

Print

Menifee, CA Code of Ordinances

## **CHAPTER 9.28: ECONOMIC DEVELOPMENT CORRIDOR ZONING DISTRICTS**

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### **§ 9.28.010 PURPOSE.**

This chapter describes and establishes zoning districts where the primary focus is to optimize the City's economic development. The zoning districts described herein lie within the area designation referred to as the city's Economic Development Corridor or EDC. The governing policy and guidance for this chapter is provided in the Land Use and Economic Development Elements of the city's General Plan. This chapter adds regulatory specificity to both elements.

#### *(A) Discussion.*

(1) Economic Development Corridors (EDCs) are land areas that, because of their location, current evolution of land uses, and ease of access, provide the most favorable environment for the aggregation of similar economic drivers (i.e., commercial, general business, industrial, and retail venues). The EDC designation gives the area special emphasis, while serving to optimize the services these venues provide to the general public.

(2) The EDC is subdivided into five zoning districts: Northern Gateway (EDC-NG), McCall Boulevard (EDC-MB), Newport Road (EDC-NR), Community Core (EDC-CC) and Southern Gateway (EDC-SG). The zoning districts are generally located along the city's main traffic corridors (Ethanac Road, Newport Road, McCall Boulevard, Haun Road, and I-215).

(B) *Intent.* The topographical layout, existing circulation pattern, and current/developing land use provide an ideal setting for siting selected economic drivers along the city's major traffic corridors. This EDC siting strategy enhances the functionality of the districts by concentrating prominent economic drivers into those areas identified in the General Plan's Economic Development and Land Use Elements. Additional benefits are realized by the positive contribution the strategy provides to other elements in the General Plan, including the city's vision for Menifee's growth and development. The EDC siting strategy gives the city important advantages:

(1) The use of existing traffic corridors provides easy access to the services and career-building opportunities for the residents.

(2) Logistical support for the economic drivers is made easier by the design of the thoroughfares servicing the districts. Modifications and/or adjustments to facilitate access are easier to design and construct.

(3) Economic driver district locations are relatively easy to reach by the public, the owner/operators, managers and employees.

(4) Implementation of mass transit to the districts is either in-place, or can be easily planned.

(5) The aggregation of similar venues in the selected EDC does not adversely impact the growth and evolution of the city, or the city's valuable rural areas.

(Ord. 2015-180, passed 11-18-2015)

### **§ 9.28.020 IMPLEMENTATION OF ECONOMIC DEVELOPMENT CORRIDORS.**

(A) Development and architectural specifications are provided in this chapter. These specifications are not all-inclusive as other unique conditions may require attention. Project applicants are encouraged to liaise with City Community Development Department staff early in the conceptual master plan development process (as discussed in § 9.28.050 "Conceptual Master Plan") to delineate issues of concern, or to determine if there is a requirement for a Specific Plan.

(B) The tiered Approval Authorities for land use and activities within EDC districts are:

- (1) The Director (or designee).
- (2) The Planning Commission.
- (3) The City Council.

(C) Decisions made by the City Council are final.

(Ord. 2015-180, passed 11-18-2015)

### **§ 9.28.030 ECONOMIC DEVELOPMENT CORRIDOR ZONING DISTRICTS.**

The following descriptions provide the mix of uses envisioned for each area, which can be seen in more detail in General Plan Exhibit LU-2 "Economic Development Corridor Subareas". While flexibility in land use options is one of the benefits of the EDC designation, EDC designated areas are intended to provide a distinct mix of uses that are complementary to surrounding land uses while providing distinct activity centers in the City and encouraging economic growth within the City. The Economic Development Corridor is divided into five zoning districts generally located on the major traffic corridors located north-to-south in the central portions of the city. The districts are planned to feature the local area's unique characteristics and histories which will provide basic themes for future developments.

(A) *Northern Gateway (EDC-NG)*. This district serves as a buffer and transition between the commercial land uses in Perris to the north and the residential uses located in Menifee to the south of McLaughlin Road. The Northern Gateway district features venues for businesses and professions that provide services primarily from office style settings. The EDC-NG is envisioned as a business park area providing light industrial uses. This vision does not preclude the establishment of related retail or other commercial activities. The EDC-NG district provides an opportunity for grouping of businesses, professions, and other services having related and compatible functions. Consumers of these services can access the district from anywhere in the community with relative ease. Retail oriented ventures shall be concentrated at the intersection of Ethanac and Barnett Roads, and east of the I-215 Freeway.

(B) *McCall Boulevard (EDC-MB)*. This district creates, preserves, and enhances opportunities for businesses that provide a variety of comparison shopping for goods and services (including office-type services). Economic driver themes include a mix of office, medical, and residential uses (assisted living, senior apartments, townhomes, and the like) which would be compatible with the Regional Medical Center on East McCall Boulevard. Facilities located in the EDC-MB district provide health related services in close proximity to Sun City's senior residents, Heritage Lakes and single-family residential planned communities. This district also provides for the grouping of retail and service uses with restaurant and other food service venues.

(C) *Community Core (EDC-CC)*. The Community Core District is planned to serve as the city's "heart" or "downtown" section of the city, featuring an elaborate activity center and gathering places. Civic, professional office services, and entertainment venues, as well as business park developments are planned. The district's mixed use theme includes commercial retail uses, shopping venues, and higher density housing options. "Green" amenities encourage walkability and reduced vehicular usage. The Community Core serves as a transition from residential enclaves and rural parcels to more concentrated retail and office development. The district will feature shopping center type venues, as well as community and regional commercial activities.

(D) *Newport Road (EDC-NR)*.

(1) The Newport Road District provides neighborhood-oriented commercial, office and institutional uses that support residential communities and development in the vicinity of this major traffic corridor. The district includes the adjacent Bradley Road traffic corridor. The Bradley Road corridor features limited business park and office style services, as well as residential uses.

(2) The Newport Road District facilitates convenience shopping and ready access to personal services. Business and government office services located along these traffic corridors serve the local neighborhoods and the community-at-large. The commercial locations are designed to be compatible with the surrounding residential district(s).

(E) *Southern Gateway (EDC-SG)*. This district serves as a buffer and transition between the land uses south and east of the district and the residential uses located within and outside Menifee to the south, west and east of the district. The EDC area east of the I-215, north of Scott Road to Craig Avenue, is envisioned to be a mix of commercial uses near the Scott Road/I-215 interchange transitioning to office and minimal residential extending north toward Craig Avenue. The EDC area on the west side of I-215 extends north from Keller Road to Garbani Road. The EDC-SG west side will feature a business park style of development consisting of light industrial and office uses, with commercial use opportunities. Small independent commercial and service venues, which may be rural-oriented, will be included in the EDC-SG area where found appropriate on a case-by-case review of the Director that will both allow development while preserving the rural character of the Southern Gateway area. The EDC-SG area should include the potential for economic driver themes that shall include a mix of industrial and professional business park uses which would complement and be compatible with the Medical uses to the south in Murrieta. The City encourages the development of an auto mall in that portion of the Southern Gateway district, between the I-215 Freeway and Haun Road, north of Scott Road (see § 9.28.040 "Design Flexibility" for creative opportunities in the design of any proposed mall).

(Ord. 2015-180, passed 11-18-2015)

#### **§ 9.28.040 DESIGN FLEXIBILITY.**

(A) A primary goal of the Economic Development Corridor districts is to achieve high quality development within the major corridors and significant areas of the community. To assure this high quality while promoting development within the EDC districts, flexibility in both development standards and allowed land uses shall be allowed. The Director may allow minor deviations to the development standards of this Chapter and allow land uses not listed within Table 9.28-A "Conditional and Permitted Uses" that are similar to list permitted uses.

(B) A formal application shall be submitted to the city for any request to deviate from the established development standards or establish a new allowed use not listed in this chapter. The approval of any deviation or use may include conditions or standards to minimize potential adverse impacts.

(Ord. 2015-180, passed 11-18-2015)

#### **§ 9.28.050 CONCEPTUAL MASTER PLAN.**

The mixed use and thematic nature of land uses within the EDC require special consideration. The Land use element of the city's adopted General Plan requires the submission of a conceptual master plan for new development and modification to existing development, to facilitate a discussion in advance of a formal application submittal for future development on properties located within an EDC. The submittal requirements and criteria for the conceptual master plan are included in the General Plan Land Use Element. A conceptual master plan is intended to be part of a pre-application process and not formally adopted.

(Ord. 2015-180, passed 11-18-2015)

#### **§ 9.28.060 SPECIFIC PLAN.**

Project complexities or other nuances may require the development of a specific plan for the proposed land use or development.

(Ord. 2015-180, passed 11-18-2015)

#### **§ 9.28.070 ADMINISTRATIVE DESIGN REVIEW.**

(A) Prior to the issuance of a Building permit for any building or structure, an administrative design review shall be required if any of the following conditions apply:

- (1) Floor area in excess of 10% will be added to an existing building or structure.
- (2) A new building or structure will be established.
- (3) Outdoor seating shall be established.
- (4) Outdoor storage shall be established.

(B) All required administrative design reviews shall be submitted to the Community Development Department for review and approval or submission to the Planning Commission for architectural review and approval in accordance with Chapter 9.38 "Administrative Design Review".

(Ord. 2015-180, passed 11-18-2015)

#### **§ 9.28.080 USES RESTRICTED TO INDOOR ACTIVITIES.**

The uses listed in Table 9.28-A "Permitted and Conditional Uses" must be conducted wholly within an enclosed building. Exceptions to this restriction, granted with approval of a conditional use permit, are noted in this chapter. These exceptions are generally intended to foster a lively pedestrian environment such as outdoor dining, vehicular vending and non-vehicular vending kiosks. Structures housing "Permitted" uses shall be subject to an administrative design review.

