

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING AMENDMENT NO. A-160-11 AND AMENDMENT NO. A-161-11, TO IMPLEMENT THE GARDEN GROVE GENERAL PLAN BY AMENDING TITLE 9 OF THE GARDEN GROVE MUNICIPAL CODE TO ESTABLISH NEW MIXED USE ZONES AND CORRESPONDING NEW MIXED USE REGULATIONS AND DEVELOPMENT STANDARDS AND TO MAKE CORRESPONDING CHANGES TO THE ZONING MAP AND EXISTING DEFINITIONS AND SIGN STANDARDS

City Attorney Summary

This Ordinance amends Title 9 of the Garden Grove Municipal Code to implement the General Plan by establishing new mixed use zones, corresponding regulations and development standards applicable to specified properties in the city. This Ordinance also makes necessary corresponding amendments the Zoning Map, the existing definitions, and sign standards in Title 9.

THE CITY COUNCIL OF THE CITY OF GARDEN GROVE HEREBY FINDS AND DETERMINES AS FOLLOWS:

WHEREAS, the case, initiated by City of Garden Grove, proposes amending Title 9 (Land Use Code) of the Municipal Code to implement the 2008 comprehensive updates to the Land Use Element of the General Plan; to include Mixed-Use Regulations and Development Standards (new Chapter 9.18 of the Land Use Code); to include corresponding revised and new definitions (Section 9.040.060); to eliminate the Main Street Overlay Zone (HR) and related regulations (existing Section 9.16.030.040); to amend Sections 9.20.020, Definitions, and 9.20.060, Permitted Signs, of Chapter 9.20, Sign Standards, to add a new definition for a tall monument sign, to modify the definitions of standard monument sign and projecting or blade sign, and to add the new zoning designations to the Permitted Sign Table; and to amend the Zoning Map to achieve consistency with the City of Garden Grove's General Plan;

WHEREAS, pursuant to Resolution No. 5744-11, the Planning Commission, following a Public Hearing held on August 4, 2011, recommended adoption of a Negative Declaration pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) for this project and recommended approval of Amendment No. A-160-11 and Amendment No. A-161-11;

WHEREAS, pursuant to a legal notice, Public Hearings were held by the City Council on September 13, 2011 and March 13, 2012, and all interested persons were given an opportunity to be heard;

WHEREAS, the City Council gave due and careful consideration to the matter during its meeting of September 13, 2011 and March 13, 2012; and

WHEREAS, the City Council approved Resolution No. 9080-11 during its meeting on September 13, 2011, adopting a Negative Declaration for the project.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Resolution No. 9080-11 adopting a Negative Declaration for the project is incorporated by reference as if set forth fully herein.

Section 2. Amendment No. A-160-11 and Amendment No. A-161-11 are hereby approved, pursuant to the facts and reasons stated in Planning Commission Resolution No. 5744-11, a copy of which is on file in the Office of the City Clerk and incorporated herein by reference with the same force and effect as if set forth in full.

Section 3. Title 9 of the Garden Grove Municipal Code is hereby amended to add Chapter 9.18 to read as shown in Exhibit "A".

Section 4. Subsection C of Section 9.04.060 (Definitions) of Chapter 9.04 of Title 9 of the Garden Grove Municipal Code is hereby amended to include new and modified definitions and to re-letter the list of definitions as shown in Exhibit "A".

Section 5. Subsection 9.16.030.040 (Main Street Retail Overlay Zone (HR)) of Section 9.16.030 of Chapter 9.16 of Title 9 of the Garden Grove Municipal Code is hereby deleted in its entirety.

Section 6. Subsection C.1 of Section 9.20.020 (Definitions) of Chapter 9.20 of Title 9 of the Garden Grove Municipal Code is hereby amended to include new and modified definitions to read as shown in Exhibit "A".

Section 7. Subsection A of Section 9.20.060 (Permitted Signs) of Chapter 9.20 of Title 9 of the Garden Grove Municipal Code is hereby amended as shown in Exhibit "A".

Section 8. The Zoning Map is hereby amended to read as shown in Exhibit "B".

Section 9. Severability. If any section, subsection, subdivision, sentence, clause, phrase, word, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, word, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, words or portions thereof be declared invalid or unconstitutional.

Section 10. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after adoption.

**CHAPTER 9.18:
MIXED USE REGULATIONS AND DEVELOPMENT STANDARDS**

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SECTION 9.18.010: Mixed Use Zones - Purpose

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SECTION 9.18.010.010: Overall Purpose and Intent.

A. Purpose. These regulations for mixed use zones in the City of Garden Grove are established to implement General Plan Land Use Element and Community Design Element directives applicable to the Residential/Commercial Mixed Use 1, Residential/Commercial Mixed Use 2, Residential/Commercial Mixed Use 3, Civic Center Mixed Use, and Industrial/Residential 2 General Plan land use designations. The Mixed Use zones provide opportunities to blend residential, commercial, industrial, and/or civic/institutional uses as integrated developments or single-use structures. However, some Mixed Use zones require a commercial component in any new development to ensure that adequate commercial destinations and services are available for residents in surrounding neighborhoods. The use regulations and development and design standards set forth in this Chapter establish minimum standards for the use and development of land within the Mixed Use zones.

B. Intent. The intent of the Mixed Use zones is to:

1. Bring energy and vitality to the city during both daytime and after-work hours.
2. Facilitate a pedestrian-scaled environment with buildings that provide exciting access, well-designed landscaping, and pedestrian amenities that foster interaction.
3. Allow for the combining of complementary uses, thereby accommodating access to several goods and services in compact locations and reducing the need for additional vehicle trips.
4. Encourage local and regional commerce.
5. Enhance the city's image.
6. Provide opportunities for commercial areas to work in harmony with adjacent residential uses.
7. Provide for flexibility in the design and use of properties to respond to shifts in markets and changing land use trends.

C. Chapter Organization. In addition to the use standards provided in Sections 9.18.020 through 9.18.070, this Chapter includes development standards specific to each of the individual Mixed Use zones (Section 9.18.090), as well as development standards and design guidelines that are applicable to all Mixed Use zones (Sections 9.18.100 through 9.18.150). Additional unique standards for planned unit development projects and overlay zones are provided in Sections 9.18.160 through 9.18.180. Users of this Chapter are required to read all of the provisions to understand how their property or properties can be developed.

SECTION 9.18.010.020: Mixed Use Zones Establishment and Intent. The following Mixed Use zones and their purposes are established:

A. Garden Grove Boulevard Mixed Use (GGMU). The purpose of the GGMU zones is to create and maintain a vibrant boulevard that is both a regional destination and a place where people can work and live. The boulevard links destinations and has a distinctive character and pattern along its length. Standards requiring enhanced building design; trees; landscaping; amenity areas for pedestrian activity, including plazas, walkways, and allowed outdoor dining; and creative use of open spaces contribute to an exciting pedestrian experience. Pedestrian orientation is emphasized in site and building design through active street frontages, well-scaled and designed buildings, and engaging outdoor spaces. Three GGMU zones provide opportunities for varying levels of intensity and new development along the boulevard, while ensuring sensitivity to existing nearby residential neighborhoods. Figure 9.18-1 (Garden Grove Boulevard Mixed Use Zones Rendering) illustrates how application of the flexible development and design standards for the GGMU zones will work to create a grand streetscape along Garden Grove Boulevard and encourage the interaction of uses and enhanced pedestrian activity.

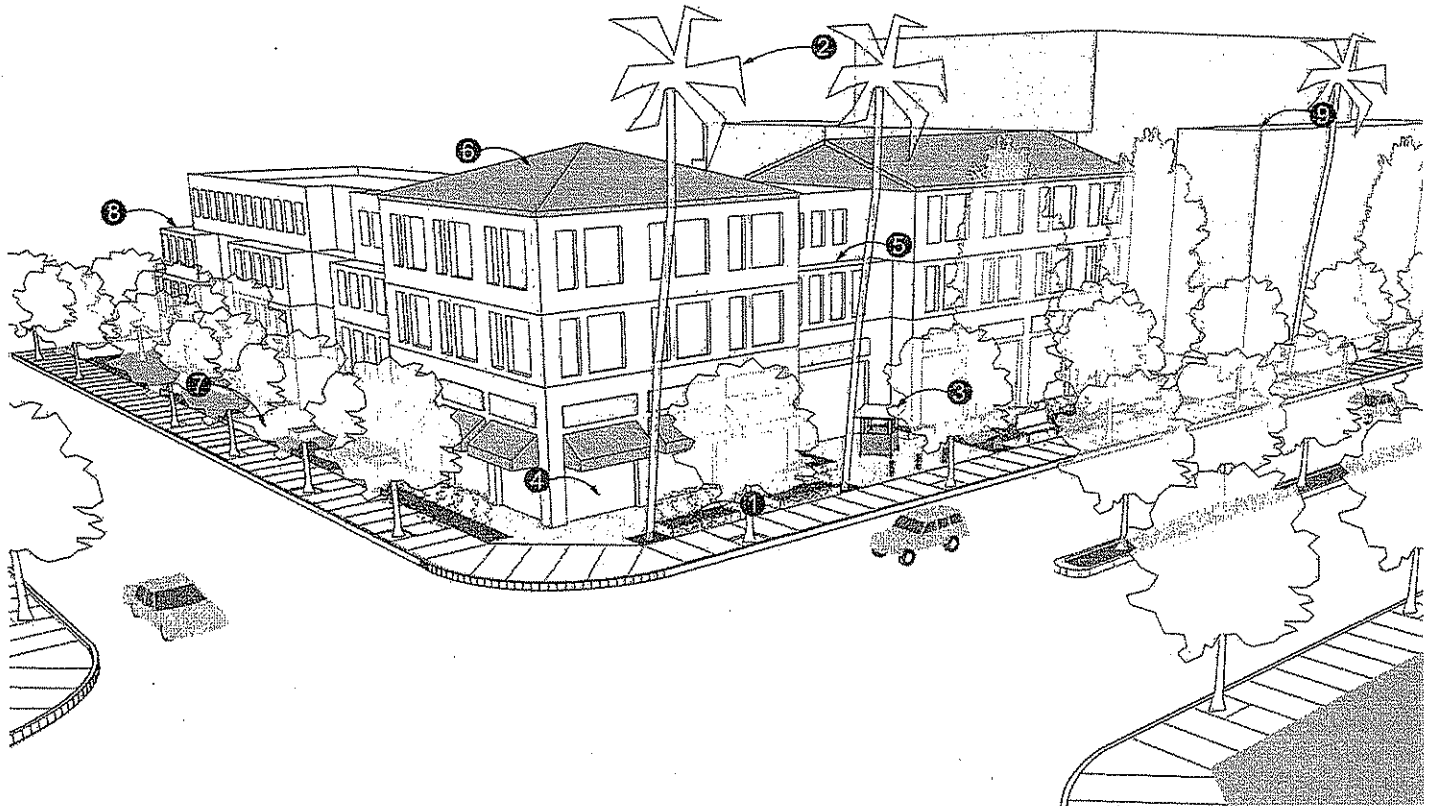
1. Garden Grove Boulevard Mixed Use 1 (GGMU-1). The Garden Grove Boulevard Mixed Use 1 zone applies to specific properties along Garden Grove Boulevard, and provides for urban-scale, fully integrated commercial and residential mixed use developments near key intersection locations, consistent with the General Plan Residential/Commercial Mixed Use 1 land use designation. Development intensities allow buildings up to 10 stories in height. Use regulations and development standards encourage vibrant, urban-scale districts that attract visitors. Development approaches provide for ample landscaping and enhanced pedestrian environments along Garden Grove Boulevard that tie into the adjacent lower-intensity development, with buildings generally built close to front property lines. Site and building design highlight Garden Grove Boulevard as one of the city's distinctive corridors.

2. Garden Grove Boulevard Mixed Use 2 (GGMU-2). The Garden Grove Boulevard Mixed Use 2 zone applies to specific properties along Garden Grove Boulevard, and provides for commercial and residential uses to be developed as integrated developments either on a single development site or as complementary uses within a district, such as commercial uses that provide goods and services for adjacent or integrated residential units. This zone implements the General Plan Residential/Commercial Mixed Use 2 and 3 land use designations. Development intensities are lower in scale (no more than three to four stories) and respect adjacencies to lower-density residential neighborhoods. Development approaches provide for ample landscaping and an enhanced pedestrian environment along Garden Grove Boulevard, with buildings oriented toward the boulevard. Site and building design highlight Garden Grove Boulevard as one of the city's distinctive corridors.

3. Garden Grove Boulevard Mixed Use 3 (GGMU-3). The Garden Grove Boulevard Mixed Use 3 zone applies to specific properties along Garden Grove Boulevard, and provides for commercial and residential uses to be developed as integrated developments either on a single development site or as complementary uses within a district, such as commercial uses that provide goods and services for adjacent or integrated residential units. This zone implements the General Plan Residential/Commercial Mixed Use 1 and 3 land use designations. Development intensities are moderate in scale (no more than five to seven stories) and respect

adjacencies to lower-density residential neighborhoods. This zone provides a transition between lower-intensity mixed use developments along Garden Grove Boulevard and the most intense mixed use nodes. Development approaches provide for ample landscaping and an enhanced pedestrian environment along Garden Grove Boulevard, with buildings oriented toward the boulevard. Site and building design highlight Garden Grove Boulevard as one of the city's distinctive corridors.

FIGURE 9.18-1: Garden Grove Boulevard Mixed Use Zones Rendering



① Landscaping and paving at required setbacks per Section 9.18.100.020 C.

② Columnar trees at Garden Grove Boulevard per Section 9.18.090.020 C.1.

③ Boulevard garden plaza with vending kiosk per Section 9.18.090.020 F.

④ Enhanced storefront design per Section 9.18.100.040 F.

⑤ Building articulation per Section 9.18.100.040 B.

⑥ Roofline variation per Section 9.18.100.040 C.

⑦ Driveway per Section 9.18.100.020 I.

⑧ Encroachment plane at residentially zoned lot per Section 9.18.100.020 D.

⑨ Building stepback per Section 9.18.090.020 D.

B. Civic Center (CC) Zones. Four Civic Center zones provide for a mix of civic, institutional, educational, commercial, high-density residential, and open space uses within a pedestrian-oriented district. Developments are linked via local streets and pedestrian ways to create easy access to complementary uses, and to provide a center in the community where people can engage in civic, business, educational, and recreational activities near their homes. Parking facilities can be built to respond to the pedestrian orientation of the district and the ability of uses to share parking based on their functions and demands. The Civic Center is recognized as the historic city core and a public gathering place. Design, development, and use standards are intended to reinforce the area's continued function as an area of prominence. Development standards bring building frontages and shopfronts towards the sidewalk, forming a consistent streetwall that enhances the pedestrian environment and supports a viable retail experience. These zones implement the General Plan Civic Center Mixed Use land use designation.

1. **Civic Center – East (CC-1).** This zone allows for institutional and educational uses, together with a mix of residential and commercial uses. The intent is to allow uses and development approaches that maintain the character and form of the established neighborhoods within the Civic Center district. Existing residential structures may continue to be used for residential purposes or may be adapted for commercial use, provided that applicable development standards can be met.
2. **Civic Center – Main Street (CC-2).** This zone applies to the historic Main Street District, a Garden Grove landmark. Main Street is recognized as a place of special character and aesthetic interest and value. This zone is established to preserve and enhance buildings and structures of historic and cultural significance, and incidental uses that advance and preserve the Main Street character and charm.
3. **Civic Center – Core (CC-3).** This zone is established to encourage civic, educational, commercial, high-density residential, and compatible uses that enliven the City's core and work together to create a walkable, lively district that encourages interaction and engagement in community activities. Shared parking facilities, pedestrian orientation of buildings, high-quality architecture, and pedestrian-scale landscaping, pathways, and signage reinforce the goal to create places where people, not cars, predominate.
4. **Civic Center – Open Space (CC-OS).** This zone applies to public properties dedicated to active and passive recreation uses, civic engagement, arts and culture, and institutional activities that benefit a broad population.

C. Neighborhood Mixed Use (NMU). The Neighborhood Mixed Use zone is intended to enhance, revitalize, and provide opportunities for new development in neighborhood commercial centers. This zone allows for retail and service commercial businesses and moderate-density residential uses. Residential and commercial uses may be provided together as an integrated mixed use development, or stand-alone commercial uses are permitted. However, all new residential development in the NMU zone is required to include a commercial component. Commercial uses and intensities are limited to those that serve local neighborhood needs, and that are compatible with adjacent and surrounding residential development. Compatible public and institutional facilities are allowed as well. This zone implements the General Plan Residential/Commercial Mixed Use 2 land use designation.

D. Adaptive Reuse (AR). The Adaptive Reuse zone allows for a mix of work-live, light industrial, technology, creative industry, office, limited entertainment, and complementary uses near the City's civic core. Residential uses are permitted only as work-live, either in new developments or as adaptive reuse of existing structures. Light industrial uses must be low impact in nature and compatible with any nearby existing or allowed residential uses. Development generally is low to moderate in scale, with higher intensities appropriate closer to existing and planned transit and multiuse corridors. Preferred approaches to creating new spaces for allowed uses include the adaptive reuse of existing structures and new development that supports innovative research and development uses. Projects shall be designed to optimize pedestrian movements between the AR zone and the CC zones. This zone implements the Industrial/Residential Mixed Use 2 land use designation.

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SECTION 9.18.020: Uses Permitted

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SECTION 9.18.020.010: Permitted Uses. Land, buildings, and other facilities shall be designed, developed, and used only for those activities listed for the various zones in Table 9.18-1 (Use Regulations for the Mixed Use Zones). The symbols used in this Table 9.18-1 shall have the following meanings:

P = Permitted. Use permitted by right.

C = Conditional Use. Use eligible for consideration under the conditional use procedures and permitted only if the conditional use permit is approved, subject to the specific conditions of such permit.

I = Incidental Use. Use permitted only if incidental to another primary use on the same site. If incidental to a use authorized by a conditional use permit, such incidental use is permitted only if included within the terms of the conditional use permit.

[] = Not a permitted use.

SECTION 9.18.020.020: Prohibited Uses. Any use not specifically indicated in Table 9.18-1 (Use Regulations for the Mixed Use Zones) as a permitted use, incidental use, or conditional use shall be prohibited. Pursuant to Section 9.32.030.D.7 (Interpretation of Use), the hearing body may make an interpretation of use to determine whether a use not listed could be considered similar to a listed use.

SECTION 9.18.020.030: Uses Restricted to Indoor. Unless otherwise indicated in this Chapter 9.18 or allowed by conditional use permit, all uses listed in Table 9.18-1 (Use Regulations for the Mixed Use Zones) must be conducted wholly within an enclosed building. Exceptions to this restriction are noted in this Chapter and are generally intended to foster a lively pedestrian environment, such as outdoor dining, vehicular vending, and nonvehicular vending kiosks.

