

**NOTICE AND CALL OF SPECIAL JOINT MEETING
(STUDY SESSION)
OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE
CITY OF MORENO VALLEY AND THE PLANNING COMMISSION**

January 19, 2010 - 6:00 PM

NOTICE IS HEREBY GIVEN that a special joint meeting (Study Session) of the City Council of the City of Moreno Valley, Moreno Valley Community Services District and the Community Redevelopment Agency of the City of Moreno Valley and the Planning Commission of the City of Moreno Valley will be held on January 19, 2010 commencing at 6:00 PM, in the City Council Chamber, City Hall, located at 14177 Frederick Street, Moreno Valley, California.

Said special meeting shall be for the purpose of:

AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE SPECIAL MEETING AGENDA

There is a three-minute time limit per person. Please complete and submit a LAVENDER speaker slip to the Bailiff. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council Member, staff member or other person.

SPECIAL ORDER OF BUSINESS

- 1 Discussion of Mixed Use Zones - Applicant: City of Moreno Valley (Report of: Community Development Department)
- 2 City Council / Planning Commission Comments
- 3 Planning Commission Adjournment

See attached Special Joint Planning Commission Agenda

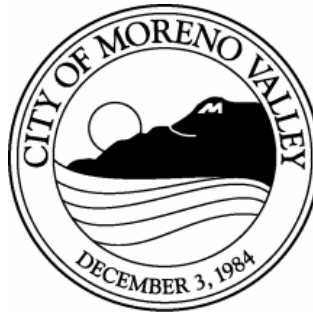
ADJOURNMENT TO REGULAR STUDY SESSION

PLANNING
COMMISSIONERS

MARIA MARZOEKI
Chair

GEORGE RIECHERS
Vice-Chair

MICHAEL S. GELLER
Commissioner



RICHARD DOZIER
Commissioner

GEORGE SALAS, JR.
Commissioner

RICK DE JONG
Commissioner

RAY L. BAKER
Commissioner

NOTICE AND CALL OF A SPECIAL JOINT MEETING
(STUDY SESSION)
OF THE MORENO VALLEY
CITY COUNCIL/PLANNING COMMISSION

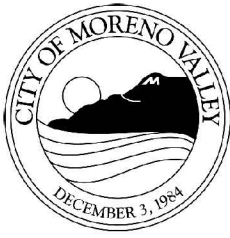
NOTICE IS HEREBY GIVEN that a Special Joint Meeting (Study Session) of the City Council/Planning Commission of the City of Moreno Valley will be held on Tuesday, January 19, 2010, commencing at 6:00 p.m., in the City Council Chamber, City Hall, located at 14177 Frederick Street, Moreno Valley, California.

Said special meeting shall be for the purpose of discussing:

- 100** Call to Order
- 200** Roll Call
- 300** Joint City Council/Planning Commission Meeting (Study Session)
 - Discussion of Mixed-Use Zones
 - See Attached Special Joint Meeting (Study Session) of the City Council/Planning Commission Agenda
- 400** City Council/Planning Commission Comments
- 500** Planning Commission Adjournment

The City of Moreno Valley complies with the Americans with Disabilities Act of 1990. If you need special assistance to participate in this meeting, please contact the City Clerk's office at (951) 413-3001 at least 48 hours prior to the meeting. The 48-hour notification will enable the City to make arrangements to ensure accessibility to this meeting.

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APPROVALS	
BUDGET OFFICER	<i>caf</i>
CITY ATTORNEY	<i>RH</i>
CITY MANAGER	<i>WBS</i>

Report to City Council

TO: Mayor and City Council
Planning Commission

FROM: Kyle Kollar, Community Development Director

AGENDA DATE: December 15, 2009

TITLE: DISCUSSION OF MIXED USE ZONES
APPLICANT: CITY OF MORENO VALLEY

RECOMMENDED ACTION

Staff recommends that the City Council and Planning Commission review the information presented in the staff report and provide direction to staff.

Project Description

As a follow up to the introduction of mixed use in the General Plan Update in 2006, staff has developed two new land use districts to establish development criteria for mixed use development and an amendment to the permitted uses table to add the new zones. The two proposed land use districts are as follows:

- Mixed Use District 1 (MUD1) – a land use district that creates a transition or buffer zone between high activity commercial areas and residential districts. This land use district would allow for office, limited commercial and residential uses and the opportunity to develop each use or mix of uses in various combinations; and
- Mixed Use District 2 (MUD2) – a land use district that encourages the development of pedestrian oriented shopping areas with smaller, service related and specialty types of businesses with an allowance for residential as a secondary land use to the primary commercial use. MUD2 development is intended to occur along arterials or greater streets or in areas of high density development. The addition of a residential component is intended to increase the level of activity in commercial areas and provide better linkages and compatibility with adjacent residential neighborhoods.

If adopted, the proposed changes would result in amendments to the City's General Plan and the addition of two new sections in Title 9 of the City's Municipal Code.

The intent of the proposal is to establish development standards to encourage mixed use development where appropriate. The actual selection of properties and changes in land use designation would occur later under separate application(s) by property owners.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

The General Plan currently references and encourages the concept of mixed use development. At this time, only limited specific plan areas within the City (Village at Sunnymead and Moreno Highlands) are zoned for mixed use development.