(Ord. 2015-180, passed 11-18-2015)

### **§ 9.28.090 PERMITTED, CONDITIONALLY PERMITTED, ADMINISTRATIVE DESIGN REVIEWS AND PROHIBITED USES.**

(A) Permitted, conditionally permitted or administrative design review approvals for the Economic Development Corridor zoning districts are provided in Table 9.28-A "Permitted and Conditional Uses". A use listed as a "permitted use" is a land use activity permitted by right in the area designated within the Table. Such use may be established within an existing structure without city land use review (but may be subject to city business license requirements). If no structure exists upon a property where a "permitted use" is proposed, that structure shall be subject to an administrative design review by the Director. Similarly, uses listed as allowed under an "administrative design review" or "conditional use permit" review shall be subject to review for both the land use activity and the structure in which that activity shall be conducted. These approvals have been determined to be compatible with the values, character and intensity of anticipated uses described in the General Plan. A use identified in the table that is referenced by an asterisk ("\*") is expressly prohibited.

(B) Uses not listed are dependent upon both the compatibility of the use with the purpose and function of the district, and the anticipated impacts, including, but not limited to, aesthetics, generation of traffic, types of traffic, parking requirements, hazards, and light and/or noise generation. The Director, pursuant to Chapter 9.03 "Rules and Interpretation", may approve or conditionally approve a non-listed activity found to be compatible with other uses permitted within the district and which is of the same character and intensity as other uses permitted within the district.

(C) The establishment of permitted uses, for either new construction or an activity within an existing facility, may be subject to review and approval pursuant to Chapter 9.38 "Administrative Design Review". The establishment of conditional uses, for either new construction or an activity within an existing facility, is subject to review and approval pursuant to Chapter 9.50 "Conditional Use Permits". All temporary uses are subject to review and approval pursuant to Chapter 9.48 "Temporary Uses".

(D) Projects and land uses approved under discretionary review shall not initiate, commence or conduct such activity until all applicable conditions of approval are addressed and met. Violation of this section constitutes grounds for revocation of the permit.

(E) Residential uses shall not exceed 15% of the total Economic Development Corridor acreage. Residential developments are allowed as "stand alone" projects but not allowed on EDC parcels directly adjacent to the freeway. New residential development in the Economic Development Corridor Zoning Districts are required to include a commercial, office or institutional component and/or enter into an agreement with the city for the development of a commercial, office or institutional facility on another property within the same Economic Development Corridor Zoning District and within a specified time period.

(F) Land use identifies the primary activity occurring on a parcel of land and/or within a defined area (such as a suite within a structure). Accessory uses directly related to the primary activity comprising an incidental (10% or less) portion of the floor area and/or total gross sales shall be allowed as an ancillary use to the primary use.

Table 9.28-A  
 PERMITTED AND CONDITIONAL USES

Key: P = Permitted Uses

ADR = Administrative Design Review

C = Conditional Uses

- = Expressly Prohibited Uses

<i>Use</i>	<i>EDC NG</i>	<i>EDC MB</i>	<i>EDC CC</i>	<i>EDC NR</i>	<i>EDC SG</i>	<i>Notes</i>
<b><i>Commercial/Office</i></b>						
<i>Alcohol</i>						
Alcoholic beverage sales:						
On-site consumption;	C	C	C	C	C	
Off-site consumption- Primary product of retail outlet;	C	C	C	C	C	
Off-site consumption- Accessory product of retail outlet;	P	P	P	P	P	
Breweries, distilleries, and wine making facilities with on-site tasting room and sales for off-site consumption.	P	P	P	P	P	
<b>Automotive related Sales and Services</b>						
Automotive parts and accessory stores.	P	P	P	P	P	
Automotive services/repairs (e.g., tune-ups, emission tests, brakes, tires, batteries, electrical, etc.).	P	P	C	P	P	Activity must be conducted entirely within an enclosed building. Incidental, screened, outdoor storage is allowed except in "CC".

Incidental, screened, outdoor storage is allowed except in "CC".						
Automotive repairs - major (e.g., engine and transmission repair/rebuild, etc.).	C	C	-	C	C	Services must take place entirely within an enclosed building. Incidental outdoor storage is allowed with minimum six (6) foot block/masonry wall surrounding storage.
Vehicle storage and impoundment within an enclosed building.	C	-	-	-	-	
Boat sales, new and used.	-	C	C	C	C	
Body, paint and upholstery shops.	P	C	-	C	C	
Car wash - full or self-service.	P	C	C	P	C	
Gas station with/without a mini- market.	C	C	C	C	C	
Motorcycle sales/service.	C	P	C	P	P	Services conducted entirely within an enclosed building.
Motor vehicle sales, new and used (Including repairs associated with sales).	C	C	C	C	C	
Motor vehicle, trailer or boat storage.						Services conducted entirely within an enclosed building.
Indoor	C	C	P	C	C	
Outdoor	-	-	-	-	-	
Parking: Commercial lot/garage.	P	C	C	P	P	Parking stalls must be within a building or screened with a combination of walls and



						landscaping. Alternative screening structure/device may be approved by the Planning Commission.
Towing services (with tow truck parking - no auto storage).	P	C	-	-	C	
Trailer and mobile home sales and rental.	C	-	-	C	-	
Rental:						
Automobiles;	C	C	C	C	C	
Truck, trailer and van;	C	C	-	C	C	
Equipment;	P	C	C	C	C	
Construction equipment.	C	-	-	-	C	
<i>Day Care Facilities</i>						
Commercial - more than 14 children.	C	C	C	C	C	
Large family home day care (8-14 children).	-	ADR	ADR	ADR	-	
Small family home day care (fewer than 8 children).	P	P	P	P	P	As allowed by state law.
<i>Eating/Drinking Places and Food Services</i>						
Banquet facilities.	C	C	C	C	C	
Bar/cocktail lounge.	C	C	C	C	C	
Catering establishment (Includes truck parking).	P	C	C	C	P	
Coffeehouse:						
No Live Entertainment;	P	P	P	P	P	
With live entertainment.	C	C	C	C	C	
Fast food/quick service:						
With drive-through;	P	C	C	C	P	
Without drive-through.	P	P	P	P	P	
Food Truck.						See Chapter 9.98 "Mobile Food Vendors".
Restaurants:						
Sit down/full service;	P	P	P	P	P	
Outdoor dining.	P	P	P	P	P	
	P	P	P	P	P	

Restaurants with breweries, distilleries and wine making facilities with sales for on-site and off-site consumption.						
<i>Entertainment and Recreation</i>						
Adult-oriented business.	-	-	-	-	-	See Chapter 9.116 "Adult Businesses".
Amusement park (including multiple activities such as simulated flying, racing, dragster, slick track, skate park, etc.): Within a building; Outside.	P C	C C	C C	C C	P C	A CUP is required for the sale/provision of alcohol.
Athletic fields	C	C	C	C	C	
Auditoriums and other public/private assembly facilities (including live entertainment): Indoor; Outdoor.	C -	C C	P C	C -	P C	A CUP is required for the sale/provision of alcohol.
Batting cages: Indoor; Outdoor.	P P	P C	P C	P C	P P	
Motocross Facilities: Bicycle (BMX) course; Off-road mini-bike course.	C C	- -	- -	- -	- -	
Billiard parlor/pool hall.	P	C	P	C	P	A CUP is required for the sale/provision of alcohol.
Bowling center.	P	C	P	C	P	A CUP is required for the sale/provision of alcohol.
Cybercafe.	-	P	P	P	P	
Go-cart track: Indoor; Outdoor.	P C	C C	C C	C C	P C	
Golf course - Miniature.	C	P	P	P	P	
Golf course - Full Course.	-	C	C	C	C	

Golf driving range (not in association with full scale course).	C	C	C	C	C	
Health club/gymnasium; Indoor.	P	P	P	P	P	
Private clubs and lodges.	C	C	C	C	C	
Movie theater.	C	C	P	C	P	A CUP is required for the sale/provision of alcohol.
Recording and sound studios.	P	P	P	P	P	
Simulated shooting games: Indoor (laser tag, etc.); Outdoor (paintball, etc.).	P P	- -	C C	P C	P P	No freeway frontage allowed for outdoor facilities. Freeway frontage allowed for indoor facilities.
Shooting range; Indoor.	P	C	C	C	C	Allowed only west of Hillpointe/Via Estrada.
Skate park: Commercial; Private.	C C	C C	C C	C C	C C	No freeway frontage allowed.
Skating rink (ice/roller).	C	C	C	C	C	
Smoking Lounge.	C	C	C	C	C	
Stadium/sport arena.	C	C	C	-	C	
Tennis/swim club; Outdoor (not assoc. with larger sporting facility).	C	P	P	P	P	
Video/electronic/computer game arcade.	-	P	P	C	P	Services must be conducted within an enclosed building.
<i>Lodging</i>						
Hotel.	P	P	P	P	P	
Motel.	-	-	-	-	-	
Bed and Breakfast Inn.	C	C	C	C	C	See Chapter 9.47 "Bed and Breakfast Facilities".