**TABLE 9.18-1
Use Regulations for the Mixed Use Zones**

TABLE 9.18-1 MIXED USE ZONES AND LAND USE REGULATIONS	P	Permitted By Right						
	C	Conditional Use Permit Required						
	I	Permitted as an Incidental Use						
		Not Permitted						
Permitted Uses	ZONES							
	GGMU	CC				NMU	AR	Additional Regulations and Comments
	-1, -2, and -3	-1	-2	-3	-OS			
Residential and Associated Uses								
Residential Uses								
Single Family Dwelling		P						See Section 9.18.110.040 (Existing Nonconforming Single Family Dwellings).
Multiple Family Residential Use - Stand-alone use with no commercial component	P	P		P				Minimum density of 10 units/acre required in GGMU zones. Residential development requires a commercial component in GGMU-1 (unless 100% affordable development) and certain properties in CC-3; see Section 9.18.020.070 (Restrictions on Uses and Activities within a Vertically Integrated Residential/ Commercial Mixed Use Development).
Small Lot Subdivision		P		P				Minimum density of 10 units/acre required. Section 9.12.040.060 – Special Requirements Small Lot Subdivisions (Chapter 9.12 – Multi-Family Residential Development Standards) shall apply to all proposed small lot subdivisions.
Supportive and Transitional Housing	P			P				
Community Care Facility, Residential								
6 Persons or Fewer	P	P		P		P		
7 Persons or More	C	C				C		
Child Day Care Center	C	C		C	C	C		
Family Day Care Home (1-14 Children)	P	P		P		P	P	Family day care operations are only permitted as an incidental use to detached single-family units.
Foster Home	P	P				P		

**TABLE 9.18-1
Use Regulations for the Mixed Use Zones**

TABLE 9.18-1 MIXED USE ZONES AND LAND USE REGULATIONS	P	Permitted By Right						
	C	Conditional Use Permit Required						
	I	Permitted as an Incidental Use						
Permitted Uses	ZONES							
	GGMU	CC				NMU	AR	Additional Regulations and Comments
	-1, -2, and -3	-1	-2	-3	-OS			
Intermediate Care Facility	C			C		C		
Skilled Nursing Facility	C			C		C		
Miscellaneous Residential and Incidental to Residential								
Accessory Buildings and Structures	I	I	I	I	I	I	I	GGMU, CC-3, and AR zones: Accessory buildings incidental to detached single-family units are allowed.
Agricultural Growing and Produce Stand					P		P	
Community Garden and Produce Stand		P		P	P	P	P	
Garage Sale		I				I		Garage sales are allowed incidental to detached single-family units and subject to the requirements of Section 9.18.030.200 (Garage Sales – Incidental to a Single-Family Residential Unit).
Home Occupations	I	I	I	I		I	I	See Section 9.18.030.210 (Home Occupations).
Residential/Commercial Mixed Use Development	P	P	P	P		P	P	See Section 9.18.020.070 (Restrictions on Uses and Activities within a Vertically Integrated Residential/Commercial Mixed Use Development) for restrictions on uses and required commercial components.
Work-Live		C	C	C			C	See Section 9.18.030.360 (Work-Live Units).
Commercial/Office								
Offices and Related Uses								
Administrative/Business	P	P	P	P		P	P	
Banks/Financial Institution	P	P	P			P	P	
Medical, Dental and Related Health Service Support Facilities	P			P		P	C	
Prescription Pharmacy	P		P	P		P	P	
Professional and Clerical	P	P	P	P		P	P	

**TABLE 9.18-1
Use Regulations for the Mixed Use Zones**

TABLE 9.18-1 MIXED USE ZONES AND LAND USE REGULATIONS	P C I	Permitted By Right Conditional Use Permit Required Permitted as an Incidental Use Not Permitted						Additional Regulations and Comments	
		ZONES							
		GGMU	CC				NMU		AR
Permitted Uses	-1, -2, and -3	-1	-2	-3	-05				
Public Utility (Commercial)	C	C	C	C	C	C	C		
Professional Studios									
Art, Music, Dance, and Martial Arts								See Section 9.18.030.050 (Arts and Crafts Studios).	
1,500 sf and smaller	P	P	P	P		P	P		
Larger than 1,500 sf	P			C		C	C		
Crafts, Photography, and Portrait	P	P	P	P		P	P	See Section 9.18.030.050 (Arts and Crafts Studios).	
Radio/TV and Recording									
1,500 sf and smaller	P	P	P	P		P	P		
Larger than 1,500 sf	C			C		C	C		
Personal/Service									
Athletic and Health Clubs, Gyms									
1,500 sf and smaller	P	P	P	P		P	P	See Section 9.18.030.055 (Athletic and Health Clubs, Spas, and Gyms with Massage and/or Bathhouse Facilities) where use includes massage and/or bathhouse facilities.	
Larger than 1,500 sf	C			C		C	C		
Barber/Beauty Shop	P	P	P	P		P	P		
Dry Cleaning-Limited	P		P	P		P	P	Pick-up and drop-off only; no cleaning equipment permitted on the premises.	
Dry Cleaning with on-site cleaning equipment	C			C		C		No industrial dry cleaning businesses permitted. Use limited to dry cleaning businesses serving retail customers only.	
Fortunetelling	P					C		See Section 9.18.030.190 (Fortunetelling).	
Laundromat (Coin-operated)	P			C		P			
Physical Therapy (Medical Use)	P	P	P	P		P	P	In the CC-1 zone, limited to 2,000 sf.	
Shoe Repair	P	P	P	P		P	P		
Tailor/Dressmaking	P	P	P	P		P	P		
Tanning Parlor	C					C		In all GGMU zones, no tanning parlor shall be located closer than 1,000 feet from any other tanning parlor.	

**TABLE 9.18-1
Use Regulations for the Mixed Use Zones**

TABLE 9.18-1 MIXED USE ZONES AND LAND USE REGULATIONS	P	Permitted By Right						Additional Regulations and Comments
	C	Conditional Use Permit Required						
	I	Permitted as an Incidental Use						
Permitted Uses	ZONES							Additional Regulations and Comments
	GGMU	CC				NMU	AR	
	-1, -2, and -3	-1	-2	-3	-OS			
Tattoo, Facial	P	I	I	I		C	I	Permitted as incidental to a barber/beauty shop in CC zones and AR zone. See also Title 6, Chapter 38 (Tattooing Establishment and Operation Regulations).
Tattoo, General	C					C	C	In all GGMU zones, no tattoo parlor shall be located closer than 1,000 feet from any other tattoo parlor. Also, the entrance shall be oriented only toward a principal, major, or primary arterial street, as defined in the General Plan Circulation Element. See also Title 6, Chapter 38 (Tattooing Establishment and Operation Regulations).
Tourist Services								
Bed and Breakfast		C	C	C				See Section 9.18.030.090 (Bed and Breakfast).
Extended-Stay Business Hotel	C			C		C		See Section 9.18.030.170 (Extended-Stay Business Hotels).
Hotel, Motel	C	C				C		See Section 9.18.030.220 (Hotel/Motel).
Ticket Agency	P	P	P	P		P		
Travel Agency	P	P	P	P		P		
Recreation, Amusement, Entertainment								
Adult Entertainment	C							See Section 9.18.050 (Adult Entertainment Uses).
Arcades	C					C		See Section 9.18.030.040 (Arcades and Incidental Amusement Devices).
Billiards/Pool Hall	C					C		See Section 9.18.030.100 (Billiard/Pool Hall).
Bowling Alley	C					C		See Section 9.18.030.110 (Bowling Alley).
Cybercafes	C					C		

**TABLE 9.18-1
Use Regulations for the Mixed Use Zones**

TABLE 9.18-1 MIXED USE ZONES AND LAND USE REGULATIONS	P C I	Permitted By Right Conditional Use Permit Required Permitted as an Incidental Use Not Permitted							
		ZONES							
		GGMU	CC				NMU	AR	Additional Regulations and Comments
-1, -2, and -3	-1	-2	-3	-OS					
Golf Driving Ranges							C		Hours of operation shall be from no earlier than 7:00 A.M. to no later than 10:00 P.M. All lighting shall be directed away from abutting properties.
Incidental Amusements Devices	I	I	I				I		See Section 9.18.030.040 (Arcades and Incidental Amusement Devices).
Theaters									
Live Entertainment	C		C	C	C		C	C	
Movie	C		C	C			C		
Private Clubs and Lodges	C		C	C			C		
Skating Rinks/Parks	C	C					C		
Tennis, Swimming Clubs	C	C					C		
Retail Trade	See Section 9.18.060 (Alcohol Beverage Sales) regarding on-sale and off-sale of alcohol.								
Antique Shops	P	P	P	P			P		
Apparel: Clothing, Shoes and Accessories	P	P	P	P			P		
Art Gallery and Sales	P	P	P	P			P	P	
Books, Magazines, Newsstand (in building)	P	P	P				P	I	In AR zone, permitted as incidental to allowed use.
Building Supply, Plumbing Shop	P			P/C			P/C		In CC and NMU zones, buildings with up to 40,000 sf of gross floor area are permitted by right; buildings larger than 40,000 sf may be allowed with a conditional use permit.
Department Stores	P			P/C			P/C		In CC and NMU zones, buildings with up to 40,000 sf of gross floor area are permitted by right; buildings larger than 40,000 sf may be allowed with a conditional use permit.
Drug Stores	P		P	P			P		
Florists	P	P	P	P			P	I	

**TABLE 9.18-1
Use Regulations for the Mixed Use Zones**

TABLE 9.18-1 MIXED USE ZONES AND LAND USE REGULATIONS	P C I	Permitted By Right Conditional Use Permit Required Permitted as an Incidental Use Not Permitted							
		ZONES							
		GGMU	CC				NMU	AR	Additional Regulations and Comments
-1, -2, and -3	-1		-2	-3	-OS				
Furniture, Carpets, Household Appliances	P		P	P			P	P	
Gifts and Souvenirs	P	P	P	P			P	I	
Hardware, Paint	P		P	P			P	P	
Hobby Shop		P	P	P			P	P	
Indoor Multi-Tenant Retail Shopping Center	C						C		See Section 9.18.030.230 (Indoor Multi-Tenant Retail Shopping Center).
Jewelry, Cameras and Supplies, Luggage	P	P	P	P			P		
Nonvehicular Vending Kiosk	P			I/C			I/C	I/P	See Section 9.18.070.010 (Nonvehicular Vending Kiosk).
Nurseries – Retail sales only	P						P	P	See Section 9.18.030.290 (Nursery – Retail Sales Only).
Pawnshop, Secondhand Store	C						C		Retail sales only. No outdoor staging or parking areas for drop-off are permitted.
Pets and Pet Supplies	P		P	P			P		All sales of merchandise, pets and equipment and storage of supplies shall be within an enclosed building. Any overnight boarding shall be subject to conditions of Section 9.18.030.240 (Kennel).
Sporting Goods	P		P	P			P		
Stationery and Office Supplies-No Furniture	P	P	P	P			P		
Toys	P	P	P	P			P		
Variety, Dry Goods Stores	P		P/C	P/C			P/C		In the CC and NMU zones, buildings with up to 40,000 sf of gross floor area are permitted by right; buildings larger than 40,000 sf may be allowed with a conditional use permit.
Food/Drink Sales and Service									

TABLE 9.18-1
Use Regulations for the Mixed Use Zones

TABLE 9.18-1 MIXED USE ZONES AND LAND USE REGULATIONS	P C I	Permitted By Right Conditional Use Permit Required Permitted as an Incidental Use Not Permitted						Additional Regulations and Comments	
		ZONES							
		GGMU	CC				NMU		AR
Permitted Uses	-1, -2, and -3	-1	-2	-3	-OS				
Alcohol Sales, On-Sales and Off-Sales	C	C	C	C		C	C	See Section 9.18.060 (Alcohol Beverage Sales).	
Bar/Nightclub	C					C		See Section 9.18.030.080 (Bar/Nightclub). See Section 9.18.060 (Alcohol Beverage Sales).	
Candy, Confectionery	P	P	P	P		P			
Convenience Grocery	P		P	P		P	P	See Section 9.18.060 (Alcohol Beverage Sales) for any associated sale of alcoholic beverages.	
Delicatessen	P	P	P	P		P	C	See Section 9.18.060 (Alcohol Beverage Sales) for any associated sale of alcoholic beverages.	
Food, Carry-out	P		P	P		P	P	See Section 9.18.060 (Alcohol Beverage Sales) for any associated sale of alcoholic beverages.	
Food Catering	I	I	I	I		I	P	See Section 9.18.060 (Alcohol Beverage Sales) for any associated sale of alcoholic beverages.	
Liquor Store	C		C	C		C		See Section 9.18.060 (Alcohol Beverage Sales).	
Meat Market	P		P	P		P	P	See Section 9.18.060 (Alcohol Beverage Sales) for any associated sale of alcoholic beverages. No sale or slaughter of live animals shall take place, be allowed or provided for.	
Mini-Market with Gas	C					C	C	See Section 9.18.060 (Alcohol Beverage Sales) for any associated sale of alcoholic beverages.	
Supermarket	P			P		P		See Section 9.18.060 (Alcohol Beverage Sales) for any associated sale of alcoholic beverages.	

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Use Regulations for the Mixed Use Zones**

TABLE 9.18-1 MIXED USE ZONES AND LAND USE REGULATIONS	P	Permitted By Right						
	C	Conditional Use Permit Required						
	I	Permitted as an Incidental Use						
Permitted Uses	ZONES							
	GGMU	CC				NMU	AR	Additional Regulations and Comments
	-1, -2, and -3	-1	-2	-3	-OS			
Vehicular Vending (Food Truck)	I			I		I	I	See Section 9.18.070.020 (Vehicular Vending Food Truck).
<i>Eating Establishment/Restaurant</i>	<i>See Section 9.18.060 (Alcohol Beverage Sales) regarding on-sale and off-sale of alcohol.</i>							
Brew Pub	C		C	C		C	C	See Section 9.18.060 (Alcohol Beverage Sales).
Coffeehouse	P		P/C	C		P	P	Refer to Title 5, Chapter 70 (Regulation of Coffeehouses) for additional applicable provisions. In the CC-2 zone, a coffeehouse with live entertainment shall require a CUP and shall meet the requirements of Section 9.18.030.150 (Eating Establishment/Restaurant with Limited Entertainment).
Eating Establishment/Restaurant	P	P	P	P		P	P	Allowed in all zones indicated if no alcohol sales. Requires a Conditional Use Permit with alcohol sales. See Section 9.18.060 (Alcohol Beverage Sales) for any associated sale of alcoholic beverages.
Eating Establishment/Restaurant with Entertainment	C			C		C		See Section 9.18.030.140 (Eating Establishment with Entertainment; Bars/Nightclubs). See Section 9.18.060 (Alcohol Beverage Sales) for any associated sale of alcoholic beverages.

**TABLE 9.18-1
Use Regulations for the Mixed Use Zones**

TABLE 9.18-1 MIXED USE ZONES AND LAND USE REGULATIONS	P	Permitted By Right						Additional Regulations and Comments	
	C	Conditional Use Permit Required							
	I	Permitted as an Incidental Use							
Permitted Uses	ZONES							Additional Regulations and Comments	
	GGMU	CC				NMU	AR		
	-1, -2, and -3	-1	-2	-3	-OS				
Eating Establishment/Restaurant with Limited Entertainment	C		C	C			C	See Section 9.18.030.150(Eating Establishment/Restaurant with Limited Entertainment). See Section 9.18.060 (Alcohol Beverage Sales) for any associated sale of alcoholic beverages.	
Ice Cream, Bakery (retail sales and food service only)	P	P	P				P	P	See Section 9.18.060 (Alcohol Beverage Sales) for any associated sale of alcoholic beverages.
Outdoor Dining at Eating Establishment/Restaurant	I	I	I	I			I	I	See Section 9.18.030.300 (Outdoor Dining at Eating Establishment/Restaurant). See Section 9.18.060 (Alcohol Beverage Sales) for any associated sale of alcoholic beverages.
Wine Tasting Establishment	C	C	C	C			C	C	See Section 9.18.060 (Alcohol Beverage Sales).
Vehicle Sales and Service									
Auto Broker, office only with no vehicle storage	P						P	P	
Auto Parts, Accessories									
No Installations	P			P			P	P	
Installations	C						P	P	
Auto Lease/Rental	C						P	P	
Auto Maintenance - Minor	C			C			C	P	Specific activities are explicitly not permitted; see Section 9.18.030.060 (Auto Repair).
Auto Repair - General	C						C	P	Specific activities are explicitly not permitted; see Section 9.18.030.060 (Auto Repair).
Auto Repair (including paint or body work)								C	See Section 9.18.030.060 (Auto Repair).

TABLE 9.18-1
Use Regulations for the Mixed Use Zones

TABLE 9.18-1 MIXED USE ZONES AND LAND USE REGULATIONS	P C I	Permitted By Right Conditional Use Permit Required Permitted as an Incidental Use Not Permitted							
		ZONES							
		GGMU	CC				NMU	AR	Additional Regulations and Comments
-1, -2, and -3	-1	-2	-3	-OS					
Automatic Car Wash	C						C	C	See Section 9.18.030.070 (Automatic Car Wash).
Bicycle Repair	P	P	I	P			P	P	In the CC-2 zone, repairs incidental to retail sales facility only.
Bicycle Sales/Rental	P	P	P	P			P	P	
Boat Repair								C	
Boat Sales								C	See Section 9.18.030.260 (Motor Vehicle and Boat Sales).
Bus/Truck Repair								C	
Motorcycle Sales	C							C	See Section 9.18.030.250 (Motorcycle Sales).
Motor Vehicle Sales (New)	C								See Section 9.18.030.260 (Motor Vehicle and Boat Sales).
Motor Vehicle Sales (Used)	C								See Section 9.18.030.260 (Motor Vehicle and Boat Sales).
Self-Service or Coin-Operated Car Wash	C							P	Hours of operation shall be limited to the period from no earlier than 7:00 A.M. to no later than 10:00 P.M.
Service Stations (new and conversion of existing)	C			C			C	C	See Section 9.18.030.310 (Service Station).
Tire Sales and Service							C	P	
Truck, Trailer Rental	I						I	I	See Section 9.18.030.340 (Truck, Trailer Rental).
Other Services									
Ambulance Service	C							C	May include accessory sales and living accommodations for on-duty ambulance service personnel.
Blueprint/Photo Engraving, Newspaper Printing								P	
Day Care Center	C	C	C	C			C		
Day Care Facility, Adult	C	C	C	C			C		
Drive-through Facility	C			C			C		See Section 9.18.030.130 (Drive-through Facilities).

**TABLE 9.18-1
Use Regulations for the Mixed Use Zones**

TABLE 9.18-1 MIXED USE ZONES AND LAND USE REGULATIONS	P C I	Permitted By Right						Conditional Use Permit Required		Additional Regulations and Comments
		Permitted as an Incidental Use						Not Permitted		
		ZONES								
Permitted Uses	GGMU	CC				NMU	AR			
	-1, -2, and -3	-1	-2	-3	-0S					
Equipment Rental Small Large	I			I		I	P C	See Section 9.18.030.160 (Equipment Rentals - Large and Small).		
Graphic Arts/Photocopying	P	P	P	P		P	P	See Section 9.18.030.202 (Graphic Arts/ Photocopying).		
Home Improvement Center	P			C		P		See Section 9.18.030.207 (Home Improvement Center).		
Kennel	I			I		I	I	Allowed only as incidental to veterinary clinic, dog day care, or pet store. See Section 9.18.030.240 (Kennel).		
Neighborhood Recycling Center	I			I		I		See Section 9.18.030.270 (Neighborhood Recycling Center).		
Parking Facilities (For Fee)	C	C	C	C	C	C	C	All parking in parking facilities shall be temporary; no such parking area shall be used for car sales (used or new) or for the permanent storage of automobiles.		
Pet Grooming (no boarding)	P	P	P	P		P	P	No overnight boarding of pets permitted. The use must be conducted entirely within an enclosed building.		
Small Animal Hospital/Veterinary/Dog Day Care	C		C	C		C	C	See Section 9.18.030.320 (Small Animal Hospital/ Veterinary/Dog Day Care).		
Smoking Lounge	C		C			C		The provisions of Title 5, Chapter 75 (Regulation of Smoking Lounges) shall apply, as shall Section 9.18.030.330 (Smoking Lounges).		