General Plan Objective 2.4

General Plan Objective 2.4 states that the City shall, "Provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses."

This portion of the General Plan describes mixed use development in the following sub-sections:

- Objective 2.4.5 – The primary purpose of locations designated **Mixed-Use** on the Moreno Valley General Plan Land Use map is to provide for the establishment of commercial and office uses and/or residential developments of up to 20 dwelling units per acre. The zoning regulations shall identify the particular uses and type of development permitted on each parcel. Overall development intensity should not exceed a floor area ratio of 1.00.
- Objective 2.4.6 – The primary purpose of areas designated **Residential/Office** on the Moreno Valley General Plan Land Use map is to provide areas for the establishment of office-based working environments or residential developments of up to 15 dwelling units per acre. The zoning regulations shall identify the particular uses and type of residential development permitted on each parcel of land. Overall development intensity should not exceed a Floor Area Ratio of 1.00.

The creation of the new mixed use districts would provide opportunities for future development that would achieve the objectives of the City of Moreno Valley's General Plan.

California Climate Change Legislation

California Assembly Bill (AB) 32 requires the Air Resources Board (ARB) to develop regulations and market mechanisms to reduce California's greenhouse gas (GHG) emissions to their 1990 levels by 2020. Greenhouse gases such as carbon dioxide are widely believed to contribute to global warming and other forms of climate change.

Recently adopted California Senate Bill (SB) 375 addresses the question of how land use and transportation are connected to climate change. SB 375 has three goals: (1) to use the regional transportation planning process to help achieve Assembly Bill 32 goals; (2) to use CEQA streamlining as an incentive to encourage residential projects which help achieve AB 32 goals to reduce Greenhouse Gas emissions (GhGs); and (3) to coordinate the regional housing needs allocation process with the regional transportation planning process.

Mixed use zoning would have the added benefit of encouraging a type of development that is complimentary to achieving the goals of AB 32.

DISCUSSION

As stated previously, staff has developed two new mixed use zoning districts. The two existing mixed use districts in the Village Specific Plan – VOR (Village Office Residential) and VCR (Village Commercial Residential) were used as a starting point for the new districts. Staff also reviewed mixed use districts from Riverside, Redlands, Claremont and other cities for added perspective and ideas. The result is a hybrid that is similar but enhanced version of the Village districts.

Mixed use development provides additional lifestyle options for current and future residents of the City. Surveys by the Western Riverside Council of Governments indicate a significant interest in the more urban lifestyles provided in mixed use projects, especially among young adults and senior citizens, two groups that will expand in size as the City adds employment and the general population ages. Mixed use development also supports the viability of transit corridors by providing more activity and potential riders within close proximity.

The following is an overview of the two proposed zones:

Mixed Use Development 1 (MUD1)

The MUD1 is intended to encourage the development and redevelopment of specific areas of the City into pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. While office development is the primary intent of the MUD1 zone, it is anticipated that the addition of a residential component as a secondary use will increase the level of activity in these areas and provide better linkage and compatibility with adjacent residential neighborhoods. This district would act as transition or buffer zone between high activity commercial areas and residential districts.

This zone allows for a maximum density of 15 dwelling units per acre. If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, it is the intent of this district to limit the first floor to office or service commercial uses. Residential uses are permitted with office uses on a separate parcel or in a separate structure, as part of the same structure (office in front, residence in the back, for example), and/or as a mixed use large scale development

The intensity of non-residential uses in the MUD1 zone is comparable to the VOR zone of the Village Specific Plan and the City's BP and BPX zones. Permitted and conditional uses for the MUD1 zone are based on uses allowed in the VOR, BP and BPX zones.

Examples of permitted non-residential uses within the MUD1 zone include athletic clubs, banks, business supplies, daycare, dry cleaning, laundry, medical offices and laboratories, private schools, personal services, and restaurants.

Mixed Use Development 2 (MUD2)

The intent of the MUD2 is the development of pedestrian oriented shopping areas with smaller, service related and specialty types of businesses with an allowance for residential as a secondary land use to the primary commercial use. MUD2 development is intended to occur along arterials or greater streets or in areas of high density development. The addition of a residential component is intended to increase the level of activity in commercial areas and provide better linkages and compatibility with adjacent residential neighborhoods.

This zone allows for a maximum density of 30 dwelling units per acre. Residential uses are permitted when integrated with commercial uses, in the same or a separate structure on a single parcel, or on a separate parcel as part of a larger mixed use development. Non-residential uses shall occur on the first floor facing the public right-of-way. Residential uses may occur above the first floor and/or be located away from the public right-of-way.

The intensity of non-residential uses in the MUD2 zone is comparable to the VCR and CC zones of the Village Specific Plan and the City's NC, CC, and VC zones. Permitted and conditional uses for the MUD2 zone are based on uses allowed in the above listed zones.

Examples of permitted non-residential uses within the MUD2 zone include appliance repair, arcades, athletic clubs, auto supply stores, bakeries, bowling alley, business supplies, catering, convenience stores, daycare, private schools, restaurants, and theaters.

Please see Attachments 1 and 2 for draft copies of the proposed code sections and Attachment 3 for a copy of the amended permitted uses table.