Recreational vehicle parks and campgrounds, not exceeding a density often (10) units to the acre.	-	-	-	-	-	
<i>Retail/Wholesale Sales</i>						
Adult book store.	-	-	-	-	-	See Chapter 9.116 "Adult Businesses".
Antique shop.	C	P	P	P	P	
Art galleries and art supply store.	P	P	P	P	P	
Auction facility (non vehicle): Indoor (includes storage); Outdoor.	C C	P C	P C	P C	P C	Temporary or one-time event, see Chapter 9.48 "Temporary Uses".
Auction facility (vehicle).	C	-	-	-	-	Temporary or one-time event, see Chapter 9.48 "Temporary Uses".
Bakeries: Retail only; Wholesale.	P C	P -	P -	P -	P C	
Bicycle shop, sales and repair.	P	P	P	P	P	
Hardware store: Within enclosed building; With outdoor storage/sales.	P C	P C	P C	P C	P C	Outdoor nursery/plant sales up to 25% of building floor area. 26% nursery/plant sales, see "Agriculture".
Camera and photographic supplies.	P	P	P	P	P	
Farmer's market, open air market, craft or job fair.	-	C	C	C	C	See Chapter 9.72 "Farmer's Market, Open Air Market, Craft or Job Fair".
Candy, confectionery.	P	P	P	P	P	
Computer, radio, television, and small	P	P	P	P	P	No outdoor storage.

electrical appliance shop (with incidental repair).						
Drug store.	C	P	P	P	P	A CUP is required for the sale/provision of alcohol.
Feed store.	C	-	-	C	C	All outdoor storage must be screened by a block/masonry wall at least six (6) feet in height.
Florist shop.	P	P	P	P	P	
Furniture and home furnishing store.	C	P	P	P	P	
Department store.	C	C	P	C	P	
Discount/Variety store (new items only).	P	P	P	P	P	CUP required to sell alcohol.
Gift and/or souvenir store.	-	P	P	P	P	
Grocery store.	P	P	P	P	P	CUP required to sell alcohol if grocery store is under 20,000 square feet in retail sales area.
Guns and ammunition store.	C	-	-	C	C	
Hobby, toy and game store.	C	P	P	P	P	
Household appliance store.	P	P	P	P	P	All outdoor storage must be screened by a block/masonry wall at least six (6) feet in height.
Multi-tenant retail shopping center.	P	P	P	P	P	New merchandise, collectables and antiques only (Not a "Swap Meet").
Kiosk, non-vehicular.	-	P	P	P	P	
Music, record and video sales.	P	P	P	P	P	
	P	P	P	P	P	

Office supply and/or stationary store.						
Pawnbroker/pawnshop facilities.	C	-	-	-	C	Gun/ammunition sales, see "Gun and ammunition store" above.
Pet and pet supply store.	P	P	P	P	P	
Secondhand and thrift store.	C	C	-	C	C	No outdoor display or storage.
Sporting goods store.	P	P	P	P	P	Gun/ammunition sales, see "Gun and ammunition store" above.
Swap meets: Indoor; Outdoor.	- C	C C	- -	C C	C C	May not be located where visible from the freeway.
Warehouse/club store: Stand alone facility under 50,000 sq. ft.; Stand alone facility 50,000 sq. ft. or larger.	P C	P C	P C	P C	P C	
Warehouse/club store: Within a complex/center regardless of size.	C	C	C	C	C	
Wholesale stores and distributors.	C	C	C	C	C	Services must be conducted entirely within an enclosed building.
<i>Services</i>						
Ambulance service.	P	C	C	C	C	
Blueprinting.	P	P	P	P	P	
Facilities where charitable donations are: Received and/or processed and/or sold.	C	C	C	C	C	Standalone donation boxes are prohibited.
Exterminating.	C	C	-	C	C	Offices only, no hazardous materials storage.
Small equipment rental (lawn mowers, cement mixer, mobile pumps,	C	C	-	C	C	May not be located where adjacent to the

trailers, pick-up trucks, etc.).						freeway right-of-way.
Large equipment rental (trucks with beds over 18 feet in length, eighteen plus (18+) wheelers, bulldozers, construction lifts and cranes).	C	-	-	-	C	May not be located where adjacent to the freeway right-of-way.
General office uses.	P	P	P	P	P	
Photocopying/duplicating.	P	P	P	P	P	
Photographic studio.	P	P	P	P	P	
Physical Therapy.	P	P	P	P	P	
Financial services: Banks/credit unions; Check cashing/payday advance; Mortgage/lending.	P C P	P C P	P C P	P C P	P C P	
Personal services: Barber shop; Beauty or nail salon; Dry cleaner; Massage parlor; Massage therapy office; Pet grooming; Tailor; Tattoo/body piercing.	P P P - P C P C	P P P C P C P C	P P P C P C P -	P P P C P C P -	P P P C P C P -	See Chapter 9.115 "Massage Establishments" and Chapter 5.45 "Massage Establishments"
Cemeteries and mausoleums.	C	C	-	C	C	
Funeral parlor, mortuary with crematorium.	C	C	C	C	C	
Laundry-Commercial: 2,500 sq. ft. or less; More than 2,500 sq. ft.; Self-serve.	P C -	P C P	P - P	P C P	P C P	
Medical marijuana dispensary or facility.	-	-	-	-	-	
Taxidermy.	C	-	-	C	-	
Fortune telling.	C	C	C	C	C	
Kennel, public or private.	C	C	C	C	C	See Chapter 9.64 "Animal Regulations".
Recycling collection facilities: 500 or less square feet;	C C	P C	C -	P C	P C	May not be located adjacent to the freeway right-of-way.

More than 500 square feet.						
Repair service: Computer, home electronic and small appliances; Electrical equipment, industrial; Furniture refinishing; Furniture re-upholstery; Home appliances; Jewelry/watches/clocks; Lawnmower/garden equipment; Locksmith/key shop; Shoe repair.	C C C C C C C C C	P P P P P P P P P	P P P P P P P P P	P P P P P P P P P	P P P P P P P P P	Services must be conducted entirely within an enclosed building, outdoor storage is not allowed.
<i>Agricultural</i>						
Plant nurseries: Retail Sales, indoor or outdoor; Cultivation of plants, indoor or outdoor.	C C	C C	C C	C C	C C	Excludes materials yards.
Marijuana Cultivation.	-	-	-	-	-	Refer to Ch. 9.70 "Marijuana Dispensaries, Cultivation and Processing" for details on personal cultivation for medical uses only.
<i>Institutional Uses</i>						
Animal hospital: Small animals; Large animals.	P C	P -	P -	P -	P C	No exterior kennels, pens or similar enclosures.
Assisted living/community care facilities.	C	C	C	C	C	
Churches, synagogues, temples and other religious facilities.	C	C	C	C	C	
Community center.	P	P	P	P	P	
Congregate care facility.	-	C	C	C	C	
	-	P	C	C	C	



Convalescent hospital/care facility.						
Governmental facility.	P	P	P	P	P	
Hospital.	C	C	C	C	C	
Research and development laboratory.	P	P	P	P	P	Services must be conducted completely within an enclosed building.
School: Private; Public; Vocational/trade school; University/college.	P P P C	C P C C	C P C C	C P C C	P P P C	Public schools are regulated by the State.
<i>Residential Uses</i>						
Caretaker's residence.	P	-	-	-	P	Max. size 1,200 sq. ft., and must be occupied by active employee of company on site, cannot be rented.
Emergency and homeless shelters.	P	P	P	P	P	As mandated by state law.
Live/work units.	C	C	C	C	C	Subject to the residential percentages limits of the General Plan.
Multi-family dwellings.	C	C	C	C	C	
Second dwelling units.	P	P	P	P	P	As allowed by state law, single-family residential tracts only.
Single-family residences.	C	C	C	C	C	Project requires a tentative tract map.
<i>Storage</i>						
Contractor storage yard (no retail sales).	C	-	-	-	C	Storage yards may not be located adjacent to the freeway right-of-way.
Public Self-Storage.	C	C	C	C	C	

						A maximum of 10 acres in the EDC-NG subarea may be developed with public self-storage. The development of public self-storage in the MB, CC, NR and SG subareas of the EDC shall only be permitted as an expansion of an existing legally established public self-storage use and allowed to expand up to 125% of the original parcel size in existence and approved for self-storage uses as of November 18, 2015.
Private materials yard (outdoor storage of privately owned materials not associated with a commercial activity).	-	-	-	-	-	
Lumber yard.	C	-	-	-	C	May not be located adjacent to the freeway right-of-way.
Material storage yard (wholesale sales).	C	-	-	-	C	
Parcel delivery service.	P	P	P	P	P	
Warehouses and storage buildings.	C	C	-	-	C	Services must be conducted entirely within an enclosed building.
<i>Transportation, Communication and Utilities</i>						
Communication facilities;	C	C	C	C	C	

Cell towers.						See Chapter 9.100 "Wireless Communications" and 9.102 "Antenna and Satellite Regulations".
Transportation facilities: Bus stops; Truck stops; Heliport; Airport; Carpool facility/lot;	P P C C P	P - C - P	P - C - P	P - C - P	P C C - P	
Utility: Service uses and structures; Utility offices.	P P	P P	P P	P P	P P	Regulated by the PUC; Commercial solar fields or wind farms are expressly prohibited.
<i>Industrial Uses</i>						
Light Manufacturing of food, lumber, wood, and paper products: Grain and bakery products; Sugar and confectionary products; Nonalcoholic beverages; Ice; Manufacture of furniture and fixtures including cabinets, partitions, and similar items; Mulch production; Printing and publishing or newspapers, periodicals, books, forms, cards, and similar items; Binding of books and other publications; Rendering (no on-site slaughtering).	C C C C C - C C C	- - - - - - - - -	- - - - - - - - -	- - - - - - - - -	C C C C C - C C -	Food Processing (topics 1-4) are subject to regulations from the Department of Environmental Health.  Food Processing (topic 9) is subject to regulations from the Department of Environmental Health.
Textile and leather products: Wearing apparel and accessory products;	C C	- -	- -	- -	C C	

Manufacture of handbags luggage, footwear, and other personal leather goods.						
Chemical and glass products: Pharmaceutical manufacture; Glassblowing, pressing, cutting and other glassware products.	C C	- -	- -	- -	C C	
Metal, machinery, and electrical products:						
Jewelry manufacture and repair; Manufacture, assembly, testing and repair of components, devices equipment and systems of an electrical, electronic, or electro mechanical nature, such as, but not limited to:	C	-	-	-	C	
a) Television and radio equipment and systems;	C	-	-	-	C	
b) Phonographs and audio units;	C	-	-	-	C	
c) Metering instruments, equipment and systems;	C	-	-	-	C	
d) Radar, infrared and ultraviolet equipment and systems;	C	-	-	-	C	
e) Coils, tubes, semiconductors and similar components;	C	-	-	-	C	
f) Scientific and mechanical instruments;	C	-	-	-	C	
g) Data processing equipment and systems;	C	-	-	-	C	
h) Communications, navigation control, transmission and reception equipment, control equipment and systems, guidance equipment and systems;	C	-	-	-	C	

j) Musical and recording equipment.	C	-	-	-	C	
Office and computing machine manufacturing.	C	-	-	-	C	
Control devices and gauges.	C	-	-	-	C	
Manufacture of light fixtures and supplies.	C	-	-	-	C	
Engineering and scientific instruments: Manufacture and repair of engineering, scientific, and medical instrumentation including but not limited to:						
a) Measuring devices, watches, clocks, and related items;	C	C	-	-	C	
b) Optical goods;	C	C	-	-	C	
c) Medical, and dental instruments;	C	C	-	-	C	
d) Engineering, survey, and drafting instruments;	C	C	-	-	C	
e) Photographic equipment.	C	C	-	-	C	
Solar power generating facilities.	-	-	-	-	-	
Recycling processing facilities conducted on an industrial scale.	C	-	-	-	-	Services conducted entirely within an enclosed building.
<i>Accessory Uses</i>						
Attached, unenclosed patio roofs, decks, porches, awnings, canopies and other similar shading devices and structures.	P	P	P	P	P	
<i>Temporary and Interim Uses (See Chapter 9.48 "Temporary Uses")</i>						

(Ord. 2015-180, passed 11-18-2015)

**§ 9.28.100 ALCOHOL BEVERAGE SALES.**

As a land use activity with unique potential, alcohol beverage sales shall be subject to the following:

(A) Liquor stores, mini-markets, service stations, or other facilities (except grocery or drug stores) selling alcohol for off-site consumption shall not be located within 500 feet of the nearest boundary of a public or private park or playground, school, or a religious institution.