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Use Regulations for the Mixed Use Zones**

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		ZONES							
		GGMU	CC				NMU	AR	Additional Regulations and Comments
-1, -2, and -3	-1	-2	-3	-OS					
Upholstery Repair Furniture Vehicles	P C		C				P	P C	Retail only. Use may include assembly of furniture from pre-manufactured frames.
Industrial									
Manufacturing									
Food Products, Dairy Products, and Bakery Products								C	See Section 9.18.030.180 (Food Products, Dairy Products, and Bakery Products).
Handicraft/Arts and Industry								P	See Section 9.18.030.205 (Handicraft Arts and Industry).
Industry, restricted								C	
Industry, restricted, small scale								P	
Industry, standard								C	
Laboratories								P	
Medical uses – Small dental and optical labs with maximum 1,200 sf of tenant space	P			P			P	P	
Storage									
Lumber Yards and Material Storage Yards								C	Not permitted when located adjacent to a residential zone or properties improved with single-family or multi-family housing.
Parcel Delivery Service								P	
Parcel Delivery Service, small scale (e.g., UPS store, delivery service, mailboxes, etc.)	P		P	P			P		
Warehouses and Storage Buildings								I	Must be related to primary use and shall not exceed 40% of gross building square footage.
Transit/Transportation									
Helistop	C			C					In the CC-3 zone, permitted in association only with a public use.

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Use Regulations for the Mixed Use Zones**

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	C	Conditional Use Permit Required						
	I	Permitted as an Incidental Use						
Permitted Uses	ZONES							
	GGMU	CC				NMU	AR	Additional Regulations and Comments
	-1, -2, and -3	-1	-2	-3	-OS			
Public and Semi-Public								
Church and Other Religious Centers	C	C	C	C		C		See Section 9.18.030.120 (Churches and Other Religious Centers).
Commercial Radio/TV Towers	C					C	C	Applicant shall furnish proof of a valid federal communications license prior to approval.
Educational Institutions	C			C		C	C	Educational institutions shall be located on a minimum site area of one acre, whether in combination with another use or as the sole use of the property. However, establishments with a primary use of providing tutoring services are not subject to this restriction.
Hospital - Medical or Psychiatric	C			C		C		
Public Buildings (Civic Center, Library, County, State or Federal)	C	C	C	C	C	C	C	
Public Recreational Facilities	P	P	P	P	P	P	P	
Public Safety Facilities (Fire, Police)	C	C	C	C	C	C	C	
Public Utility Stations and Equipment Buildings	C	C	C	C		C	C	
Trade or Business School	C	C		C		C		

SECTION 9.18.020.040: Required Notification for all Residential Uses.

- A. Resident Notification.** Residents of new residential and residential/commercial mixed use development projects in any Mixed Use zone where residential uses are allowed, whether owners or tenants, shall be notified in writing before taking up residence that they will be living in an urban-type environment and that noise levels may be higher than a strictly residential area.
- B. Acknowledgement of Notification Receipt.** The covenants, conditions, and restrictions of a residential or mixed use project shall require that prospective residents acknowledge the receipt of the written noise notification. Signatures shall confirm receipt and understanding of this information.

SECTION 9.18.020.050: Use Regulations Applicable to all Commercial Uses.

- A. Performance Standards.** All operations conducted on the premises shall not create a nuisance by reason of noise, odor, dust, mud, smoke, steam, vibration, or other similar causes.
- B. Products Produced on Premises.** All products that are manufactured or processed on the premises in conjunction with a permitted use shall be sold on the premises as retail only.
- C. On-site Storage.** Storage shall be limited to accessory storage of commodities sold at retail on the premises, or used as an element of an activity permitted on the premises. Such storage shall be placed within a wholly enclosed building or structure, unless otherwise permitted by this Chapter.

SECTION 9.18.020.060: Use Regulations Applicable to all Industrial Uses. All operations conducted on the property shall not create a nuisance by reason of noise, odor, dust, mud, smoke, steam, vibration, or other similar causes.

SECTION 9.18.020.070: Restrictions on Uses and Activities within a Vertically Integrated Residential/Commercial Mixed Use Development.

- A. Required Commercial Component.** In the GGMU-1, CC-2, CC-3, NMU, and AR zones, stand-alone residential development shall not be permitted. All vertically integrated mixed use developments shall require a minimum commercial component as follows:
 - 1. GGMU-1 Zone.** In the GGMU-1 zone, the commercial development component shall comprise a minimum of 0.3 FAR of the overall development. However, any project consisting entirely of deed-restricted affordable housing shall not be required to have a commercial component. See Section 9.18.090.020 (Garden Grove Boulevard Mixed Use Zone Development Standards).
 - 2. CC-2 Zone.** In the CC-2 zone, residential uses shall be permitted only on the second and third floors. See Section 9.18.090.050 (Additional Regulations Specific to the CC-2 Zone).
 - 3. CC-3 Zone.** In the CC-3 zone, commercial storefronts and related and fully functional commercial spaces are required along street frontages per Section 9.18.090.030.C (Storefronts and Commercial Uses Required at Ground Floors) and Figure 9.18-11 (CC Required Storefronts/Ground Floor Commercial Uses).

4. **NMU Zone.** In the NMU zone, the commercial development component shall comprise a minimum of 0.2 FAR of the overall development. See Section 9.18.090.070 (Neighborhood Mixed Use Zone Development Standards).
 5. **AR Zone.** In the AR zone, only work-live units are permitted as part of a residential/commercial mixed use development; multiple family residential units are not permitted, per Section 9.18.090.080 (Adaptive Reuse Zone Development Standards).
- B. Prohibited Activities within Vertically Integrated Mixed Use.** The following activities shall be prohibited within any vertically integrated residential/commercial mixed use development:
1. Auto Repair – General, Auto Repair including paint or body work, Auto Maintenance – Minor, or any similar use.
 2. Manufacturing or industrial activities, including but not limited to welding, machining, or any open flame work, except those permitted as part of a work-live development in the AR zone.
 3. Any other activity, as determined by the responsible review authority, to be incompatible with residential activities and/or to have the possibility of affecting the health or safety of residents due to the potential for the use to create late-night activity, dust, glare, heat, noise, noxious gases, odor, smoke, traffic, vibration, or other impacts, or would be hazardous because of materials, processes, products, or wastes.
- C. Loading and Unloading Activities.** Where applicable, the covenants, conditions, and restrictions of a residential/commercial mixed use development shall indicate the times when the loading and unloading of goods may occur, provided that, in no event, shall loading or unloading take place after 10:00 P.M. or before 7:00 A.M. on any day of the week.
- D. Change in Use.** After approval and project completion/issuance of a certificate of occupancy permit, a mixed use building shall not be converted to entirely residential use unless such use is permitted in the zone in which it is located.

SECTION 9.18.030: Specific Uses - Special Operating Conditions and Development Standards

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SECTION 9.18.030.010: Purpose. Certain uses require the application of specific conditions and development standards to address site and operating characteristics that have the potential to adversely affect adjacent properties. For uses requiring a conditional use permit, the standards set forth in this Section 9.18.030 shall apply in addition to any particular conditions applied through the conditional use permit process. For those uses allowed as a matter of right, the standards set forth in this Section 9.18.030 for those particular uses shall apply.

SECTION 9.18.030.020: Adult Entertainment. See Section 9.18.050 (Adult Entertainment Uses).

SECTION 9.18.030.030: Alcohol Sales. See Section 9.18.060 (Alcohol Beverage Sales).

SECTION 9.18.030.040: Arcades and Incidental Amusement Devices.

A. Arcades as the Principal Use.

1. Arcades shall not be permitted in any location that would tend to produce a hazard or nuisance to adjacent properties and/or permitted uses and activities.
2. With the exception of emergency access, all pedestrian and vehicular access to an arcade shall be oriented toward a principal, major, or primary arterial street, such as Garden Grove Boulevard, Magnolia Street, or Brookhurst Street. Access via a secondary arterial or local residential street shall be prohibited. Arterials and local residential streets are defined in the City's General Plan Circulation Element.
3. Arcades shall be located at least 600 feet from any school, adult entertainment business, or other arcade, and at least 200 feet from any property zoned for residential use or containing a residential use, or any bar or nightclub. Within a residential/commercial mixed use development, an applicant for an arcade may request a waiver of these distance requirements as part of the conditional use permit process, provided that the establishment complies with all other distance and pedestrian and vehicular access requirements of this code.
4. Doors of the establishment shall be kept closed at all times during operation of the establishment, except in the case of emergency or to permit deliveries.
5. The interior of arcades shall be arranged in a manner that all amusement devices and public spaces can be viewed from a single supervisory or cashier station.
6. A responsible adult employee shall be on duty throughout the hours that such establishment is open for business.

B. Incidental Amusement Devices. Up to and including nine incidental amusement devices may be permitted incidental to a permitted use. Incidental amusement devices shall be subject to operating conditions regulating number, location, noise, hours, security, and size in order to eliminate or reduce adverse impacts on the primary use and nearby uses.

SECTION 9.18.030.050: Arts and Craft Studios. Arts and crafts studios and similar establishments allowed by the Chapter are permitted, subject to the following conditions:

- A. Intent.** The intent of such studios is the provision of a service, as opposed to manufacture of goods or wares.
- B. Equipment Scale.** Any equipment or apparatus used on the premises shall be of a scale and construction that facilitate easy handling and operation by nonprofessionals.
- C. Operations.** The operation shall not be noxious or objectionable to surrounding properties.

SECTION 9.18.030.055: Athletic and Health Clubs, Spas, and Gyms with Massage and/or Bathhouse Facilities. Such uses shall require a conditional use permit and shall be subject to the following conditions:

- A.** Facilities where massage and/or bathhouse services are proposed shall be subject to the following:
1. The operator and each masseur or masseuse shall obtain a permit as required in Title 5, Chapter 12 (Massage Regulations).
 2. Minimum occupancy shall be 15,000 square feet.
 3. No alcoholic beverage control license shall be issued for the premises.
 4. No entertainment shall be permitted on the premises.
 5. Operation of the facility shall not be permitted before six A.M. or after 10 P.M.
 6. The establishment shall be open to the public, and shall provide facilities for men and women; except the massage and bathhouse areas shall be segregated by gender.
 7. No one under eighteen years of age shall be permitted within the establishment unless accompanied by a parent.
 8. Specified anatomical areas, as stated in Section 9.18.050.020 (Specified Sexual Activities and Anatomical Areas), shall be clothed with opaque material at all times in the massage and bathhouse areas.
 9. A conditional use permit for an athletic or health club, spa or gym with massage and/or a bathhouse shall be considered to be null and void if the establishment ceases operation for thirty or more consecutive days.
 10. All conditional use permits shall expire three years after issuance unless, upon application, a conditional use permit is extended by the hearing body upon finding that the use has been operated in compliance with all conditions of approval and applicable codes, and is not a nuisance to surrounding properties.

SECTION 9.18.030.060: Auto Repair (including paint or body work, general, and minor). All auto repair uses shall be subject to the following regulations:

- A. Enclosed Building.** All work, including but not limited to vehicle repair, restoration, storage areas and business operations, shall be conducted within a wholly enclosed building.
- B. Parking.** Customers and employees shall be required to park on site.
- C. Equipment Storage.** Used or damaged equipment removed from vehicles during the repair process shall be stored indoors or shall be deposited in an approved covered outdoor collection receptacle for appropriate off-site disposal.
- D. Public Streets.** No vehicles shall be stored on public streets.

- E. Service Bay Screening and Access.** Service bays for vehicle repair, restoration, and storage shall be screened from direct view from public rights-of-way and private properties. All service bay doors shall take vehicular access from either an interior side or rear of building. If service bays face a street, the service bays shall be situated parallel to a secondary street or alley.
- F. Distance Requirements.** No new auto repair business shall be established if such business is within 1,000 feet of any other auto repair business.
- G. Services Not Permitted.** The following auto repair services are explicitly not permitted in any Mixed Use zone, except the AR zone: vehicle body work, painting, upholstery installation and repair, and recapping or retreading of tires.

SECTION 9.18.030.070: Automatic Car Wash. Automatic car washes shall be subject to the following regulations:

- A. Enclosed Building.** Any car wash in which power-driven or steam cleaning equipment is used shall be contained wholly within a completely enclosed building, with openings for the entrance and/or exit of vehicles. Any activity involving hand drying of vehicles does not require enclosure within a building. Hand drying shall only be conducted in areas not used for required parking or vehicular circulation.
- B. Noise.** Any sound emanating from the operation shall be in conformance with those standards adopted by the City for the control of noise and noise sources.
- C. Hours of Operation.** Operation shall not be allowed before 7:00 A.M. and after 10:00 P.M.

SECTION 9.18.030.080: Bar/Nightclub.

- A. Additional Regulations.** All bars and nightclubs shall be subject to the requirements set forth in Section 9.18.060 (Alcohol Beverage Sales). Where entertainment is provided, the regulations of Section 9.18.030.140 (Eating Establishment with Entertainment) shall also apply.
- B. Location Restrictions.**
 - 1. Restaurants, bars, and nightclubs with entertainment shall not be permitted to be located within 200 feet of any "R" zoned property or any PUD established exclusively for residential use; any property containing a residential use, or any building owned and occupied by a public agency.
 - 2. With exception of emergency access, all pedestrian and vehicular access to a bar or nightclub shall be oriented toward a principal, major, or arterial street, such as Garden Grove Boulevard, Magnolia Street, and Brookhurst Street. Access via a secondary arterial or local residential street shall be prohibited. Arterials and local residential streets are defined in the City's General Plan Circulation Element.
- C. Waiver of Distance and Location Provisions.** For a residential/commercial mixed use development project, as defined in this Title, any property owner or his or her authorized agent may, as part of the conditional use permit process, apply to the hearing body for a waiver from any of the distance and location provisions contained and/or cross-referenced in this Section. The hearing body, through the hearing process

for the conditional use permit, may grant a waiver to any distance or location provision for a residential/commercial mixed use development if the following findings can be made:

1. That the proposed use will not be contrary to the public interest or injurious to nearby properties, and that the spirit and intent of this Section will be observed;
2. That the proposed use will not unreasonably interfere with the use and enjoyment of neighboring property or cause or exacerbate the development of urban blight;
3. That the use will not interfere with the operations of other businesses or uses on the site;
4. That the establishment of an additional regulated use in the area will not be contrary to any program of neighborhood conservation or revitalization, nor will it interfere with any program being carried out pursuant to the community redevelopment law;
5. That the establishment complies with all other distance and pedestrian and vehicular requirements of this code; and
6. That all applicable regulations of this code will be observed.

SECTION 9.18.030.090: Bed and Breakfast. Bed and breakfasts shall require a conditional use permit and shall be subject to the following regulations:

- A. Limitation on Services Provided.** Meals and rental of bedrooms shall be limited to registered guests. Separate or additional kitchens for guests are prohibited. No cooking facilities shall be allowed in guest rooms.
- B. Occupancy.** Guest occupancy shall be limited to 14 days during any 30-day period and 80 days during any 365-day period.
- C. Type of Residence.** Bed-and-breakfast inns shall be managed and occupied by the owner of the property.
- D. Existing Building.** Bed-and-breakfast inns shall only be permitted as an adaptive reuse occurring in an existing building.
- E. Parking.** Parking spaces shall be provided according to the standards of Section 9.18.140.030 (Parking Spaces Required). Such spaces shall not encumber access to a required parking space for the residential use.
- F. Adjoining Property Owner Comments.** Prior to the hearing body's action on the application, the applicant shall provide evidence that written comments have been solicited from all owners and occupants of properties adjoining the proposed use. Any written comments received shall be submitted to the hearing body.
- G. Transient Occupancy Permit.** A transient occupancy permit shall be obtained prior to activating the conditional use permit.
- H. Signage.** All signs shall be externally lighted only and shall be turned off by 10:00 P.M.

SECTION 9.18.030.100: Billiard/Pool Hall.

A. Conditional Use Permit Required. Billiard and pool halls shall require a conditional use permit and be subject to the requirements set forth in Title 5, Chapter 40 (Pool Rooms) of the Municipal Code. In addition, a conditional use permit for a billiard parlor or pool hall shall be considered to be null and void if the establishment ceases operation for 30 or more consecutive days.

B. Location Restrictions.

1. Billiard and pool halls shall not be permitted to be located within 200 feet of any "R" zoned property or any PUD established exclusively for residential use, any property containing a residential use, or any building owned and occupied by a public agency.
2. Billiard and pool halls shall not be permitted in a location which would tend to produce a hazard or nuisance to other permitted uses and activities in the vicinity, including such considerations as noise, late night operations, loitering, and public safety.

C. Waiver of Distance and Location Provisions. For a residential/commercial mixed use development project, as defined in this Title, any property owner or his or her authorized agent may, as part of the conditional use permit process, apply to the hearing body for a waiver from any of the distance and location provisions contained and/or cross-referenced in this Section. The hearing body, through the hearing process for the conditional use permit, may grant a waiver to any distance or location provision for a residential/commercial mixed use development if the following findings can be made:

1. That the proposed use will not be contrary to the public interest or injurious to nearby properties, and that the spirit and intent of this Section will be observed;
2. That the proposed use will not unreasonably interfere with the use and enjoyment of neighboring property or cause or exacerbate the development of urban blight;
3. That the use will not interfere with the operations of other businesses or uses on the site;
4. That the establishment of an additional regulated use in the area will not be contrary to any program of neighborhood conservation or revitalization, nor will it interfere with any program being carried out pursuant to the community redevelopment law;
5. That the establishment complies with all other distance and pedestrian and vehicular requirements of this code; and
6. That all applicable regulations of this code will be observed.

D. Access. With the exception of emergency access, all pedestrian and vehicular access to a billiard or pool hall shall be oriented toward a principal, major, or primary arterial street, such as Garden Grove Boulevard, Magnolia Street, and Brookhurst Avenue. Access via a secondary arterial or local residential street shall be prohibited. Arterials and local residential streets are defined in the City's General Plan Circulation Element.

- E. Doors.** Doors of the establishment shall be kept closed at all times during the operation of the establishment except in the case of an emergency or to permit deliveries.
- F. Conditions on Use.** The hearing body shall have the authority to impose conditions on a billiard or pool hall to ensure compliance with the provisions of this Section and to mitigate against potential nuisance or public safety concerns. Those conditions may include, but are not limited to, restricting hours of operation, requirements for security lighting and cameras, requirements for private security, monitoring of parking lots, and background checks of operators and employees.
- G. Denial.** The hearing body shall have the authority to deny a conditional use permit application for a billiard or pool hall if the hearing body finds, based on evidence on the record, that approval of such a use would result in an undue concentration of uses with the potential to create adverse conditions within the surrounding area with respect to noise, traffic, late night activities, calls for police services, and other public health, safety, and welfare concerns.

SECTION 9.18.030.110: Bowling Alley.