Examples of Mixed Use Development

Mixed Use development of the type intended under the MUD1 and MUD2 is allowed under the VOR and VCR zones of the Village Specific Plan. Mixed use can occur both horizontally (side by side) or vertically (one on top of the other). An example of horizontal mixed use is the Kha Plaza project which was approved by the Planning Commission on December 18, 2008. The project is located on the south side of Sunnymead Boulevard at Back Way, extending south to Webster Avenue between Sunnymead Boulevard and Webster Avenue. The 2.2 acre project site is zoned VCR along the Sunnymead frontage and VOR along the Webster frontage.

This mixed use project includes 1.3 acres of commercial development consisting of two buildings with a combined area of approximately 16,350 square feet fronting Sunnymead Boulevard. The commercial portion would allow for office, service commercial and some restaurant uses.

The remaining 0.9 acre fronting Webster Avenue will be developed with four buildings providing 12 townhouse-style residential units. This project includes shared access, shared parking, pedestrian walkways, and decorative screening walls to separate the residential uses from the commercial uses and provides for both vehicular and pedestrian connections between Webster Avenue and Sunnymead Boulevard.

Please see Attachment 4 for examples of vertical mixed use developments in other communities.

Live/work Units

Mixed use zones provide the opportunity for residents to live in close proximity to their work place. To further the options of even closer proximity between home and work, staff is proposing the addition of "live/work unit" as a permitted use in both the MUD1 and MUD2 zones.

A live/work unit would be defined as a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

NOTIFICATION

Notification would be required for the review and approval of a General Plan Amendment and Municipal Code amendment. This type of notification would be on a City-wide basis.

ATTACHMENTS/EXHIBITS

1. New Municipal Code Section – MUD1 zone
2. New Municipal Code Section – MUD2 zone
3. Revised Permitted Uses Table
4. Examples of mixed use development

Prepared By:
 Jeff Bradshaw
 Associate Planner

Department Head Approval:
 Kyle Kollar
 Community Development Director

Concurred By:
 John C. Terell, AICP
 Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Chapter 9.07.090 MIXED USE DISTRICT 1

A. Purpose and Intent. It is the purpose of this chapter to provide regulations which implement those goals, objectives, and policies of the General Plan regarding mixed-use development within the city. This chapter is also to serve residents and businesses through the establishment of a well-defined pattern of mixed use areas which are conveniently located, efficient and attractive, with safe pedestrian and vehicular circulation.

The intent of the Mixed Use District 1 (MUD1) is to create a transition or buffer zone between high activity commercial areas and residential districts. The concept of a mixed use zone with both office and residential uses provides for enhancement of each component – residential or office – and the opportunity to develop each use or mix uses in various combinations.

MUD1 has been established to encourage the development and redevelopment of specific areas of the City into quality, dynamic, pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. In the MUD1 district, new development shall emphasize the interface between uses and pedestrian connections in addition to site aesthetics and amenities. All development shall be constructed in a manner that provides interaction between adjacent uses whether the uses are part of the same development or are located in adjacent development within the same district. The landscaping, placement of street furniture, lighting and similar amenities shall be such that it will enhance the pedestrian quality of the mixed-use development. Building design should provide for “informal” surveillance of shared areas by residents, business tenants, and uses of the development.

If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, it is the intent of this district to limit the first floor to office or service commercial uses. While the office development remains the primary intent, it is anticipated that the addition of a residential component as a secondary use will increase the level of activity in these areas and provide better linkage and compatibility with adjacent residential neighborhoods. Overall development intensity should not exceed a Floor Area Ratio of 1.00. (GP 9.2.4.6)

Residential uses are permitted with office uses on a separate parcel or in a separate structure, as part of the same structure (office in front, residence in the back, for example), and/or as a mixed use large scale development. It allows for expansion in the number of residential units on a parcel with existing residences, heretofore prohibited because of the office-only designation.

B. In addition to the above, the MUD1 is intended to achieve the following purposes:

1. To provide appropriately located areas for compatible non-residential uses to enhance and serve adjacent residential neighborhoods;
2. To provide flexibility for the development of vertical and horizontal mixed uses;
3. To ensure and maintain a high quality of life;

ATTACHMENT 1

4. To provide adequate light, air, privacy, open space, and protection from objectionable noise and odors;
5. To provide adequate open space, off-street parking and loading areas to meet the needs of the mixed-use development;
7. To provide compatibility between non-residential uses and adjoining residential uses; and
8. To ensure high standards of site planning, architecture and landscape design for mixed-use development within the city. (Ord. 359 (part), 1992)

C. Permitted uses for the MUD1. Unless otherwise expressly provided in this title; permitted uses are limited to those described in the permitted uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord 359 (part), 1992)

D. MUD1 site development standards. The following table sets forth minimum site development standards for the district. All sites shall conform to the dimensions set forth in this section. A development may, however, be a combination of many parcels totaling at least the minimum required site size, as long as its design is integrated and unified. In addition, projects must comply with the special requirements enumerated in Section 9.07.090.E, the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies, and programs.