(B) There shall be only one facility exclusively selling alcohol for off-site consumption in a shopping center or strip mall, except with Planning Commission approval of a conditional use permit addressing a coordinated and integrated collection of sales facilities such as a "brewery" or "winery" row.

(C) A retail facility that has as its primary or principal sales consisting of alcohol and/or liquor products for off-site consumption may not be located closer than 1,000 feet from a similar retail facility, except with Planning Commission approval of a conditional use permit addressing a coordinated and integrated collection of sales facilities such as a "brewery" or "winery" row.

(D) Liquor stores must be configured upon a property in a manner so that adequate parking, ingress, and egress to the facility will not cause any potential safety hazard to the public.

(F) The following additional development standards shall apply to the concurrent sale of motor vehicle fuels and beer and wine for off-premises consumption:

(1) Only beer and wine may be sold.

(2) The owner of each location and the management at each location shall educate the public regarding driving under the influence of intoxicating beverages, minimum age for purchase and consumption of alcoholic beverages, driving with open containers and the penalty associated with violation of these laws. In addition, the owner and management shall provide health warnings about the consumption of alcoholic beverages. This educational requirement may be met by posting prominent signs, decals or brochures at points of purchase. In addition, the owner and management shall provide adequate training for all employees at the location as to these matters.

(3) No displays of alcoholic beverages shall be located within five feet of any building entrance or checkout counter.

(4) Alcoholic beverages shall be sold from, or displayed in, the main, permanently affixed electrical coolers only.

(5) No alcoholic beverage advertising shall be located on gasoline islands; and no lighted advertising for beer, wine, or other alcoholic beverages shall be located on the exterior of buildings or within window areas.

(6) Employees selling alcoholic beverages between the hours of 10:00 p.m. and 2:00 a.m. shall be at least 21 years of age.

(7) No sale of alcoholic beverages shall be made from a drive-in window.

(Ord. 2015-180, passed 11-18-2015)

### § 9.28.110 DEVELOPMENT STANDARDS.

The development standards for the Economic Development Corridor Zoning Districts shall conform to Table 9.28-B "Economic Development Corridor Districts Development Standards".

Table 9.28-B  
ECONOMIC DEVELOPMENT CORRIDOR DISTRICTS  
DEVELOPMENT STANDARDS

<i>Standard</i>	<i>EDC NG</i>	<i>EDC MB</i>	<i>EDC CC</i>	<i>EDC NR</i>	<i>EDC SG</i>
Minimum lot size (Net area, not Gross, excludes public rights-of-way).	<i>Minimum area and width for new lots. When a lot has less than the minimum required area or width as set forth in the development standards for the zone in which it is located and was of record on January 1, 1976, the lot shall be deemed to have complied with the current minimum required lot area or width.</i>				
Minimum lot area.	15,000 sq. ft.	15,000 sq. ft.	15,000 sq. ft.	10,000 sq. ft.	20,000 sq. ft.
Minimum lot dimensions - interior lot (width/depth).	100 x 150 ft.	100 x 150 ft.	100 x 150 ft.	80 x 125 ft.	100 x150 ft.
Minimum lot dimensions - ratio (width to depth).	1:3	1:3	1:3	1:3	--
Maximum Floor Area Ratio (FAR).	1.0	1.0	1.0	1.0	1.0
Maximum building height*	100 ft.	45 ft.	75 ft.	45 ft.	75 ft.
Setbacks	<i>Minimum setbacks required. See various section for setback measurement, allowed encroachments and projections into setbacks, and exceptions to setbacks.</i>				
Front yard setback	15 ft.	15 ft.	15 ft.	25 ft.	25 ft.
Side yard setback	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.
Street side yard setback	15 ft.	15 ft.	15 ft.	15 ft.	25 ft.

Rear yard setback	<i>None required unless abutting a residentially zoned lot, a lot used for residential purposes or abutting a public right-of-way, whereupon a minimum twenty (20) percent of lot depth, which need not exceed a twenty (20) foot setback, shall be required, which shall not encroach within an encroachment plane of the abutting residentially zoned lot. See Figure 9.28.110-3: Rear Yard Setback and Encroachment Plane at Public Right-of-Way Adjacent to Residentially Zoned Lot.</i>				
Landscaping	<i>Those portions of the lot left with a pervious surface area as identified in a Site Plan reviewed by the City shall be improved with landscaping reflecting a drought tolerant landscaping theme, featuring the use of drought resistant plants. The landscaped area shall consist of at least ten (10) percent of the total lot area for parcels of one (1) acre or less and five (5) percent of the total lot area for parcels exceeding one (1) acre, excluding that portion of the lot contained within the required front setback area.</i>				
Buffer zone (to residential unit{s})**	100 ft.	50 ft.	20 ft.	50 ft.	20 ft.
<p>* Structures or structural features which are not an essential and/or integral portion of the structure such as chimneys or similar features, as well as flagpoles may exceed height limits by up to fifteen (15) feet.</p> <p>** Setbacks, landscaping, open recreational areas, drive aisles and parking are permitted within the required residential buffer areas. Buffer zones are not required between residential and other uses on the same site in a mixed use development.</p>					

(A) *Building articulation.* Facades shall be modulated to create visual and architectural interest. Architectural elements including bays and recesses, balconies and terraces, inset windows that allow for the expression of wall thickness, patterns of shade and shadow at facades, changes of material and color, use of architectural details such as horizontal and vertical banding, cornices, door and window surrounds, and use of high-quality materials, such as smooth finished stucco, brick and stone are encouraged.

(B) *Maximum number of driveways and total allowable driveway width.* Driveway widths, location and number shall be located and shall have at least the minimum dimensions established by the standards adopted by the city's Public Works Department and Fire Department, except where greater number or widths are required under Planning Commission review of individual projects.

(C) *Setbacks.* All structures within the Economic Development Corridor Zoning Districts shall conform to the following setback requirements:

(1) *Unobstructed setbacks.* Required setbacks shall be open and unobstructed from the ground to the sky except for trees or other plant material, artwork, or architectural/aesthetic enhancements not physically part of the primary or accessory structure(s) on site. No building, parking space, solid or opaque perimeter wall or turning aisle to parking spaces shall occupy portions of a required setback. Active recreation areas shall not be located in any required setback area. Easements for utilities (e.g., electrical, communications) are exempt from the requirements of this section.



(2) *Setback point of measurement.* Building setbacks shall be measured from the ultimate street right-of-way as defined within the city's adopted General Plan Circulation Element or as required by the City Engineer.

(3) *Limited outdoor dining/seating permitted in setbacks.* Outdoor seating may be allowed with a review in accordance with the requirements of Chapter 9.38 "Administrative Design Review" in the front yard and street side yard setback areas. Up to 50% of the required front yard or street side yard setback area may be occupied by outdoor dining/seating.

(4) *Mixed use setback requirements.* EDC properties where the front lot line abuts a major traffic corridor must have a minimum setback of 40 feet, measured perpendicular to the property line. Within the required front setback area, paved walkways for pedestrian use shall be augmented with landscaping such as planters and trees, as provided below. Elements enhancing the pedestrian experience shall be incorporated into the design of the front setback, including but not limited to, benches, lighting schemes, and decorative paving. For any property where the front lot line does not abut a major traffic corridor, the minimum required front setback of 25 feet, measured perpendicular to the property line, is required.

(D) *Encroachments into yards or setbacks.* Encroachments or projections into yard space or setbacks must not obstruct the view in a required clear sight triangle (Refer to Section 9.118 "Glossary"). The following encroachments or projections are permitted in required yard areas:

(1) The encroachment or projection must not obstruct the view of a required clear sight triangle.

(2) Attached architectural features such as awnings, canopies, eaves, belt courses, chimneys, cornices, sills, buttresses, planter boxes, bay windows, masonry planters, guard railings, cantilevered portions of the structure (not exceeding 50% of the length of the wall on any one story), chimneys or similar architectural features are permitted to encroach up to four feet into front, rear and side yards.

(3) Attached, open (on at least three sides) patio areas, decks, porches and other similar shading devices, as an accessory to the primary use, may encroach into the yard space or setback to within two feet of the property line.

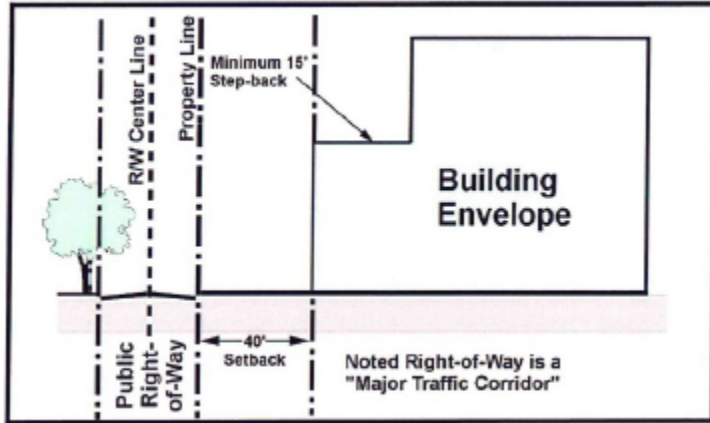
(4) Stairways, landings, corridors and fire escapes may encroach up to five feet in front and street side yards, up to four feet in interior side yards, and up to ten feet in rear yards adjacent to residentially designated property or property used for residential purposes.

