Appendix A:  Zoning Ordinance
ORDINANCE NO. 348.4737

AN ORDINANCE OF THE COUNTY OF RIVERSIDE

AMENDING ORDINANCE NO. 348 RELATING TO ZONING

The Board of Supervisors of the County of Riverside Ordains as Follows:

Section 1. Section 4.1 of Ordinance No. 348, and Official Zoning Plan Map No. 41, as amended, are further amended by placing in effect in the Lower Coachella Valley Zoning District, zone or zones as shown on the map entitled “Change of Official Zoning Plan Amending Ordinance No. 348, Map No. 41.086, Change of Zone Case No. 7623,” which map is made a part of this Ordinance.

Section 2. Article XVIIa of Ordinance No. 348 is amended by adding thereto a new Section 17.117 to read as follows:

Section 17.117 SP ZONE REQUIREMENTS AND STANDARDS FOR SPECIFIC PLAN NO. 375.

a. Planning Areas 1-2, 1-3, 1-9, 1-14, 1-20, 2-1, 2-6, 2-10, 3-2, 3-6, 3-7 and 3-8 (Medium Density Residential).

(1) The uses permitted in Planning Areas 1-2, 1-3, 1-9, 1-14, 1-20, 2-1, 2-6, 2-10, 3-2, 3-6, 3-7 and 3-8 of Specific Plan No. 375 shall be the same as those uses permitted in Article VI, Section 6.1 of Ordinance No. 348, except that the uses permitted pursuant to Section 6.1.a.(3), (5), (7), (8), and (9); b.(1) and (5); and c.(1) shall not be permitted. In addition, the permitted uses identified under Section 6.1.a. shall include community recreation and assembly buildings and facilities; lakes, including the non-commercial fishing there from; second units provided a second unit permit is obtained pursuant to Section 18.28.a. of Ordinance No. 348; sport courts and recreational fields and facilities; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use, does not change the character of that use, and any applicable provisions of Section 18.18 of Ordinance No. 348 are complied with. In addition, the permitted
uses identified under Section 6.1.b. shall also include multiple family dwellings; recycling collection facilities; guest quarters; power generation and distribution facilities, including solar, wind, geothermal, and other alternative forms to traditional hydrocarbon-based energy; and walkable commercial uses subject to a plot plan as defined in Section 2.a.(6) of this Ordinance. In addition, the permitted uses identified under Section 6.1.c. of Ordinance No. 348 shall also include cell towers concealed within architectural projections or similar structures; congregate care residential facilities; day care centers; private schools; and walkable commercial uses as defined in Section 2.a.(6) of this Ordinance.

For land subject to Agricultural Preserves and/or Williamson Act contracts within Planning Areas 1-9, 1-14, 3-2 and 3-6, of Specific Plan No. 375 the uses permitted shall be the same as those uses permitted in Article XIII, Section 13.1 of Ordinance No. 348 except that the uses permitted pursuant to Section 13.1.a.(1), (11), (12), (14) and (15); b.(1), (2), (3), (4), (5), (9), (10) and (11); and c.(1), (2), (3), (4), (5), (6), (7), (9), (10) and (11) shall not be permitted.

No use, other than an agricultural use and any use incidental thereto permitted in Article XIII, Section 13.1 of Ordinance No. 348 shall be permitted on land subject to Agricultural Preserves and/or Williamson Act contracts within Planning Areas 1-9, 1-14, 3-2 and 3-6 of Specific Plan No. 375 until such time as Map Nos. 162, 171, 359 and 777 of Coachella Valley Agricultural Preserves Nos. 27, 31, and 97 have been diminished or disestablished in the affected planning area and any corresponding Williamson Act contract is no longer in effect for Planning Areas 1-9, 1-14, 3-2 and 3-6. Prior to issuance of a grading permit for uses other than the aforementioned agricultural uses within Planning Areas 1-9, 1-14, 3-2 and 3-6 of Specific Plan No. 375, all agricultural uses including uses incidental thereto within the affected planning area shall cease and shall no longer be a permitted use.
Thereafter, the uses permitted on land formerly subject to Agricultural Preserves and/or Williamson Act contracts within Planning Areas 1-9, 1-14, 3-2 and 3-6 of Specific Plan No. 375 shall be the same as those uses permitted in Planning Areas 1-2, 1-3, 1-20, 2-1, 2-6, 2-10, 3-7 and 3-8 of Specific Plan No. 375.

(3) The development standards for interim agriculture uses within Planning Areas 1-2, 1-3, 1-9, 1-14, 1-20, 2-1, 2-6, 2-10, 3-2, 3-6, 3-7 and 3-8 shall be the same standards as identified in Article XIII, Section 13.2 of Ordinance No. 348.

(4) The development standards for one family dwellings, within Planning Areas 1-2, 1-3, 1-9, 1-14, 1-20, 2-1, 2-6, 2-10, 3-2, 3-6, 3-7 and 3-8 of Specific Plan No. 375 shall be the same standards as those identified in Article XVIII, Section 18.5 of Ordinance No. 348 except that the development standards set forth in Article XVIII, Section 18.5.b., c., and e. shall be deleted and replaced with the following:

A. Residential lot area shall be not less than three thousand five hundred (3,500) square feet.

B. The minimum average width of each lot shall be forty feet (40') and the minimum average depth shall be forty-five feet (45').

C. The minimum frontage of a lot along a straight street shall be thirty-five feet (35') and along a curvilinear street shall be twenty feet (20'). Lot frontage along curvilinear streets shall be measured at the building setback in accordance with zone development standards.

D. The maximum building height shall be forty feet (40').

E. In no case shall more than eight-five percent (85%) of any lot be covered by a dwelling.
F. The minimum space between buildings shall be ten feet (10').

G. The front yard shall be not less than five feet (5'), measured from the existing street right-of-way or from any interior drive or future street right-of-way.

H. Side yards on interior and through lots shall be not less than five feet (5'). Side yards on corner and reverse corner lots shall not be less than five feet (5') from the existing street right-of-way or from any interior drive or future street right-of-way as shown on any Specific Plan Circulation Plan, whichever is nearer to the structure, upon which the main building sides.

I. The rear yard shall be not less than ten feet (10') from any property line or interior drive, except that second floor living space and balconies located in the rear yard shall be permitted within eight feet (8') of the rear property line and garages shall be permitted within five feet (5') of the rear property line.

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

K. The minimum private usable yard space per dwelling unit shall be three hundred (300) square feet, with a minimum yard dimension of four (4) by four (4) feet.
(5) The development standards for multiple family dwellings permitted in Planning Areas 1-2, 1-3, 1-9, 1-14, 1-20, 2-1, 2-6, 2-10, 3-2, 3-6, 3-7 and 3-8 of Specific Plan No. 375, shall be the standards for Planned Residential Developments set forth in Article XVIII, Section 18.5 of Ordinance No. 348 except that the standards set forth in Section 18.5.b., c., and e. shall be deleted and replaced with the following:

A. The maximum building height shall be forty-five feet (45').
B. No lot shall have more than sixty percent (60%) of its net area covered with buildings or structures.
C. The minimum front and rear yard building setbacks from a project’s exterior streets and boundary lines shall be ten feet (10') and the minimum side yard setback from a project’s exterior streets and boundary lines shall be five feet (5'). The minimum building setbacks from interior drives shall be three feet (3'). Second floor living space and balconies shall be permitted within eight feet (8') of the front, rear, or side property lines.
D. The distance between buildings shall be no less than fifteen feet (15') where primary (e.g., front and/or rear) building setbacks are involved, and no less than ten feet (10’) where solely secondary (side) building setbacks or accessory building setbacks are involved.
E. The minimum private usable yard space per residential unit shall be fifty (50) square feet, with a minimum yard dimension of three (3) by (3) feet.
F. The maximum ratio of floor area to lot area shall not be greater than two to one (2:1), not including basement floor area.

(6) Walkable commercial uses shall be defined as resident-serving and pedestrian-oriented commercial uses not to exceed ten thousand (10,000) square feet of gross building square footage in any one planning area.
A. The following uses are permitted in a walkable commercial area of Planning Areas 1-2, 1-3, 1-9, 1-14, 1-20, 2-1, 2-6, 2-10, 3-2, 3-6, 3-7 and 3-8 of Specific Plan No. 375 provided a plot plan has been approved pursuant to Section 18.30 of Ordinance No. 348: antique shops; art galleries; art supply shops and studios; bakery shops, including baking only when incidental to retail sales on the premises; banks and financial institutions; bicycle sales and rentals; book stores and binders; clothing stores; convenience stores, not including the sale of motor vehicle fuel; delicatessens; florist's shops; food markets and frozen food lockers; gift shops; golf cart sales and service; grocery, dry goods, health food, and variety stores; hardware stores, including not more than one thousand (1,000) square feet of outside storage lumber; hobby shops; ice cream shops; interior decorating shops; jewelry stores, including incidental repairs; laundries and laundromats; laundries, with dry cleaning shops; leather goods stores; libraries; locksmith shops; meat markets, not including slaughtering; music stores; neighborhood electric vehicle (NEV) sales and service; news stores; non-profit community centers; notions or novelty stores; nurseries and garden supply stores; parcel delivery services (stores); pet shops and pet supply shops; post offices; produce markets; real estate offices; residences, live-work dwellings; restaurants and other eating establishments; shoe stores and repair shops; shoeshine stands; spas, including day spas and medical spas; sporting goods stores; stationer stores; studios for professional work in or teaching of any form of fine arts, including but not limited to photography, music, drama, and dance, where no stock of goods is maintained for sale; tailor shops; tourist information centers; toy shops; travel agencies; utilities, both public and private; and watch repair shops.
In addition, the following uses shall be permitted, provided a conditional use permit has been approved pursuant to the provisions of Section 18.28 of Ordinance No. 348: bars and cocktail lounges; bed and breakfast inns, clinics, including but not limited to medical, dental and chiropractic; and micro-breweries and micro-wineries.

B. The development standards for walkable commercial uses within Planning Areas 1-2, 1-3, 1-9, 1-14, 1-20, 2-1, 2-6, 2-10, 3-2, 3-6, 3-7 and 3-8 of Specific Plan No. 375, shall be the same standards as identified in Article IXa, Section 9.26 of Ordinance No. 348 except that the standards set forth in Article IXa, Section 9.26.a., b. and c. shall be deleted and replaced with the following:

(a) No more than one walkable commercial use area shall be permitted within each planning area.

(b) Walkable commercial uses may be located within and/or adjacent to facilities owned and operated by a homeowners association.

(c) The commercial building(s) and structure(s) that comprise the walkable commercial use area shall be located at the intersection of two streets on a corner lot with a minimum distance of one thousand feet (1,000') between commercial buildings or structures. Walkable commercial use building(s) not located at an intersection shall require approval of a conditional use permit.

(d) There shall be no minimum lot area for walkable commercial uses. However, the maximum lot area shall be twenty thousand (20,000) square feet. More than one use may be permitted on a lot.
(e) Within any one walkable commercial use area, the total square footage of commercial buildings shall not exceed ten thousand (10,000) square feet.

(f) The minimum front yard setback and the minimum side yard setback adjacent to any street shall be five feet (5’), measured from the existing street right-of-way or from any future street right-of-way.

(g) The minimum side yard setback from a residential lot line shall be ten feet (10’).

(h) The minimum rear yard setback from a residential lot line shall be ten feet (10’). The rear setback shall be measured from the rear lot line or a recorded alley or easement unless the rear line adjoins a street, in which case it shall be measured as required for a front setback.

(i) All uses shall be conducted within buildings unless otherwise expressly authorized by a plot plan or conditional use permit. This requirement does not apply to off-street parking or loading areas, automated teller machines, or outdoor seating areas for a coffee shop, café, or restaurant.

(j) No outdoor storage shall be permitted.

(k) All trash areas and waste containers shall be enclosed within a building or a fully-enclosed architectural structure that is visually compatible with the main building.

(l) Hours of operation shall be limited from 6:00 A.M. to 10:00 P.M. except for automated tellers and similar operations.

(m) No commercial vehicle shall be parked on the street or on the premises overnight except in an enclosed structure.
(n) Access for service vehicles should provide a direct route to service and loading dock areas.

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

b. **Planning Areas 1-1, 1-7, 1-8, 1-13, 1-18, 1-19, 2-3, 2-8, 2-11, 2-17, 3-1 and 3-4 (Medium-High Density Residential).**

(1) The uses permitted in Planning Areas 1-1, 1-7, 1-8, 1-13, 1-18, 1-19, 2-3, 2-8, 2-11, 2-17, 3-1 and 3-4 of Specific Plan No. 375 shall be the same as those uses permitted in Article VI, Section 6.1 of Ordinance No. 348, except that the uses permitted pursuant to Section 6.1.a.(3), (5), (7), (8), and (9); b.(1) and (5); and c.(1) shall not be permitted. In addition, the permitted uses identified under Section 6.1.a. shall include community recreation and assembly buildings and facilities; lakes, including the non-commercial fishing therefrom; second units provided a second unit permit is obtained pursuant to Section 18.28.a. of Ordinance No. 348; sport courts and recreational fields and facilities; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use, does not change the character of that use, and any applicable provisions of Section 18.18 of Ordinance No. 348 are complied with. In addition, the permitted uses identified under Section 6.1.b. shall also include multiple family dwellings; recycling collection facilities; guest quarters; power generation and distribution facilities, including solar, wind, geothermal, and other alternative forms to traditional hydrocarbon-based energy; and walkable commercial uses as defined in Section 2.b.(6) of this Ordinance. In addition, the permitted uses identified under Section 6.1.c. of Ordinance No. 348 shall also include cell towers.
concealed within architectural projections or similar structures; congregate care
residential facilities; day care centers; private schools; and walkable commercial
uses as defined in Section 2.b.(6) of this Ordinance.