Table 9.07.090
Mixed Use District 1 Site Development Standards

Requirement	MUD1
1. Maximum density	15 units per acre
2. Minimum site area	1 acre
3. Minimum site width	100 feet
4. Minimum site depth	100 feet
5. Front building setback ¹	20 feet ²
6. Street side building setback ¹	20 feet ²
7. Side yard building setback ³	10 feet
8. Rear yard building setback ³	20 feet
9. Maximum floor area ratio ⁴	1.00
10. Maximum building and structure height	50 feet
11. Minimum distance between buildings ⁵	10 feet
12. Residential Open Space	See special requirements
13. Parking setbacks	Minimum 20 feet front and street side yard; minimum 10 feet rear yard and side yard See also 9.07.100.E.4 and E5
14. Setback landscaping	All setbacks exclusive of required walkways and driveways will be landscaped planting areas.

¹Measured from property line after dedications for public rights-of-way.

²Subject to site plan review, it may be possible to reduce the front setback to ten feet for buildings other than front facing garages.

³See Section 9.08.030 regarding accessory structures.

⁴Calculations of FAR shall not include underground parking.

On legal lots of record existing immediately prior to the date of adoption of this title, and which otherwise comply with all other provisions in this title and with all land use regulations existing immediately prior to adoption of this title. The creation of new lots within these districts shall conform to these minimum dimensions, except in the case of condominium lots or lots within an integrated center containing shared parking and access, in which case no minimums are established. Parcels created within integrated centers are exempt from the site development standards stated herein, as they relate to minimum site areas, and minimum lot width and depth, as long as a conceptual development plan for the entire center has been developed and approved and easements for reciprocal access, parking and maintenance are provided.

E. Special Requirements

1. Wherever a lot in any mixed-use districts abuts a lot in any residential district, a minimum setback equal to the building height but not less than ten (10) feet shall be required. A minimum of ten (10) feet nearest the district boundary line shall be landscaped.

2. Where off-street parking areas or drive-through aisles are situated so as to be visible from any street, screening in the form of a landscaped earthen berm, shrubs or decorative wall three feet in height shall be erected between the street and the parking area.

3. In all mixed-use districts, required front building and street side setback areas shall be landscaped. Such landscaping shall consist of plant materials except for necessary walks and drives.

4. Permitted uses shall be required to meet the City's parking requirements per Municipal Code Section 9.11, unless a parking study is approved by the community development director. Shared parking is encouraged.

5. Required parking for mixed use development may be determined by a parking study approved by the community development director. The parking study shall demonstrate the benefit of shared parking and overall parking reduction.

6. Visitor parking may share the required parking provided for non-residential uses.

7. Tandem parking shall not be permitted except for residential uses where more than one space has been provided per unit.

8. A minimum of 150 square feet of private open space for shall be provided per downstairs residential unit and a minimum of 100 square feet of private open space per upstairs residential unit. A minimum of 300 square feet of useable active common open space shall be provided per residential dwelling unit in the project. Required common open space within a mixed use project shall be designed primarily for the use of the residential component.

9. Architecture and design shall rely on color and materials to preserve a sense of place. While the architecture and design are not restricted to one style, they are required to be compatible with adjoining development. At least two elements from the architectural list and three from the accent list shall be included in the design of each project:

a. Architectural Elements

- i. Balconies and/or decks
- ii. Towers
- iii. Recessed window openings
- iv. Lattice/covered walkways
- v. Plazas and/or fountains

b. Accent Elements

- i. Awnings
- ii. Decorative windows
- iii. Window box planters
- iv. Benches, seating walls and other street furniture

- v. Raised planters, flower pots, hanging pots
- vi. Pedestrian scale lighting in plazas, walkways, etc.
- vii. Decorative pavement treatments at entries, pedestrian walkways, and/or plazas

10. Except as otherwise specified in this section, structures shall be constructed either on the property line or be set back at least three feet from the rear or interior side property line.

11. A wider sidewalk may be permitted to the building face in lieu of landscaping to provide for pedestrian activities, outdoor dining, and view sheds into commercial projects. Street furniture, plazas, planters, enhanced paving and the like are amenities to be located in this area.

12. Semi-private and private spaces shall be clearly defined. Public and semi-private space shall be configured to maximize visibility and access.

13. Separate primary access points, circulation and parking should be provided for commercial and residential uses where possible. These access points should be visible from the street.

14. On corner sites, a side street residential entry or entries should be provided. At mid-block, residential entries should be separate and distinct from retail or office entries or lobbies.

15. Mixed use projects may be subject to noise impacts from vehicular and pedestrian traffic as well as from adjacent commercial activity. The residential component of the mixed use should orient bedrooms away from noise sources where possible. Sound-deadening construction materials and techniques shall be used where necessary.

16. In courtyard projects, common open space shall serve for circulation, as a buffer between structures, and as a source of daylight and air to courtyard facing rooms. Common rooftop decks above the second floor are permitted.

17. Common open space in residential projects shall include plant materials (trees, shrubs, ground cover) and gathering places such as a “tot lot” or tables or benches.

18. Landscaping for the residential component of a mixed use project shall include screening at the property line at the first and second floor levels to provide privacy from or for neighboring sites.