(5) Fences, walls, screening, safety guard rails, and dense hedges may be placed within a required yard setback area, up to a maximum of four feet in height in front and street side yards, and a maximum of eight feet in height in side and rear yards. A combination wall consisting of solid material up to four feet in height, with up to two additional feet of 80% clear/see through materials shall be allowed. A height greater than four feet for a solid wall may be allowed within a street side yard if mandated by an appropriate acoustical study, but such greater height must allow, to the greatest extent possible, for the use of both berming and wall, and must conform to the safety requirements for clear-sight triangles.

(6) Open storage of boats, recreational vehicles, trailers, construction vehicles and equipment are not allowed in front and street side yard areas, except under approval of a Conditional Use Permit for a Contractor Storage Yard.

(E) *Building step-back.* Buildings or structures located between 40 and 45 feet of a major traffic corridor shall not exceed 50 feet in height unless such building or structure is constructed with a structural "step-back" the entire frontage of the building or structure of at least 15 feet for each floor above the second floor (see Figure 9.28.110-1: Required Building Step-back).

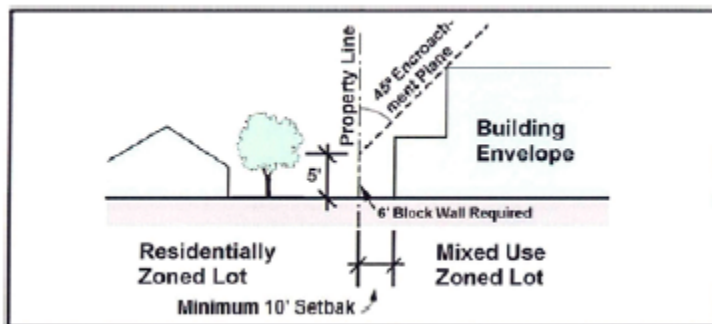
**Figure 9.28.110-1: Required Building Step-back**



(F) *Rear or side yard setback and encroachment plane required when adjacent to a residentially zoned lot.* Where the rear lot line and/or side lot line of a commercial, office, institutional or industrial portion of a proposed mixed use developed lot abuts a residential ("R") zoned property, a property used for a residential purpose, a Planned Unit Development (PUD) established exclusively for residential uses or a Specific Plan established exclusively for residential uses, the following standards shall be met in addition to all other required setbacks:

(1) *Encroachment plane.* No buildings or structures shall be located within an encroachment plane sloping upward and inward to the site at a 45-degree angle, commencing 15 feet above the existing grade at the property line (see Figure 9.28.110-2: Rear or Side Yard Setback and Encroachment Plane on a Residentially Zoned Lot).

Figure 9.28.110-2: Rear or Side Yard Setback and Encroachment Plane on a Residentially Zoned Lot

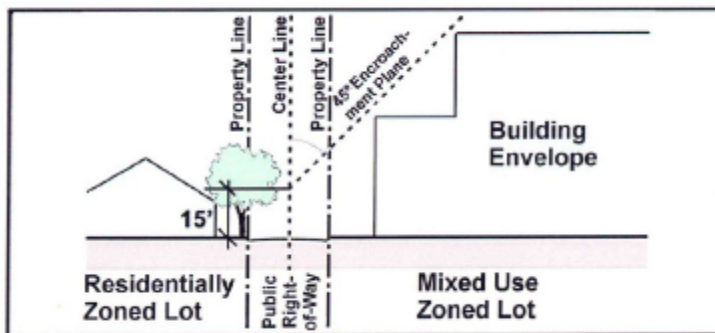


(2) *Encroachment plane at alley.* No building or structure shall be located on an encroachment plane sloping upward and inward to the site at a 45-degree angle, commencing fifteen (15) feet above the existing grade at the centerline of the alley (see Figure 9.28.110-3: Rear Yard Setback and Encroachment Plane at Public Right-of-Way Adjacent to a Residentially Zoned Lot). This requirement pertains to an alley that separates the rear lot line of a commercial

facility, office, institutional or industrial portion of a proposed mixed use developed lot from a property zoned exclusively for residential uses.

(3) *Property line wall required.* A solid decorative masonry or decorative concrete block wall shall be provided at the property line, as determined by the Director, for the protection of the adjacent residential development. The wall shall be at least six feet in height but shall not exceed eight feet in height unless a greater height is mandated by an appropriate acoustical study. The greater height must include equal measures of berming and wall.

Figure 9.28.110-3: Rear Yard Setback and Encroachment Plane at Public Right-of-Way Adjacent to Residentially Zoned Lot



(G) *Screen mechanical equipment.* Mechanical equipment shall be screened from view from public rights-of-way and parking lots through the use of parapets, screen walls, equipment wells, or design features which are architecturally integrated into the design of the structure. Screening shall be a minimum of six inches above the tallest piece of mechanical equipment. Surrounds for individual roof mounted equipment units is prohibited.

(H) *Building height exceptions for uninhabited roof structures.* Uninhabited roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, including fire walls, parapet walls, skylights, towers, flagpoles, chimneys, smokestacks, wireless masts, and similar structures, may be erected above the height limits established by this chapter by no more than 15 feet. Penthouses, similar roof structures, or other enclosures providing additional habitable floor space above the height limit are not permitted.

(I) Landscaping shall be provided as required by Chapter 9.86 "Park Design, Landscaping and Tree Preservation".

(J) *Outdoor lighting.* On-site lighting shall be stationary and directed away from adjoining properties and public right-of-ways, subject to the allowances and limitations as detailed within Chapter 9.90 "Outdoor Lighting Standards". Decorative lighting fixtures, commensurate with the architectural style and detail of the structures on site, are required. "Shoebox" style lighting fixtures are prohibited.

(K) *Trash enclosures.* Trash enclosure(s) must be provided to serve the development. Trash enclosure(s) shall be placed on a slab or paved area and shall be screened on at least three sides with a solid wall, made of block, masonry or other similar material. Trash enclosures must be a minimum five feet high. The trash containers shall not be visible above the wall. A visually solid gate shall be provided to adequately screen the containers. The enclosures shall provide a screened "pedestrian" entry to allow hands-free access to the trash containers without needing to

open/close the enclosure gates. Trash enclosures shall provide a planter area at least two feet wide, adjacent to the three walls, and incorporate shrubs, bushes or vines into this planter to screen the enclosure walls.

(L) *Maintenance requirements.* Buildings and structures within the Economic Development Corridor Zoning Districts shall be maintained in good repair and in a manner consistent with the general theme adopted for the district. Maintenance activities shall include, but not be limited to, buildings being painted, awnings replaced or repaired as necessary, area cleanliness and landscape management as required.

(M) As determined by the Director under an Administrative Design Review, improved or disturbed land areas not covered by buildings or landscaping shall be paved in concrete or asphalt, or appropriately treated to contain wind and soil erosion. Areas designed to accommodate parking or traffic circulation shall be paved in concrete or asphalt. Traffic areas that feature heavy vehicle movement, loading areas, and areas used by heavy vehicles or equipment shall have paving design and thickness of sufficient strength to support such vehicles and traffic.

(Ord. 2015-180, passed 11-18-2015)

#### **§ 9.28.120 EXISTING NONCONFORMING SINGLE-FAMILY DWELLINGS.**

Single-family dwellings existing as of the effective date of the adoption of this chapter in an Economic Development Corridor Zoning District that allows residential uses shall be considered a permitted use and shall be subject to single family residential property standards for modifications and additions, as set forth in Chapter 9.18 "Single-family Residential Two to Five District" of this Title. In addition, tract maps approved prior to the effective date of this chapter located within any Economic Development Corridor Zoning District shall be considered a permitted residential use and shall be subject to the single family residential property standards as set forth in Chapter 9.18 "Single-family Residential Two to Five District" of this Title.

(Ord. 2015-180, passed 11-18-2015)

#### **§ 9.28.130 GENERAL ARCHITECTURAL AND DESIGN REGULATIONS.**

The following architectural and design regulations for the Economic Development Corridor Zoning Districts are established to provide for the orderly development, restoration and revitalization of properties within the Economic Development Corridor. These standards provide for the proper relationship of various uses, buildings, structures, and open spaces. They allow for the maximum flexibility in design and development within the parameters of the district theme in the corridor and encourage the utilization of recognized economic, cultural and social values of good planning.

(A) *Architectural and design criteria.* To insure development, restoration and revitalization of properties and buildings are completed in accordance with the general theme of the Economic Development Corridor Zoning Districts, the goals and policies contained within the Community Design Element of the General Plan shall serve as the basis for the review of new development projects. Architectural, design and site development guidelines may be adopted by the Planning Commission to further the goals of the EDC. All development projects shall conform to the

architectural and design criteria described in this Title and in other codes and regulations as applicable.

(B) *Orientation and site design.* Site design should orient buildings, parking and drive aisles, sidewalks and plazas to provide users a clear indication of the building entrance and clear pathways from parking to the entry. Providing a view corridor along the pathway and a unique and consistent landscape or paving theme along the pathways, are good techniques to achieve orientation.

(C) *Architectural character.* The architectural character of new construction and additions shall be consistently utilized and expressed on all faces of buildings, four sided or surround architecture. Structural elevations visible from the public right-of-way or adjoining developed property shall provide one or more appropriate design components, including but not limited to: color variation, wall indentations, window treatment, variations in materials, columns, horizontal or vertical building plane alterations, cornices, lighting fixtures or other design feature that defines space and promotes visual interest.

(D) *Architectural themes.* Adherence to an architectural theme is encouraged where possible.

(E) *Architectural quality.* Architectural quality should enhance surrounding land uses and promote compatibility. Desirable architectural treatment typically creates visual interest by breaking up uniform blank walls, glass and other building forms into areas that are more visually pleasing.