(2) For land subject to Agricultural Preserves and/or Williamson Act contracts within
Planning Areas 1-13, 1-18, 1-19, 3-1 and 3-4 of Specific Plan No. 375 shall be the
same as those uses permitted in Article XIII, Section 13.1 of Ordinance No. 348.
No use, other than an agricultural use and any use incidental thereto permitted in
Article XIII, Section 13.1 of Ordinance No. 348 shall be permitted within Planning
Areas 1-13, 1-18, 1-19, 3-1 and 3-4 of Specific Plan No. 375 until such time as
Map Nos.162, 171, 359 and 777 of Coachella Valley Agricultural Preserves Nos.
27, 31, and 97 have been diminished or disestablished in the affected planning
area and any corresponding Williamson Act contract is no longer in effect for
Planning Areas 1-13, 1-18, 1-19, 3-1 and 3-4. Prior to issuance of a grading permit
for uses other than the aforementioned agricultural uses within Planning Areas 1-
13, 1-18, 1-19, 3-1 and 3-4 of Specific Plan No. 375, all agricultural uses including
uses incidental thereto within the affected planning area shall cease and shall no
longer be a permitted use. Thereafter, the uses permitted on land formerly subject
to Agricultural Preserves and/or Williamson Act contracts within Planning Areas
1-13, 1-18, 1-19, 3-1 and 3-4 of Specific Plan No. 375 shall be the same as those
uses permitted in Planning Areas 1-1, 1-7, 1-8, 2-3, 2-8, 2-11 and 2-17 of Specific
Plan No. 375.
(3) The development standards for interim agriculture uses within Planning Areas 1-1, 1-7, 1-8, 1-13, 1-18, 1-19, 2-3, 2-8, 2-11, 2-17, 3-1 and 3-4 shall be the same standards as identified in Article XIII, Section 13.2 of Ordinance No. 348.

(4) The development standards for one family dwellings within Planning Areas 1-1, 1-7, 1-8, 1-13, 1-18, 1-19, 2-3, 2-8, 2-11, 2-17, 3-1 and 3-4 of Specific Plan No. 375 shall be the same standards as those identified in Article XVIII, Section 18.5 of Ordinance No. 348 except that the development standards set forth in Article XVIII, Section 18.5.b., c. and e. shall be deleted and replaced with the following:

A. Residential lot area shall be not less than three thousand five hundred (3,500) square feet.

B. The minimum average width of each lot shall be forty feet (40’) and the minimum average depth shall be forty-five feet (45’).

C. The minimum frontage of a lot along a straight street shall be thirty-five feet (35’) and along a curvilinear street shall be twenty feet (20’). Lot frontage along curvilinear streets shall be measured at the building setback in accordance with zone development standards.

D. The maximum building height shall be forty feet (40’).

E. In no case shall more than eight-five percent (85%) of any lot be covered by a dwelling.

F. The minimum space between buildings shall be ten feet (10’).

G. The front yard shall be not less than five feet (5’), measured from the existing street right-of-way or from any interior drive or future street right-of-way. Porches at the front of the structure may encroach two and one-half (2.5’) into the front yard setback.

H. Side yards on interior and through lots shall be not less than five feet (5’). Side yards on corner and reverse corner lots shall not be less than five feet
(5') from the existing street right-of-way or from any interior drive or future street right-of-way as shown on any Specific Plan Circulation Plan, whichever is nearer to the structure, upon which the main building sides.

I. The rear yard shall be not less than ten feet (10') from any property line or interior drive, except that second floor living space and balconies located in the rear yard shall be permitted within eight feet (8') of the rear property line, and garages shall be permitted within five feet (5') of the rear property line.

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

K. No dwelling unit shall be constructed unless it has a minimum floor living area of seven hundred fifty (750) square feet. Porches, garages, patios, and similar features, whether attached or detached to a dwelling, shall not be included when calculating the floor living area.

L. The minimum private usable yard space per residential unit shall be three (300) square feet, with a minimum yard dimension of four (4) by four (4) feet.
The development standards for multiple family dwellings permitted in Planning Areas 1-1, 1-7, 1-8, 1-13, 1-18, 1-19, 2-3, 2-8, 2-11, 2-17, 3-1 and 3-4 of Specific Plan No. 375 shall be the standards for Planned Residential Developments set forth in Article XVIII, Section 18.5 of Ordinance No. 348 except that the standards set forth in Section 18.5.b., c. and e. shall be deleted and replaced with the following:

A. The maximum building height shall be forty-five feet (45').

B. No lot shall have more than sixty percent (60%) of its net area covered with buildings or structures.

C. The minimum front and rear yard building setbacks from a project's exterior streets and boundary lines shall be ten feet (10') and the minimum side yard setback from a project's exterior streets and boundary lines shall be five feet (5'). The minimum building setbacks from interior drives shall be three feet (3'). Second floor living space and balconies shall be permitted within eight feet (8') of the front, rear, or side property lines.

D. The distance between buildings shall be no less than fifteen feet (15') where primary (e.g., front and/or rear) building setbacks are involved and no less than ten feet (10') where solely secondary (side) building setbacks or accessory building setbacks are involved.

E. The minimum private usable yard space per residential unit shall be fifty (50) square feet, with a minimum yard dimension of three (3) by three (3) feet.

F. The maximum ratio of floor area to lot area (i.e., FAR) shall not be greater than two to one (2:1), not including basement floor area.

G. No multi-family dwelling unit shall be constructed unless it has a minimum floor living area of seven hundred fifty (750) square feet. Porches, garages, patios, and similar features, whether attached or
detached to a dwelling, shall not be included when calculating the floor living area.

(6) Walkable commercial uses shall be defined as resident-serving and pedestrian-oriented commercial uses not to exceed ten thousand (10,000) square feet of gross building square footage in any one planning area.

A. The following uses are permitted in a walkable commercial use area of Planning Areas 1-1, 1-7, 1-8, 1-13, 1-18, 1-19, 2-3, 2-8, 2-11, 2-17, 3-1 and 3-4 of Specific Plan No. 375 provided a plot plan has been approved pursuant to Section 18.30 of Ordinance No. 348: antique shops; art galleries; art supply shops and studios; bakery shops, including baking only when incidental to retail sales on the premises; banks and financial institutions; bicycle sales and rentals; book stores and binders; clothing stores; convenience stores, not including the sale of motor vehicle fuel; delicatessens; florist's shops; food markets and frozen food lockers; gift shops; golf cart sales and service; grocery, dry goods, health food, and variety stores; hardware stores, including not more than one thousand (1,000) square feet of outside storage lumber; hobby shops; ice cream shops; interior decorating shops; jewelry stores, including incidental repairs; laundries and laundromats; laundries, with dry cleaning shops; leather goods stores; libraries; locksmith shops; meat markets, not including slaughtering; music stores; neighborhood electric vehicle (NEV) sales and service; news stores; non-profit community centers; notions or novelty stores; nurseries and garden supply stores; parcel delivery services (stores); pet shops and pet
supply shops; post offices; produce markets; real estate offices; residences, live-work dwellings; restaurants and other eating establishments; shoe stores and repair shops; shoeshine stands; spas, including day spas and medical spas; sporting goods stores; stationery stores; studios for professional work in or teaching of any form of fine arts, including but not limited to photography, music, drama, and dance, where no stock of goods is maintained for sale; tailor shops; tourist information centers; toy shops; travel agencies; utilities, both public and private; and watch repair shops. In addition, the following uses shall be permitted provided a conditional use permit has been approved pursuant to the provisions of Section 18.28 of Ordinance No. 348: bars and cocktail lounges, bed and breakfast inns, clinics, including but not limited to medical, dental and chiropractic, and micro-breweries and micro-wineries.

B. The development standards for walkable commercial uses within Planning Areas 1-1, 1-7, 1-8, 1-13, 1-18, 1-19, 2-3, 2-8, 2-11, 2-17, 3-1 and 3-4 of Specific Plan No. 375, shall be the same standards as identified in Article IXa, Section 9.26 of Ordinance No. 348 except that the standards set forth in Article IXa, Section 9.26.a., b. and c. shall be deleted and replaced with the following:

(a) No more than one walkable commercial use area shall be permitted within each planning area.

(b) Walkable commercial uses may be located within and/or adjacent to facilities owned and operated by a homeowners association.
(c) The commercial building(s) that comprise the walkable commercial use area shall be located at the intersection of two streets on a corner lot with a minimum distance of one thousand feet (1,000') between usable commercial structures. Walkable commercial use building(s) not located at an intersection shall require approval of a conditional use permit.

(d) There shall be no minimum lot area for walkable commercial uses. However, the maximum lot area shall be twenty thousand (20,000) square feet. More than one use shall be permitted on a lot.

(e) Within any one walkable commercial area, the total square footage of commercial buildings shall not exceed ten thousand (10,000) square feet.

(f) The minimum front yard setback and the minimum side yard setback adjacent to any street shall be five feet (5'), measured from the existing street right-of-way or from any future street right-of-way.

(g) The minimum side yard setback from a residential lot line shall be ten feet (10').

(h) The minimum rear yard setback from a residential lot line shall be ten feet (10'). The rear setback shall be measured from the rear lot line or a recorded alley or easement unless the rear line adjoins a street, in which case it shall be measured as required for a front setback.
(i) All uses must be conducted within buildings unless otherwise expressly authorized by a plot plan or conditional use permit condition of approval. This requirement does not apply to off-street parking or loading areas, automated teller machines, or outdoor seating areas for a coffee shop, café, or restaurant.

(j) No outdoor storage shall be permitted.

(k) All trash areas and waste containers shall be enclosed within a building or a fully enclosed architectural structure that is visually compatible with the main building.

(l) Hours of operation shall be limited from 6:00 A.M. to 10:00 P.M. except for automated tellers and similar operations.

(m) No commercial vehicle shall be parked on the street or on the premises overnight except in an enclosed structure.

(n) Access for service vehicles should provide a direct route to service and loading dock areas.

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

c. Planning Areas 1-11, 1-15, 1-16, 1-17, and 2-9 (High Density Residential).

(1) The uses permitted in Planning Areas 1-11, 1-15, 1-16, 1-17 and 2-9 of Specific Plan No. 375 shall be the same as those uses permitted in Article VI, Section 6.1 of Ordinance No. 348, except that the uses permitted pursuant to Section 6.1.a.(3), (5), (7), (8) and (9); b.(1) and (5); and c.(1) shall not be permitted. In addition, the permitted uses identified under Section 6.1.a. shall include community recreation and assembly buildings and facilities; lakes, including the non-commercial fishing there from; second units provided a second unit permit is obtained pursuant to Section 18.28.a. of Ordinance No. 348; sport courts and recreational fields and facilities; and accessory buildings to a specific use, provided that the accessory
building is established as an incident to a principal use, does not change the character of that use, and any applicable provisions of Section 18.18 of Ordinance No. 348 are complied with. In addition, the permitted uses identified under Section 6.1.b. shall also include multiple family dwellings; recycling collection facilities; guest quarters; power generation and distribution facilities, including solar, wind, geothermal, and other alternative forms to traditional hydrocarbon-based energy; and walkable commercial uses subject to a plot plan as defined in Section 2.c.(6) of this Ordinance. In addition, the permitted uses identified under Section 6.1.c. shall also include cell towers concealed within architectural projections or similar structures; congregate care residential facilities; day care centers; private schools; and walkable commercial uses as defined in Section 2.c.(6) of this Ordinance.

(2) For land subject to Agricultural Preserves and/or Williamson Act contracts, the uses permitted in Planning Arcas 1-16 and 1-17 of Specific Plan No. 375 shall be the same as those uses permitted in Article XIII, Section 13.1 of Ordinance No. 348. No use, other than an agricultural use and any use incidental thereto permitted in Article XIII, Section 13.1 of Ordinance 348 shall be permitted within Planning Areas 1-16 and 1-17 of Specific Plan No. 375 until such time as Map No. 171, 359 and 777 of Coachella Valley Agricultural Preserves Nos. 31 and 97 has been diminished or disestablished in the planning area and any corresponding Williamson Act contract is no longer in effect for Planning Areas 1-16 and 1-17. Prior to issuance of a grading permit for uses other than the aforementioned agricultural uses within Planning Areas 1-16 and 1-17 of Specific Plan No. 375, all agricultural uses including uses incidental thereto within these planning areas shall cease and shall no longer be a permitted use.

Thereafter, the uses permitted on land formerly subject to Agricultural Preserves and/or Williamson Act contracts within Planning Areas 1-16 and 1-17 of Specific
Plan No. 375 shall be the same as those uses permitted in Planning Areas 1-11, 1-15 and 2-9 of Specific Plan No. 375.

(3) The development standards for interim agriculture uses within Planning Areas 1-11, 1-15, 1-16, 1-17 and 2-9 shall be the same standards as identified in Article XIII, Section 13.2 of Ordinance No. 348.