19. Landscaping shall be provided adjacent to rear drive aisles or walk ways to buffer adjacent uses.

20. The project design shall consider privacy for the residential component with respect to other residential units, passersby, and adjacent development:

- a. Windows, balconies and decks should be oriented to direct view or overlook of adjacent residential uses, and they should be designed to maximize sunlight into units;
- b. In mixed use areas, minimum setbacks (see Table 9.07.090) shall be maintained for the first story of a residential use (except a stairway) from the front property line.

21. Off-street parking and loading areas for non-residential uses shall be designed to minimize impact on residential components. Such areas shall be located away from the residences and/or screened effectively from any adjacent residential uses. Depending on the specific site, this may include covered parking to minimize noise and visual impacts to dwelling units above, and screen walls, gates and landscaping along travel ways to reduce impacts on adjacent dwelling units.

22. If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, the first floor shall be limited to office or service commercial uses

(Ord. 643 § 2.1, 2003; Ord. 616 §§ 2.2.3, 2.2.4, 2003; Ord. 590 § 2 (part), 2001; Ord. 560 § 2.1, 2000; Ord. 497 § 1.4, 1996; Ord. 359 (part), 1992)

Chapter 9.07.100 MIXED USE DISTRICT 2

A. Purpose and Intent. It is the purpose of this chapter to provide regulations which implement those goals, objectives, and policies of the General Plan regarding mixed-use development within the city. This chapter is also to serve residents and businesses through the establishment of a well-defined pattern of mixed use areas which are conveniently located, efficient and attractive, with safe pedestrian and vehicular circulation.

The intent of the Mixed Use District 2 (MUD2) is the development of pedestrian oriented shopping areas with smaller, service related and specialty types of businesses with an allowance for residential as a secondary land use to the primary commercial use. MUD2 development is intended to occur along arterials or greater streets or in areas of high density development. The addition of a residential component is intended to increase the level of activity in commercial areas and provide better linkages and compatibility with adjacent residential neighborhoods. Overall development intensity should not exceed a floor area ratio of 1.00. (GP 9.2.4.5)

The MUD2 district has been established to encourage the development and redevelopment of specific areas of the City into quality, dynamic, pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. In the MUD2 district, new development shall emphasize the interface between uses and pedestrian connections in addition to site aesthetics and amenities. All development shall be constructed in a manner that provides interaction between adjacent uses whether the uses are part of the same development or are located in adjacent development within the same district. The landscaping, placement of street furniture, lighting and similar amenities shall be such that it will enhance the pedestrian quality of the mixed-use development. Building design should provide for “informal” surveillance of shared areas by residents, business tenants, and uses of the development.

Residential uses are permitted when integrated with commercial uses, in the same or a separate structure on a single parcel, or on a separate parcel as part of a larger mixed use development. The addition of, or expansion in, the number of residential units on a parcel with existing residences is also permitted.

The underlying focus of the MUD2 is the enhancement of commercial uses with residential uses as a secondary use. Therefore, non-residential uses shall occur on the first floor facing the public right-of-way. Residential uses may occur above the first floor and/or be located away from the public right-of-way.

ATTACHMENT 2

- B. In addition to the above, the MUD2 is intended to achieve the following purposes:
1. To provide appropriately located areas for compatible non-residential uses to enhance and serve adjacent residential neighborhoods;
 2. To provide flexibility for the development of vertical and horizontal mixed uses;
 3. To ensure and maintain a high quality of life;
 4. To provide adequate light, air, privacy, open space, and protection from objectionable noise and odors;
 5. To provide adequate open space, off-street parking and loading areas to meet the needs of the mixed-use development;
 6. To provide compatibility between non-residential uses and adjoining residential uses; and
 7. To ensure high standards of site planning, architecture and landscape design for mixed-use development within the city. (Ord. 359 (part), 1992)

C. Permitted uses for the MUD2. Unless otherwise expressly provided in this title; permitted uses are limited to those described in the permitted uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord 359 (part), 1992)

D. MUD2 site development standards. The following table sets forth minimum site development standards for the district. All sites shall conform to the dimensions set forth in this section. A development may, however, be a combination of many parcels totaling at least the required minimum site size, as long as its design is integrated and unified. In addition, projects must comply with the special requirements enumerated in Section 9.07.100.E, the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies, and programs.

**Table 9.07.100
Mixed Use District 2 Site Development Standards**

Requirement	MUD2
1. Maximum density	30 units per acre
2. Minimum site area	1 acre
3. Minimum site width	100 feet
4. Minimum site depth	100 feet
5. Front building setback ¹	Minimum 0 feet with an average of 10 feet required
6. Street side building setback ¹	Minimum 0 feet with an average of 10 feet required
7. Minimum interior side yard building setback	0 or 5 feet
8. Minimum rear yard building setback	10 feet -see special requirements
9. Maximum floor area ratio ²	1.00
10. Maximum building and structure height	50 feet
11. Minimum distance between buildings ³	10 feet
123. Residential Open Space	See special requirements
13. Parking setbacks	Minimum 20 feet front and street side yard; minimum 10 feet rear yard and

	side yard See also 9.07.100.E.4 and E5
14. Setback landscaping	All setbacks exclusive of required walkways and driveways will be landscaped planting areas.

¹Measured from property line after dedications for public rights-of-way.