- A. Conditional Use Permit Required.** Bowling alleys shall require a conditional use permit. In addition, a conditional use permit for a bowling alley shall be considered to be null and void if the establishment ceases operation for 30 or more consecutive days.
- B. Location Restrictions.** Bowling alleys shall not be permitted in a location which would tend to produce a hazard or nuisance to other permitted uses and activities in the vicinity, including such considerations as noise, late night operations, loitering, and public safety.
- C. Access.** With the exception of emergency access, all pedestrian and vehicular access to a bowling alley shall be oriented toward a principal, major, or primary arterial street, such as Garden Grove Boulevard, Magnolia Street, and Brookhurst Avenue. Access via a secondary arterial or local residential street shall be prohibited. Arterials and local residential streets are defined in the City's General Plan Circulation Element.
- D. Doors.** Doors of the establishment shall be kept closed at all times during the operation of the establishment except in the case of an emergency or to permit deliveries.

SECTION 9.18.030.120: Churches and Other Religious Centers. The following regulations shall apply:

- A. Minimum Site Area.** In the CC-1 zone, the minimum site area for a new church or other religious center use shall be one acre.
- B. Front Yard Setback – Primary Use Buildings.** The depth of the required front yard for churches, sanctuaries, or main assembly buildings shall be 40 feet when entrances are located in the front of the building. However, when building entrances do not face the front yard, the main structure shall be required to provide only a front yard setback specified in the zone in which the building is located.
- C. Front Yard Setback – Accessory Use Buildings** The depth of the required front yard for accessory buildings, e.g., permitted school buildings, showers or restroom facilities, etc., shall be only the front yard required in the zone in which they are located, provided said structures have no entrance facing the front yard.

- D. Front Yard Setback – Parking.** The required front yard for any off-street parking area shall be no less than that required for the zone in which the parking area is located, provided that a solid or decorative masonry wall of 42 inches in height is provided between the parking area and the front yard.
- E. Proximity to Property Lines.** Main buildings and structures on the site shall not be closer than 25 feet to any property line that is a common property line with "R" zoned property, except that accessory buildings and structures shall maintain a side yard of 10 feet, with five feet added at ground level for each additional story over the first.
- F. Lighting.** All lights provided to illuminate any parking area or building on such site shall be so arranged as to direct the light away from any adjoining premises.
- G. Site Frontage.** The width of the frontage of the building site shall be not less than 120 feet.

SECTION 9.18.030.130: Drive-through Facilities. In addition to the development standards set forth in this Chapter, the following shall apply to drive-through facilities, where permitted:

- A. Conditional Use Permit.** Any use involving drive-through facilities for visitors or customers shall be incidental to a primary use and shall require a conditional use permit regardless of the use regulations applicable to that use set forth in Table 9.18-1 (Use Regulations for the Mixed Use Zones).
- B. Civic Center Zones - Generally Prohibited.** No drive-through facilities shall be permitted within any Civic Center zone except on properties zoned CC-3 and fronting on Garden Grove Boulevard and Euclid Street.
- C. Minimum Lot Size.** A minimum lot size of 20,000 square feet shall be required for the establishment of any drive-through facility.
- D. Two-Way Driveways.** Drive-through facilities shall have two-way driveways. Driveways shall clearly be delineated from parking areas and general on-site vehicular and pedestrian circulation routes through use of decorative paving materials that contrast with other paving provided.
- E. Minimum Queuing Distances.** A minimum distance of 80 feet shall be provided between the entrance to the drive-through aisle and the first menu board. Also, a minimum distance of 80 feet shall be provided between the order board or window and the pick-up window.
- F. Circulation Plan.**
 - 1.** A parking and vehicular circulation plan encompassing adjoining streets and alleys shall be submitted for review and approval prior to the approval of a conditional use permit. Such plan shall provide for safe pedestrian access from parking lots to the main door and shall comply with applicable requirements of the American with Disabilities Act.

2. The circulation plan shall show proposed queuing areas for the drive-up windows. No queuing area shall obstruct any required parking space, drive aisle, or pedestrian access associated with the business.

G. Vehicular Access. Vehicular access to a drive-through facility shall only be provided via a principal, major, or arterial street, such as Garden Grove Boulevard, Magnolia Street, and Brookhurst Street. Access via a secondary arterial or local residential street shall be prohibited. Arterials and local residential streets are defined in the City's General Plan Circulation Element.

H. Trash Receptacles. In addition to trash facility storage areas, a minimum of one outdoor trash receptacle shall be provided on site. At least one additional on-site outdoor trash receptacle shall be provided for every 10 required parking spaces.

I. Noise-Generating Equipment. No noise-generating compressors or other such equipment shall be placed on or near any property line adjoining any "R" zoned property or a PUD established exclusively for residential uses.

J. Speaker Systems. Drive-through speaker systems shall emit no more than 50 decibels (dBA) as measured four feet from the vehicle and the speaker, and shall not be audible above the daytime ambient noise levels beyond the property boundaries. The system shall be designed to compensate for ambient noise levels in the immediate area and shall not be located within 30 feet of any "R" zoned property or a PUD established exclusively for residential uses.

K. Screen Wall. On any lot where a drive aisle or driveway is located such that vehicle headlights will shine onto an adjacent property zoned for residential use, a screen wall shall be provided.

SECTION 9.18.030.140: Eating Establishment with Entertainment; Bars/Nightclubs. The following shall apply:

A. Security Plan. A security plan shall be provided through the conditional use permit process.

B. Hours of Operation. Hours of operation may be specified through the conditional use permit process.

C. Location Restrictions.

1. Restaurants, bars, and nightclubs with entertainment shall not be permitted to be located within 200 feet of any "R" zoned property or a PUD established exclusively for residential uses, any property containing a residential use, or any building owned and occupied by a public agency.

2. With exception of emergency access, all pedestrian and vehicular access shall be oriented toward a principal, major, or primary arterial street, such as Garden Grove Boulevard, Magnolia Street, and Brookhurst Street. Access via a secondary arterial or local residential street shall be prohibited. Arterials and local residential streets are defined in the City's General Plan Circulation Element.

D. Waiver of Distance and Location Provisions. For a residential/commercial mixed use development project, as defined in this Title, any property owner or his or her

authorized agent may, through the conditional use permit process, apply to the hearing body for a waiver from any of the distance and location provisions contained and/or cross-referenced in this Section. The hearing body, as part of the hearing for the conditional use permit, may grant a waiver to any distance or location provision for a residential/commercial mixed use development project if the following findings can be made:

1. That the proposed use will not be contrary to the public interest or injurious to nearby properties, and that the spirit and intent of this Section will be observed;
 2. That the proposed use will not unreasonably interfere with the use and enjoyment of neighboring property or cause or exacerbate the development of urban blight;
 3. That the use will not interfere with the operations of other businesses or uses on the site;
 4. That the establishment of an additional regulated use in the area will not be contrary to any program of neighborhood conservation or revitalization, nor will it interfere with any program being carried out pursuant to the community redevelopment law;
 5. That the establishment complies with all other distance and pedestrian and vehicular requirements of this code; and
 6. That all applicable regulations of this code will be observed.
- E. Queuing Area.** Outside queuing areas for patrons shall not be permitted along any portion of the site that is located adjacent to an "R" zoned property, any PUD established exclusively for residential use, or along a secondary arterial or local residential street. All outside queuing areas shall be located within the interior of the development and shall be buffered so as not to create noise or a disturbance to adjacent properties and buildings.
- F. Insulation for Interior Noise.** In residential/commercial mixed use developments, sound and vibration buffering shall be provided to mitigate against impacts on surrounding tenant spaces and residential uses and zones, including units above, below, and adjacent to the entertainment location.
- G. Doors.** Doors of the establishment shall be kept closed at all times during the operation of the establishment, except in the case of an emergency or to permit deliveries.
- H. Outdoor Patios with No Food or Beverage Service.**
1. All outdoor patios or similar areas shall be located away from any "R" zoned property or any PUD established exclusively for residential use, and shall be oriented toward a principal, major, or primary arterial. Access to a secondary arterial or local residential street shall be prohibited. Arterials and local residential streets are defined in the City's General Plan Circulation Element.
 2. Use of patio and similar areas used for smoking and congregating shall not become a nuisance in any manner to surrounding uses, including due to smoke from smoking materials.

3. The provisions of Section 9.18.030.300 (Outdoor Dining at Eating Establishment/Restaurant) with regard to any provided outdoor dining shall apply.

- I. **Denial.** The hearing body shall have the authority to deny a conditional use permit application for an entertainment use if the hearing body finds, based on evidence on the record, that approval of such a use would result in an undue concentration of uses with the potential to create adverse conditions within the surrounding area with respect to noise, traffic, late night activities, calls for police services, and other public health, safety, and welfare concerns.
- J. **Change in Use.** Any change or intensification of entertainment uses causing an increase in the intensity of, or type of, or number of, performers, acts, or similar events shall require a new conditional use permit.
- K. **Additional Parking for the Entertainment.** In addition to the parking required for the primary use, additional parking for the incidental entertainment use shall be required at the ratio of 1.7 parking spaces per 100 square feet of gross floor area.

SECTION 9.18.030.150: Eating Establishment/Restaurant with Limited Entertainment. Such uses shall be subject to the following conditions:

- A. **Incidental Use.** Limited entertainment shall be permitted only in conjunction with an eating establishment/restaurant. Entertainment shall be incidental to the restaurant use (such as background music). Entertainment shall not be utilized as a primary use or as an attraction to draw customers to the establishment.
- B. **Conditional Use Permit.** A conditional use permit shall be required for the entertainment use.
- C. **Number of Performers.** Entertainment shall be limited to include up to two performers in the form of one amplified instrumentalist and one vocalist.
- D. **Noise.** Amplified sound from performers and prerecorded music with speakers is permissible; however, the sound shall not be audible outside the walls of the establishment. All entertainment shall be conducted within a wholly enclosed building. The property owner shall provide sound attenuation where necessary to limit noise and vibrations to neighboring properties. No amplified music shall be permitted outside of the wholly enclosed building, except as allowed by a conditional use permit.
- E. **Dancing and Audience Participation.** No dancing or audience participation shall be permitted.
- F. **Food Service.** Food service shall be provided during all hours the entertainment operates. The kitchen shall be open and preparing food during all hours the establishment is open, and shall provide a full menu of food items typically offered in restaurants.
- G. **Stage.** There shall be no raised platform or stage permitted within the establishment at any time.
- H. **Hours of Operation.** The hours of operation may be limited and security may be required through the conditional use permit.

- I. Entrances.** Doors that face residential property shall be kept closed at all times during the operation of the establishment, except in the case of an emergency or to permit deliveries.
- J. Cover Charge.** No cover charge or other type of entrance fees shall be required for entrance into the establishment.
- K. Impacts.** In reviewing requests for limited entertainment in conjunction with eating establishments/restaurants, of particular concern will be the physical relationship of the proposed use and impacts of that use on surrounding properties. The conditional use permit shall be denied if it is anticipated that the use will create adverse noise, security, parking and traffic impacts and/or if an adverse effect on the public health, safety or welfare will be created.

SECTION 9.18.030.160: Equipment Rentals – Large and Small.

- A. Screening.** The outdoor storage of rental equipment shall be permitted only when completely enclosed with a masonry wall not less than six feet in height. No equipment shall be visible above the required wall. A steel gate or equivalent shall be utilized where access through the required wall is provided.
- B. Trailers and Trucks.** The outdoor display or storage of utility trailers and trucks not exceeding 8,000 pounds net weight may be conducted without adherence to the wall enclosure requirement imposed in paragraph A, above.

SECTION 9.18.030.170: Extended-Stay Business Hotels.

- A. Room Size.** The minimum individual guest room size shall be 300 square feet in area.
- B. Minimum Site Area.** The minimum site area shall be 80,000 square feet.
- C. Minimum Street Frontage.** The minimum street frontage of the site shall be 150 feet.
- D. Additional Requirements.** Extended-stay business hotels shall be subject to Title 8, Chapter 70 (Public Lodgings) of the Municipal Code.

SECTION 9.18.030.180: Food Products, Dairy Products, and Bakery Products.

- A. Food Product Exceptions.** Any food product may be produced with the specific exception of those involving the manufacturing and processing of: lard, pickles, sauerkraut, sausage, or vinegar, or similar products.
- B. Sale and Slaughter.** No sale or slaughter of live animals shall take place, be allowed, or otherwise be provided for.
- C. Frozen fish repackaging.** Frozen fish repackaging is permitted.

SECTION 9.18.030.190: Fortunetelling.

- A. Additional Requirements.** All applicants shall observe all the provisions contained within Title 5, Chapter 65 (Fortunetelling) of the Municipal Code.

B. Location Requirements. Any new fortunetelling establishment shall be located a minimum distance of 1,000 feet from any other establishment engaged in the practice of fortunetelling.

SECTION 9.18.030.200: Garage Sales – Incidental to a Single-Family Residential Unit. Incidental garage sales are allowed subject to the following conditions:

A. Days Limited. Garage sales are limited to four days in any one calendar year.

B. Signs. No off-site signs shall be posted.

C. Sale Items. Items for sale may only be those items used at the residence.

SECTION 9.18.030.202: Graphic Arts/Photocopying. Such uses shall be subject to the following conditions:

A. Retail Services. The facility shall provide retail services, which may include graphic design, instant printing operations and print shops during normal business hours. The facility shall serve the needs of local customers by either providing self-service photocopying, and printing and/or photocopying of invitations, business cards, forms, letterhead, envelopes, wedding announcements and other similar items. The facility shall not provide services to large commercial and wholesale clients, nor shall it print books, magazines, newspapers, annual reports, catalogs, posters, retail packaging, calendars, and other similar items.

B. Equipment used shall not make noise or vibration that will disturb adjacent businesses or residences.

C. Most customers shall place orders in person and wait for it to be completed or pick it up at a later date. The majority of the finished project shall not be delivered to the customer.

D. A portion of the floor plan shall be devoted to a customer service retail area.

SECTION 9.18.030.205: Handicraft Arts and Industry. Such uses shall be subject to the following conditions:

A. Enclosed Building. All manufacturing activities shall be conducted within a completely enclosed building having a total gross floor area of not to exceed 2,500 square feet.

B. Screening. All storage of materials and equipment shall be screened from view from surrounding properties.

C. Fumes. No fumes, noxious gases, objectionable odors, heat, glare, or radiation generated by or resulting from such use shall be detectable at any point upon the boundary of the property upon which the use is located.

E. Noise. The use shall create no objectionable noise or vibration.

F. Smoke and Dust. No smoke or dust shall be created except from the heating of buildings.

G. Fire Department Review. The Fire Department shall review the proposed activity for compliance with fire codes and to ensure compatibility with surrounding uses.

SECTION 9.18.030.207: Home Improvement Center. Such uses shall be subject to the following conditions:

- A. Lighting.** All lighting shall be directed away from abutting properties.
- B. On-Site Storage.** Stacking of on-site storage and materials shall not exceed a height of 20 feet. All outdoor storage areas shall be screened from view of public rights-of-way by a view-obscuring fence or wall not greater than eight feet in height.

SECTION 9.18.030.210: Home Occupations. Home occupations are allowed as an accessory use to a residential use, subject to the following conditions:

- A. Application.** Each request to the hearing body shall be accompanied by the description of the proposed use. Such description shall be submitted to a board of review consisting of representatives from the fire department and planning staff. Said board of review shall evaluate each proposed use and submit their recommendations to the hearing body, whose decisions shall be final.
- B. Unit Appearance Unaltered.** The home occupation shall not alter the appearance of the dwelling unit.
- C. Operations.** All operations conducted on the premises shall not be objectionable by reason of noise, odor, dust, mud, smoke, steam, vibration, or other similar causes. The provision or rendering of any service or sale of any products that involves in-person interaction with customers in the home is prohibited.
- D. Storage and Display.** Storage shall be limited to accessory storage of commodities manufactured, processed or sold at retail on the premises. Storage shall be permitted only in a wholly enclosed building. All home occupation activities shall be conducted wholly within a fully enclosed building. No garage, carport or other required parking area shall be used for the conduct of the home occupation or for storage of equipment, materials or merchandise of the home occupation. No display of merchandise, equipment, or supplies or items manufactured, sold, or used by any commercial, industrial, public or semi-public use shall be permitted.
- E. Signs.** No signs advertising the type of business or products manufactured shall be displayed on the premises.
- F. Employees.** No one other than persons residing on the lot where the home occupation is located may be regularly employed in such occupation. Exceptions shall be made for a disabled person applying for a home occupation, whereby immediate members of the disabled person's family living on the premises or other persons responsible for the care of the disabled person and living on the premises shall be permitted to participate in the home occupation.
- G. Dispatching.** Dispatching of employees or independent contractors at, or from, the residential premises shall not be permitted.
- H. Nontransferable.** The home occupation permit is not transferable.

I. Revocation of Permission. Permission to conduct a home occupation may be revoked by the hearing body if there is substantial evidence indicating that the provisions of this Section are being violated.

SECTION 9.18.030.220: Hotel/Motel. All hotels and motels shall be subject to the following conditions:

- A.** The minimum site area shall be 30,000 square feet.
- B.** The minimum street frontage of the site shall be 100 feet.
- C. Occupancy Restriction.** No consecutive occupancy shall exceed 30 days, nor shall any nonconsecutive occupancy exceed 30 days in 45 consecutive days.
- D. Additional Regulations.** Hotels and motels are also subject to Title 8, Chapter 70 (Public Lodgings) of the Municipal Code.
- E. Cooking Facilities in Hotels.** In hotels, no provisions for cooking facilities shall be provided within individual rooms or suites.
- F. Kitchen Facilities in Motels.** In motels, no more than 10 percent of the individual living units shall contain kitchen facilities.

SECTION 9.18.030.230: Indoor Multi-Tenant Retail Shopping Center. Such uses shall be subject to the following conditions:

- A. Residential Zone Adjacent.** If the property abuts an "R" zoned property or any PUD established exclusively for residential use, the building in which the use is conducted shall be set back a minimum of 50 feet from the residential property line.
- B. Live Entertainment.** No live entertainment shall be permitted.
- C. Hours of Operation.** Hours of operation shall be permitted only between the hours of 8:00 A.M. and 10:00 P.M.
- D. Signs.** Signage shall be limited to the name of the indoor multi-tenant retail shopping center. No additional special advertising days or signage shall be allowed for the individual vendors. All proposed signage shall be approved by the City.
- E. Minimum Floor Area.** The minimum floor area for each vendor shall be 250 square feet.
- F. Individual Vendors.** Each individual vendor shall have a separate business operations tax certificate, as well as a seller's permit and a resale number from the State Board of Equalization.

SECTION 9.18.030.240: Kennel. Kennels shall be subject to the following conditions:

- A. Noise.** Buildings and structures shall be completely soundproofed.
- B. Screening.** The perimeter of all run areas shall be completely surrounded by a minimum eight-foot-high solid wall. Animal runs shall be constructed in such a manner that no animal can see another animal.

SECTION 9.18.030.250: Motorcycle Sales. Motorcycle sales shall be subject to the following conditions:

- A. Paving.** The entire site shall be paved, except for structures and landscaping.
- B. Maintenance.** The premises shall be kept in a neat and orderly condition at all times.
- C. Indoor Sales and Storage.** No outdoor sales area or storage of motorcycles shall be permitted; all sales and storage shall occur wholly within an enclosed building.
- D. Repair and Maintenance.** All motorcycle repair and maintenance shall be performed within a wholly enclosed building. No motorcycles that are in a wrecked or dismantled condition shall be stored outside of a wholly enclosed building.
- E. Noise.** No amplified speaker systems shall be used outside of a wholly enclosed building.
- F. Loading.** All loading and unloading of vehicles shall occur on-site or from loading zones as designated by the City Traffic Engineer and not in adjoining public streets or alleys.