(F) *Roofline variation.* Variation(s) of roof forms shall be used to create visual distinction between buildings and to incorporate a human-scale perception that breaks down the visual bulk of structures and buildings. The variation(s) should create a sense of common identity within and throughout the development.

(G) *Enhanced building entries.* Special architectural treatments, materials and colors shall be used to identify major building entries.

(H) *Enhanced storefront design.*

(1) For non-residential street frontages, glazing at the ground floor adjacent to or facing a front property line shall comprise a minimum of 40% of the ground floor height at the facade of the building. The glazing at the ground floor height of other facades that face public and private streets at side yards shall comprise a minimum of 20% of the ground floor height. Minimum storefront glazing shall be calculated per Table 9.28-C "Storefront Glazing Calculation".

Table 9.28-C  
Storefront Glazing Calculation

***Storefront Glazing at Front Property Line***

$$\text{Ground floor floor-to-floor height} \times \text{length of building facade} \times 40\% = \text{Minimum glazing area required}$$

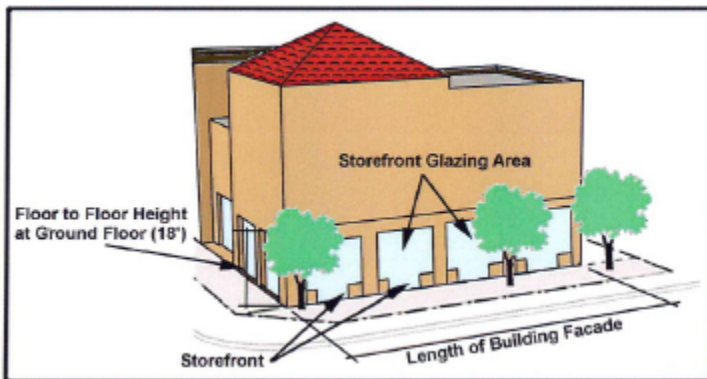
***Storefront Glazing at Other Facades Facing Public and Private Streets***

$$\text{Ground floor floor-to-floor height} \times \text{length of building facade} \times 20\% = \text{Minimum glazing area required}$$

(2) Storefronts provide a means for commercial, office or institutional venues to orient displays and facilitate access from public sidewalks. Providing visibility to these commercial, office or institutional spaces, attracts pedestrian interest and contributes to the pedestrian experience.

(I) *Window design and glazing.* Storefronts and windows shall be inset from exterior facade planes and/or adjoining exterior wall planes a minimum of two inches to realize increased shade, shadow, and visual texture along the building face. Alternatively, windows shall be articulated by adjacent and adjoining projecting sills, jambs, heads, frames, and/or ornamental surrounds that project a minimum of one inch from the exterior building plane. Curtain walls and storefronts shall incorporate mullions and/or vertical and horizontal dividers that permit glazing placement a minimum of two inches behind the plane of the curtain wall, as measured from the exterior face of the mullions and dividers. Glazing at the ground plane and first level of buildings shall be clear, colorless and transparent. Use of reflective glazing is prohibited. The Director may allow "faux" windows where necessary to shield the view of items within a proposed structure.

Figure 9.28.130-1: Required Storefront Glazing



(J) *Entrance frequency.* Depending on building purpose and use, street frontages and pedestrian accessed building entrances shall occur at least once every 150 feet, as measured along the street-facing property line. In addition to entrances to ground-related uses, entrances to residential units, clusters of residential units, lobbies or private courtyards may be applied toward meeting this requirement.

(K) *Enhanced driveway entries.* Driveway entries on major or higher roadways shall have enhanced entry treatments, which shall include textured and/or colored paving, enhanced landscaping with accent trees (minimum 36 inch box), and other landscape features. Projects of ten acres or larger shall establish at least one of its entrances as the thematic "main" entrance to the development, providing significantly enhanced treatment of this entry driveway into the development. Projects of 40 acres or larger shall establish at least two of its entrances as the thematic "main" entrance to the development, providing significantly enhanced treatment of this entry driveway into the development. All driveways into a development shall have a coordinated theme consistent with the nature and architecture of the development.

(L) *Walkability requirements for commercial, office, mixed use, educational and institutional/civic developments.* New developments and any additions or improvements to an existing development where the new construction equals or exceeds 50% of the replacement value of the existing construction, shall include a pathway, paseo, walkway or similar pedestrian access into the proposed development. The "walkability" feature connects the primary facility entrance along an adjacent public street or alley to either another adjacent public street or alley, or to a similar pathway on an abutting property. The area devoted to such pathway can be credited toward the open space requirement for the development.

(M) *Pedestrian pathways.* The Economic Development Corridor Zoning Districts consist of several distinct neighborhoods interconnected to each other or connected to an EDC core and public park areas by a series of pedestrian pathways. Walkability is ensured by allowing people to easily travel to uses throughout the selected districts without having to rely solely on vehicular transport. While public sidewalks provide the primary means of pedestrian mobility within the district, additional connections can be provided via pathways, paseos, bridges, trails and walkways. This is particularly the case where large blocks either obstruct or are not well integrated into the street pattern shaping the district. Portions of these regulations are intentionally established to incentivize provision of pedestrian access across private properties to connect one public right-of-way to another. All pathways, paseos, walkways, or similar pedestrian accesses shall be reviewed as part of the required discretionary review process. The project may be conditioned to address such issues as, but not be limited to, design materials, hours during which such pathway shall be available for general public access, pedestrian safety enhancements, lighting, and security of the businesses and residences with direct access to the pathway.

(1) *Pedestrian walkway visibility and site features.* Pedestrian walkways shall be located in a manner to provide clear visibility, safety and accessibility to and through a site. Additional site features shall include, but not be limited to, directional signage (as permitted by this Title), placement of markers, landscape planters or vegetation. These features shall be used to emphasize the location of the pedestrian walkway at the public right-of-way and throughout the development.

(2) *Pedestrian walkways within parking areas.*

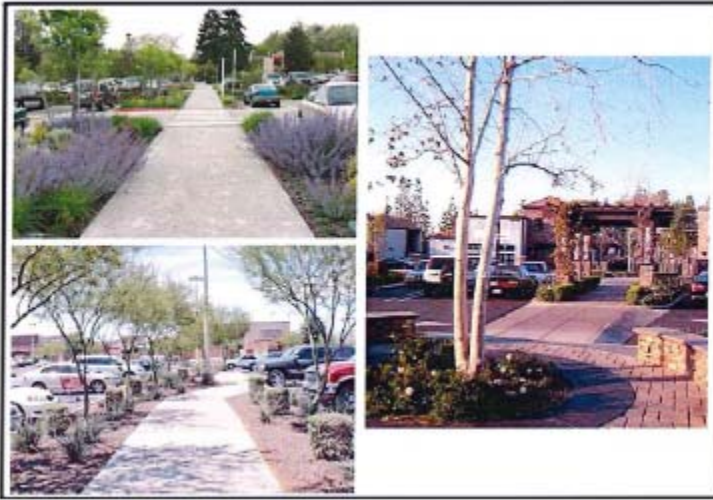
(a) Pedestrian walkways shall be located to provide the most direct access from parking areas, public sidewalks to building entrances, amenity areas, and similar on-site uses.

(b) Where pedestrian walkways pass through parking areas, they shall be differentiated from parking areas using raised walkways, raised curbs, enhanced paving clearly differentiated from the parking area paving, and/or landscape buffers.

(c) Pedestrian walkway requirements shall apply in addition to the landscaping standards of Chapters 9.86 "Park Design, Landscaping and Tree Preservation", 9.88 "Landscape Water Use Efficiency Requirements" and the parking design standards of Chapter 9.57 "Parking and Loading Standards".

Photo 9.28-1

Examples of Enhanced Pedestrian Walkway in Parking Area



(3) *Pedestrian walkways within residential developments.*

(a) New development projects with a residential component shall include a pathway, paseo, walkway, or similar pedestrian access that connects the primary entrance along an adjacent public street or alley to either another adjacent public street or alley, or to a similar pathway on an adjacent property.

(b) The area devoted to such pathway can be credited toward the private open space requirement of the development, but shall not be credited toward any Quimby Act requirements.

(4) *Pedestrian spaces.* Architectural structures should be coordinated with site landscaping to create attractive spaces and environments for pedestrians. Tree canopies and/or trellises combined with landscaped boundaries consisting of seat walls and/or shrubs of two to three feet in height should be provided wherever possible to provide comfortable pedestrian spaces.

(N) *Garden plazas.*

(1) In all Economic Development Corridor areas a garden plaza may be required based upon size and type of development. Non-residential uses shall provide open space for employees and patrons in pedestrian-accessible plazas, courtyards and landscaped areas. The precise nature and size of the open space will vary depending upon the mix of uses both within and around a proposed project. Projects that are focused on shopping, eating and entertainment uses should provide courtyards and plazas geared primarily towards patrons. These spaces should offer plentiful seating areas that are shaded through a combination of landscaping, umbrellas and canopies, and include features that appeal to people of all ages, with a special emphases on public art and water features.

(2) In project or areas that contain office buildings, the public plaza space should be geared primarily towards both employees and clients who will use areas for breaks, lunches and informal meetings/gatherings. The plaza space can be located at the ground or upper levels of the office building, including the roof. The plazas do not have to be open to the general public, but should be accessible to all tenants. Features should include permanent or movable seating areas and a combination of hardscape, potted plants, and shade trees. Office buildings can also incorporate small and medium turf areas that include an abundance of shade trees and other drought tolerant and water efficient landscaping.



(3) For projects having a property line that abuts Haun Road, McCall Boulevard or Antelope Road right-of-ways, such plazas shall be clearly oriented immediately toward the roadway. The purposes of featuring garden plazas are to (1) provide a place adjacent to the public right-of-way that expands the area for use by pedestrians for passive recreation and public gathering and (2) provide areas for landscape amenities, display of public art, and similar uses. Garden Plaza features enhance the appearance and function of development. For projects that are focused on shopping, eating and entertainment uses, the garden plaza features shall be provided at grade of the adjacent public right-of-way and conform to the following:

(a) *Allowed uses.* Garden plaza features may include landscaped and paved areas, outdoor dining areas, public art display, fountains, or similar uses and amenities permitted in the applicable zone. Non-vehicular sales kiosks are also permitted where appropriate. Landscaping, an integral component of the garden plaza, shall not encompass the entire plaza area.