²Calculations of FAR shall not include underground parking.

³See Section 9.08.030 regarding accessory structures.

On legal lots of record existing immediately prior to the date of adoption of this title, and which otherwise comply with all other provisions in this title and with all land use regulations existing immediately prior to adoption of this title. The creation of new lots within these districts shall conform to these minimum dimensions, except in the case of condominium lots or lots within an integrated commercial center containing shared parking and access, in which case no minimums are established. Parcels created within integrated centers are exempt from the site development standards stated herein, as they relate to minimum site areas, and minimum lot width and depth, as long as a conceptual development plan for the entire center has been developed and approved and easements for reciprocal access, parking and maintenance are provided.

E. Special Requirements

1. Wherever a lot in any mixed-use districts abuts a lot in any residential district, a minimum setback equal to the building height but not less than ten (10) feet shall be required. A minimum of ten (10) feet nearest the district boundary line shall be landscaped.

2. Where off-street parking areas or drive-through aisles are situated so as to be visible from any street, screening in the form of a landscaped earthen berm, shrubs or decorative wall three feet in height shall be erected between the street and the parking area.

3. In all mixed-use districts, required front and street side building setback areas shall be landscaped. Such landscaping shall consist of plant materials except for necessary walks and drives.

4. Permitted uses shall be required to meet the City's parking requirements per Municipal Code Section 9.11, unless a parking study is approved by the community development director. Shared parking is encouraged.

5. Required parking for mixed use development may be determined by a parking study approved by the community development director. The parking study shall demonstrate the benefit of shared parking and overall parking reduction.

6. Visitor parking may share the required parking provided for non-residential uses.

7. Tandem parking shall not be permitted except for residential uses where more than one space has been provided per unit.

8. A minimum of 150 square feet of private open space for shall be provided per downstairs residential unit and a minimum of 100 square feet of private open space per upstairs residential unit. A minimum of 300 square feet of useable active common open space shall be provided per residential dwelling unit in the project. Required common open space within a mixed use project shall be designed primarily for the use of the residential component.

9. Architecture and design shall rely on color and materials to preserve a sense of place. While the architecture and design are not restricted to one style, they are required to be compatible with adjoining development. At least two elements from the architectural list and three from the accent list shall be included in the design of each project:

- a. Architectural Elements
 - i. Balconies and/or decks
 - ii. Towers
 - iii. Recessed window openings
 - iv. Lattice/covered walkways
 - v. Plazas and/or fountains
- b. Accent Elements
 - i. Awnings
 - ii. Decorative windows
 - iii. Window box planters
 - iv. Benches, seating walls and other street furniture
 - v. Raised planters, flower pots, hanging pots
 - vi. Pedestrian scale lighting in plazas, walkways, etc.
 - vii. Decorative pavement treatments at entries, pedestrian walkways, and/or plazas

10. Except as otherwise specified in this section, structures shall be constructed either on the property line or be set back at least three feet from the rear or interior side property line.

11. A wider sidewalk may be permitted to the building face in lieu of landscaping to provide for pedestrian activities, outdoor dining, and view sheds into commercial projects. Street furniture, plazas, planters, enhanced paving and the like are amenities to be located in this area.

12. Semi-private and private spaces shall be clearly defined. Public and semi-private space shall be configured to maximize visibility and access.

13. Separate primary access points, circulation and parking should be provided for commercial and residential uses where possible. These access points should be visible from the street.

14. On corner sites, a side street residential entry or entries should be provided. At mid-block, residential entries should be separate and distinct from retail or office entries or lobbies.

15. Mixed use projects may be subject to noise impacts from vehicular and pedestrian traffic as well as from adjacent commercial activity. The residential component of the mixed use should orient bedrooms away from noise sources where possible. Sound-deadening construction materials and techniques shall be used where necessary.

16. In courtyard projects, common open space shall serve for circulation, as a buffer between structures, and as a source of daylight and air to courtyard facing rooms. Common rooftop decks above the second floor are permitted.

17. Common open space in residential projects shall include plant materials (trees, shrubs, ground cover) and gathering places such as a "tot lot" or tables and benches.

18. Landscaping for the residential component of a mixed use project shall include screening at the property line at the first and second floor levels to provide privacy from or for neighboring sites.

19. Landscaping shall be provided adjacent to rear drive aisles or walk ways to buffer adjacent uses.

20. The project design shall consider privacy for the residential component with respect to other residential units, passersby, and adjacent development:

- a. Windows, balconies and decks should be oriented to direct view or overlook of adjacent residential uses, and they should be designed to maximize sunlight into units;
- b. In mixed use areas, minimum setbacks (see Table 9.07.100) shall be maintained for the first story of a residential use (except a stairway) from the front property line.

21. Off-street parking and loading areas for non-residential uses shall be designed to minimize impact on residential components. Such areas shall be located away from the residences and/or screened effectively from any adjacent residential uses. Depending on the specific site, this may include covered parking to minimize noise and visual impacts to dwelling units above, and screen walls, gates and landscaping along travel ways to reduce impacts on adjacent dwelling units.

22. MUD2 development shall occur along arterials or greater streets or in areas of high density development. Residential uses are not permitted on the first floor for parcels facing an arterial or greater street.