SECTION 9.18.030.260: Motor Vehicle and Boat Sales. Motor vehicle sales shall be subject to the following conditions:

- A. Minimum Site Area.** The minimum site area shall be 15,000 square feet.
- B. Indoor Sales and Storage.** No outdoor sales area shall be permitted. All vehicles, parts, accessories, etc. shall be stored within a wholly enclosed structure.
- C. Noise.** No amplified speaker systems shall be used outside of a wholly enclosed building.
- D. Lighting.** All on-site lighting shall be stationary and directed away from adjoining properties and public rights-of-way.
- E. Repair and Maintenance.** No vehicle service or repair work shall occur, except within a wholly enclosed structure. Service bays shall not be visible or take access directly from a public-right-of-way.
- F. Loading.** All loading and unloading of vehicles shall occur on-site or from loading zones as designated by the City Traffic Engineer and not in adjoining streets or alleys.
- H. Parking.** Off-street parking shall adequately accommodate all on-site uses, including showroom, offices, parts, service and repair areas, as well as employee and customer parking.

SECTION 9.18.030.270: Neighborhood Recycling Center. Neighborhood recycling centers must operate in conjunction with a business that is currently operating on the property. The recycling center cannot operate as an independent use. If the primary business ceases to operate, the recycling center must vacate the premises. Also, the following shall apply:

- A. Lease Agreement.** The applicant shall present the lease agreement that includes the lease term for the neighborhood recycling center to the Planning Division.
- B. Location.** The recycling containers and/or equipment cannot encroach into any required setbacks for the zone. The recycling containers and/or equipment cannot encroach into any drive aisle, turn around, back-up or loading areas.
- C. Adjacent to Residential Zone.** The recycling containers and/or equipment shall not be placed within 30 feet of an "R" zoned property, any PUD established exclusively for residential use, or property occupied with residential uses to minimize noise impacts to the abutting residences.
- D. Restrictions.** No pick-up or drop-off of recycling containers and/or equipment shall occur on Saturday or Sunday or any federal holiday.
- E. Hours of Operation.** The hours of operation are limited to 8:00 A.M. to 6:00 P.M. seven days a week.
- F. Parking.** The recycling containers and/or equipment cannot eliminate or reduce any required parking unless otherwise permitted by the Planning Division.
- G. Maintenance.** The operator must properly maintain the recycling center and all areas adjacent to the recycling center free from any trash or debris.
- H. Location.** The Planning Division will review and approve the location of the recycling center. To the extent possible, the recycling center shall be placed at the rear of the building and/or property. If this is not possible, the Planning Division may allow the recycling container to be placed at the front of the property with appropriate screening.
- J. Containers.** The Planning Division will review and approve the type of recycling containers that will be allowed.

SECTION 9.18.030.280: Nonvehicular Vending Kiosks. See Section 9.18.070.010 (Outdoor Sales of Goods and Merchandise – Nonvehicular Vending Kiosks).

SECTION 9.18.030.290: Nursery – Retail Sales Only. Retail nurseries shall be subject to the following development and use standards:

- A. Propagation.** No indoor or outdoor propagation of plants is permitted. Plants stored onsite shall be available for retail sale.
- B. Permanent Structure.** A permanent structure to serve retail functions of the nursery is required. All merchandise other than plants shall be kept within an enclosed structure or fully screened. Fertilizers of any type shall be stored and sold in package form only.
- C. Parking.** All parking spaces shall be paved.

SECTION 9.18.030.300: Outdoor Dining at Eating Establishment/Restaurant.

- A. Incidental Use Only.** With the exception of permitted joint use outdoor dining areas as provided for in paragraph F, below, outdoor dining areas must be incidental and accessory to the permitted eating establishment/restaurant.

B. Design. Outdoor dining areas shall be open on at least three sides and open to the sky, with the exception that non-fixed umbrellas and awnings and canopies that accent the building are permitted. Side panels or any other accessories that enclose the outdoor dining area are prohibited.

C. Location.

1. The seating area shall not encroach into any required rear or side setback, parking and/or vehicular circulation area, required landscape areas, required paths of travel, or public rights-of-way.
2. Within any Mixed Use zone, outdoor dining areas may be permitted within the required front setback area, consistent with the requirements of this Chapter.
3. Outdoor dining areas may be permitted within the required boulevard garden plaza or pedestrian plaza area, as set forth in Sections 9.18.090.020.F (Boulevard Garden Plaza Requirement) and 9.18.090.070.C (Pedestrian-oriented Plaza Requirement).
4. The outdoor dining area must be located immediately adjacent to, abutting, and adjoining the establishment with which it is associated, and shall not extend beyond the building and/or storefront frontage and/or length of the tenant space of the associated primary establishment.

D. Maximum Allowable Square Footage. Outdoor dining shall not exceed 1,000 square feet for any individual establishment.

E. Delineation of Area. Any outdoor dining area serving a single business shall maintain a clearly marked perimeter and shall be separated from vehicular pathways and public sidewalks with low walls and/or landscape hedges a minimum of 30 inches in depth or 42 inches in height. Establishments that include the service or sale of alcoholic beverages are subject to additional separation requirements provided in subsection G (Alcoholic Beverage Sales in Outdoor Dining Areas), below.



Photo 9.18-1: Example of Outdoor Dining

F. Joint Use Areas. Outdoor dining areas for joint use between businesses shall be separated from pedestrian and vehicular pathways with low walls and/or landscaping. Joint use outdoor dining areas are not required to be located immediately adjacent to an establishment, but shall be located within 25 feet of at least one establishment participating in the joint use area. Where adjacent to a public right-of-way, the area shall be delineated as required by subsection E (Delineation of Area), above. No alcohol shall be served in any outdoor dining area that serves more than one business.

G. Alcoholic Beverage Sales in Outdoor Dining Areas. The service of alcoholic beverages and its consumption by customers in an outdoor dining area shall comply with Section 9.18.060 (Alcohol Beverage Sales) and furthermore, shall be restricted as follows:

1. Any establishment permitted to sell alcohol that maintains an outdoor dining area shall separate the outdoor dining area with a wall, fence, or hedge that is intended to clearly delineate the dining area from pedestrian traffic and prevent ease of access in any manner to this area by pedestrians and other non-patrons. The wall, fence, or hedge shall fully enclose the outdoor dining area to separate it from public access ways. The wall, fence, or hedge shall consist of a minimum five-foot-high barrier and/or other special separation/improvement from surroundings that would hinder access from pedestrians to the outdoor dining area, as determined by the Police Chief. The barrier/fencing shall be subject to the following standards:
 - a. Any barrier/fencing around the outdoor area perimeter shall allow visibility into the area from adjacent properties and streets.
 - b. Any barrier/fencing around the outdoor area perimeter shall be architecturally compatible with the structure housing the eating or drinking establishment.
 - c. The location, design, and placement of any barrier/fencing are subject to review and approval by the Planning Division during the site plan review or conditional use permit review process.
2. Ingress and egress to/from the outdoor dining area shall be from the interior of the eating or drinking establishment only. There shall be no ingress or egress permitted to/from the outdoor dining area to any parking area, landscape area, or public right-of-way except for emergency purposes only. Any proposed accesses located within the outdoor dining area that lead to any locations other than into the eating or drinking establishment shall be marked as emergency exits only and shall be provided with panic hardware.
3. The operator shall post a written notice to customers, as approved by the city, which states that the drinking or carrying of an alcoholic beverage outside of the outdoor dining area is prohibited and unlawful.
4. Hours of operation shall not begin prior to 7:00 A.M. nor extend later than 10:00 P.M.

SECTION 9.18.030.310: Service Station (New and Conversion of Existing). Service stations shall be subject to the following conditions:

A. Required Building Design. The architecture of the building shall be of a type compatible with the neighboring area. The architectural theme shall be integrated into the design of all improvements on the site, including main building, canopies, fencing, landscaping and signage.

1. In the case of the establishment or construction of a new service station, the following items shall be included in the design of the building:
 - a. All service bay doors shall take vehicular access from either an interior side or rear of building.

- b. Restrooms, for use by patrons, shall be required. The entrance to all restrooms shall be screened from adjoining properties and public streets by a screen that matches the exterior building material.
 - c. All lighting shall be directed away from any property zoned for residential use and so located that lighting does not directly shine into any adjoining residential property.
 - d. Air and water dispensers shall be provided in an area convenient for customers.
- 2. In the case of the reopening of or the conversion to another use of an existing service station, all existing improvements shall be remodeled, replaced or refurbished. If, in the opinion of the hearing body, the project or any of its components, as listed below, is new or in like-new condition, then that certain improvement may be waived. These improvements shall include, but are not limited to the following:
 - a. Refurbishment and remodeling of all exterior and interior wall surfaces.
 - b. Remodeling of building exterior to eliminate service bay doors. All remaining service bay doors shall take vehicular access from an interior side or rear of building. The condition does not pertain to the reopening of an existing service station, unless service bays are not to be used.
 - c. Refurbishment and remodeling of all canopies and service islands.
 - d. Removal of all unused service islands, pumps and their canopies.
 - e. Resurfacing of all driveways and parking areas.
 - f. Restriping of parking areas using hair-pin stalls.
 - g. Refurbishment and/or replacement of all walls and fences on the property, including planters and landscape retaining walls.
 - h. Refurbishment and/or replacement of all business and directional signs to be consistent with building theme.
 - i. The entrance to all restrooms and comfort rooms shall be screened.
 - j. In the case of the reopening of a service station or conversion of a service station to another use that includes the dispensing of motor fuel, restroom facilities for use by patrons shall be required.

B. Parking Requirement.

- 1. Parking requirements for service stations shall comply with requirements for off-street parking in Section 9.18.140 (Parking).
- 2. Parking requirements for service stations established in conjunction with other commercial businesses (i.e., mini-markets, separate auto-related businesses, etc.) or for conversion of service stations to other commercial uses, shall comply with the following:
 - a. Required parking shall consist of one space for every 200 square feet of gross floor area of each building.
 - b. When service bays remain a part of the use on the site, the service bays shall not be considered as providing any of the required parking.

- C. Landscaping.** All site areas not used or required for building location, parking, access, circulation or service island areas shall be landscaped according to the provisions of Sections 9.18.120 (Landscaping) and 9.18.140.070 (Parking Design Standards) and further subject to the following:

1. Planter areas with a minimum inside width of 10 feet shall be provided adjacent to all street property lines except for points of access to the streets. In the case of existing facilities, this inside dimension may be reduced to a minimum of five feet where it is shown to be in conflict with a remaining service island or required circulation path.
2. When a service station is located at a street intersection, a planter area of at least 250 square feet in area shall be provided at the intersection corner.
3. Planter areas shall be provided along the interior property lines at their intersection with the street property lines. Such planter area shall have a minimum length along the interior property lines of 15 feet and shall have a minimum inside width of five feet.
4. Planter areas with an interior dimension of not less than three feet shall be provided along all interior property lines, except as otherwise provided in the requirements above.
5. A minimum of eight percent of the total site, less building pad and required setbacks, shall be landscaped. Required setbacks and required corner landscaping shall not be counted toward this requirement.
6. Each planter area shall be enclosed by a concrete border not less than six inches wide and six inches high.
7. All landscaped areas shall be maintained and provided with irrigation facilities as required by Section 9.18.120 (Landscaping) of this Title.
8. Planter areas shall be constructed and planted prior to the granting of an occupancy permit. The type of plant material planted shall be subject to the approval of the Community Development Director or designee.

D. Storage.

1. **Storage of Vehicles.** Storage of vehicles and equipment that are not in the immediate process of being serviced or that are not directly associated with the service station is limited to vehicles having a capacity of one ton or less. The number of vehicles being stored shall not exceed one-half the number of required parking spaces. Vehicles being stored on the property shall be adequately screened from the public right-of-way.
2. **Refuse Storage.** Refuse storage areas shall be used for the temporary storage of all trash, discarded tires and other discarded material.
 1. A minimum of one refuse storage facility shall be provided on the site pursuant to current City standard plans.
 2. The storage areas shall be shielded from public view by a wall that matches the exterior building material and has metal gates with view-obscuring slats or other opaque material.
 3. All refuse storage areas shall be maintained in a neat and sanitary manner.

4. The refuse storage area shall be located so that the area does not interfere with motor vehicle circulation on the premises.

E. Merchandise Storage or Display. No merchandise storage or display shall be permitted outside of the building.

F. Closures and Conversions to Other Commercial Uses.

1. In the event that a service station is closed and not operated for a period of 90 consecutive days, no further sales or services from the station shall be allowed unless a new conditional use permit is obtained and the development standards set out in this subsection are completed.
2. If a service station is closed and not operated for a period of six months or longer, the premises may be found and determined to be a public nuisance, as provided for in Section 3479 et seq. of the California Civil Code.
3. Any use other than a service station use established in a structure that at any time has been or is being utilized as a service station shall be subject to a conditional use permit and to the aforementioned development standards. Coin-operated vending machines, including, but not limited to, cigarettes, soft drinks or candy, may be permitted without having to file a conditional use permit, provided such vending machine(s) shall be located within a wholly enclosed building.

SECTION 9.18.030.320: Small Animal Hospital/Veterinary/Dog Day Care. Such uses shall be subject to the following conditions:

A. Noise. All buildings and structures shall be completely soundproofed.

B. Outdoor Exercise Areas. Outdoor exercise areas permitted only as authorized by the applicable conditional use permit. Where permitted, the perimeter of all run areas shall be completely surrounded by an eight foot solid wall. Animal runs are to be constructed in such a manner that no animal can see another animal.

C. Incinerator. For small animal hospitals and veterinaries, an incinerator of a type as recommended by the county public health department and the South Coast Air Quality Management District shall be provided. A freezer sufficient to contain the remains of deceased animals shall be installed if an incinerator is not provided.

SECTION 9.18.030.330: Smoking Lounges. Smoking lounges shall be subject to the following conditions:

A. Locations Allowed.

1. The premises shall not be located within 200 feet of any residential zone boundary or any property containing a residential use, whether said residential boundary or property containing a residential use is within or outside of the corporate boundaries of the City.
2. The premises shall be a minimum distance of 1,000 feet from any public or private primary or secondary school, whether said school is within or outside of the corporate boundaries of the City.

- B. Operational Requirements.** Smoking Lounges shall be subject to the operational requirements set forth in Title 5, Chapter 75 (Regulation of Smoking Lounges) of the Municipal Code.
- C. Parking.** Parking shall be provided using the standard for bars and nightclubs.
- D. Conditions of Approval.** In addition to the standards for issuance of conditional use permits under this Title, the hearing body may impose any condition reasonably related to mitigate any possible adverse effect upon the public health, safety, or welfare created by the establishment and/or operation of the smoking lounge.
- E. Nonconforming Uses.** Notwithstanding the provisions of Chapter 9.32 (Procedures and Hearings), any smoking lounge lawfully existing on the effective date of the ordinance adopting this subsection may continue its operation, provided that its operation does not cease for more than 90 days, and provided that the nonconforming use, structures, or buildings of the business shall not be increased, enlarged, or altered without first conforming with the regulations herein.

SECTION 9.18.030.340: Truck, Trailer Rental. Truck and trailer rental may be permitted as an incidental use, pursuant to Table 9.18-1 (Use Regulations for the Mixed Use Zones) and subject to the following conditions:

- A. Visibility.** Outdoor storage of trucks and/or trailers shall not be visible from any public right-of-way.
- B. Location.** Outdoor storage of trucks and/or trailers shall not occupy any required parking space intended for the operation of the primary use. Outdoor storage of trucks and/or trailers shall not occupy any required driveways, access ways or emergency lanes on the property. Display and/or storage of trucks or trailers shall not be permitted in any required street setback.
- C. Signs.** Signage shall comply with all municipal code requirements. Signage for the incidental use of truck/trailer rental may not exceed twenty percent of the total signage for the primary use.
- D. Repair, Maintenance and Dismantled Vehicles.** All vehicle repair and maintenance shall be performed within a wholly enclosed building. No vehicles that are in a wrecked or dismantled condition shall be stored on the property.

SECTION 9.18.030.350: Vehicular Vending. See Section 9.18.070.020 (Outdoor Sales of Goods and Merchandise – Vehicular Vending).

SECTION 9.18.030.360: Work-Live Units. Standards for work-live units and artists' lofts/studios, including the adaptive reuse of existing nonresidential buildings to accommodate work-live uses, are as follows:

- A. Limitations on Use.** The nonresidential component of a work-live development shall be a use allowed within the applicable zone by Section 9.18.020 (Uses Permitted) and Table 9.18-1 (Use Regulations for the Mixed Use Zones), subject to the following additional limitations.
- 1. Prohibited Uses.** A work-live unit shall not be allowed to include any of the following activities:

- a. Auto Repair – General, Auto Repair including paint or body work, Auto Maintenance – Minor, or any similar use.
 - b. Storage of flammable liquids or hazardous materials beyond that normally associated with a residential use.
 - c. Any other activity or use, as determined by the responsible review authority to not be compatible with residential activities and/or to have the possibility of affecting the health or safety of work-live unit residents due to the potential for the use to create dust, glare, heat, noise, noxious gasses, odor, smoke, traffic, vibration or other impacts, or would be hazardous because of materials, processes, products, or wastes.
- 2. Changes in Use.** After approval, a work-live unit shall not be converted to entirely residential use. The covenants, conditions, and restrictions of any work-live project or unit in any Mixed Use zone shall include the requirement that the work-live use shall not be converted to exclusive residential use.
- 3. Fire Department Review.** The Fire Department shall review all work-live applications and have the authority to make recommendations regarding permitted nonresidential uses based on fire code and general public health and safety recommendations.

B. Design Standards.

- 1. Floor Area Requirement.** A work-live unit shall have a minimum floor area of at least 750 square feet. The maximum size of the residential portion of the work-live unit shall be no more than 40 percent of the unit to ensure that the residential portion remains accessory to the primary commercial use. All floor area other than that reserved for living space shall be reserved and regularly used for working space.
 - a. **Separation and Access of Individual Units.** Each work-live unit shall be separated from other units and other uses in the building. Access to each unit shall be provided via storefronts or from common access areas, corridors, or halls. The access to each unit shall be clearly separate from other work-live units or other uses within the building. Living space shall be located in the rear ground level or second floor and above to maintain activity and commercial access along the frontage.
 - b. **Facilities to Accommodate Commercial or Industrial Activities.** A work-live unit shall be designed to accommodate nonresidential uses as evidenced by the provision of ventilation, interior storage, flooring, and other physical improvements of the type commonly found in exclusively nonresidential facilities used for the same work activity.
 - c. **Integration of Living and Working Space.** Areas within a work-live unit that are designated as living space shall be an integral part of the work-live unit and not separated (or occupied and/or rented separately) from the work space, except that mezzanines and lofts may be used as living space subject to compliance with the other provisions of this Title 9, and living and working space may be separated by interior courtyards or similar private space.

- d. **Mixed Occupancy Buildings.** If a building contains mixed occupancies of work-live units and other nonresidential uses, occupancies other than work-live shall meet all applicable requirements for those uses, and proper occupancy separations shall be provided between the work-live units and other occupancies, as determined by the Garden Grove Fire Chief or designee.
- e. **Parking.** Each work-live unit shall meet off-street parking requirements as provided in Section 9.18.140 (Parking).