(b) *Garden plaza location.*

1. The garden plaza area shall adjoin, but not constitute part of, a front yard setback. The plaza area may be located anywhere on a site in a manner that provides easy accessibility and maintenance. The plaza area should be well integrated into other development features and pedestrian access ways on the site. Proposed locations shall be reviewed through the entitlement review process.

2. A pedestrian plaza shall be required in lieu of a garden plaza when a building is located toward the rear of a lot and a surface parking lot is located between the public right-of-way and buildings on the site. A pedestrian plaza is an area of a development reserved for pedestrian-only use where automobile or other wheeled traffic is prohibited.

(c) *Garden plaza landscaping.* A minimum area of 25% of the garden plaza area shall be landscaped with live plant materials. Quality landscaping provided in raised planters or pots is allowed and will count toward the required landscaping.

(d) *Garden plaza paving.* Garden plazas shall be paved in high-quality materials such as pavers, stone or cobblestone, patterned or scored colored concrete, or similar durable materials. Asphalt is prohibited.

(e) *Pedestrian plaza contribution to the open space requirement.* Pedestrian-oriented plazas accessible to commercial/office/institutional and mixed use developments, not otherwise allocated to specific uses or tenants, may be counted toward open space requirements as noted in the Open Space, Recreation and Leisure Area Requirements in this Chapter.

(f) *Garden/pedestrian plaza miscellaneous requirement.* The garden/pedestrian plaza area shall not be enclosed or obstructed by fencing or walls and shall be well integrated with the front yard setback area, except as required for permitted outdoor dining areas.

(O) *Commercial, office and institutional ground floor design standards.* The following standards shall apply to the ground floor of each multistory structure.

(1) *Elevation of first floor.* The ground floor elevation shall be located no more than one foot above the existing grade and no more than one foot below existing grade.

(2) *Minimum ground floor height.* The minimum height of commercial, office or institutional ground floor spaces shall be 18 feet. This height shall be measured from the floor of

the at-grade level to the floor of the second story. If there is no second story, the height shall be measured to the top of the roof.

(3) *Building entrances to commercial venues.* Commercial, office or institutional venues shall provide at least one entrance facing the front property line for each building or suite within a building. This entrance shall serve as the primary entrance to the business. Walkways, architectural elements, directional signage or similar features shall be used to emphasize and direct persons toward the entrance. Interior space shall be arranged to complement the primary entrance. Street-facing entrances shall be unlocked and accessible to the public during business hours.

(P) *On-site storage.* Storage shall be limited to inventories of commodities sold at retail on the premises, or used as an element of an activity permitted on the premises. Storage areas must be placed within a wholly enclosed building or structure, unless otherwise permitted by this chapter and/or a review by the approval authority.

(Q) *General operation standards.* Operations conducted on the premises shall not create a nuisance by reason of noise, odor, dust, mud, smoke, steam, vibration or other conditions deemed to adversely impact the public or nearby businesses.

(Ord. 2015-180, passed 11-18-2015)

**§ 9.28.140 DEVELOPMENT STANDARDS FOR SINGLE-FAMILY RESIDENTIAL USES IN THE ECONOMIC DEVELOPMENT CORRIDOR ZONING DISTRICTS.**

The provisions and development standards for single-family residential uses shall apply to residential portions of mixed use developments in accordance with Chapter 9.18 "Single-family Residential Two to Five District". Residential density limitations are established within the General Plan and are in addition to other applicable requirements of this chapter.

(Ord. 2015-180, passed 11-18-2015)

**§ 9.28.150 DEVELOPMENT STANDARDS FOR MULTI-FAMILY RESIDENTIAL USES IN THE ECONOMIC DEVELOPMENT CORRIDOR ZONING DISTRICTS.**

The provisions of this section shall apply to multi-family residential portions of mixed use developments in addition to other applicable requirements of this chapter.

(A) *Minimum dwelling unit area.* New dwelling units shall have minimum floor areas as established in Table 9.28-D "Minimum Dwelling Unit Size". Garage floor areas are excluded.

Table 9.28-D  
Minimum Dwelling Unit Size

Number of Bedrooms	0 (Loft)	1	2	3 or more
Minimum Floor Area per Unit	750 sf.	750 sf.	900 sf.	1,050 sf.

(B) *Maximum number of bedrooms per unit.* No single dwelling unit in an EDC District shall have more than four bedrooms, unless otherwise approved by the Planning Commission.

(C) *Residential building separation.* Residential developments and residential portions of mixed use developments shall meet the minimum building separation requirements set forth in Table 9.28-E "Building Separation Requirements", in addition to the setback requirements set forth in the Economic Development Corridor Zoning Districts where multi-family residential development is proposed.

Table 9.28-E  
Building Separation Requirements

<b>Minimum Building Separation</b> (Same Recorded Lot)	
From one story to one story building	15 feet
From one story to two story building	20 feet
From two story to two story building	20 feet
Additional story either building	20 feet plus 5 feet per additional story above two for either building

(D) *Elevation of first floor.* The first habitable floor of a residential-only building shall be located no more than four (4) feet above the existing grade and no more than one foot below existing grade along the required front yard setback.

(E) *Open space, recreation and leisure area requirements for residential components of integrated mixed use developments.* Residential components of integrated mixed use developments shall provide open space, recreation, and leisure areas at a minimum of 300 square feet per dwelling unit. The following spaces shall contribute to the open space, recreation area and leisure area requirement:

(1) *Private open space.* Private open space shall be provided at each unit. Private open space may be provided in the form of a patio, yard, balcony or combination thereof and shall be directly adjacent to and accessible from each unit. Private open space shall have a minimum area of 90 square feet, with a minimum depth dimension of six feet and a minimum width dimension of ten feet.

(2) *Active recreation areas.*

(a) Active recreation areas shall include one or more of the following: spa, pool, indoor equipped work-out room(s), tennis, volleyball, racquetball courts, basketball half court, or other similar usable recreational activities as determined acceptable by the Planning Commission during a discretionary review. Active recreation areas shall be open to and accessible to all residents of the mixed-use complex. The required active recreational amenities shall be based on a needs assessment evaluation of the proposed project. The evaluation shall take into consideration the following criteria:

1. Size and shape of active recreation area;
2. Location and placement of buildings;
3. Diversity of recreational amenities needed based upon anticipated resident mix;
4. Number of units, size mixture of units and lot size.

(b) Active recreation areas shall not be less than 20 feet in width or depth. Increased dimensions may be required through the discretionary review process based upon specific project circumstances and the intended use of that active recreation area.

(c) Active recreation areas may be located indoors, in outdoor portions of habitable levels, or on roof decks. Active recreational areas located in this manner shall not contribute more than 50% of the required open space, recreation, and leisure areas, unless otherwise approved by the Planning Commission.

(d) Active recreation areas shall be buffered from adjacent residentially zoned lots. Active recreation areas that feature such activities as pools, spas, court activities shall be placed and operated so as not to infringe upon the peacefulness of nearby residential units or adjoining residential properties.

(e) Recreational trails that are part of a larger city recognized trail system may pass through a required setback area at approximately a perpendicular angle to the setback.

(3) *Passive recreation areas.* Passive recreation areas shall incorporate pathways, waterscape, hardscape (i.e., large rocks or boulders, benches, gazebos, raised planters constructed on site of bricks, concrete or rocks, or other materials) and unique features that enhance the appearance, desirability and usability of the area. Although required setback areas may be located adjacent to and incorporated into an overall passive recreational area, such required setback area shall not count toward the required minimum square footage of the recreational area(s). The intent is to provide landscaped areas that can be utilized for walking, sitting, viewing plants and vegetation, reading, and similar types of passive activities. Passive recreation areas shall have a minimum dimension of ten feet in width and 30 feet in length. These areas shall not contribute more than 50% of the required open space, recreation and leisure areas. An area designated as a "Community Garden" may contribute up to 25% of the required open space, recreation and leisure area(s) of a residential development.

(4) *Mixed use shared passive recreation areas.* Passive recreation areas and joint use patios and plazas contribute to the requirement for open space, recreation and leisure areas. Passive areas are generally shared with commercial, office or institutional components in a mixed use development. Passive recreation areas do not include areas used for outdoor dining, fenced or otherwise restricted for use by a single business or tenant. Shared passive recreation areas shall have a minimum dimension of ten feet in width and 30 feet in length. Such areas shall not contribute to more than 25% of the required open space, recreation and leisure areas.

(F) *Additional multi-family residential unit requirements.* Each residential unit in a multi-family component of a mixed use development shall comply with the following requirements:

(1) *Laundry facilities.* Each unit shall be provided with washer and dryer hookups and laundry space within the unit. For apartment units, common laundry facilities may be provided.

(2) *Storage facilities.* Each unit shall be provided with a separate storage area having a minimum of 300 cubic feet of private and secure storage space. This storage may be located within the parking garage provided it does not interfere with garage use for automobile parking. Closet and cupboard space within the dwelling unit shall not count toward meeting this requirement.

(G) *Residential parking requirements.*

(1) *Enclosed parking required.* Residential parking requirements set forth in Chapter 9.57 "Parking and Loading Standards" shall be provided within a parking structure or enclosed one- and two-car garages. Parking spaces shall be assigned to each individual unit.

(2) *Individual one- and two-car garages.* Individual one- and two-car garages shall maintain a minimum clear parking area of not less than ten feet by 20 feet for a one-car garage and not less than 20 feet by 20 feet for a two-car garage. No storage cabinets, areas designated for trash cans or recyclable containers, or mechanical equipment, including but not limited to, water heaters, utility sinks or washers and dryers, shall encroach into the required parking area.