(Ord. 643 § 2.1, 2003; Ord. 616 §§ 2.2.3, 2.2.4, 2003; Ord. 590 § 2 (part), 2001; Ord. 560 § 2.1, 2000; Ord. 497 § 1.4, 1996; Ord. 359 (part), 1992)

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9.02.020 Permitted uses

The following tables contain columns with headings identifying zoning districts, and list uses by indicating the zoning district or districts in which each use is permitted or allowed and whether the stated use is permitted subject to district requirements, or whether the stated use is allowed only after obtaining a conditional use permit. Where the table indicates, a use is allowed with conditional use permit, unless otherwise expressly provided, all district uses and other standards and requirements shall apply.

Permitted Uses Table 9.02.020-1		H	R	R	R	R	R	R	R	R	S	1	2	0	5	0	1	2	M	U	D	1	2	N	C	V	O	C	C	C	O	P	I	L	B	B	O				
		R	R	A	2	3	5	1	1	1	5	0	0	0	0	0	0	1	2	U	D	1	2	N	C	V	O	C	C	C	O	P	I	L	B	B	O				
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.																																								
Adult Businesses																																									
Agricultural Uses—Crops Only		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Agricultural (involving structures)																																									
Aircraft Landing Facilities																																									
Ambulance Service																																									
Amusement Parks, Fairgrounds																																									
Animal Raising (see Section 9.09.090 of this title)		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Appliance Repair Shops																																									
Arcades, Video Machines																																									
Athletic Clubs and Spas																																									
Attorneys																																									
Auction Houses																																									

ATTACHMENT 3

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
◆	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	H	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	M	M	N	C	V	O	O	P	I	L	B	B	O		
	R	R	A	2	3	5	1	0	5	0	2	1	2	0	0	1	U	U	C	C	C	C	C								
Equestrian Centers, Riding Academies, Commercial Stables Including Incidental Sales of Feed and Tack	C	C	C	C															◆										C		
Exterminators																			C						X	X	X				
Feed and Grain Stores																			X	X	X										
Fire and Police Stations	X	X	X	X	X	X	X	X	X	X	X	X	X	X					X	X	X	X	X	X	X	X	X	X	X	X	
Floor Covering Stores (may include incidental repairs with installation service)																			X	X				X							
Fraternity/Sorority							C	C	C	C															X						
Frozen Food Locker																									X	X	X				
Gasoline Dispensing Non-retail accessory to an auto-related use																			X					X	X	X	X				
Glass Shops and Glass Studios –Stained, etc.																			X	X	X			X	X	X	X				
Golf Cart Sales and Service																															
Golf Courses or Golf Driving Ranges With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C																◆
Gymnasiums																			X	X	X										
Handicapped Housing									X	X	X	X							C	C											
Health Club, Spa																			X	X	X										
Heavy Equipment Sales and Rentals																			X	X	X	X									
Homeless Shelters																									X	X	C	C	X	C	C

Permitted Uses Table 9.02.020-1

	H	R	R	A	2	R	R	R	R	3	5	R	R	S	1	0	5	0	R	M	M	N	C	V	O	O	P	I	L	B	B	O					
	R	R	1	R	2	R	R	R	R	R	1	2	R	R	1	2	0	0	R	J	J	C	C	C	C	C	C	I	P	P	S						
Indicates stated use is permitted subject to district requirements.																																					
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Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.																																					
Manufacturing and Assembly – continued																																					
b. Custom and light manufacturing indoor uses only (more than 50,000 square feet), with light truck traffic, on-site and wholesaling of goods produced																																					
c. General manufacturing with frequent truck traffic and/or outdoor equipment or storage																																					
d. Retail sales of goods produced or warehoused on-site ³																																					
Medical Clinics/Medical Care																																					
Inpatient Care																																					
Urgent Care																																					
Mobile Home Parks	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C																			
Mobile Home Sales or Rentals (Outdoor Display)																																					
Monument and Tombstone Sales																																					
Mortuaries																																					
With cremation services																																					
No cremation services																																					
Museums	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Newspaper and Printing Shops																																					

³ Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

Permitted Uses Table 9.02.020-1

		H	R R 1	R R 2	R R A 2	R R 3	R R 5	R R S 1	R R 1	R R 5	R R 0	R R 2	R R 1	R R 0	M M	U U	D D	I I	N C	V C	O C	O C	P C	I L	B B	O S		
X -	Indicates stated use is permitted subject to district requirements.																											
C -	Indicates stated use is allowed with a conditional use permit.																											
◆ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.																											
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.																											
Nursery, (Plant) Wholesale and distribution		X	X	X																				X	X			X
Offices (Administrative and Professional)																X	X				X	X		X	X			X
Open Air Theaters																												C
Orphanages		C	C	C	C	C	C	C	C	C	C	C	C	C														
Painting Contractor																								X	X			
Parcel Delivery Terminals																								X	X			
Parking Lot															C	C					X	X						X
Parks and Recreation Facilities (Public)		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors)															X	X					X	X					X	
Pharmacy ⁴															X	X					X	X						
Photo Studios															X	X					X	X						X
Plumbing Shops																				X								X
Plumbing Supply Stores for Contractors																									X	X		X
Pool Hall																												
Postal Services															X	X										X	X	X
Pottery Sales with Outdoor Sales															X	X					X	X		X			X	X

⁴ Permitted in the OC and VOR districts only as a support medical office facility.

