train depot relocated to the public park to be provided within the Specific Plan Area. Appropriate uses for the renovated structure include child care

services and appropriate drop-off, parking, and outdoor play areas associated with such services. Limited Retail Sales are included if they are ancillary to the primary use and appropriate to the location. This site could also be utilized as a future train station. (Ord. 5161 § 1 (part); August 21, 1990.)

18.110.060 RECLASSIFICATION PROCEDURE – VIOLATION.

Concurrently with or subsequent to introduction of an ordinance adding this chapter to the Municipal Code, the City Council may introduce an ordinance to reclassify the property covered by Specific Plan No. 90-2 (SP No. 90-2) and this chapter to the zoning designation SP No. 90-2. Such reclassification shall be subject to each of those certain conditions of approval of SP No. 90-2 as set forth in Resolution No. 90R-288. Any violation of any of said conditions shall be deemed a violation of this chapter as well as of the reclassification ordinance and shall be punishable as set forth in Section 1.01.370 (Violations of Code - Penalty) of Chapter 1.01 (Code Adoption and construction). (Ord. 5161 §1 (part); August 21, 1990.)