C. Operating Requirements.

- 1. **Occupancy.** A work-live unit shall be occupied and used only by the operator of the business within the unit, or a household of which at least one member shall be the business operator.
- 2. **Business License Required.** At least one of the residents of a work-live unit shall be required to have a business license with the City of Garden Grove.
- 3. **Sale or Rental of Portions of Unit.** No portion of a work-live unit may be separately rented or sold as a commercial space for any person not living in the premises or as a residential space for any person not working in the same unit.
- 4. **Notice to Occupants.** The owner or manager of any building containing work-live units shall provide written notice to all occupants and users that the surrounding area may be subject to levels of noise, dust, fumes, or other effects associated with commercial and industrial uses at higher levels than would be expected in strictly residential areas. State and federal health regulations notwithstanding, noise and other standards shall be those applicable to commercial or industrial properties in the applicable zone.
- 5. **Non-Resident Employees.** Up to two persons who do not reside in the work-live unit may work in the unit unless this employment is prohibited or limited by the conditional use permit. The employment of three or more persons who do not reside in the work-live unit may be permitted subject to conditional use permit approval, based on additional findings that the employment will not adversely affect traffic and parking conditions in the site vicinity. The employment of any persons who do not reside in the work-live unit shall comply with all applicable Building Code, Occupational Safety and Health Administration (OSHA), and other state and federal regulations.
- 6. **Client and Customer Visits.** Client and customer visits to work-live units are permitted subject to any applicable conditions of the conditional use permit, to ensure compatibility with adjacent commercial or industrial uses, or adjacent residentially zoned areas or uses.

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SECTION 9.18.040: Temporary Uses

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SECTION 9.18.040.010: Purpose. This Section is established to control and regulate land use activities of a temporary nature. The intent is to ensure that temporary uses will be compatible with surrounding land uses, to protect the rights of adjacent residences, businesses and land owners, and to minimize any adverse effects on surrounding properties and to the environment.

SECTION 9.18.040.020: Authority. The City Manager or designee shall be the review authority for approving or denying a temporary use. The City Manager may establish conditions and limitations for temporary uses including, but not limited to, hours of operation, provision of parking areas, signing and lighting, traffic circulation and access, temporary site improvements and other measures necessary to minimize potential detrimental effects on surrounding properties. Appeals to the decision of the City Manager, or his or her designee, shall be heard by the Planning Commission.

SECTION 9.18.040.030: Temporary Structures. The following temporary structures shall be permitted subject to the conditions stated in this Section and any other additional conditions as may be prescribed by the appropriate permit.

A. Trailer Coaches, Mobile Homes, and Modular Structures. The temporary use of trailers, mobile homes, and/or modular structures may be permitted only when permanent facilities are being constructed or remodeled in accordance with applicable codes. Such structures may remain on the property only with the possession of a valid building permit for the permanent facilities. All temporary office or residential structures shall be removed prior to the occupancy of the permanent facilities or as required by the site plan.

B. Temporary Construction Buildings. Temporary structures for the storage of tools and equipment or containing supervisory offices in connection with major construction projects may be established and maintained for the duration of construction. Such structures may remain on the property only with the possession of a valid building permit for the permanent facilities. All temporary office or construction buildings shall be removed prior to the occupancy of the permanent facilities or as required by the site plan.

C. Temporary Real Estate Office. One temporary real estate office may be located within the boundaries of any recorded residential tract within the city, provided that the office shall be removed prior to the occupancy of the final structure or as conditioned by the site plan.

SECTION 9.18.040.040: Holiday Lot Sales. Christmas tree sales, fireworks sales, pumpkin, and other similar holiday lot sales may be permitted to operate, subject to the following conditions:

- A. Holiday lot sales will be permitted only upon application at least ten calendar days in advance of the proposed establishment or initiation date of the event under consideration. The application shall include a site plan for the entire property to be used for the sales and shall indicate the following:
 - 1. Provision of adequate parking facilities, including vehicular ingress and egress;
 - 2. Provision of adequate pedestrian, including disabled, access;
 - 3. Provision for lighting;
 - 4. Provision for sanitary and medical facilities as may be necessary;
 - 5. Days and hours of operation;
 - 6. Location, type and size of all temporary signage for the event; and
 - 7. Provision for security and safety measures.
- B. Holiday lot sales are restricted to a duration of 30 consecutive days prior to, and including the holiday. No sales are permitted after the holiday.

SECTION 9.18.040.050: Neighborhood Events. Bazaars, bake sales, block parties, rummage sales, and other similar temporary events held outside of a wholly enclosed building may be permitted to operate subject to the approval of a neighborhood event permit. Neighborhood event permits shall be subject to the following conditions:

- A. Uses will be permitted only upon application at least 10 calendar days in advance of the proposed establishment or initiation date of the use or event under consideration.
- B. The event shall occur on the applicant's property, with the exception of block parties that may occur in the public right-of-way adjacent to the applicant's property.
- C. The applicant shall be a nonprofit organization, with the exception of block parties for which a permit may be granted to an individual.
- D. These events shall be restricted to properties zoned for residential or open space uses only.
- E. Block parties may be permitted for a period not to exceed four days per year.
- F. All other neighborhood events may be permitted for a period not to exceed 10 days per year.
- G. Conditions may be applied to the permit, including days or hours of operation, restrictions on signage, off-street parking, lighting, fire and safety restrictions, or any other conditions that may be necessary to prevent conflict with surrounding land uses or other provisions of the Garden Grove Municipal Code.

SECTION 9.18.040.060: Community Events. Carnivals, rodeos, public assembly tents, street closures for parades, revivals, and similar types of events may be permitted to operate, subject to the following conditions:

- A. Community events will be permitted only upon application at least 30 calendar days in advance of the proposed establishment or initiation date of the use or event under

consideration. The application shall include a site plan for the entire property to be used for the event. The plan shall indicate the following:

1. Provision of adequate parking facilities, including vehicular ingress and egress;
2. Provision of adequate pedestrian, including disabled, access;
3. Provision for lighting;
4. Provision for sanitary and medical facilities;
5. Days and hours of operation;
6. Location, type and size of all temporary signage for the event; and
7. Provision for security and safety measures.

B. Uses may be permitted for a period not to exceed 45 days per year.

C. Conditions may be imposed regulating days or hours of operation, restrictions on signage, off-street parking, lighting, fire and safety restrictions, or any other conditions that may be necessary to prevent conflict with surrounding land uses or other provisions of the Garden Grove Municipal Code.

D. Any event expected to attract more than 2,000 persons, on average, per day of operation, which generates solid waste, such as, but not limited to, paper, beverage containers or food, shall develop a waste reduction and recycling strategy as part of the permit application. The waste reduction and recycling strategy shall include an estimate of the amount and types of waste anticipated from the event, the proposed actions to reduce the amount of waste generation related to the event, and arrangements for separation, collection and diversion from landfills of reusable and recyclable materials.

SECTION 9.18.040.070: Special Events Sales Permit. Sidewalk sales, parking lot sales, and other similar temporary events held outside of a wholly enclosed building may be permitted to operate subject to the approval of a special event sales permit.

A. Special event sales will be permitted only upon application at least five calendar days in advance of the proposed establishment or initiation date of the use or event under consideration. The application shall include a site plan for the entire property to be used for the event. The site plan shall indicate the following:

1. Provision of adequate parking facilities, including vehicular ingress and egress;
2. Provision of adequate pedestrian, including disabled, access;
3. Provision for lighting;
4. Days and hours of operation;
5. Location, type and size of all temporary signage for the event; and
6. Provision for security and safety measures.

B. The event shall take place on the applicant's business premises.

C. Conditions may be imposed regulating days or hours of operation, restrictions on signage, off-street parking, lighting, fire and safety restrictions, or any other conditions that may be necessary to prevent conflict with surrounding land uses or other provisions of the Garden Grove Municipal Code.

D. A maximum of eight days per calendar year shall be allowed per business address. Shopping center associations shall be allowed an additional six days per calendar year. For shopping center events, applications shall be signed by the property owner or their authorized agent.

- E.** Individual businesses may display merchandise on the sidewalk directly adjacent to the business's exterior storefront. In the GGMU zones, merchandise may be displayed within the front setback. The display shall not impede pedestrian circulation on sidewalks.
- F.** All merchandise, materials, signs and debris shall be removed from the outdoor areas by 10:00 A.M. of the day following the closure of the event, unless extended by the City Manager or his or her designee.

SECTION 9.18.050: Adult Entertainment Uses

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SECTION 9.18.050.010: Purpose. The City Council finds that adult entertainment businesses, as defined in Section 9.04.060 (Definitions) of this Title, because of their very nature, have certain harmful secondary effects on the community. These secondary effects include:

- A. Depreciated property values, vacancy problems in commercial space (particularly in the newer commercial buildings);
- B. Interference with residential neighbors' enjoyment of their property due to debris, noise, and vandalism;
- C. Higher crime rates in the vicinity of adult businesses; and
- D. Blighted conditions such as a low level of maintenance of commercial premises and parking lots.

The City Council further finds that the restrictions and development standards contained in this Section will tend to mitigate, and possibly avoid, the harmful secondary effects on the community associated with adult entertainment businesses. The primary purpose of these regulations is the amelioration of harmful secondary effects on the community. The regulations contained in this Section are unrelated to the suppression of free speech and do not limit access by adults to materials with First Amendment potential.

SECTION 9.18.050.020: Specified Sexual Activities and Anatomical Areas. Pursuant to Section 9.04.060 (Definitions) of this Title, an adult entertainment business is any business or establishment that offers its patrons services, products or entertainment characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas."

- A. For purposes of this Section, "specified sexual activities" shall include the following:
 - 1. Actual or simulated sexual intercourse, oral copulation, anal intercourse, oral-anal copulation, bestiality, direct physical stimulation of unclothed genitals, flagellation or torture in the context of a sexual relationship, or the use of excretory functions in

the context of a sexual relationship, and any of the following depicted sexually oriented acts or conduct: anilingus, buggery, coprophagy, coprophilia, cunnilingus, fellatio, necrophilia, pederasty, pedophilia, piquerism, sapphism, zooerasty; or

2. Clearly depicted human genitals in a state of sexual stimulation, arousal or tumescence; or
 3. Use of human or animal masturbation, sodomy, oral copulation, coitus, ejaculation; or
 4. Fondling or touching of nude human genitals, pubic region, buttocks or female breast; or
 5. Masochism, erotic or sexually oriented torture, beating or the infliction of pain; or
 6. Erotic or lewd touching, fondling or other contact with an animal by a human being; or
 7. Human excretion, urination, menstruation, vaginal or anal irrigation; or
 8. Dancing by one or more live entertainers in a manner displaying specific anatomical areas.
- B.** For the purpose of this Section, "specified anatomical areas" shall include the following:
1. Less than completely and opaquely covered human genitals, pubic region, buttock, and female breast below a point immediately above the top of the areola; and
 2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

SECTION 9.18.050.030: Conditional Use Permit Requirement. The establishment of an adult use in a zone where permitted by Section 9.18.020 (Uses Permitted) and Table 9-18.1 (Use Regulations for the Mixed Use Zones), in addition to the distance limitations, location restrictions, and performance standards set forth in this Section, shall also be subject to the requirement of a conditional use permit.

SECTION 9.18.050.040: Distance Restrictions for Adult Entertainment Businesses. No adult entertainment business shall be established if such business is located:

- A.** Within 200 feet of any "R" zoned property, or any PUD established exclusively for residential use, or any property occupied by a residential use, or within 200 feet of any building owned and occupied by a public agency;
- B.** Within 1,000 feet of any other adult entertainment business;
- C.** Within 1,000 feet of any public or private school facility, grades K through 12; park playground; public library; or licensed day care facility;
- C.** Within 700 feet of any church or other facility used for religious worship.

The establishment of any adult entertainment business shall include the opening of such a business as a new business, the relocation of such business, or the conversion of an existing business location to any adult entertainment business uses.

For the purposes of this Section, all distances shall be measured in a straight line, without regard to intervening structures or objects, from the nearest point of the building or structure used as a part of the premises where such adult entertainment business is conducted to the nearest property line of any lot or premises with "R" zoning or any PUD established exclusively for residential use or any property occupied by a residential use, or to the nearest property line of any lot or premises of a church, park, public library, day care facility, or educational institution utilized by minors, or to the nearest point of any building or structure used as a part of the premises of any other adult entertainment business.

SECTION 9.18.050.050: Location Restrictions for Adult Entertainment Businesses.

With exception of emergency access, all pedestrian and vehicular access to an adult entertainment business shall be oriented toward a principal, major, or arterial street, such as Garden Grove Boulevard, Magnolia Street, and Brookhurst Street. Access via a secondary arterial or local residential street shall be prohibited. Arterials and local residential streets are defined in the City's General Plan Circulation Element.

SECTION 9.18.050.060: Waiver of Distance and Location Provisions for Residential/Commercial Mixed Use Developments.

For a residential/commercial mixed use development project, as defined in this Title, any property owner or his or her authorized agent may, as part of the conditional use permit process, apply to the hearing body for a waiver from the distance and location provisions contained in this Section relative to the specific uses within that mixed use development. The hearing body, after a hearing, may grant a waiver to any distance or location provision for a residential/commercial mixed use development project if the following findings can be made:

- A. That the proposed use will not be contrary to the public interest or injurious to nearby properties, and that the spirit and intent of this Section will be observed;
- B. That the proposed use will not unreasonably interfere with the use and enjoyment of neighboring property or cause or exacerbate the development of urban blight;
- C. That the proposed use will not unreasonably interfere with the operations of other businesses or uses located on the same site;
- D. That the establishment of an additional regulated use in the area will not be contrary to any program of neighborhood conservation or revitalization, nor will it interfere with any program being carried out pursuant to the community redevelopment law;
- E. That the establishment complies with all other distance and pedestrian and vehicular requirements of this code; and
- F. That all applicable regulations of this code will be observed.

The procedure for this hearing shall be the same as that provided in Section 9.32.30 (Land Use Actions) of this Title, with, among other matters, the same notice requirements, the same right of appeal to the City Council, and the same fees payable by the applicant. The City Manager or designee shall prepare the necessary application form for this waiver.

SECTION 9.18.050.070: Required Performance Standards. All adult entertainment uses must comply with the following mandatory performance standards:

- A. Maximum occupancy load, fire exits, aisles, and fire equipment shall be regulated, designed, and provided in accordance with the fire department and building regulations and standards adopted by the City.
- B. No adult business shall be operated in any manner that permits the observation of any material depicting, describing, or relating to specified sexual activities or specified anatomical areas from any public way or from any location outside the building or area of such establishment. This provision shall apply to any display, decoration, sign, show, window, or other opening.
- C. Lighting of at least two foot-candles shall be required and designed to illuminate all off-street parking areas serving such use, for the purpose of increasing the personal safety of store patrons and reducing the incidents of vandalism and theft. Such lighting shall be shown on the required site plans and shall be reviewed and approved by the City Manager or designee.
- D. No loudspeakers or sound equipment shall be used by an adult business for the amplification of sound to a level discernible by the public beyond the walls of the building or space occupied by the tenant in which such use is conducted, or that violates any noise standards adopted by this Title.
- E. Doors to the structure shall be closed at all times.
- F. All on-site signage shall conform to the sign regulations of the municipal code.
- G. All adult materials and activities shall be concealed from view from any public right-of-way, parking lot or neighboring property.
- H. It shall be unlawful to sell, serve, or permit the consumption of alcoholic beverages in a structure occupied by an adult business.
- I. It shall be unlawful to permit patrons or employees under the age of 18 in a structure occupied by an adult business, including adult arcades, adult bookstores, adult cabarets, adult motels, adult motion picture theaters, adult theaters, escort-dating services, massage parlors or sexual encounter establishments.
- J. The building entrance to an adult business shall be clearly and legibly posted with a notice indicating that minors are precluded from entering the premises. Such notice shall be constructed and posted to the satisfaction of the chief of police.
- K. One or more California state-licensed security guards may be required subsequent to the issuance of a conditional use permit if the police department determines that there is an increase in crime activity at or upon the property during the life of the conditional use permit. In such event, the police department may request that the City Manager or designee set a noticed public hearing under Government Code Section 6061 before the Planning Commission to determine whether the applicant's conditional use permit shall be amended to require such security guards at a property location.

- L. The business shall be subject to public safety conditions as recommended by the police department to ensure that harmful secondary effects from the business operation, such as noise, litter, violent crime and graffiti are mitigated to the greatest extent possible.
- M. The business shall comply with the property maintenance standards set forth in Section 9.32.200.B (Property Maintenance). Conditions may be imposed on the conditional use permit to ensure that the application conforms to this Section.
- N. Hours of operation shall be maintained as established in the approved conditional use permit, unless otherwise provided for in the municipal code.

SECTION 9.18.050.080: Site Plan Approval. In the case of new construction or for building additions exceeding 10 percent of the existing floor area or 1,000 square feet, whichever is less, a site plan application and approval shall be required in addition to the conditional use permit. In granting a site plan approval, the Planning Commission shall be required to find that:

- A. The proposed development is consistent and harmonious with the architectural elements, including, but not limited to, front elevation design, colors, size of structure, within 300 feet of structures that front on the same street.
- B. The proposed development plan meets the parking, landscaping, setbacks, signage, fencing, building height and other related building standards of this Title.

SECTION 9.18.050.090: Planning Commission Action. If the Planning Commission makes findings that the standards set forth in subsection 9.18.050.070 (Required Performance Standards), above and subsection 9.18.050.060 (Waiver of Distance and Location Provisions for Residential/Commercial Mixed Use Developments) as applicable, of this Section can be or have been met, and that the required site plan findings of subsection 9.18.050.080 (Site Plan Approval), above, of this Section can be made, the Planning Commission shall approve the conditional use permit application. The Planning Commission shall make written findings to this effect.

SECTION 9.18.050.100: Time for Planning Commission Findings. The conditional use permit shall be acted upon by the Planning Commission within 90 days after the use permit application is deemed complete by the City Manager or designee. If an environmental impact report is required under CEQA, the time for action shall not exceed six months.

SECTION 9.18.050.110: Appeals. The decision of the Planning Commission shall be appealable to the City Council, pursuant to Section 9.32.110-150 (Appeals).

SECTION 9.18.050.120: Adult Entertainment Use within an Existing Development. A person seeking to establish an adult entertainment use within an existing development within any GGMU zone that was developed prior to October 27, 2011 may apply for a conditional use permit for an adult business as long as the application demonstrates compliance with the distance and vehicular and pedestrian access requirements of this Section.

SECTION 9.18.050.130: Adult Merchandise in Non-Adult-Use Business.

- A. **Definitions.** For the purposes of this Section, "adult merchandise" is defined as any product dealing in or with explicitly sexual material as characterized by matter depicting, describing, or relating to specified sexual activities or specified anatomical areas. In

addition, "non-adult-use business" means any business or establishment not included in Section 9.04.060 (Definitions).

- B. Floor Space Limitations.** No more than 15 percent of total floor space area open to the public of a non-adult-use business shall be devoted to adult merchandise.
- C. Segregation of Adult Merchandise.** Retailers classified as non-adult-use establishments shall display adult merchandise in an area of the business segregated and screened from the area used for the sale and display of non-adult merchandise. Screening may be accomplished with partitions or said adult materials may be displayed in separate rooms.
- D. Access by Minors.** Non-adult-use establishments shall provide controls sufficient to prohibit access by persons under 18 years of age to areas screened or segregated for the purpose of selling or displaying adult merchandise.
- E. Certain Merchandise Prohibited.** Non-adult-use businesses shall not display or merchandise adult, sexually oriented implements and paraphernalia, including, but not limited to: dildos, auto sucks, sexually oriented vibrators, edible underwear, benwa balls, inflatable orifices, anatomical balloons with orifices, simulated and battery operated vaginas, and similar sexually oriented devices.