(4) The development standards for one family dwellings within Planning Areas 1-11, 1-15, 1-16, 1-17, and 2-9 of Specific Plan No. 375 shall be the same standards as those identified in Article XVIII, Section 18.5 of Ordinance No. 348 except that the development standards set forth in Article XVIII, Section 18.5.b., c. and e. shall be deleted and replaced with the following:

A. Residential lot area shall be not less than one thousand eight hundred (1,800) square feet.

B. The minimum average width of each lot shall be forty feet (40’) and the minimum average depth shall be forty feet (40’).

C. The minimum frontage of a lot along a straight street shall be thirty-five feet (35’) and along a curvilinear street shall be twenty feet (20’). Lot frontage along curvilinear streets shall be measured at the building setback in accordance with zone development standards.

D. The maximum building height shall be forty feet (40’).

E. In no case shall more than eight-five percent (85%) of any lot be covered by a dwelling.

F. The minimum space between buildings shall be ten feet (10’).

G. The front yard shall be not less than five feet (5’), measured from the existing street right-of-way or from any interior drive or future street right-of-way. Porches at the front of the structure may encroach two and one-half feet (2.5’) into the front yard setback.
H. Side yards on interior and through lots shall be not less than five feet (5'). Side yards on corner and reverse corner lots shall be not less than five feet (5') from the existing street right-of-way or from any interior drive or future street right-of-way as shown on any Specific Plan Circulation Plan, whichever is nearer to the structure, upon which the main building sides.

I. The rear yard shall be not less than ten feet (10') from any property line or interior drive, except that second floor living space and balconies located in the rear yard shall be permitted within eight feet (8') of the rear property line, and garages shall be permitted within five feet (5') of the rear property line.

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

K. No dwelling unit shall be constructed unless it has a minimum floor living area of not less than seven hundred fifty (750) square feet. Porches, garages, patios, and similar features, whether attached or detached to a dwelling, shall not be included when calculating the floor living area.

L. The minimum private usable yard space per residential unit shall be three hundred (300) square feet, with a minimum yard dimension of four (4) by four (4) feet.
(5) The development standards for multiple family dwellings permitted in Planning Areas 1-11, 1-15, 1-16, 1-17 and 2-9 of Specific Plan No. 375, shall be the standards for Planned Residential Developments set forth in Article XVIII, Section 18.5 of Ordinance No. 348 except that the standards set forth in Section 18.5.b., c. and e. shall be deleted and replaced with the following:

A. The maximum building height shall be fifty feet (50’).

B. No lot shall have more than sixty percent (60%) of its net area covered with buildings or structures.

C. The minimum front and rear yard building setbacks from a project’s exterior streets and boundary lines shall be ten feet (10’) and the minimum side yard setback from a project’s exterior streets and boundary lines shall be five feet (5’). The minimum building setbacks from interior drives shall be three feet (3’). Second floor living space and balconies shall be permitted within eight feet (8’) of the front, rear, or side property lines.

D. The distance between buildings shall be no less than fifteen feet (15’) where primary (e.g., front and/or rear) building setbacks are involved, and no less than ten feet (10’) where solely secondary (side) building setbacks or accessory building setbacks are involved.

E. The minimum private usable yard space per residential unit shall be fifty (50) square feet, with a minimum yard dimension of three (3) by three (3) feet.

F. The maximum ratio of floor area to lot area (i.e., FAR) shall not be greater than two to one (2:1), not including basement floor area.

(6) Walkable commercial uses shall be defined as resident-serving and pedestrian-oriented commercial uses not to exceed ten thousand (10,000) square feet of gross building square footage in any one planning area.
A. The following uses are permitted in a walkable commercial use area of Planning Areas 1-11, 1-15, 1-16, 1-17 and 2-9 of Specific Plan No. 375 provided a plot plan has been approved pursuant to the provisions of Section 18.30 of Ordinance No. 348: antique shops; art galleries; art supply shops and studios; bakery shops, including baking only when incidental to retail sales on the premises; banks and financial institutions; bicycle sales and rentals; book stores and binders; clothing stores; convenience stores, not including the sale of motor vehicle fuel; delicatessens; florist’s shops; food markets and frozen food lockers; gift shops; golf cart sales and service; grocery, dry goods, health food, and variety stores; hardware stores, including not more than one thousand (1,000) square feet of outside storage lumber; hobby shops; ice cream shops; interior decorating shops; jewelry stores, including incidental repairs; laundries and laundromats; laundries, with dry cleaning shops; leather goods stores; libraries; locksmith shops; meat markets, not including slaughtering; music stores; neighborhood electric vehicle (NEV) sales and service; news stores; non-profit community centers; notions or novelty stores; nurseries and garden supply stores; parcel delivery services (stores); pet shops and pet supply shops; post offices; produce markets; real estate offices; residences, live-work dwellings; restaurants and other eating establishments; shoe stores and repair shops; shoeshine stands; spas, including day spas and medical spas; sporting goods stores; stationery stores; studios for professional work in or teaching of any form of fine arts, including but not limited to photography, music, drama, and dance, where no stock of goods is maintained for sale; tailor shops; tourist information centers; toy shops; travel agencies; utilities, both public and private; and watch repair shops.
In addition, the following uses shall be permitted, provided a conditional use permit has been granted pursuant to the provisions of Section 18.28 of Ordinance No. 348: bars and cocktail lounges, bed and breakfast inn, clinics, including but not limited to medical, dental and chiropractic, and micro-breweries and micro-wineries.

B. The development standards for walkable commercial uses within Planning Areas 1-11, 1-15, 1-16, 1-17, and 2-9 of Specific Plan No. 375 shall be the same standards as identified in Article IXa, Section 9.26 of Ordinance No. 348 except that the standards set forth in Article IXa, Section 9.26.a, b. and c. shall be deleted and replaced with the following:

(a) No more than one walkable commercial use area shall be permitted within each Planning Area.

(b) Walkable commercial uses may be located within and/or adjacent to facilities owned and operated by a Homeowners Association.

(c) The commercial building(s) and structure(s) that comprise the walkable commercial use area shall be located at the intersection of two streets on a corner lot with a minimum distance of one thousand feet (1,000) between usable commercial structures. Walkable commercial use building(s) not located at an intersection shall require approval of a conditional use permit.

(d) There shall be no minimum lot area for walkable commercial uses. However, the maximum lot area shall be twenty thousand (20,000) square feet. More than one use shall be permitted on a lot.
(e) Within any one walkable commercial use area, the total square footage of commercial buildings shall not exceed ten thousand (10,000) square feet.

(f) The minimum front yard setback and the minimum side yard setback adjacent to any street shall be five feet (5'), measured from the existing street right-of-way or from any future street right-of-way.

(g) The minimum side yard setback from the residential lot line shall be ten feet (10').

(h) The minimum rear yard setback from the residential lot line shall be ten feet (10'). The rear setback shall be measured from the rear lot line or a recorded alley or easement unless the rear line adjoins a street, in which case it shall be measured as required for a front setback.

(i) All uses must be conducted within buildings unless otherwise expressly authorized as part of a plot plan or conditional use permit condition of approval. This requirement does not apply to off-street parking or loading areas, automated teller machines, or outdoor seating areas for a coffee shop, café, or restaurant.

(j) No outdoor storage shall be permitted.

(k) All trash areas and waste containers shall be enclosed within a building or a fully-enclosed architectural structure that is visually compatible with the main building.

(l) Hours of operation shall be limited to from 6:00 A.M. to 10:00 P.M. except for automated tellers and similar operations.
(m) No commercial vehicle shall be parked on the street or on the premises overnight except in an enclosed structure.

(n) Access for service vehicles should provide a direct route to service and loading dock areas.

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

d. **Planning Area 3-3 (Highest Density Residential).**

(1) The uses permitted in Planning Area 3-3 of Specific Plan No. 375 shall be the same as those as the uses permitted in Article VI, Section 6.1 of Ordinance No. 348, except that the uses permitted pursuant to Section 6.1.a.(3), (5), (7), (8), and (9); Section 6.1.b.(1), and (5); and Section 6.1.c.(1) shall not be permitted. In addition, the permitted uses identified under Section 6.1.a. shall include community recreation and assembly buildings and facilities; lakes, including the non-commercial fishing there from; second units provided a second unit permit is obtained pursuant to Section 18.28.a. of Ordinance No. 348; sport courts and recreational fields and facilities; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use, does not change the character of that use, and any applicable provisions of Section 18.18 of Ordinance No. 348 are complied with. In addition, the permitted uses identified under Section 6.1.b. shall also include multiple family dwellings; recycling collection facilities; guest quarters; power generation and distribution facilities, including solar, wind, geothermal, and other alternative forms to traditional hydrocarbon-based energy; and walkable commercial uses subject to a plot plan as defined in Section 2.d.(5) of this Ordinance. In addition, the permitted uses identified under Section 6.1.c. shall also include cell towers concealed within architectural projections or similar structures; congregate care residential facilities;
day care centers; private schools; and walkable commercial uses subject to a
conditional use permit as defined in Section 2.d.(5) of this Ordinance.

(2) The development standards for interim agriculture uses within Planning Area 3-3
shall be the same standards as identified in Article XIII, Section 13.2 of Ordinance
No. 348.

(3) The development standards for one family dwellings within Planning Area 3-3 of
Specific Plan No. 375 shall be the same standards as those identified in Article
XVIII, Section 18.5 of Ordinance No. 348 except that the development standards
set forth in Article XVIII, Section 18.5.b., c. and e. shall be deleted and replaced
with the following:

A. Residential lot area shall be not less than one thousand eight hundred
(1,800) square feet.

B. The minimum average width of each lot shall be forty feet (40’) and the
minimum average depth shall be forty feet (40’).

C. The minimum frontage of a lot along a straight street shall be thirty-five
feet (35’) and along a curvilinear street shall be twenty feet (20’). Lot
frontage along curvilinear streets shall be measured at the building setback
in accordance with zone development standards.

D. The maximum building height shall be forty feet (40’).

E. In no case shall more than eight-five percent (85%) of any lot be covered
by a dwelling.

F. The minimum space between buildings shall be ten feet (10’).

G. The front yard shall be not less than five feet (5’), measured from the
existing street right-of-way or from any interior drive or future street right-
of-way. Porches at the front of the structure may encroach two and one-
half feet (2.5’) into the front yard setback.
H. Side yards on interior and through lots shall be not less than five feet (5'). Side yards on corner and reverse corner lots shall not be less than five feet (5') from the existing street right-of-way or from any interior drive or future street right-of-way as shown on any Specific Plan Circulation Plan, whichever is nearer to the structure, upon which the main building sides.

I. The rear yard shall be not less than ten feet (10') from any property line or interior drive, except that second floor living space and balconies located in the rear yard shall be permitted within eight feet (8') of the rear property line, and garages shall be permitted within five feet (5') of the rear property line.

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

K. No dwelling unit shall be constructed unless it has a minimum floor living area of not less than seven hundred fifty (750) square feet. Porches, garages, patios, and similar features, whether attached or detached to a dwelling, shall not be included when calculating the floor living area.

L. The minimum private usable yard space per residential unit shall be three hundred (300) square feet, with a minimum yard dimension of four (4) by four (4) feet.
(4) The development standards for multiple family dwellings permitted in Planning Area 3-3 of Specific Plan No. 375, shall be the standards for Planned Residential Developments set forth in Article XVIII, Section 18.5 of Ordinance No. 348 except that the standards set forth in Section 18.5.b. and c. shall be deleted and replaced with the following:

A. The maximum building height shall be seventy-five feet (75’).

B. No lot shall have more than sixty percent (60%) of its net area covered with buildings or structures.

C. The minimum front and rear yard building setbacks from a project’s exterior streets and boundary lines shall be ten feet (10’) and the minimum side yard setback from a project’s exterior streets and boundary lines shall be five feet (5’). The minimum building setbacks from interior drives shall be three feet (3’). Second floor living space and balconies shall be permitted within eight feet (8’) of the front, rear, or side property lines.

D. The distance between buildings shall be no less than fifteen feet (15’) where primary (e.g., front and/or rear) building setbacks are involved, and no less than ten feet (10’) where solely secondary (side) building setbacks or accessory building setbacks are involved.

E. The minimum private usable yard space per residential unit shall be fifty (50) square feet, with a minimum yard dimension in any direction of six feet (6’).

F. The maximum ratio of floor area to lot area (i.e., FAR) shall not be greater than two to one (2:1), not including basement floor area.

G. No multi-family dwelling unit shall be constructed unless it has a minimum floor living area of not less than seven hundred and fifty (750) square feet. Porches, garages, patios, and similar features, whether
attached or detached to a dwelling, shall not be included when calculating the floor living area.

(5) Walkable commercial shall be defined as resident serving and pedestrian oriented commercial uses not to exceed ten thousand (10,000) square feet of gross building square footage in any one planning area.