Permitted Uses Table 9.02.020-1																																
X -	Indicates stated use is permitted subject to district requirements.																															
C -	Indicates stated use is allowed with a conditional use permit.																															
◆ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.																															
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.																															
	H	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	M	M	N	C	V	O	O	P	I	L	B	B	O			
	R	R	1	A	2	3	5	1	0	5	0	1	2	0	0	1	2	C	C	C	C	C	C	C	C	C	C	C	C	C		
Public Administration, Buildings and Civic Centers																	X	X	X	X	X	X	X	X	X	X	X	X	X			
Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices	C	C	C	C	C	C	C	C	C	C	C	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	C	
Racetracks																																
Record Store																	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Recording Studio																	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Recreational Facilities (Private) such as Tennis Club, Polo Club, With Limited Associated Incidental Uses	C	C	C	C	C	C	C	C	C	C	C	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	
Recycling, Large Collection Facility ⁵																	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
Recycling, Small Collection Facility																	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
Recycling Processing Centers																	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
Refreshment Stands																	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
Rental Service																																
Within an enclosed structure (furniture, office, party supplies)																	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
With outdoor storage and display (vehicles, equipment, etc.)																	X	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆		
Research and Development																	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
Residential																																
Single-family	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
Multifamily																	X	X	X	X	X	X	X	X	X	X	X	X	X	X		

⁵ Large collection facilities may be established within an existing building through the "tenant improvement" process if such building or tenant space occupied by the use is not located adjacent to a residential use or zone.

Permitted Uses Table 9.02.020-1

	H	R	R	R	R	R	R	R	R	R	R	R	R	R	R	S	1	0	5	0	R	R	R	R	M	M	U	U	D	D	1	2	N	C	V	O	O	P	I	L	B	B	O												
X -																																																							
C -																																																							
◆ -																																																							
A -																																																							
Residential Manufactured home park (see mobile home parks)																																																							
Residential Care Facility (for 7 or more persons)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C				
Restaurants (Eating and Drinking Establishments) Without entertainment Without drive-through With alcoholic beverage sales With outdoor seating																																																							
Restaurants (Fast-Food) With drive-through Without drive-through																																																							
Retail Sales																																																							
Support Retail Sales																																																							
Sandwich Shops ⁶																																																							
Schools, Private																																																							
Senior Housing																																																							
Shoe Shine Stands																																																							
Shoe Repair Shop																																																							
Sign Shop																																																							

⁶ Sandwich shops shall not have cooking hoods, nor shall they exceed five percent of the gross floor area of the complex where they are located.

Zoning District Key

HR	Hillside Residential District
RR	Rural Residential District
R1	Residential 1 District (40,000 square feet minimum lot size)
RA2	Residential Agriculture 2 (20,000 square feet minimum lot size)
R2	Residential 2 District (20,000 square feet minimum lot size)
R3	Residential 3 District (10,000 square feet minimum lot size)
R5	Residential 5 District (7,200 square feet minimum lot size)
RS10	Residential Single-Family 10 District (4,500 square feet minimum lot size)
R10	Residential 10 District (Up to 10 Dwelling Units per net acre)
R15	Residential 15 District (Up to 15 Dwelling Units per net acre)
R20	Residential 20 District (Up to 20 Dwelling Units per net acre)
MUD1	Mixed Use District 1 (Up to 15 Dwelling Units per net acre)
MUD2	Mixed Use District 2 (Up to 30 Dwelling Units per net acre)
NC	Neighborhood Commercial District
CC	Community Commercial District
VC	Village Commercial District
OC	Office Commercial District
O	Office District
P	Public District
I	Industrial District
LI	Light Industrial District
BP	Business Park District
BPX	Business Park-Mixed Use District
OS	Open Space District

(Ord. 693 § 2 (part) (Exh. A), 2005; Ord. 684 § 2 (part), 2005; Ord. 655 § 2, 2004; Ord. 613 § 6, 2002; Ord. 604 § 2.1, 2002; Ord. 590 § 2 (part), 2001; Ord. 575 § 2.2 (part), 2000; Ord. 567 § 2, 2000; Ord. 558 § 2, 2000; Ord. 540 § 1.1, 1998; Ord. 528 § 1.7, 1997; Ord. 513 § 1.1, 1997; Ord. 508 § 1.2, 1996; Ord. 488 § 1.2, 1996; Ord. 474 § 1.1, 1995; Ord. 468 § 1.2, 1995; Ord. 464 § 1.1, 1995; Ord. 449 § 1.1, 1995; Ord. 433 § 1.1, 1994; Ord. 398 §§ 1.6, 1.8, 1993; Ord. 386 § 1.1, 1993; Ord. 359 (part), 1992)



St. Louis, MO

ATTACHMENT 4



Ryan Snyder, San Luis Obispo 2005

San Luis Obispo, CA



San Jose, CA



Citrus Heights, CA



Brea, CA



Point Pleasant Beach, NJ



Provo, UT





Mixed use conceptual plan – example of horizontal mixed use.