SECTION 9.18.060: Alcohol Beverage Sales

SECTION 9.18.060.010: Purpose.....	59
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SECTION 9.18.060.010: Purpose. This Section establishes criteria and conditions for uses that sell, serve, or allow consumption of alcoholic beverages.

SECTION 9.18.060.020: Restrictions on When Permitted. Alcohol sales, either on-sales or off-sales, shall only be permitted in association with the following uses, where such uses are allowed in a zone, and shall require issuance of a conditional use permit:

- A. Bars and nightclubs
- B. Brew pubs and wine tasting establishments
- C. Catering
- D. Convenience stores
- E. Delicatessens
- F. Drug stores
- G. Florists, as an incidental use
- H. Liquor stores
- I. Minimarkets associated with service stations
- J. Restaurants
- K. Supermarkets
- L. Other uses similar to the above, as determined by the City Manager or designee

SECTION 9.18.060.030: Conditional Use Permit Required. Any use that engages in on- or off-site retail sales of alcoholic beverages, and that is required to operate under a state alcoholic beverage control (ABC) license, shall be subject to the approval of a conditional use permit. A conditional use permit shall be required for the following actions:

- A. An application for an original ABC license;
- B. An application for a new ABC license;
- C. Any change in the type of existing ABC license;
- D. Premise-to-premise transfer of an existing ABC license;
- E. Any change in floor area in an ABC licensed establishment;
- F. Any change in operating characteristics and/or conditions of approval from what was originally approved by the City or by ABC, including but not limited to any change of hours of operation or entertainment;

- G. A request to establish entertainment or dancing in an ABC licensed establishment;
- H. Any ABC licensed establishment that has its license revoked or suspended, or any ABC licensed establishment that surrenders its license to ABC, discontinues use of the license for 30 days, has its conditional use permit revoked, or vacates the property, shall be required to file and have approved a new conditional use permit before reestablishing the use;
- I. Any ABC licensed establishment not possessing a conditional use permit approved after January 1, 1986, when there is a change of ownership that requires an investigation by the Department of Alcoholic Beverage Control pursuant to the provisions of Business and Professions Code Section 23958, as may be amended from time to time; and/or
- J. When the use of the establishment with an ABC license ceases to operate for more than 90 days, the Conditional Use Permit that approved the sale of alcohol shall become null and void. Reestablishment of the sale of alcohol shall require approval of a new Conditional Use Permit.

SECTION 9.18.060.040: Location and Related Requirements.

- A. In judging requests for alcoholic beverage sales, of particular concern will be the physical relationship and proximity of the proposed use to that of similar uses on surrounding sites; the compatibility of the proposed use with neighboring uses (i.e., schools, parks, religious institutions, hospitals and other similar uses), and that no adverse effect on public health, safety or welfare will be created.
- B. The specified distance from any use listed in Section 9.18.060.020 (Restrictions on When Permitted) shall be a minimum of 200 feet or equal to the distance used by Alcoholic Beverage Control for ABC licensed establishments, as specified in the most recent ABC Rules and Regulations and Procedural Manual. A conditional use permit may be denied where the building housing a proposed on- or off-sale ABC licensed establishment does not maintain the specified distance from the indicated uses. Additional distance requirements for certain uses are prescribed in Section 9.18.030 (Specific Uses – Special Operating Conditions and Development Standards).
- C. The proposed use shall not be incompatible with the adjoining uses as it relates to noise, debris, traffic, storage, design and hours of operation, nor shall it create any adverse effect on public health, safety or welfare.
- D. The City shall provide for periodic on-site inspections of all uses for which a conditional use permit has been approved in accordance with this Chapter. Inspection shall be held at no more than six month intervals to ensure compliance with all provisions of this and all other applicable ordinances.
- E. In the event the City has determined that a party holding a conditional use permit at a given location is in violation of the conditions of the permit, the Zoning Administrator or the Planning Commission, through the public hearing process, shall have the authority to suspend the conditional use until such time as the property has been brought into compliance and the City establishes that those conditions have been met.

SECTION 9.18.060.050: Waiver of Distance and Location Provisions for Residential/Commercial Mixed Use Developments. For a residential/commercial mixed use development project, as defined in this Title, any property owner or his or her

authorized agent may, as part of the conditional use permit process, apply to the hearing body for a waiver from the distance and location provisions contained in this Section relative to the specific uses within that mixed use development. The hearing body, after a hearing, may grant a waiver to any distance or location provision for a residential/commercial mixed use development project if the following findings can be made:

- A. That the proposed use will not be contrary to the public interest or injurious to nearby properties, and that the spirit and intent of this Section will be observed;
- B. That the proposed use will not unreasonably interfere with the use and enjoyment of neighboring property or cause or exacerbate the development of urban blight;
- C. That the proposed use will not unreasonably interfere with the operations of other businesses or uses located on the same site;
- D. That the establishment of an additional regulated use in the area will not be contrary to any program of neighborhood conservation or revitalization, nor will it interfere with any program being carried out pursuant to the community redevelopment law;
- E. That the establishment complies with all other distance and pedestrian and vehicular requirements of this code; and
- F. That all applicable regulations of this code will be observed.

The procedure for this hearing shall be the same as that provided in Section 9.32.30 (Land Use Actions) of this Title, with, among other matters, the same notice requirements, the same right of appeal to the City Council, and the same fees payable by the applicant. The City Manager or designee shall prepare the necessary application form for this waiver.

SECTION 9.18.060.060: Operational Conditions. All conditional use permits for ABC licensed establishments may include conditions of approval to ensure that the proposed use is compatible with adjoining uses as it relates to noise, debris, parking, traffic, security, design and hours of operation, to ensure that the use does not create an adverse impact on public health, safety or welfare. In order to ensure that an ABC licensed establishment does not create an adverse impact on public health, safety or welfare, the following operational conditions shall be required through the conditional use permit process:

- A. Hours of operation shall be permitted only between the hours identified in the conditional use permit.
- B. Site lighting shall be required to illuminate the premises.
- C. A state-licensed, uniformed security guard(s) shall be provided if requested by the police department.
- D. The sound emitted from the premises shall not be audible outside the boundaries of the establishment.
- E. Doors that open towards adjacent residential properties shall be kept closed during the operation of the establishment, except in case of emergency.
- F. The operator of the ABC licensed establishment shall submit a signed letter agreeing to comply with all conditions of approval.

- G. Signs shall comply with all applicable provisions of this code.
- H. The property shall have properly maintained trash enclosures, parking area surfaces, parking stall striping, and other facilities as required by Sections 9.32.190 (Refuse Storage Areas), 9.32.200 (Property Maintenance) and other sections of this code.
- I. The City reserves the right to review the conditional use permit three years from the date the conditional use permit is first approved and at three-year intervals thereafter, and add, amend or delete any conditions of approval based upon changed circumstances that necessitate a modification to the conditions of approval. The hearing body shall adopt findings in support of its action. The operator of the establishment shall be responsible for filing the application for the review.
- J. The hearing body may approve additional conditions on any conditional use permit based upon the characteristics of the ABC licensed establishment and the area in which it is located.

SECTION 9.18.060.070: Administrative Review of Conditional Use Permits. The City Manager or designee may perform administrative reviews of existing conditional use permits for state ABC licensed establishments. The purpose of the administrative review is to ensure that any conditions of approval originally approved by the hearing body are being complied with. If, upon review, the establishment has been found to be operating in compliance with the conditions of approval of the conditional use permit, and no changes to the conditions of approval are necessary, the City Manager or designee shall send a letter of compliance to the operator. In the event that, upon review of the conditional use permit, any violations of the conditions of approval have been found, or any changes to the conditions of approval or business operation are proposed, the review shall be considered by the Planning Commission at a duly noticed public hearing.

SECTION 9.18.070: Outdoor Sales of Goods and Merchandise

SECTION 9.18.070.010 Nonvehicular Vending Kiosks	63
SECTION 9.18.070.020 Vehicular Vending (Food Truck)	63

SECTION 9.18.070.010 Nonvehicular Vending Kiosks. In the GGMU-1, GGMU-2, and GGMU-3 zones, nonvehicular vending kiosks may be established as a permanent use anywhere on a site except within a required side or rear yard setback area, subject to the following regulations. In the CC-3, NMU, and AR zones, nonvehicular vending kiosks may be established as an incidental use subject to the following regulations.

- A. Circulation.** All kiosks shall be located outside of any area provided for on-site pedestrian and vehicular circulation.
- B. Security.** All kiosks shall have security features designed to guard against vandalism and other crimes when not in use.
- C. Maximum Footprint.** The maximum footprint area occupied by any single kiosk shall not exceed 36 square feet.
- D. Uniform Design.** Where more than one kiosk is provided on a single site or group of related parcels, the design of the kiosks shall be uniform. Also, for any kiosk located within the front setback or visible from a public right-of-way, the design of the kiosk shall have an architectural quality and style compatible with permanent structures on the same site.
- E. Maintenance.** All kiosks shall be maintained in good condition.
- G. Permitted Uses.** Goods and services sold at kiosks shall be those permitted within the zone in which they are located pursuant to Table 9.18-1 (Use Regulations for the Mixed Use Zones).
- H. Location.** Kiosks shall not occupy any required parking space or impede vehicular or pedestrian circulation.
- I. City Review and Approval Required.** Design, location and layout of kiosks shall be subject to the review and approval of the Community Development Director or designee.

SECTION 9.18.070.020 Vehicular Vending (Food Truck). The preparation, sale, display, and consumption of food and/or beverages may occur from any vehicle that is parked, stopped, or standing upon any property where such is permitted as an incidental use, as set forth in Table 9.18-1 (Use Regulations for the Mixed Use Zones). Incidental vehicular vending, where permitted, shall be subject to the following conditions:

- A. Location.** The food truck shall be located on a developed site. The owner(s) of the property shall provide written permission to use the site. It is unlawful for any person to sell or offer for sale any goods, food or merchandise from any vehicle that is either parked, stopped or standing upon any public street, alley, parkway, or sidewalk.

- B. Interference.** The food truck shall not interfere with or create hazards for vehicular or pedestrian access, aisles, circulation, driveways, or fire hydrants.
- C. Hours of Operation.** Hours of operation at an approved location shall be no earlier than 7 A.M. and no later than 10 P.M., and the vehicle shall be moved each night.
- D. Lighting.** The food truck shall have adequate lighting to ensure customer safety either on the vehicle or at the location of the vehicle during business hours.
- E. Business License.** Food truck owner/operator shall obtain, display, and keep a current City of Garden Grove business license.
- F. Litter.** The licensed operator shall be responsible for controlling all litter that may be generated due to the operation.

SECTION 9.18.080: Reserved

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SECTION 9.18.090: Development Standards Specific to Individual Mixed Use Zones

SECTION 9.18.090.010: Using this Section.....	67
SECTION 9.18.090.020: Garden Grove Boulevard Mixed Use Zone (GGMU) Development Standards.....	68
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SECTION 9.18.090.010: Using this Section.

A. Standards. This Section establishes the development standards applicable to each individual Mixed Use zone; the unique standards applicable to each specific zone or group of zones are provided by subsection. Additional development standards that apply to all Mixed Use zones are also provided; these standards are set forth in Section 9.18.100 (Redevelopment and Design Standards Applicable to All Mixed Use Zones) and Section 9.18.110 (Development Standards for Specific Uses). All of the provisions in this Section 9.18.090 shall be used in conjunction with the development and design standards in Section 9.18.100 and Section 9.18.110. All other provisions of this Chapter are also applicable to determine how properties can be developed.

B. Examples of Development Approaches and Outcomes. Figures 9.18-5, 9.18-6, and 9.18-7 at the conclusion of subsection 9.18.090.020.G (Examples of Build-out Options for GGMU-1, GGMU-2, and GGMU-3) illustrate development approaches for the GGMU zones that may result from the application of the development and design standards set forth in this Chapter. Photographs are used throughout this Section to illustrate the desired outcomes from application of the development and design standards.

SECTION 9.18.090.020: Garden Grove Boulevard Mixed Use Zone (GGMU) Development Standards. In addition to the other applicable requirements of this Chapter, the provisions of this subsection 9.18.090.020 apply to development in the GGMU-1, GGMU-2, and GGMU-3 zones. Table 9.18-2 (Development Standards for the Garden Grove Boulevard Mixed Use Zones) sets forth the general development standards applicable to all development in the GGMU zones.

**TABLE 9.18-2
Development Standards for the Garden Grove Boulevard Mixed Use Zones**

DEVELOPMENT STANDARDS	Garden Grove Boulevard Mixed Use Zones		
	GGMU-1	GGMU-2	GGMU-3
Minimum Lot Size	<i>Minimum area and width for new lots. When a lot has less than the minimum required area or width as set forth in the development standards for the zone in which it is located and was of record on November 12, 1960, the lot shall be deemed to have complied with the current minimum required lot area or width.</i>		
Minimum Area	22,500 sf	15,000 sf	15,000 sf
Minimum Width	125 ft	75 ft	75 ft
Minimum Width (Corner Lot)	125 ft	75 ft	75 ft
Maximum Density/Intensity			
Maximum Commercial Floor Area Ratio (FAR)	1.0	0.5	0.5
Maximum Residential Density (units/acre)	42 units/acre Residential development requires an on-site commercial development component of a minimum 0.3 FAR unless a project consists of 100% affordable units, in which case no commercial component shall be required.	21 units/acre No commercial component required.	32 units/acre No commercial component required.
Setbacks	<i>Minimum setbacks required. See Section 9.18.100 for setback measurement, allowed encroachments and projections into setbacks, and exceptions to setbacks.</i>		
Front	Minimum 10 ft	Minimum 15 ft	Minimum 15 ft
Side	None required	None required	None required
Corner Side	Minimum 10 ft	Minimum 10 ft	Minimum 10 ft
Rear	None required unless abutting a residentially zoned lot; minimum 10 ft and shall not encroach within an encroachment plane when abutting a residentially zoned lot. See Section 9.18.100.		
Maximum Height	<i>Maximum building height shall not exceed height limit in feet or stories. See Section 9.18.090.020.D and 9.18.090.020.E for additional building setback requirements. See also Section 9.18.100 for rear and side yard encroachment plane requirements which may restrict heights adjacent to a residentially zoned lot.</i>		
	110 ft or 10 stories, whichever is less	50 ft or 4 stories, whichever is less	75 ft or 7 stories, whichever is less
Lot Coverage			
Minimum Lot Coverage	Not applicable		
Maximum Lot Coverage	Not applicable		

- A. Garden Grove Boulevard Mixed Use Zone 1 (GGMU-1) Setback Requirements.** For any property where the front lot line abuts Garden Grove Boulevard, the minimum required 10-foot front setback, measured from and perpendicular to the property line, shall be primarily for pedestrian use and shall be paved and augmented with landscaping such as planters and trees, as provided per Section 9.18.100.020.C (Setbacks) and subsection C (Garden Grove Boulevard Tree Requirements) below. Elements enhancing the pedestrian experience shall be incorporated into the design of the front setback, including but not limited to benches, lighting, and enhanced paving.

Photo 9.18-2: Example of Paved Pedestrian Activity Area with Landscaping and Benches in the GGMU-1 Zone

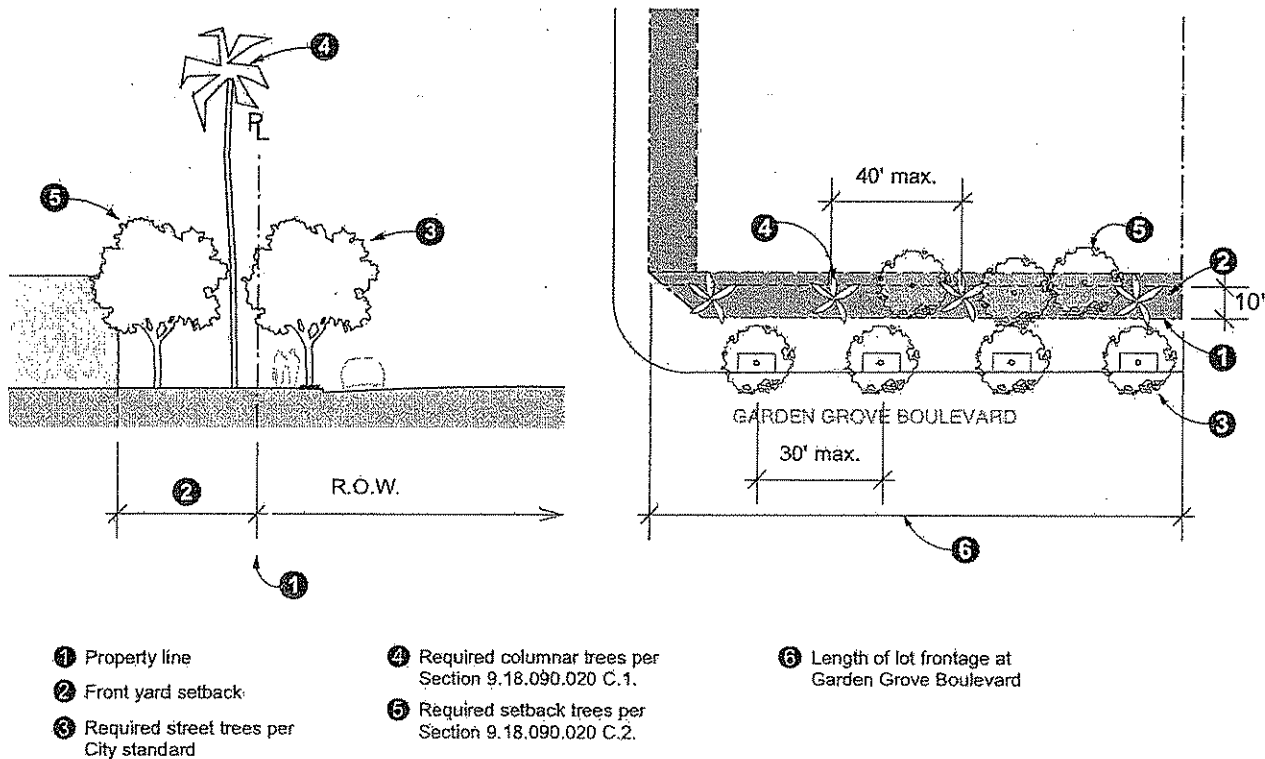


- B. Garden Grove Boulevard Mixed Use Zones 2 and 3 Setback (GGMU-2 and GGMU-3) Requirements.** The first five feet within the minimum required 15-foot front yard setback, measured from and perpendicular to the property line, shall be for pedestrian use and shall be paved and landscaped, as provided in Section 9.18.100.020.C (Setbacks). Elements enhancing the pedestrian experience shall be incorporated into the design of the front setback, including but not limited to benches, lighting, and enhanced paving.
- C. Garden Grove Boulevard Tree Requirements.** Trees are a significant and highly visual component of the urban environment for both the pedestrian and people in vehicles. For the pedestrian, trees create shade and provide comfort and an enhanced feeling of appropriate scale. For people in vehicles, a clear pattern of trees provides visual interest and enhances movement along and through the city's primary street corridors. For these reasons and to achieve General Plan goals with regard to enhancing city identity, for all properties having any property line adjacent to the Garden Grove Boulevard right-of-way,

enhanced landscaping shall be provided within the required front setback area, in addition to otherwise required paving and landscaping. Such enhanced landscaping shall consist of the following:

1. **Columnar Trees Required.** Columnar trees, selected from the Planning Division's approved tree list for Garden Grove Boulevard, shall be planted within 10 feet of the Garden Grove Boulevard property line within the front yard setback. Trees should be placed at regular intervals and no more than 40 feet on center. Trees shall have a minimum height at maturity of 45 feet.
2. **Setback Canopy Trees Required.** Canopy trees, selected from the Planning Division's approved tree list for Garden Grove Boulevard, shall be planted at a ratio of at least one tree for every 50 feet of Garden Grove Boulevard lot frontage. Trees may be placed at regular intervals along the front yard setback or may be clustered within the front yard setback.
3. **Trees within Public Rights-of-way.** Canopy trees within the street right-of-way are an essential component of the streetscape and pedestrian orientation of Garden Grove Boulevard. Street trees shall be provided no more than 30 feet apart on center, or as otherwise required by Public Works standards.
4. **Required Planting Area.** A minimum of 16 square feet of planting of shrubs and/or groundcover shall be provided at the base of each required tree, unless tree grates are approved through the site plan review process.