A. The following uses are permitted in a walkable commercial use area of Planning Area Planning Area 3-3 of Specific Plan No. 375 provided a plot plan has been approved pursuant to the provisions of Section 18.30 of Ordinance No. 348: antique shops; art galleries; art supply shops and studios; bakery shops, including baking only when incidental to retail sales on the premises; banks and financial institutions; bicycle sales and rentals; book stores and binders; clothing stores; convenience stores, not including the sale of motor vehicle fuel; delicatessens; florist’s shops; food markets and frozen food lockers; gift shops; golf cart sales and service; grocery, dry goods, health food, and variety stores; hardware stores, including not more than one thousand (1,000) square feet of outside storage lumber; hobby shops; ice cream shops; interior decorating shops; jewelry stores, including incidental repairs; laundries and laundromats; laundries, with dry cleaning shops; leather goods stores; libraries; locksmith shops; meat markets, not including slaughtering; music stores; neighborhood electric vehicle (NEV) sales and service; news stores; non-profit community centers; notions or novelty stores; nurseries and garden supply stores; parcel delivery services (stores); pet shops and pet supply shops; post offices; produce markets; real estate offices; residences, live-work dwellings; restaurants and other eating establishments; shoe stores and repair shops; shoeshine stands; spas, including day spas and medical spas; sporting goods stores; stationery stores; studios for professional work in or
teaching of any form of fine arts, including but not limited to photography, music, drama, and dance, where no stock of goods is maintained for sale; tailor shops; tourist information centers; toy shops; travel agencies; utilities, both public and private; and watch repair shops.

In addition, the following uses shall be permitted, provided a conditional use permit has been approved pursuant to the provisions of Section 18.28 of Ordinance No. 348: bars and cocktail lounges, bed and breakfast inn, clinics, including but not limited to medical, dental and chiropractic, and micro-breweries and micro-wineries.

B. The development standards for walkable commercial uses within Planning Areas 3-3 of Specific Plan No. 375 shall be the same standards as identified in Article IXa, Section 9.26 of Ordinance No. 348 except that the standards set forth in Article IXa, Section 9.26.a. b. and c. shall be deleted and replaced with the following:

(a) No more than one walkable commercial use area shall be permitted within Planning Area 3-3.

(b) Walkable commercial uses may be located within and/or adjacent to facilities owned and operated by a Homeowners Association.

(c) The commercial building(s) that comprise the walkable commercial use area shall be located at the intersection of two streets on a corner lot with a minimum distance of one thousand feet (1,000’) between usable commercial structures. Walkable commercial use building(s) not located at an intersection shall require approval of a conditional use permit.
(d) There shall be no minimum lot area for walkable commercial uses. However, the maximum lot area shall be twenty thousand (20,000) square feet. More than one use shall be permitted on a lot.

(e) Within any one walkable commercial use area, the total square footage of commercial buildings shall not exceed ten thousand (10,000) square feet.

(f) The minimum front yard setback and the minimum side yard setback adjacent to any street shall be five feet (5’), measured from the existing street right-of-way.

(g) The minimum side yard setback from an interior residential lot line shall be ten feet (10’).

(h) The minimum rear yard setback from a residential lot line shall be ten feet (10’). The rear setback shall be measured from the rear lot line or a recorded alley or easement unless the rear line adjoins a street, in which case it shall be measured as required for a front setback.

(i) All uses must be conducted within buildings unless otherwise expressly authorized by a plot plan or conditional use permit condition of approval. This requirement does not apply to off-street parking or loading areas, automated teller machines, or outdoor seating areas for a coffee shop, café, or restaurant.

(j) No outdoor storage shall be permitted.

(k) All trash areas and waste containers shall be enclosed within a building or a fully-enclosed architectural structure that is visually compatible with the main building.
(l) Hours of operation shall be limited to from 6:00 A.M. to 10:00 P.M. except for automated tellers and similar operations.

(m) No commercial vehicle shall be parked on the street or on the premises overnight except in an enclosed structure.

(n) Access for service vehicles should provide a direct route to service and loading dock areas.

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

e. Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 (Mixed Use).

(1) The uses permitted in Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those uses permitted in Article IX, Section 9.1 of Ordinance No. 348 except that the uses permitted pursuant to Section 9.1.a.(1), (23), (33), (42), (51), (54), (61), (91), and (93); Section 9.1.b.(3), (6), (7), (10), (11), (12), (15), (18), (19), and (20); and Section 9.1.d.(1), (2), (3), (4), (6), (7), (9), (10), (11), (12), and (18) shall not be permitted. Governmental uses, offices, and facilities including but not limited to federal, state and local agencies, and civic centers, police and fire stations, libraries, public health and welfare offices, and employment departments shall be permitted within Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 2-21, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8. Field crops, flower and vegetable gardening, tree crops, and greenhouses used only for purposes of propagation and culture, including the sale thereof from the premises and one unlighted sign that does not exceed two square feet in size pertaining to the sale of products shall be permitted within Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 as an interim use. Prior to issuance of a grading permit for uses other than the aforementioned agricultural uses within Planning Areas 1-4, 2-12, 2-13, 2-
14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375, all
agricultural uses including uses incidental thereto within the affected planning area
shall cease and shall no longer be a permitted use.

In addition, the uses permitted under Section 9.1.a. shall include: automobile sales
and rental agencies; automobile and truck service stations, not including the
concurrent sale of beer and wine for off-premise consumption; bed and breakfast
inns; cell towers concealed by architectural features or similar structures; clinics,
including but not limited to medical, dental and chiropractic; community recreation
facilities; conference center; convenience stores, not including the sale of motor
vehicle fuel; cultural centers; farmers markets; grocery, including dry goods, health
food, and variety stores; health and exercise centers, provided all facilities are
located within an enclosed building; hospitals, including medical/surgical,
convalescent, nursing, and hospice care facilities; home occupations; lakes,
including noncommercial fishing therefrom; laundries, with dry cleaning shops;
libraries; mini-warehouse structures; museums; noncommercial community
association recreation and assembly buildings and facilities; non-profit community
centers; office equipment sales and service; parcel delivery services; pedestrian
paseos; planned residential developments, provided a land division is approved
pursuant to the provisions of County Ordinance No. 460 and the development
standards in Section 18.5 or 18.6 of Ordinance No. 348 are complied with; post
offices; prescription pharmacy when related and incidental to a professional office
building; professional offices; real estate offices; recycling collection facilities, not
to exceed five thousand (5,000) square feet gross building structure; live-work
dwellings; multiple-family dwellings; one-family dwellings; second units provided
a second unit permit is obtained pursuant to Section 18.28.a. of Ordinance No. 348;
guest quarters; spas, including day spas and medical spas; studios for professional
work in or teaching of any form of fine arts, including but not limited to
photography, music, drama, and dance, where no stock of goods is maintained for
sale; sports courts and recreational fields and facilities; warehouse stores/big-box
retail; water wells and appurtenant facilities; wedding chapels; and accessory
buildings to a specific use, provided that the accessory building is established as an
incident to a principal use and does not change the character of that use. In
addition, the permitted uses identified under Section 9.1.b shall also include:
building supply stores and equipment rental, including outside storage;
neighborhood electric vehicle (NEV) sales and service; nurseries, horticultural;
power generation and distribution, including solar, wind, geothermal, and other
alternative forms to traditional hydrocarbon-based energy facilities; parks and
playgrounds, golf courses with standard length fairways, and country clubs; and
walkable commercial uses subject to a plot plan as defined in Section 2.e.(9) of this
ordinance. In addition, the permitted uses identified under Section 9.1.d shall also
include: automobile service stations, truck service stations, including the
concurrent sale of beer and wine for off-premises consumption; convenience
stores, including the sale of motor vehicle fuel; gasoline service stations, not
including the concurrent sale of beer and wine for off-premises consumption; golf
courses and appurtenant facilities, including clubhouses with customary retail
shops and restaurant facilities; liquid petroleum service stations, not including the
concurrent sale of beer and wine, provided the total capacity of all tanks shall not
exceed ten thousand (10,000) gallons; micro-breweries and micro-wineries;
performing arts theaters and centers including live music and other stage
productions; private schools; sports and recreational facilities, not including motor-
driven vehicles and riding academies, but including archery ranges, athletic fields,
beaches, golf driving ranges, gymnasiums, miniature golf, parks, playgrounds,
sports arenas, skating rinks, stadiums, and commercial swimming pools; and
walkable commercial uses subject to a conditional use permit as defined in Section
2.e.(9) of this Ordinance. The following uses are permitted provided a public use permit is approved pursuant to the provisions of Section 18.29 of Ordinance No. 348: churches, temples and other places of religious worship.

(2) For land subject to Agricultural Preserves and/or Williamson Act contracts within Planning Areas 4-6, 4-7 and 4-8 of Specific Plan No. 375, the uses permitted shall be the same as those uses permitted in Article XIII, Section 13.1 of Ordinance No. 348 except that the uses permitted pursuant to Section 13.1.a.(1), (11), (12), (14) and (15); b.(1), (2), (3), (4), (5), (8), (9), (10) and (11); and c.(1), (2), (3), (4), (5), (6), (7), (9), (10) and (11) shall not be permitted.

No use, other than an agricultural use and any use incidental thereto permitted in Article XIII, Section 13.1 of Ordinance No. 348 shall be permitted on land subject to Agricultural Preserves and/or Williamson Act contracts within Planning Area 4-6, 4-7 and 4-8 of Specific Plan No. 375 until such time as Map Nos. 162, 171, 359 and 777 of Coachella Valley Agricultural Preserve Nos. 27, 31 and 97 has been diminished or disestablished in the planning area and any corresponding Williamson Act contract is no longer in effect for Planning Areas 4-6, 4-7 and 4-8.

Prior to issuance of a grading permit for uses other than the aforementioned agricultural uses within Planning Areas 4-6, 4-7 and 4-8 of Specific Plan No. 375, all agricultural uses including uses incidental thereto within the affected planning area shall cease and shall no longer be a permitted use.

Thereafter, the uses permitted on land formerly subject to Agricultural Preserves and/or Williamson Act contracts within Planning Areas 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those uses permitted in Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4 and 4-5 of Specific Plan No. 375.

(3) The development standards for interim agriculture uses within Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 shall be the same standards as identified in Article XIII, Section 13.2 of Ordinance No. 348.
Any land division application submitted within Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 shall be heard concurrently with a comprehensive plot plan application for the entire affected Planning Area by the Planning Commission in accordance with Section 18.30.d.(3) of Ordinance No. 348. The application for a comprehensive plot plan shall be submitted in accordance with the provisions of Section 18.30 of Ordinance No. 348 and shall also at a minimum, include the following:

A. A statement indicating how the land division and comprehensive plot plan applications implement Specific Plan No. 375 and comply with the conditions of approval for said specific plan.

B. A comprehensive plot plan for the entire planning area, a conceptual grading plan and a tentative subdivision map, based upon a contour interval no greater than four feet (4') which in addition to the requirements of Ordinance No. 460 and Section 18.30 of Ordinance No. 348 shall include:

   the proposed lots including lot lines and proposed easements, if any;
   
   (a) building footprints;
   
   (b) floor plan assignments;
   
   (c) pad elevations, street grades and all cut and fill slopes in excess of one (1) foot in vertical height;
   
   (d) the proposed uses, their location and architectural designs;
   
   (e) the proposed internal circulation system; and
   
   (f) buffers, if any.

C. A design manual which includes:

   (a) description of residential floor plans and their mix;
   
   (b) lot and building calculations for each lot and building as follows:
(c) lot area and lot pad area;
(d) building footprint area;
(e) percentage of lot coverage;
(f) front setback;
(g) useable rear yard area and depth;
(h) building square footage for commercial and residential uses;
(i) a fencing plan including details of proposed materials to be used;
(j) dimensioned conceptual floor plans and elevations, including details of proposed materials for elevations, and square footages and heights of individual units; and
(k) a proposed phasing plan showing the planned sequence of subdivision map recordation and development.

(5) Unless one of the Mixed Use Overlay Zones as outlined in Section 3 of this Ordinance is utilized, the development standards for mixed use projects within Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be as follows:

A. The maximum building height shall be fifty feet (50').

B. No lot shall have more than fifty percent (50%) of its net area covered with buildings or structures.

C. The minimum front and rear yard building setbacks from a project's exterior streets and boundary lines shall be ten feet (10') and the minimum side yard setback from a project's exterior streets and boundary lines shall be five feet (5'). The minimum building setbacks from interior drives shall be three feet (3'). Second floor living space and balconies shall be permitted within eight feet (8') of the front, rear, or side property lines.
D. The distance between buildings shall be no less than fifteen feet (15’), where primary (e.g., front and/or rear) building setbacks are involved, and no less than ten feet (10’) where solely secondary (side) building setbacks or accessory building setbacks are involved.

E. The minimum private usable yard space per residential unit shall be fifty (50) square feet, with a minimum yard dimension in any direction of six feet (6’).

F. The maximum ratio of floor area to lot area (i.e., FAR) shall not be greater than two to one (2:1), not including basement floor area.

The development standards for one family dwellings, within Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7, and 4-8 of Specific Plan No. 375 shall be the same standards as those for Planned Residential Developments set forth in Article XVIII, Section 18.5 of Ordinance No. 348 except that the development standards set forth in Article XVIII, Section 18.5.b., c. and e. shall be deleted and replaced with the following:

A. Residential lot area shall be not less than one thousand eight hundred (1,800) square feet and shall not exceed four thousand, five hundred (4,500) square feet.

B. The minimum average width of each lot shall be forty feet (40’) and the minimum average depth shall be forty feet (40’).

C. The minimum frontage of a lot along a straight street shall be thirty-five feet (35’) and along a curvilinear street shall be twenty feet (20’). Lot frontage along curvilinear streets shall be measured at the building setback in accordance with zone development standards.