(3) *Guest parking requirements.* A minimum of one "Guest" parking space shall be provided for each two residential units within the residential portion of a mixed use development. These guest parking spaces shall be distributed throughout the residential portion of the mixed use development in a manner that allows an ease of use between the guest space and the location of the residential units. Guest spaces shall be marked as such and shall remain available for visitors to the property. These spaces are not to be used as additional parking for permanent residents or count towards required commercial parking within a mixed commercial/residential development.

(Ord. 2015-180, passed 11-18-2015)

### **§ 9.28.160 MIXED USE NOTIFICATION REQUIREMENTS.**

(A) The mixed use allowances within the Economic Development Corridor Zoning Districts are intended to enhance, revitalize and provide opportunities for new development in designated areas of the community. This allows for retail and service commercial businesses (local and regional) and moderate- to high-density residential uses to be integrated vertically or horizontally for the benefit of the community. Although stand-alone commercial, office or institutional uses are permitted, new residential developments are encouraged to either include a commercial, office or institutional component or enter into an agreement with the City for the development of a commercial, office or institutional facility on another property within the selected EDC District and within a specified time period. Commercial, office and institutional uses are strongly encouraged for those that serve local neighborhood needs in the Northern Gateway and Newport Road Zoning Districts.

(B) The following notification requirements for mixed use developments in a designated EDC district apply:

(1) *Resident noise notification.* Residents (owners or tenants) of new residential and mixed use development projects in an Economic Development Corridor Zoning District where residential uses are allowed shall be notified in writing before taking up residence that they will

be living in an urban-type environment and that noise levels may be higher than a strictly residential area.

(2) *Acknowledgment of notification receipt.* The covenants, conditions and restrictions of a residential or mixed use project within an Economic Development Corridor Zoning District require prospective residents acknowledge the receipt of the written noise notification. Signatures shall confirm receipt and understanding of this information.

(Ord. 2015-180, passed 11-18-2015)

### **§ 9.28.170 RESTRICTIONS ON LAND USES AND ACTIVITIES IN A VERTICALLY INTEGRATED MIXED USE DEVELOPMENT.**

(A) *Required commercial, office or institutional component.*

(1) Economic Development Corridor Zoning Districts featuring vertically integrated mixed use developments shall require a minimum commercial, office or institutional feature component as follows:

(a) Commercial, office or institutional development component shall comprise a minimum of 0.3 FAR of the overall development. A project consisting entirely of deed-restricted affordable housing will not be required to have a commercial feature component but shall be limited to the EDC districts residential percentage limit.

(b) Commercial storefronts in the Community Core and Southern Gateway Zoning Districts are required along street frontages. Residential development(s) are not allowed street frontage in these EDC districts.

(c) Live-work units are allowed as part of a mixed use development. Dwelling areas in multi-family residential units are not allowed to be devoted solely to a commercial, office, or production activity. Live-work units shall be developed consistent with the standards and requirements of Chapter 9.45 "Live-Work Unit Development".

(B) *Prohibited activities within vertically integrated mixed use.* The following activities are prohibited within vertically integrated mixed use development:

(1) General auto repair including paint or body work, auto maintenance or similar use.

(2) Manufacturing or industrial activities, including, but not limited to, welding, machining or open flame work, except those necessary as part of an art or jewelry producing activity.

(3) Any other activity, as determined by the Director, to be incompatible with residential activities and/or to have the possibility of adversely impacting the health or safety of residents due to the potential for the use to create late-night activity, dust, glare, heat, noise, noxious gases, odor, smoke, traffic, vibration or other impacts, or would be hazardous because of materials, processes, products or wastes, within individuals units or to adjoining/surrounding units.

(C) *Loading and unloading activities.* Covenants, conditions and restrictions in a mixed use development shall indicate the times when the loading and unloading of goods, products, supplies or similar items will occur. Loading or unloading activities are prohibited between 10:00 p.m. and 7:00 a.m. the following morning on any day of the week.

(D) *Change in use.* A mixed use building shall not be converted to entirely residential use unless the use is permitted in the zone in which it is located. The conversion project proposal must first be reviewed and approved by the Planning Commission. A certificate of occupancy for the conversion is required.

(Ord. 2015-180, passed 11-18-2015)

### § 9.28.180 ADDITIONAL REGULATIONS SPECIFIC TO THE COMMUNITY CORE ZONING DISTRICT.

The provisions of this subsection apply to proposed development within the Community Core Zoning District in addition to the other requirements of this code.

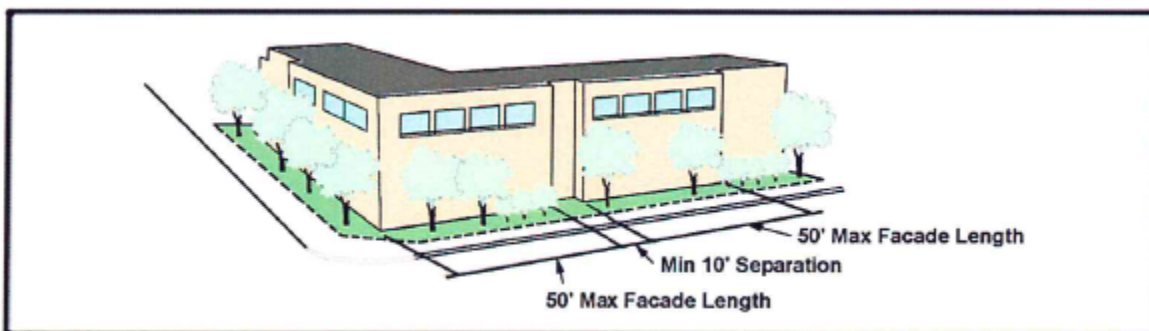
(A) *Purpose and applicability.* The standards in this section are established to maintain the character of existing neighborhoods within the Community Core Zoning District and to extend the district's theme via high quality contemporary development. The provisions of this subsection apply to development in the Community Core Zoning District in addition to other requirements of this chapter.

(B) *Architectural character.* Architectural character of new buildings and structures shall be compatible with the character and scale of the existing community core area. New buildings and structures shall feature variation in building mass and roofline by using projecting bays or recesses, variety in building material, differentiation of color, and visually pleasing architectural detailing. New buildings and structures shall reflect the character and theme of the existing community core. Designs for new buildings may require review by the Planning Commission.

(C) *Maximum length of building facade.* Building facades and complementary structures facing public rights-of-way shall not exceed 50 feet of uninterrupted length measured parallel to the property line (see Figure 9.28.180-1: Community Core Maximum Length of Building Facade). Facades greater than this length shall be interrupted by breaks in the architectural plane not less than ten feet in width and five feet in depth.

(D) *Porches and patios at street-fronting setbacks.* Porches and patios are encouraged for street-fronting setbacks.

Figure 9.28.180-1:  
Community Core Maximum Length of Building Facade



(E) *Limit on residential units.* Although residential units may be located east of Haun Road, such units shall not be located adjacent to the I-215 Freeway. Further, the units must be located above ground floor commercial, office or institutional space and shall be limited as follows:

(1) The maximum allowable number of residential units in the EDC-CC Zoning District shall not exceed 2,352 units (392 acres at 24 units/ac times 25% equaling 2,352 units). This number assumes that the total number of possible residential units within all EDC districts combined has not exceeded the 15% limit established within the General Plan. The number of dwelling units built will decrease the remaining allowable number in the EDC-CC. The maximum allowable number of dwelling units will be reduced according to the number of parking spaces encumbered by commercial, office, or institutional development, unless parking has been provided for on-site or within a parking structure. However, under no circumstances shall the total area used for residential purposes exceed the General Plan limit of 15% for all EDC areas.

(2) The design of individual dwelling units shall be consistent with the character of the Economic Development Corridor Community Core Zoning District and shall comply with the standards set forth in this chapter.

(F) *Access to nonresidential uses.* Primary access to nonresidential uses shall be via a major or higher street classification, as defined by the General Plan Circulation Element. Access to a nonresidential use from local residential streets is prohibited unless specifically allowed by the Director or Planning Commission as applicable. Emergency accesses from local residential streets are permitted when no other feasible emergency access to a major traffic corridor is possible. Access to nonresidential venues via through lots is prohibited unless specifically allowed by the Director or Planning Commission as applicable.

(Ord. 2015-180, passed 11-18-2015)

### **§ 9.28.190 OUTDOOR STORAGE AND USE STANDARDS.**

(A) *Outdoor storage.*

(1) Outdoor storage on properties in Economic Development Corridor Zoning Districts shall be screened so that the storage area is not visible from a public right-of-way.

(2) Outdoor storage shall be allowed when enclosed by a decorative block wall at least six feet in height. Gates providing access to such storage areas shall be constructed of materials to prevent view of the enclosed storage. Items and materials stored within the enclosure shall not be stacked above the height of the surrounding wall.

(3) Outdoor storage screening shall be provided and maintained by the use of solid walls or solid wood fencing. Chain link fencing with either shade cloth or slats, augmented with drought tolerant vegetation, may substitute for a solid wall or wood fencing within the Northern Gateway District. When shade cloth or slats are used in lieu of a solid wall to accomplish screening, the shade cloth or slats must be of uniform design and color, and maintained in good repair at all times.

(4) Quality drought tolerant vegetation shall be utilized to augment screening. The vegetation used shall:



- (a) Provide adequate screen coverage within one year of planting; and
- (b) Be maintained to provide continual health for the plants and screen coverage of the outdoor storage area; and
- (c) Be irrigated with an automatic watering system equipped with a timer.

(B) Vehicle storage, appliance or vehicle repair or service, and similar uses. A solid wall made of block, masonry or other similar material, or within only the Northern Gateway Zoning District a chain-link fence with slats, shall be constructed and maintained around the perimeter of the use. A landscaped area of at least six feet in width shall be placed between the public right-of-way and wall or fence to provide aesthetic relief along the solid wall or to screen the chain-link fencing. In addition to all driveways and parking areas, the areas of the yard visible from offsite shall be paved with concrete or asphalt. Further, all vehicle storage or repair areas shall be paved with concrete or asphalt. Best Management Practices (BMPs) for these uses must be implemented to ensure runoff or vehicle fluid residues will not leave the site or contaminate the soil.

(Ord. 2015-180, passed 11-18-2015)