D. The maximum building height shall be forty feet (40’).

E. In no case shall more than eight-five percent (85%) of any lot be covered by a dwelling.
F. The minimum space between buildings shall be ten feet (10').

G. The front yard shall be not less than five feet (5'), measured from the existing street right-of-way or from any interior drive or future street right-of-way. Porches at the front of the structure may encroach two and one-half (2.5') into the front yard setback.

H. Side yards on interior and through lots shall be not less than five feet (5'). Side yards on corner and reverse corner lots shall not be less than five feet (5') from the existing street right-of-way or from any interior drive or future street right-of-way.

I. The rear yard shall be not less than ten feet (10') from any property line or interior drive, except that second floor living space and balconies located in the rear yard shall be permitted within one and one-half foot (1.5') of the rear property line.

J. Fireplaces, media niches, bay windows, porches, window boxes, and similar architectural features shall be allowed to encroach a maximum of one and one-half feet (1.5') into setbacks. At least one side of the structure shall maintain a minimum three foot (3') side yard setback regardless of encroachments. Media niches shall be a maximum of eight feet (8') in width. No second floor structural encroachments shall be permitted within one and one-half foot (1.5') of the rear property line. No other structural encroachments shall be permitted in the front, rear, or side yard setback except as provided for in Section 18.19 of Ordinance No. 348.

K. No dwelling unit shall be constructed unless it has a minimum floor living area of not less than seven hundred and fifty (750) square feet. Porches, garages, patios, and similar features, whether attached or detached to a dwelling, shall not be included when calculating the floor living area.
L. The minimum private usable yard space per residential unit shall be three hundred (300) square feet, with a minimum yard dimension of four (4) by four (4) feet.

(7) The development standards for multiple family dwellings permitted in Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-5, 4-6, 4-7, and 4-8 of Specific Plan No. 375, shall be subject to the standards for Planned Residential Developments set forth in Article XVIII, Section 18.5 of Ordinance No. 348 except that the standards set forth in Section 18.5.b., c. and e. shall be deleted and replaced with the following:

A. The maximum building height shall be fifty feet (50’).

B. No lot shall have more than fifty percent (50%) of its net area covered with buildings or structures.

C. The minimum front and rear yard building setbacks from a project’s exterior streets and boundary lines shall be ten feet (10’) and the minimum side yard setback from a project’s exterior streets and boundary lines shall be five feet (5’). The minimum building setbacks from interior drives shall be three feet (3’). Second floor living space and balconies shall be permitted within eight feet (8’) of the front, rear, or side property lines.

D. The distance between buildings shall be no less than fifteen feet (15’) where primary (e.g., front and/or rear) building elevations are involved, and no less than ten feet (10’) where solely secondary (side) building elevations or accessory building elevations are involved.

E. The minimum private usable yard space per residential unit shall be fifty (50) square feet, with a minimum dimension in any direction of six feet (6’).

F. The maximum ratio of floor area to lot area (i.e., FAR) shall not be greater than two to one (2:1), not including basement floor area.
The development standards for commercial development permitted in Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those standards identified in Article IX, Section 9.4 of Ordinance No. 348 except that the development standards set forth in Article IX, Section 9.4.b shall be deleted and replaced by the following:

A. There are no yard requirements for commercial buildings except that a fifteen foot (15') minimum rear and/or side yard setback shall be required where a commercial building within a commercial planning area adjoins a residential planning area or a residential development within a mixed use planning area. For commercial buildings over forty feet (40') in height, an additional one foot (1') of side and/or rear yard setback shall be added for each one foot (1') of height over forty feet (40').

For purposes of this section, a commercial use shall be defined as development which includes any permitted use other than an agricultural use, single family dwelling, multiple family dwelling or apartment.

Walkable commercial uses shall be defined as resident serving and pedestrian oriented commercial uses not to exceed ten thousand (10,000) square feet of gross building square footage in any one planning area.

A. The following uses are permitted in a walkable commercial use area of Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 provided a plot plan has been approved pursuant to the provisions of Section 18.30 of Ordinance No. 348: antique shops; art galleries; art supply shops and studios; bakery shops, including baking only when incidental to retail sales on the premises; banks and financial institutions; bicycle sales and rentals; book stores and binders; clothing stores; convenience stores, not including the sale of motor vehicle fuel; delicatessens; florist’s shops; food markets and frozen food lockers;
gift shops; golf cart sales and service; grocery, dry goods, health food, and variety stores; hardware stores, including not more than one thousand (1,000) square feet of outside storage lumber; hobby shops; ice cream shops; interior decorating shops; jewelry stores, including incidental repairs; laundries and laundromats; laundries, with dry cleaning shops; leather goods stores; libraries; locksmith shops; meat markets, not including slaughtering; music stores; neighborhood electric vehicle (NEV) sales and service; news stores; non-profit community centers; notions or novelty stores; nurseries and garden supply stores; parcel delivery services (stores); pet shops and pet supply shops; post offices; produce markets; real estate offices; residences, live-work dwellings; restaurants and other eating establishments; shoe stores and repair shops; shoeshine stands; spas, including day spas and medical spas; sporting goods stores; stationer stores; studios for professional work in or teaching of any form of fine arts, including but not limited to photography, music, drama, and dance, where no stock of goods is maintained for sale; tailor shops; tourist information centers; toy shops; travel agencies; utilities, both public and private; and watch repair shops.

In addition, the following uses shall be permitted, provided a conditional use permit has been approved pursuant to the provisions of Section 18.28 of Ordinance No. 348: bars and cocktail lounges; bed and breakfast inns; clinics, including but not limited to medical, dental and chiropractic; and micro-breweries and micro-wineries.

B. The development standards for walkable commercial uses within Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7, and 4-8 of Specific Plan No. 375, shall be the same standards as identified in Article IXa, Section 9.26 of Ordinance No. 348 except that the standards set forth
in Article IXa, Section 9.26.a, b. and c. shall be deleted and replaced with the following:

(a) No more than one walkable commercial use area shall be permitted within each planning area.

(b) Walkable commercial uses may be located within and/or adjacent to facilities owned and operated by a Homeowners Association.

(c) The commercial building(s) that comprise the walkable commercial use area shall be located at the intersection of two streets on a corner lot with a minimum distance of one thousand feet (1,000') between usable commercial structures. Walkable commercial use building(s) not located at an intersection shall require approval of a conditional use permit.

(d) There shall be no minimum lot area for walkable commercial uses. However, the maximum lot area shall be twenty thousand (20,000) square feet. More than one use shall be permitted on a lot.

(e) Within any one walkable commercial use area, the total square footage of commercial buildings shall not exceed ten thousand (10,000) square feet.

(f) The minimum front yard setback and the minimum side yard setback adjacent to any street shall be five feet (5'), measured from the existing street right-of-way or from any future street right-of-way.

(g) The minimum side yard setback from an interior residential lot line shall be ten feet (10').
(h) The minimum rear yard setback from a residential lot line shall be ten feet (10'). The rear setback shall be measured from the rear lot line or a recorded alley or easement unless the rear line adjoins a street, in which case it shall be measured as required for a front setback.

(i) All uses must be conducted within buildings unless otherwise expressly authorized as part of the plot plan or conditional use permit conditions of approval. This requirement does not apply to off-street parking or loading areas, automated teller machines, or outdoor seating areas for a coffee shop, café, or restaurant.

(j) No outdoor storage shall be permitted.

(k) All trash areas and waste containers shall be enclosed within a building or a fully enclosed architectural structure that is visually compatible with the main building.

(l) Hours of operation shall be limited to from 6:00 A.M. to 10:00 P.M. except for automated tellers and similar operations.

(m) No commercial vehicle shall be parked on the street or on the premises overnight except in an enclosed structure.

(n) Access for service vehicles should provide a direct route to service and loading dock areas.

f. Planning Areas 1-12, 2-2, and 3-5 (Local Commercial Retail).

(1) The uses permitted in Planning Areas 1-12, 2-2 and 3-5 of Specific Plan No. 375 shall be the same as those as the uses permitted in Article IX, Section 9.1 of Ordinance No. 348 except that the uses permitted pursuant to Section 9.1.a.(1), (5), (6), (7), (9), (17), (18), (25), (28), (29), (30), (33), (35), (43), (49), (54), (61), (66), (68), (69), (80), (82), (83), (84), (85), (91), (93), and (94); Section 9.1.b.(3), (6),
(10), (11), (12), (15), (16), (18), (19), and (20); and Section 9.1.d.(1), (2), (3), (4),
(6), (7), (9), (10), (11), (12), and (18) shall not be permitted. Governmental uses,
offices, and facilities including but not limited to federal and state agencies, and
local civic centers, police and fire stations, libraries, public health and welfare
offices, and employment departments shall be permitted within Planning Areas 1-
12, 2-2 and 3-5. Field crops, flower and vegetable gardening, tree crops, and
greenhouses used only for purposes of propagation and culture, including the sale
thereof from the premises and one (1) unlighted sign that does not exceed two (2)
square feet in size pertaining to the sale of products within Planning Areas 1 – 12,
2-2 and 3-5 of Specific Plan No. 375 shall be permitted as an interim use. Prior to
issuance of a grading permit for uses other than the aforementioned agricultural
uses within Planning Areas 1–12, 2–2 and 3-5 all agricultural uses including those
incidental thereto within the affected Planning Area shall cease and shall no longer
be a permitted use.

In addition, the uses permitted under Article IX Section 9.1.a. shall include:
administrative and professional offices, including but not limited to business, law,
medical, dental, chiropractic, architectural, engineering, community planning, and
real estate offices, in which no activity is carried on catering to retail sales and no
stock of goods is maintained for sale; art galleries; cell towers concealed within
architectural projections or similar structures; clinics, including but not limited to
medical, dental and chiropractic; community recreation facilities; conference
centers; dance schools; farmers markets; grocery, including but not limited to dry
goods, health food, and variety stores; health and exercise centers; lakes, including
noncommercial fishing therefrom; laundries, with dry cleaning shops; micro-
breweries and micro-wineries; museums; non-profit community centers; parcel
delivery services (stores); pedestrian paseos; post offices; professional offices;
live-work dwellings; spas, including day spas and medical spas; studios for
professional work in or teaching of any form of fine arts, including but not limited
to photography, music, drama, and dance, where no stock of goods is maintained
for sale; sports courts and recreational fields and uses; utilities, both public and
private; warehouse stores/big-box retail; and accessory buildings to a specific use,
provided that the accessory building is established as an incident to a principal use
and does not change the character of that use.

In addition, the permitted uses identified under Section 9.1.b shall also include:
neighborhood electric vehicle (NEV) sales and service; nurseries, horticultural;
power generation and distribution, including solar, wind, geothermal, and other
alternative forms to traditional hydrocarbon-based energy facilities; and public
parks and playgrounds, golf courses with standard length fairways, and country
clubs.

In addition, the permitted uses identified under Section 9.1.d shall also include:
automobile and truck service stations, including the concurrent sale of beer and
wine for off-premises consumption; bed and breakfast inns; automobile and truck
service stations, not including the concurrent sale of beer and wine for off-
premises consumption; libraries; liquid petroleum service stations, not including
the concurrent sale of beer and wine, provided the total capacity of all tanks shall
not exceed 10,000 gallons; private schools; archery ranges; golf driving ranges;
gymnasiums; miniature golf facilities; parks and playgrounds; sports arenas;
skating rinks; stadiums; commercial swimming pools; theaters, not including
drive-ins; and wedding chapels.

The following uses are permitted provided a public use permit has been granted
pursuant to the provisions of Section 18.29 of Ordinance No. 348: churches,
temples and other places of religious worship.
(2) For land subject to Agricultural Preserves and/or Williamson Act contracts within Planning Area 3-5, the uses permitted in Planning Area 3-5 of Specific Plan No. 375 shall be the same as those uses permitted in Article XIII, Section 13.1 of Ordinance No. 348.

No use, other than an agricultural use and any use incidental thereto permitted in Article XIII, Section 13.1 of Ordinance No. 348 shall be permitted within Planning Area 3-5 of Specific Plan No. 375 until such time as Map No. 162 of Coachella Valley Agricultural Preserves No. 27 has been diminished or disestablished in Planning Area 3-5 and any corresponding Williamson Act contract is no longer in effect for Planning Area 3-5. Prior to issuance of a grading permit for uses other than the aforementioned agricultural uses within Planning Area 3-5 of Specific Plan No. 375, all agricultural uses including uses incidental thereto within Planning Area 3-5 shall cease and no longer be a permitted use.

Thereafter, the uses permitted on land formerly subject to Agricultural Preserves and/or Williamson Act contracts within Planning Area 3-5 of Specific Plan No. 375 shall be the same as those uses permitted in Planning Areas 1-12 and 2-2 of Specific Plan No. 375.

(3) The development standards for interim agriculture uses within Planning Areas 1-12, 2-2 and 3-5 of Specific Plan No. 375 shall be the same as those standards identified in Article XIII, Section 13.2 of Ordinance No. 348.

(4) The development standards for Planning Areas 1-12, 2-2 and 3-5 of Specific Plan No. 375 shall be the same as those standards identified in Article IX, Section 9.4 of Ordinance No. 348 except that the development standards set forth in Article IX, Section 9.4.b shall be deleted and replaced by the following:

A. There are no yard requirements for commercial buildings except that a fifteen foot (15') minimum rear and/or side yard setback shall be required where a commercial building within a Commercial Planning Area adjoins
a Residential Planning Area or a residential development within a Mixed Use Planning Area. For commercial buildings over forty feet (40’) in height, an additional one foot (1’) of side and/or rear yard setback shall be added for each one foot (1’) of height over forty feet (40’).

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

g. Planning Area 2-19 (Regional Commercial Retail).

(1) The uses permitted in Planning Area 2-19 of Specific Plan No. 375 shall be the same as those uses permitted in Article IX, Section 9.1 of Ordinance No. 348, except that the uses permitted pursuant to Section 9.1.a.(30), (33), (43), (54), (61), (80), (82) and (93); Section 9.1.b.(10), (11), (15) and (16); and Section 9.1.d.(1), (3), (4), (6), (7), (9), (10) and (18) shall not be permitted. Governmental uses, offices, and facilities including but not limited to federal and state agencies, and local civic centers, police and fire stations, libraries, public health and welfare offices, and employment departments shall be permitted within Planning Area 2-19.

Field crops, flower and vegetable gardening, tree crops, and greenhouses used only for purposes of propagation and culture, including the sale thereof from the premises and one unlighted sign that does not exceed two square feet in size pertaining to the sale of products shall be permitted within Planning Area 2-19 of Specific Plan No. 375 shall be permitted as an interim use. Prior to issuance of a grading permit for uses other than the aforementioned agricultural uses within Planning Area 2-19 of Specific Plan No. 375, all agricultural uses including uses incidental thereto within this planning area shall cease and shall no longer be a permitted use.

In addition, the uses permitted under Article IX Section 9.1.a. shall include: administrative and professional offices, including but not limited to business, law,
medical, dental, chiropractic, architectural, engineering, community planning, and real estate offices, in which no activity is carried on catering to retail sales and no stock of goods is maintained for sale; art galleries; automobile sales and rental agencies; automobile and truck service stations, not including the concurrent sale of beer and wine for off-premises consumption; cell towers concealed within architectural projections or similar structures; clinics, including but not limited to medical, dental and chiropractic; community recreation facilities; conference center; cultural centers; dance school; entertainment venues and night clubs; farmers markets; grocery, dry goods, health food, and variety stores; health and exercise centers, provided all facilities are located within an enclosed building; hospitals (medical/surgical, convalescent, nursing, hospice care, etc.); lakes, including noncommercial fishing therefrom; laundries, with dry cleaning shops; libraries; micro-breweries and micro-wineries; museums; non-profit community centers; office equipment sales and service; parcel delivery services (stores); pedestrian paseos; post offices; prescription pharmacy when related and incidental to a professional office building; professional offices; real estate offices; residences, live-work dwellings; sale, rental, repair, or demonstration of motorcycles, scooters, and motorbikes; spas, including day spas and medical spas; studios for professional work in or teaching of any form of fine arts, including but not limited to photography, music, drama, and dance, where no stock of goods is maintained for sale; sport courts and recreational fields and uses; utilities, both public and private; warehouse stores/big-box retail; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use and does not change the character of that use.

In addition, the permitted uses identified under Section 9.1.b shall also include: boat and other marine rentals and services; building supply stores and equipment rental, including outside storage; neighborhood electric vehicle (NEV) sales and
service; nurseries, horticultural; power generation and distribution, including solar, wind, geothermal, and other alternative forms to traditional hydrocarbon-based energy facilities; parks and playgrounds, golf courses with standard length fairways, and country clubs; and travel trailers, motor homes and recreational vehicles sales and service.

In addition, the permitted uses identified under Section 9.1.d shall also include: automobile and truck service stations, including the concurrent sale of beer and wine for off-premises consumption; concrete batch plants and asphalt plants; gasoline service stations, not including the concurrent sale of beer and wine for off-premises consumption; liquid petroleum service stations, not including the concurrent sale of beer and wine, provided the total capacity of all tanks shall not exceed ten thousand (10,000) gallons; mortuaries; performing arts theaters and centers including live music, stage productions, etc.; schools, private; archery ranges, golf driving ranges, gymnasiums, miniature golf, parks and playgrounds; sports arenas; skating rinks; stadiums; commercial swimming pools; and wedding chapels.

The following uses are permitted provided a public use permit has been granted pursuant to the provisions of Section 18.29 of Ordinance No. 348: churches, temples and other places of religious worship.

The development standards for interim agriculture uses within Planning Area 2-19 of Specific Plan No. 375 shall be the same standards as identified in Article XIII, Section 13.2 of Ordinance No. 348.

The development standards for Planning Area 2-19 of Specific Plan No. 375 shall be the same as those standards identified in Article IX, Section 9.4 of Ordinance No. 348 except that the development standards set forth in Article IX, Section 9.4.b shall be deleted and replaced by the following:
A. There are no yard requirements for commercial buildings except that a fifteen foot (15') minimum rear and/or side yard setback shall be required where a commercial building within a Commercial Planning Area adjoins a Residential Planning Area or a residential development within a Mixed Use Planning Area. For commercial buildings over forty feet (40') in height, an additional one foot (1') of side and/or rear yard setback shall be added for each one foot (1') of height over forty feet (40').

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

h. Planning Areas 3-9, 5-3 and 5-4 (Commercial Tourist / Resort).

(1) The uses permitted in Planning Areas 3-9, 5-3 and 5-4 of Specific Plan No. 375 shall be the same as those uses permitted in Article IX, Section 9.1 of Ordinance No. 348 except that the uses permitted pursuant to Section 9.1.a(1), (3), (4), (5), (8), (9), (15), (25), (26), (27), (28), (29), (30), (33), (26), (37), (39), (42), (43), (47), (48), (49), (52), (54), (55), (60), (61), (62), (64), (65), (66), (68), (69), (72), (77), (80), (82), (84), (91), (92), (93) and (94); Section 9.1.b.(4), (6), (8), (9), (10), (11), (12), (13), (15), (16), (18), (19) and (20); and Section 9.1.d.(1), (4), (6), (7), (9), (10), (11), (12), (13) and (14) shall not be permitted. Governmental uses, offices, and facilities including but not limited to federal and state agencies, and local civic centers, police and fire stations, libraries, public health and welfare offices, and employment departments shall be permitted within Planning Areas 3-9, 5-3 and 5-4. Field crops, flower and vegetable gardening, tree crops, and greenhouses used only for purposes of propagation and culture, including the sale thereof from the premises and one unlighted sign that does not exceed two square feet in size pertaining to the sale of products within Planning Areas 3-9, 5-3 and 5-4 of Specific Plan No. 375 shall be permitted as an interim use. Prior to issuance of a grading permit for uses other than the aforementioned agricultural uses within
Planning Areas 3-9, 5-3 and 5-4 of Specific Plan No. 375, all agricultural uses including uses incidental thereto within this planning area shall cease and shall no longer be a permitted use.

In addition, the uses permitted under Article IX Section 9.1.a. shall include: administrative and professional offices, including but not limited to business, law, medical, dental, chiropractic, architectural, engineering, community planning, and real estate offices, in which no activity is carried on catering to retail sales and no stock of goods is maintained for sale; amusement parks; art galleries; bed and breakfast inns; campgrounds; cell towers concealed within architectural projections or similar structures; community recreation facilities; conference center; cultural centers; dance schools; entertainment venues and night clubs; golf courses and appurtenant facilities, including clubhouses (a clubhouse is permitted to have customary retail shop and restaurant facilities); grocery, dry goods, health food, and variety stores; health and exercise centers, provided all facilities are located within an enclosed building; lakes, including noncommercial fishing therefrom; laundries, with dry cleaning shops; libraries; meeting, fraternal lodge, and community halls; micro-breweries and micro-wineries; museums; pedestrian paseos; picnic grounds; prescription pharmacy when related and incidental to a professional office building; rock climbing walls; sale, rental, repair, or demonstration of motorcycles, scooters, and motorbikes; spas, including day spas and medical spas; studios for professional work in or teaching of any form of fine arts, including but not limited to photography, music, drama, and dance, where no stock of goods is maintained for sale; swimming pools; sport courts and recreational fields and uses; utilities, both public and private; warehouse stores/big-box retail; wedding chapels; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use and does not change the character of that use.
In addition, the permitted uses identified under Section 9.1.b shall also include: boat and other marine rentals and services; electrical substations; neighborhood electric vehicle (NEV) sales and service; power generation and distribution facilities, including solar, wind, geothermal, and other alternative forms to traditional hydrocarbon-based energy facilities; public parks and playgrounds, golf courses with standard length fairways, and country clubs; and recreational vehicle parks.

In addition, the permitted uses identified under Section 9.1.d shall also include: automobile sales and rental, automobile and truck service stations, including the concurrent sale of beer and wine for off-premises consumption; gasoline service stations, not including the concurrent sale of beer and wine for off-premises consumption; hunting clubs, skeet, trap, rifle and pistol ranges; liquid petroleum service stations, not including the concurrent sale of beer and wine, provided the total capacity of all tanks shall not exceed 10,000 gallons; performing arts theaters and centers; private schools; archery ranges; golf driving ranges; gymnasiums; miniature golf; parks and playgrounds; sports arenas; skating rinks; stadiums; and commercial swimming pools.

The following uses are permitted provided a public use permit has been granted pursuant to the provisions of Section 18.29 of Ordinance No. 348: churches, temples and other places of religious worship.

(2) The development standards for interim agriculture uses within Planning Areas 3-9, 5-3 and 5-4 of Specific Plan No. 375 shall be the same standards as identified in Article XIII, Section 13.2 of Ordinance No. 348.

(3) The development standards for Planning Areas 3-9, 5-3 and 5-4 of Specific Plan No. 375 shall be the same as those standards identified in Article IX, Section 9.4 of Ordinance No. 348 except that the development standards set forth in Article IX, Section 9.4.b and .c shall be deleted and replaced by the following:
A. There are no yard requirements for commercial buildings except that a fifteen foot (15’) minimum rear and/or side yard setback shall be required where a commercial building within a Commercial Planning Area adjoins a Residential Planning Area or a residential development within a Mixed Use Planning Area. For commercial buildings over forty feet (40’) in height, an additional one foot (1’) of side and/or rear yard setback shall be added for each one foot (1’) of height over forty feet (40’).

B. No building or structure shall exceed one hundred and fifty feet (150’) in height unless a greater height is approved pursuant to Section 18.34 of Ordinance No. 348. In no event, however, shall a building or structure exceed two hundred feet (200’) in height, unless a variance is approved pursuant to Section 18.27 of this Ordinance.

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

i. Planning Areas 1-21, 1-23, 2-4, 2-5 and 3-11 (Open Space - Recreation).

(1) The uses permitted in Planning Area 1-21, 1-23, 2-4, 2-5 and 3-11 of Specific Plan No. 375 shall be the same as those uses permitted in Article VIIIe, Section 8.100 of Ordinance No. 348, except that the uses permitted pursuant to Article VIIIe, Section 8.100.a. (6) and (8) and c.(1) shall not be permitted. Governmental uses, offices, and facilities including but not limited to federal and state agencies and local civic centers, police and fire stations, libraries, public health and welfare offices and employment departments shall be permitted within Planning Areas 1-21, 1-23, 2-4, 2-5 and 3-11. Field crops, flower and vegetable gardening, tree crops, and greenhouses used only for purposes of propagation and culture, including the sale thereof from the premises and one unlighted sign that does not exceed two square feet in size pertaining to the sale of products within Planning Areas 1-21, 1-23, 2-4, 2-5 and 3-11 of Specific Plan No. 375 shall be permitted as
an interim use. Prior to issuance of a grading permit for uses other than the
aforementioned agricultural uses within Planning Areas 1-21, 1-23, 2-4, 2-5 and 3-
11 of Specific Plan No. 375, all agricultural uses including uses incidental thereto
within this planning area shall cease and shall no longer be a permitted use.
In addition, the uses permitted under Article VIIIe, Section 8.100.a. shall include:
boat and other marine sales; boat and other marine rentals and services;
campgrounds; cultural centers; fishing and casting pools; museums; non-profit
community centers; pedestrian paseos; picnic grounds; public parks and
playgrounds; refreshment stands; restaurants and other eating establishments; rock
climbing walls; spas, including day spas and medical spas; sports and recreational
facilities, not including motor-driven vehicles and riding academies, but including
archery ranges, athletic fields, golf driving ranges, gymnasiums, miniature golf,
sports arenas, skating rinks, stadiums, and commercial swimming pools; sport
courts and recreational fields and uses; tourist information centers; and accessory
buildings to a specific use, provided that the accessory building is established as
an incident to a principal use and does not change the character of that use.
In addition, the uses permitted under Article VIIIe, Section 8.100.b. shall include:
auditoriums and conference rooms; hunting clubs, skeet, trap, rifle and pistol
ranges; meeting, fraternal lodge, and community halls; performing arts theaters
and centers; and recreational vehicle parks.

(2) For land subject to Agricultural Preserves and/or Williamson Act contracts, the
uses permitted in Planning Areas 1-21 and 3-11 of Specific Plan No. 375 shall be
the same as those uses permitted in Article XIII, Section 13.1 of Ordinance No.
348. No use, other than an agricultural use and any use incidental thereto
permitted in Article XIII, Section 13.1 of Ordinance No. 348 shall be permitted
within Planning Areas 1-21 and 3-11 of Specific Plan No. 375 until such time as
Map No. 162 of Coachella Valley Agricultural Preserves No. 27 has been
diminished or disestablished in the planning area and any corresponding
Williamson Act contract is no longer in effect for Planning Areas 1-21 and 3-11.
Prior to issuance of a grading permit for uses other than the aforementioned
agricultural uses within Planning Areas 1-21 and 3-11, all agricultural uses
including uses incidental thereto within the affected planning area shall cease and
shall no longer be a permitted use. Thereafter, the uses permitted on land formerly
subject to Agricultural Preserves and/or Williamson Act contracts within Planning
Areas 1-21 and 3-11 of Specific Plan No. 375 shall be the same as those uses
permitted in Planning Areas 1-23, 2-4 and 2-5 of Specific Plan No. 375.

(3) The development standards for interim agriculture uses within Planning Areas 1-
21, 1-23, 2-4, 2-5 and 3-11 of Specific Plan No. 375 shall be the same standards as
identified in Article XIII, Section 13.2 of Ordinance No. 348.

(4) The development standards for Planning Areas 1-21, 1-23, 2-4, 2-5 and 3-11 of
Specific Plan No. 375 shall be the same standards as those identified in Article
VIIIe, Section 8.101 of Ordinance No. 348 except that the standards set forth in
Article VIIIe, Section 8.101.b shall be deleted and replaced with the following:
A. Whenever a building is to be constructed on a lot, it shall have a front
yard, side yard, and rear yard, each of which shall be not less than twenty
feet (20'). If more than one building is constructed on one lot, there shall
be not less than twenty feet (20') of separation between the buildings. No
structural encroachments shall be permitted in the front, side or rear yard
except as provided for in Section 18.19 of this Ordinance.

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

(1) The uses permitted in Planning Areas 1-24, 1-25, 1-26, 1-27, 1-28, 1-29, 1-32, 2-22, 2-23, 2-24, 2-25, 2-26, 2-28, 2-29, 2-30, 2-31, 2-32, 3-13, 3-15, 3-17, 3-18, 3-19, 4-10, 4-11 and 5-24 of Specific Plan No. 375 shall be the same as those uses permitted in Article VIIIe, Section 8.100 of Ordinance No. 348, except that the uses permitted pursuant to Article VIIIe, Section 8.100.a(1), (2) (6) and (8); b.(1) and c.(1) shall not be permitted. Field crops, flower and vegetable gardening, tree crops, and greenhouses used only for purposes of propagation and culture, including the sale thereof from the premises and one unlighted sign that does not exceed two square feet in size pertaining to the sale of products within Planning Areas 1-24, 1-25, 1-26, 1-27, 1-28, 1-29, 1-32, 2-22, 2-23, 2-24, 2-25, 2-26, 2-28, 2-29, 2-30, 2-31, 2-32, 3-13, 3-15, 3-17, 3-18, 3-19, 4-10, 4-11 and 5-24 of Specific Plan No. 375 shall be permitted as an interim use. Prior to issuance of a grading permit for uses other than the aforementioned agricultural uses within Planning Areas 1-24, 1-25, 1-26, 1-27, 1-32, 2-22, 2-23, 2-24, 2-25, 2-26, 2-28, 2-29, 2-30, 2-31, 2-32, 3-17 and 5-24 of Specific Plan No. 375, all agricultural uses including uses incidental thereto within this planning area shall cease and shall no longer be a permitted use.

In addition, the uses permitted under Article VIII, Section 8.100.a. shall include: boat marinas; boat and other marine sales, rentals and services; and fishing and casting pools.

(2) For land subject to Agricultural Preserves and/or Williamson Act contracts within Planning Areas 1-28, 1-29, 3-13, 3-15, 3-18, 3-19, 4-10 and 4-11, the uses shall be the same as those uses permitted pursuant to Section 13.1 of Ordinance No. 348 except that the uses permitted pursuant to Section 13.1.a.(1), (11), (12), (14) and
(15); b.(1), (2), (3), (4), (5), (8), (9), (10) and (11); and c.(1), (2), (3), (4), (5), (6), (7), (9), (10) and (11) shall not be permitted.

No use, other than an agricultural use and any use incidental thereto permitted in Article XIII, Section 13.1 of Ordinance No. 348 shall be permitted within Planning Areas 1-28, 1-29, 3-13, 3-15, 3-18, 3-19, 4-10 and 4-11 of Specific Plan No. 375. Thereafter, the uses permitted on land formerly subject to Agricultural Preserves and/or Williamson Act contracts within Planning areas 1-28, 1-29, 3-13, 3-15, 3-18, 3-19, 4-10 and 4-11 of Specific Plan No. 375 shall be the same as those uses within Planning Areas 1-24, 1-25, 1-26, 1-27, 1-32, 2-22, 2-23, 2-24, 2-25, 2-26, 2-28, 2-29, 2-30, 2-31, 2-32, 3-17 and 5-24.

(3) The development standards for interim agriculture uses within Planning Areas 1-24, 1-25, 1-26, 1-27, 1-28, 1-29, 1-32 2-22, 2-23, 2-24, 2-25, 2-26, 2-28, 2-29, 2-30, 2-31, 2-32 3-13, 3-15, 3-17, 3-18, 3-19, 4-10, 4-11 and 5-24 of Specific Plan No. 375 shall be the same as those standards identified in Article XIII, Section 13.2 of Ordinance No. 348.

(4) The development standards for Planning Areas 1-24, 1-25, 1-26, 1-27, 1-28, 1-29, 1-32, 2-22, 2-23, 2-24, 2-25, 2-26, 2-28, 2-29, 2-30, 2-31, 2-32, 3-13, 3-15, 3-17, 3-18, 3-19, 4-10, 4-11 and 5-24 of Specific Plan No. 375 shall be the same standards as identified in Article VIIIe, Section 8.101 of Ordinance No. 348 except that the standards set forth in Article VIIIe, Section 8.101.b. shall be deleted and replaced with the following:

(5) Yards. Whenever a building is to be constructed on a lot, it shall have a front yard, side yard, and rear yard, each of which shall be not less than twenty feet (20'). If more than one building is constructed on one lot, there shall be not less than twenty feet (20') of separation between the buildings. No structural encroachments shall be permitted in the front, side, or rear yard except as provided for in Section 18.19 of this Ordinance.
Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article VIIIe of Ordinance No. 348.

Section 3. Mixed Use Overlays

(1) INTENT.

This Ordinance hereby creates three Mixed Use Overlay Zones (MUOZ) for Specific Plan No. 375. Although the allowable uses as listed in Section 2.e.1 of this Ordinance are applicable with all three MUOZ, additional allowable uses and different development standards and required findings are unique to each MUOZ. The applicant of a project may decide to apply the uses and development standards of Section 2.e. and use an MUOZ. If there is any conflict between the uses and development standards of Section 2.e. and the MUOZ, the uses and development standards of the MUOZ shall be applicable. The MUOZ are intended to encourage a mixture of compatible land uses, such as residential with compatible non-residential uses including additional retail uses, employment-intensive uses (including light industrial), and entertainment uses (including hotels and night clubs), with a particular focus on fostering pedestrian activity, vertical mixed use projects, public spaces, and other community amenities. Each of the three distinct MUOZs is described below as follows:

A. MUOZ-1 provides uses and standards for areas appropriate for the development of a broad range of retail commercial uses potentially integrated with office and/or residential uses. Projects may include vertical or horizontal mixed uses. All projects shall provide and maintain strong pedestrian linkages with neighboring Planning Areas, parks and schools. Single use structures in this MUOZ are acceptable. It is envisioned that this MUOZ will permit retail, restaurant, and commercial goods and services in conjunction with residential development early in the implementation of the Specific Plan.
B. MUOZ-2 provides uses and standards for areas appropriate for the development of high employment-generating land uses—strong retail, office, and/or light industrial uses—integrated with nearby residential development. Projects may include vertical or horizontal mixed uses with the intent of creating a defined, high-energy pedestrian-focused zone where residential uses will be coupled with covenant retail and/or office uses and/or with nearby light industrial uses. Limited single use structures are acceptable, however, it is envisioned that many, if not all, MUOZ-2 projects will be some form of mixed use development.

C. MUOZ-3 provides uses and standards for areas appropriate for the development of entertainment-oriented uses, including night clubs and overnight accommodations with limited retail, office, and/or residential use integration. Development may include horizontal or vertical mixed uses with strong pedestrian and vehicular integration with connections to neighboring traffic-ways and complementary Planning Areas. Residential uses in this Overlay are not a requirement but may be provided as an option. It is envisioned, though not required, that up to fifty percent (50%) of the MUOZ-3 may be mixed use.

(2) APPLICABILITY.

A. The MUOZ may only be used within Districts 1, 2, or 4 as set forth in Specific Plan No. 375. Each MUOZ used shall cover a minimum of one Planning Area.

B. The provisions of the MUOZ may also apply to all existing and future development within Districts 1, 2 and 4 unless otherwise specified in this Section.
(3) DEFINITIONS.

As used in this Section, the following terms shall have the following meanings:

A. **Base Zone.** The set of allowable uses and zoning standards that are applicable over Districts 1, 2 and 4 which are found in Section 2.e.1 of this Ordinance.

B. **Mixed Use Structure.** A building or structure that contains at least one floor devoted to allowed nonresidential uses and at least one devoted to allowed residential uses.

C. **Block.** Traditional grid pattern development with street length limitations, defined within each village, to foster a pedestrian friendly environment.

D. **Mixed Use Dwelling.** A dwelling located above the ground floor of a permitted commercial, retail, office, or institutional use permitted by a MUOZ.

E. **Horizontal Mixed Use.** A mixing of uses in a development project or with neighboring structures, although not necessarily in the same building.

F. **Vertical Mixed Use.** A mixing of uses within the same structure, usually with residential over commercial, retail, office, or institutional use though this is not required to meet the definition.

G. **Pedestrian Friendly.** Urban design elements including landscaping, amenities, sidewalk or plaza design, structure placement, or other elements all designed with an emphasis on creating a pleasant, walkable, and comfortable environment.

H. **Covenants, Conditions and Restrictions (CC&Rs).** A document used to describe restrictive limitations placed on real property and its uses, and which usually are made a condition of holding legal title to, or leasehold interest in, the real property in question.
I. **Overlay Zone.** A set of zoning requirements that are superimposed upon the underlying base zone. Overlay zones are generally used when a particular mixed use area is intended to emphasize a particular non-residential use (e.g., retail commercial, employment, or entertainment), or requires special protection, or has a special neighborhood concern. If there is any conflict between the uses and development standards of Section 2.e. and the Overlay Zone, the uses and development standards of the Overlay Zone shall be applicable.

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

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

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

(4) **REQUIRED FINDINGS.**

In order for the applicable hearing body to approve a mixed use overlay zone for a project in Districts 1, 2 or 4, the following findings shall be made:

A. The project is consistent with the applicable District 1, 2 or 4 Refinement Plan(s).

B. The project integrates with neighboring uses in terms of vehicular connections, pedestrian connections on- and off-street, architectural styles, and landscaping.
C. The project is designed to a human scale.

D. Efforts have been adequately made so that parking areas have been located where they can be conveniently and safely accessed and not interfere with pedestrian activity.

E. Parking does not dominate the street frontage and is screened appropriately.

F. The project is complimentary to a mix of uses and blends with surrounding developments.

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

MIXED USE OVERLAY ZONE 1 (RETAIL FOCUSED).

A. The uses permitted in Mixed Use Overlay Zone 1 (MUOZ 1) for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those uses permitted pursuant to Section 2.e of this Ordinance. In addition, the following uses shall be permitted provided a plot plan is approved pursuant to Section 18.30 of Ordinance No. 348: dance halls; dance schools; sale, rental, repair or demonstration of motorcycles, scooters, and motorbikes; utilities, both public and private; and wholesale businesses with samples on the premises but not including storage; boat and other marine sales; equipment rental services, including rototillers, power mowers, sanders, power saws, cement and plaster mixers not exceeding ten cubic feet in capacity and other similar equipment; feed and grain sales, including outside storage; fishing and casting pools; and labor temples.

In addition, the following uses shall be permitted provided a conditional use permit has been approved pursuant to Section 18.28 of Ordinance No. 348: ambulance services; body and fender shops and spray painting; building materials sales yards; drive-in theaters; heliports; lumber yards,
including only incidental mill work; mortuaries; swap meets; and underground bulk fuel storage.

B. The development standards for one family dwellings within the MUOZ 1 for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those standards for one family dwellings identified in the Mixed Use Base Zone.

C. The development standards for multiple family dwellings within the MUOZ 1 for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those standards for multiple family dwelling identified in the Mixed Use Base Zone.

D. The development standards for walkable commercial uses within the MUOZ 1 for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those standards for walkable commercial uses identified in the Mixed Use Base Zone.

E. The development standards for vertical mixed use projects within the MUOZ 1 for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those standards identified in Article IX, Section 9.4 and Article XVIII, Section 18.5, except that the development standards set forth in Article IX, Section 9.4 b. and c; and those development standards set forth in Article XVIII, Section 18.5 b., c., e., i., and k. shall be deleted and replaced by the following:

   (a) The maximum vertical mixed use building height shall be seventy-five feet (75').
(b) There shall be no minimum yard requirements for vertical mixed use structures, except where adjacent to a Residential Planning Area or a residential building or development within a Mixed Use Planning Area, in which case a minimum fifteen foot (15') rear and/or side yard shall be required. For such vertical mixed use structures over forty feet (40') in height, an additional foot of rear and/or side yard shall be added for each foot above forty feet (40').

(c) The maximum ratio of floor area to lot area (i.e., FAR) shall not be greater than three to one (3:1), not including basement floor area.

(d) The minimum private yard open space per residential unit within a vertical mixed use structure shall be fifty (50) square feet, with a minimum dimension in any direction of six feet (6'). Roof top open space may be used as private yard space when directly accessible to the unit(s) it serves.

(e) No multiple family dwelling shall be constructed within a vertical mixed use structure unless it has a minimum floor living area of not less than seven hundred fifty (750) square feet. Porches, garages, patios, and similar features, whether attached or detached to a dwelling, shall not be included when calculating the floor living area.

(f) At least one vertical mixed use structure on each block shall be required to use a design-related architectural projection.

(g) A minimum of sixty percent (60%) of vertical mixed use street-facing building façades between two feet and eight feet in
height shall be comprised of windows that allow views of indoor space or product display areas.

(h) Vertical mixed use buildings must have a primary entrance door facing a public sidewalk. Entrances at building corners may be used to satisfy this requirement.

(i) Vertical mixed use building entrances may include doors to individual shops or businesses, lobby entrances, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of shops or businesses.

(j) Residential structures may place residential uses on the ground floor of a structure provided said structure is contiguous to a non-residential ground floor use.

F. The following findings shall be made for all projects within MUOZ 1, in addition to those referenced in Section 3.(4) of this Ordinance:

(a) MUOZ 1 projects shall establish and maintain strong pedestrian connections to neighboring compatible development including parks and schools, to ensure a fully green and sustainable pedestrian environment.

(b) MUOZ 1 projects provide usable public and private open spaces, including but not limited to plazas in commercial areas that enhance commercial activity.

(c) Residential land uses, exclusive of vertical mixed use projects, shall not comprise more than fifty percent (50%) of the total MUOZ 1.
MIXED USE OVERLAY ZONE 2 (EMPLOYMENT FOCUSED).

A. The uses permitted in Mixed Use Overlay Zone 2 (MUOZ 2) of Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those uses permitted pursuant to Section 2.e of this Ordinance. In addition, the following uses shall be permitted provided a plot plan is approved pursuant to Section 18.30 of Ordinance No. 348: dance halls; dance school; manufacturing of grain and bakery products, sugar and confectionary products, nonalcoholic beverages, ice, and furniture and fixtures including cabinets, partitions, and similar items; printing and publishing of newspapers, periodicals, books, forms, cards, and similar items; binding of books and other publications; manufacturing of clothing and accessory products, handbags, luggage, footwear and other personal leather goods; manufacturing of pharmaceuticals including research, blown, pressed and cut glass and other glassware products; manufacturing of jewelry including repair, electronic devices, equipment and components including assembly testing and repair; vehicle storage and impoundment within an enclosed building; trailer, recreational vehicle, and boat storage within an enclosed building; manufacture and repair of engineering, scientific and medical instrumentation; public utility substations and storage buildings; warehousing and distribution, including mini-warehouses; communication and microwave installations; cold storage facilities; telephone exchanges and switching equipment; post offices; water and gas company service facilities; parcel delivery services; recycling collection facilities; banks and financial institutions; blueprint and duplicating services; laboratories, film, medical, research, or testing centers; office equipment sales and service; offices, professional sales and service, including business, law, medical,
dental, chiropractic, architectural and engineering; parking lots and parking structures; restaurants and other eating establishments; barber and beauty shops; day care centers; health and exercise centers; mobilehomes, provide they are kept mobile and licensed pursuant to state law, when used for construction offices and caretaker's quarters on construction sites for the during of a valid building permit; one family dwellings on the same parcel as the industrial or commercial use provided such dwellings are occupied exclusively by the proprietor or caretaker of the use and their immediate families; signs, on-site advertising; automobile service stations, not including the concurrent sale of beer and wine for off-premises consumption; motels; churches, temples, or other structures used primarily for religious worship; labor temples; sale, rental, repair, or demonstration of motorcycles, scooters, and motorbikes; utilities, both public and private; warehousing and distribution; and wholesale businesses with samples on the premises but not including storage; boat and other marine sales; equipment rental services, including rototillers, power mowers, sanders, power saws, cement and plaster mixers not exceeding ten cubic feet in capacity and other similar equipment; feed and grain sales, including outside storage; fishing and casting pools; mobile home sales and storage, trailer sales and rental house trailers; recreational vehicle parks; travel trailers, motor homes and recreational vehicles sales and service; truck and trailer sales, rentals and service.

In addition, the following uses shall be permitted provided a conditional use permit has been pursuant to Section 18.28 of Ordinance No. 348: body and fender shops and spray painting; building materials sales yards; heliports; hunting clubs, skeet, trap, rifle and pistol ranges; lumber yards, including only incidental mill work; mortuaries; swap meets; tire recapping;
trailer and boat storage; and underground bulk fuel storage. The development standards for one family dwellings within the MUOZ 2 for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those standards for one family dwellings identified in the Mixed Use Base Zone.

B. The development standards for multiple family dwellings, within the MUOZ 2 for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those standards for multiple family dwellings identified in the Mixed Use Base Zone.

C. The development standards for walkable commercial uses within the MUOZ 2 of Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-1, 4-2, 4-4, 4-5, 4-6, 4-7, and 4-8 of Specific Plan No. 375 shall be the same as those standards for walkable commercial uses identified in the Mixed Use Base Zone.

D. The development standards for commercial, industrial, and horizontal and vertical mixed use projects within the MUOZ 2 for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those standards identified in Article IX, Section 9.4 and Article XVIII, Section 18.5, except that the development standards set forth in Article IX, Section 9.4. b. and c. and the development standards set forth in Article XVIII, Section 18.5. b., c., e., i. and k. shall be deleted and replaced by the following:

(a) The maximum commercial, industrial and horizontal and vertical mixed use building heights shall be seventy-five feet (75’).
(b) There shall be no minimum yard requirements for commercial, industrial and horizontal and vertical mixed use structures, except where adjacent to a Residential Planning Area or a residential building or development within a Mixed Use Planning Area, in which case a minimum fifteen (15) foot rear and / or side yard shall be required. For such commercial, industrial and horizontal and vertical mixed use structures over forty feet (40’) in height, an additional foot of rear / side yard shall be added for each foot above forty feet (40’).

(c) The maximum ratio of floor area to lot area (i.e., FAR) shall not be greater than three to one (3:1), not including basement floor area.

(d) The minimum private usable yard space per residential unit within a vertical mixed use structure shall be fifty (50) square feet, with a minimum dimension in any direction of six feet (6’). Roof top space may be used as private yard space when directly accessible to the unit(s) it serves.

(e) No multiple family dwelling shall be constructed within a vertical mixed use structure unless it has a minimum floor living area of not less than seven hundred fifty (750) square feet. Porches, garages, patios, and similar features, whether attached or detached to a dwelling, shall not be included when calculating the floor living area.

(f) At least one non-residential structure on each block shall be required to use a design-related architectural projection.

(g) A minimum of sixty percent (60%) of non-residential street-facing building façades between two feet (2’) and eight feet (8’
in height must be comprised of clear windows that allow views of indoor space or product display areas.

(h) Commercial, office, light industrial, and horizontal and vertical mixed use buildings must have a primary entrance door facing a public sidewalk. Entrances at building corners may be used to satisfy this requirement.

(i) Vertical mixed use building entrances may include doors to individual shops or businesses, lobby entrances, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of shops or businesses.

(j) Vertical mixed use buildings may place residential uses on the ground floor of a structure provided said building is contiguous to a non-residential ground floor use.

E. These findings must be made for all projects within MUOZ 2, in addition to those referenced in Section 3.(4) of this Ordinance:

(a) MUOZ 2 projects shall establish and maintain strong pedestrian connections to neighboring compatible development including parks and schools, to ensure a fully green and sustainable pedestrian environment.

(b) Residential land uses, exclusive of vertical mixed use projects, shall not comprise more than fifty percent (50%) of the total MUOZ 2.
MIXED USE OVERLAY ZONE 3 (ENTERTAINMENT FOCUSED).

A. The uses permitted in Mixed Use Overlay Zone 3 (MUOZ 3) of Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7, and 4-8 of Specific Plan No. 375 shall be the same as those uses permitted in Section 2.e of this Ordinance. In addition, the following uses shall be permitted provided a plot plan is approved pursuant to Section 18.30 of Ordinance No. 348: automobile sales and rental agencies; campgrounds; cell towers concealed by architectural features or similar structures; dance halls; dance schools; entertainment venues and night clubs; labor temples; picnic grounds; racing and competition events other than between humans; rock climbing walls; sale, rental, repair, or demonstration of motorcycles, scooters, and motorbikes; utilities, both public and private; boat and other marine sales; fishing and casting pools; mobile home sales and storage; trailer sales and rentals; recreational vehicle parks; recreational vehicles sales, rentals and service; truck rentals.

In addition, the following uses shall be permitted provided a conditional use permit has been approved pursuant to Section 18.28 of Ordinance No. 348: amusement parks; body and fender shops and spray painting; drive-in theaters; heliports; hunting clubs, skeet, trap, rifle and pistol ranges; riding academies and stables; trailer and boat storage; and swap meets.

B. The development standards for one family dwellings within the MUOZ 3 for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7, and 4-8 of Specific Plan No. 375 shall be the same as those standards for one family dwellings identified in the Mixed Use Base Zone.
C. The development standards for multiple family dwellings within the MUOZ 3 for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those standards for multiple family dwellings identified in the Mixed Use Base Zone.

D. The development standards for walkable commercial uses within the MUOZ 3 for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7, and 4-8 of Specific Plan No. 375 shall be the same as those standards for walkable commercial uses identified in the Mixed Use Base Zone.

E. The development standards for commercial entertainment uses authorized by the MUOZ 3 or vertical mixed use projects within the MUOZ 3 for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those standards identified in Article IX, Section 9.4 and Article XVIII, Section 18.5, except that the development standards set forth in Article IX, Section 9.4, b. and c. and those development standards set forth in Article XVIII, Section 18.5, b., c., e., i. and k. shall be deleted and replaced by the following:

(a) The height of commercial entertainment or vertical mixed use buildings shall not exceed a maximum height of one hundred fifty feet (150').

(b) There shall be no minimum yard requirements for commercial entertainment or vertical mixed use buildings, except where adjacent to a Residential Planning Area or a residential building within a Mixed Use Planning Area, in which case a minimum fifteen (15) foot rear and/or side yard shall be required. For
vertical mixed use buildings over forty feet (40’) in height, an additional foot of rear /side yard shall be added for each foot above forty feet (40’).

(c) The maximum ration of floor area to lot area (i.e., FAR) shall not be greater than four to one (4:1), not including basement floor area.

(d) The minimum private usable yard space per residential unit within a vertical mixed use building shall be fifty (50) square feet, with a minimum dimension in any direction of six feet (6’). Roof top space may be used as private yard space when directly accessible to the unit(s) it serves.

(e) No multiple family dwelling shall be constructed within a vertical mixed use building unless it has a minimum floor living area of not less than seven hundred fifty (750) square feet. Porches, garages, patios, and similar features, whether attached or detached to a dwelling, shall not be included when calculating the floor living area.

(f) At least one non-residential structure on each block shall be required to use a design-related architectural projection.

(g) A minimum of sixty percent (60%) of non-residential street-facing building façades between two feet (2’) and eight feet (8’) in height must be comprised of windows that allow views of indoor space or product display areas.

(h) Commercial entertainment and vertical mixed use buildings must have a primary entrance door facing a public sidewalk. Entrances at building corners may be used to satisfy this requirement.
(i) Commercial entertainment and vertical mixed use building entrances may include doors to individual shops or businesses, lobby entrances, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of shops or businesses.

(j) Vertical mixed use buildings may have residential uses on the ground floor of the building provided said building is contiguous to a non-residential ground floor use.

F. The following findings shall be made for all projects within MUOZ 3, in addition to those findings referenced in Section 3.(4) of this Ordinance:

(a) MUOZ 3 projects shall establish and maintain strong pedestrian connections to neighboring compatible development including parks and schools, to ensure a fully green and sustainable pedestrian environment.

(b) Residential land uses, exclusive of vertical mixed use projects, shall not comprise more than fifty percent (50%) of the total MUOZ 3 Zone.
Section 4. This ordinance shall take effect thirty (30) days after its adoption.

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

By: [Signature]
Chairman, Board of Supervisors

ATTEST: Kecia Harper-Ihem
CLERK TO THE BOARD

By: [Signature]
(Deputy)

(SEAL)

APPROVED AS TO FORM:

[Signature]
January 24, 2012
KARIN WATTS-BAZAN
Principal Deputy County Counsel
STATE OF CALIFORNIA  
COUNTY OF RIVERSIDE  

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said county held on February 7, 2012, the foregoing ordinance consisting of 4 Sections was adopted by the following vote:

AYES:    Buster, Tavaglione, Stone, Benoit and Ashley

NAYS:    None

ABSENT:   None

DATE:    February 7, 2012

KECIA HARPER-IHEM
Clerk of the Board

BY: [Signature]
Deputy

SEAL

Item 3.27