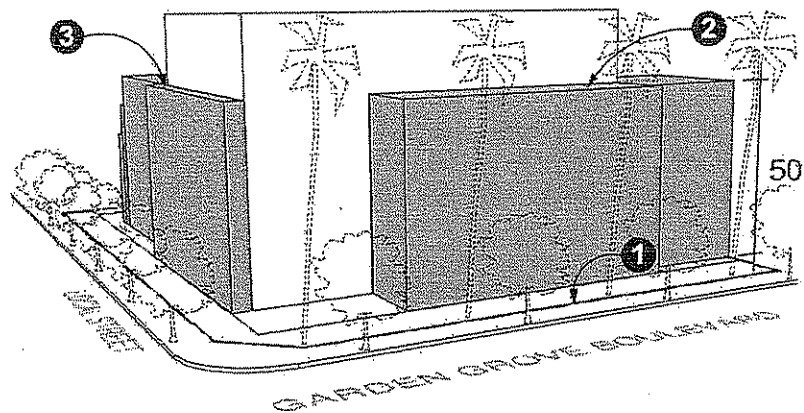
D. FIGURE 9.18-2: Garden Grove Boulevard Frontage Tree Requirements



Building Stepback at Garden Grove Boulevard. Any portion of a building or structure located within 45 feet of the Garden Grove Boulevard right-of-way shall not exceed 50 feet in height. Where a building fronting Garden Grove Boulevard is located more than 45 feet away from Garden Grove Boulevard, no additional building stepback is required.

- E. Building Stepback at Side Streets.** Any portion of a building or structure located within 25 feet of any public right-of-way other than Garden Grove Boulevard shall not exceed 50 feet in height. Where a building is located more than 25 feet away from another public right-of-way (other than Garden Grove Boulevard), no additional building stepback is required.

FIGURE 9.18-3: GGMU Required Building Stepbacks



- ① Front property line
- ② Building stepback: 50-foot maximum building height within 45 feet of Garden Grove Boulevard property line per Section 9.18.090.020.D.
- ③ Building stepback: 50-foot maximum building height within 25 feet of side street property line per Section 9.18.090.020 E.

- F. Boulevard Garden Plaza Requirement.** For projects having a property line that abuts the Garden Grove Boulevard right-of-way and where the buildings are clearly oriented immediately toward Garden Grove Boulevard, a boulevard garden plaza shall be provided. The purpose of this boulevard garden plaza is to provide a place adjacent to the public right-of-way that expands the area for use by pedestrians for passive recreation and public gathering, and that provides area for landscape amenities, display of public art, and similar uses that enhance the appearance and function of development. This boulevard garden plaza shall be provided at grade.

Where a building or buildings is located toward the rear of a lot and a surface parking lot is located between the public right-of-way and buildings on the site, a pedestrian plaza shall be required in lieu of the boulevard garden plaza, in

conformance with the requirements set forth in Section 9.18.100.030.B (Pedestrian-Oriented Plazas).

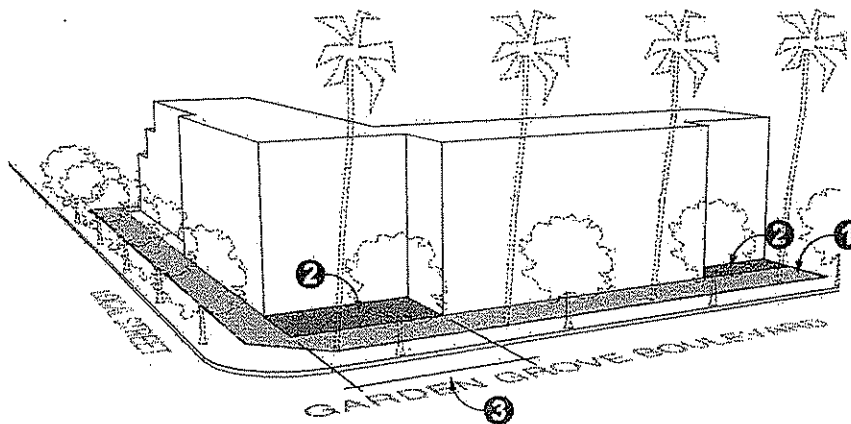
1. **Permitted Uses.** The required boulevard garden plaza may include landscaped and paved areas, outdoor dining areas, public art display, fountains, or similar uses and amenities permitted in the applicable zone, including nonvehicular sales kiosks and outdoor dining.
2. **Minimum Area.** The boulevard garden plaza area shall comply with the minimum area requirements set forth in Table 9.18-3 (Minimum Boulevard Garden Plaza Area in the GGMU Zones).

**TABLE 9.18-3
Minimum Boulevard Garden Plaza Area in the GGMU Zones**

Garden Grove Boulevard Frontage Length	Minimum Plaza Area
Less than 150 feet	600 sf
150-300 feet	1,000 sf
More than 300 feet	1,500 sf

3. **Shape and Minimum Dimensions.** The boulevard garden plaza area shall have a minimum dimension of 10 feet in width and 10 feet in length. The required open space area may be split into no more than two contiguous areas.
4. **Location.** The boulevard garden plaza area shall adjoin the front yard setback.
5. **Landscaping.** A minimum of 25 percent of the boulevard garden plaza area shall be landscaped with live plant materials. Landscaping provided in raised planters or pots is permissible.

FIGURE 9.18-4: Required Boulevard Garden Plaza



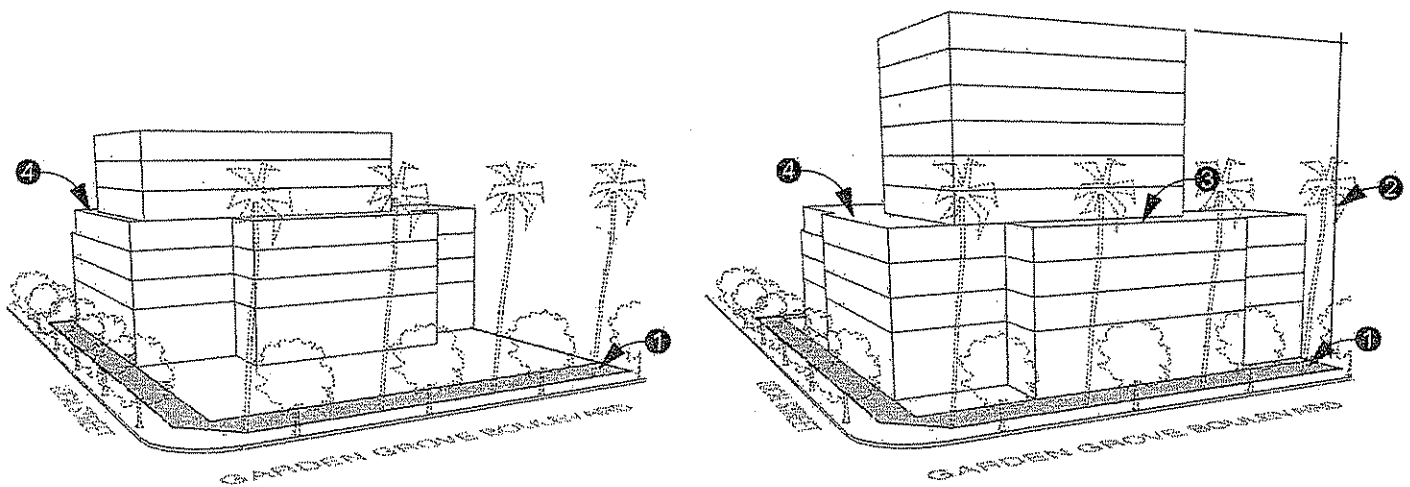
- ① Front yard setback
- ② Boulevard garden plaza per Section 9.18.090.020 F,
- ③ Minimum 10-foot dimension.

6. Paving. Boulevard garden plazas shall be paved in high-quality materials such as pavers, stone or cobblestone, patterned or scored colored concrete, or similar durable materials. Plain and colored concrete and plain asphalt are prohibited.

7. Other Requirement. The boulevard garden plaza area shall not be enclosed or obstructed by fencing or walls and shall be well integrated with the front yard setback area, except as required for permitted outdoor dining areas.

G. Examples of Build-out Options for GGMU-1, GGMU-2, and GGMU-3. Figures 9.18-5 through 9.18-7 illustrate development approaches that may result from the application of the development standards for the GGMU zones.

FIGURE 9.18-5: GGMU-1 Potential Development Examples



Build-Out Example 1:
Sample build-out with building placed towards the rear of the lot.

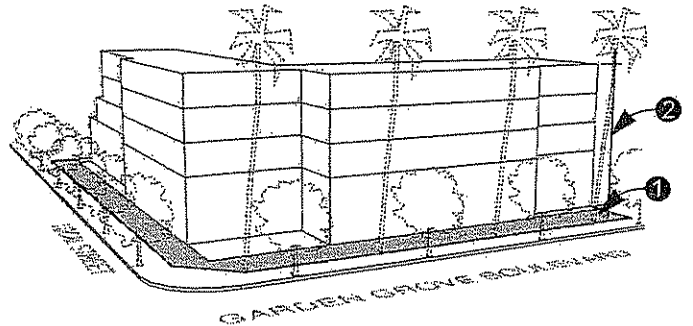
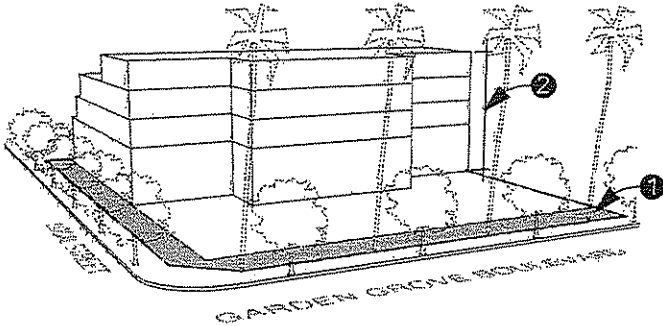
Build-Out Example 2:
Sample build-out with building positioned at the front yard setback line.

- ① Required setbacks
- ② 110-foot maximum building height

- ③ Required building stepback per Section 9.18.090.020 D.

- ④ Required building stepback per Section 9.18.090.020 E.

FIGURE 9.18-6: GGMU-2 Potential Development Examples

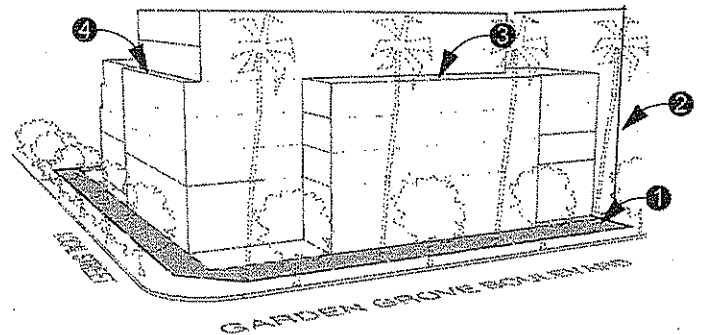
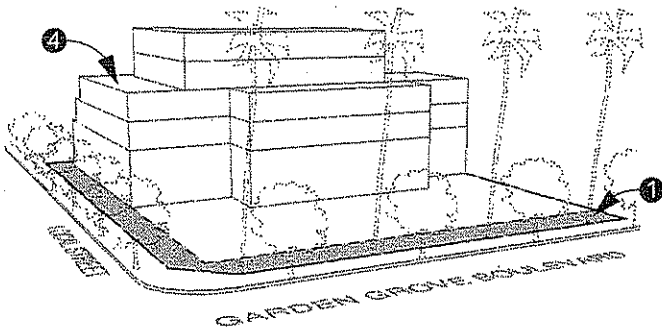


Build-Out Example 1:
Sample build-out with building placed towards the rear of the lot.

Build-Out Example 2:
Sample build-out with building positioned at the front yard setback line.

- ① Required setbacks
- ② 50-foot maximum building height

FIGURE 9.18-7: GGMU-3 Potential Development Examples



Build-Out Example 1:
Sample build-out with building placed towards the rear of the lot.

Build-Out Example 2:
Sample build-out with building positioned at the front yard setback line.

- ① Required setbacks
- ② 75-foot maximum building height
- ③ Required building stepback per Section 9.18.090.020 D.
- ④ Required building stepback per Section 9.18.090.020 E.

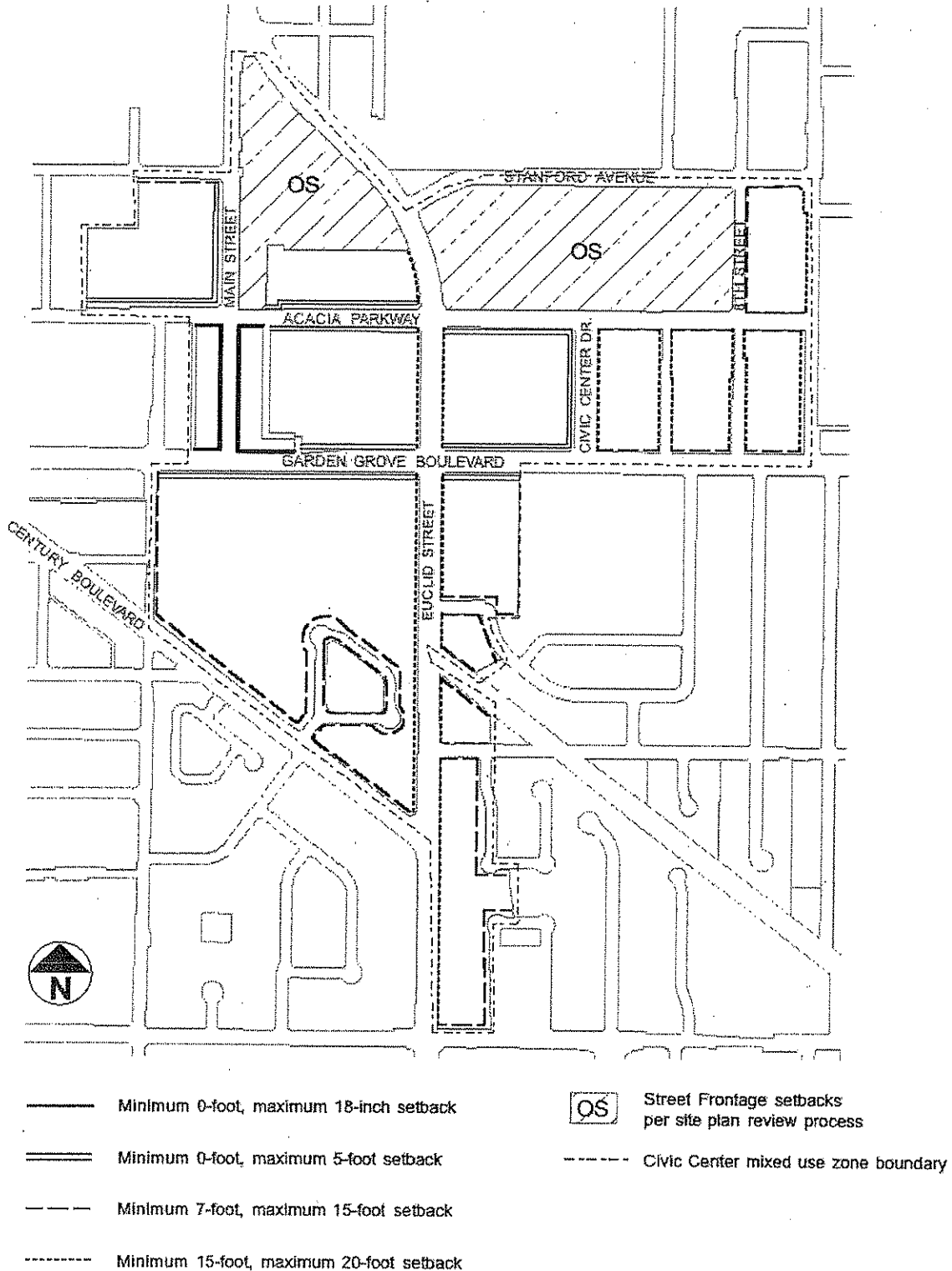
SECTION 9.18.090.030: Civic Center Zone Development Standards. In addition to the other applicable requirements of this Chapter, the provisions of this subsection 9.18.090.030 apply to proposed development in the CC-1, CC-2, CC-3, and CC-OS zones. Table 9.18-4 (Development Standards for the Civic Center Mixed Use Zones) and referenced figures establish the general development standards applicable to all development in the CC zones.

**TABLE 9.18-4
Development Standards for the Civic Center Mixed Use Zones**

DEVELOPMENT STANDARDS	CIVIC CENTER MIXED USE ZONES			
	CC-1	CC-2	CC-3	CC-OS
Minimum Lot Size	<i>Minimum area and width for new lots. When a lot has less than the minimum required area or width as set forth in the development standards for the zone in which it is located and was of record on November 12, 1960, the lot shall be deemed to have complied with the current minimum required lot area or width.</i>			
Minimum Area	10,000 sf	5,000 sf	15,000 sf	Development standards per site plan review process.
Minimum Width	75 ft	50 ft	75 ft	
Minimum Width (Corner Lot)	75 ft	50 ft	75 ft	
Maximum Density/Intensity				
Maximum Commercial Floor Area Ratio (FAR)	0.5	0.5	0.5	Development standards per site plan review process.
Maximum Residential Density (units/acre)	21 units/acre No commercial component required.	32 units/acre Residential uses permitted above ground floor only (See Section 9.18.090.050)	42 units/acre Commercial storefronts required per Section 9.18.090.030.C and Figure 9.18-11.	
Setbacks	<i>Minimum setbacks required. See Section 9.18.100 for setback measurement, allowed encroachments and projections into setbacks, and exceptions to setbacks.</i>			
Front	As determined per Figure 9.18-8			Development standards per site plan review process.
Side	Minimum 5 ft	None required	None required	
Corner Side	As determined per Figure 9.18-8			
Rear	Minimum 20% of lot depth not to exceed 25 ft	None required unless abutting a residentially zoned lot; minimum 10 ft when abutting a residentially zoned lot. See Section 9.18.100.		
Maximum Height and Building Stepbacks	<i>Maximum building height shall not exceed height limit in feet or stories. See also Section 9.18.100 for rear and side yard encroachment plane requirements which may restrict heights adjacent to a residentially zoned lot.</i>			
	Maximum height and building stepbacks required as determined per Section 9.18.090.030.B, including Figure 9.18-9 and Figure 9.18-10.			Per site plan review process.
Lot Coverage				
Minimum Lot Coverage	Not applicable	70%	Not applicable	Per site plan review process.
Maximum Lot Coverage	50%	Not applicable	Not applicable	

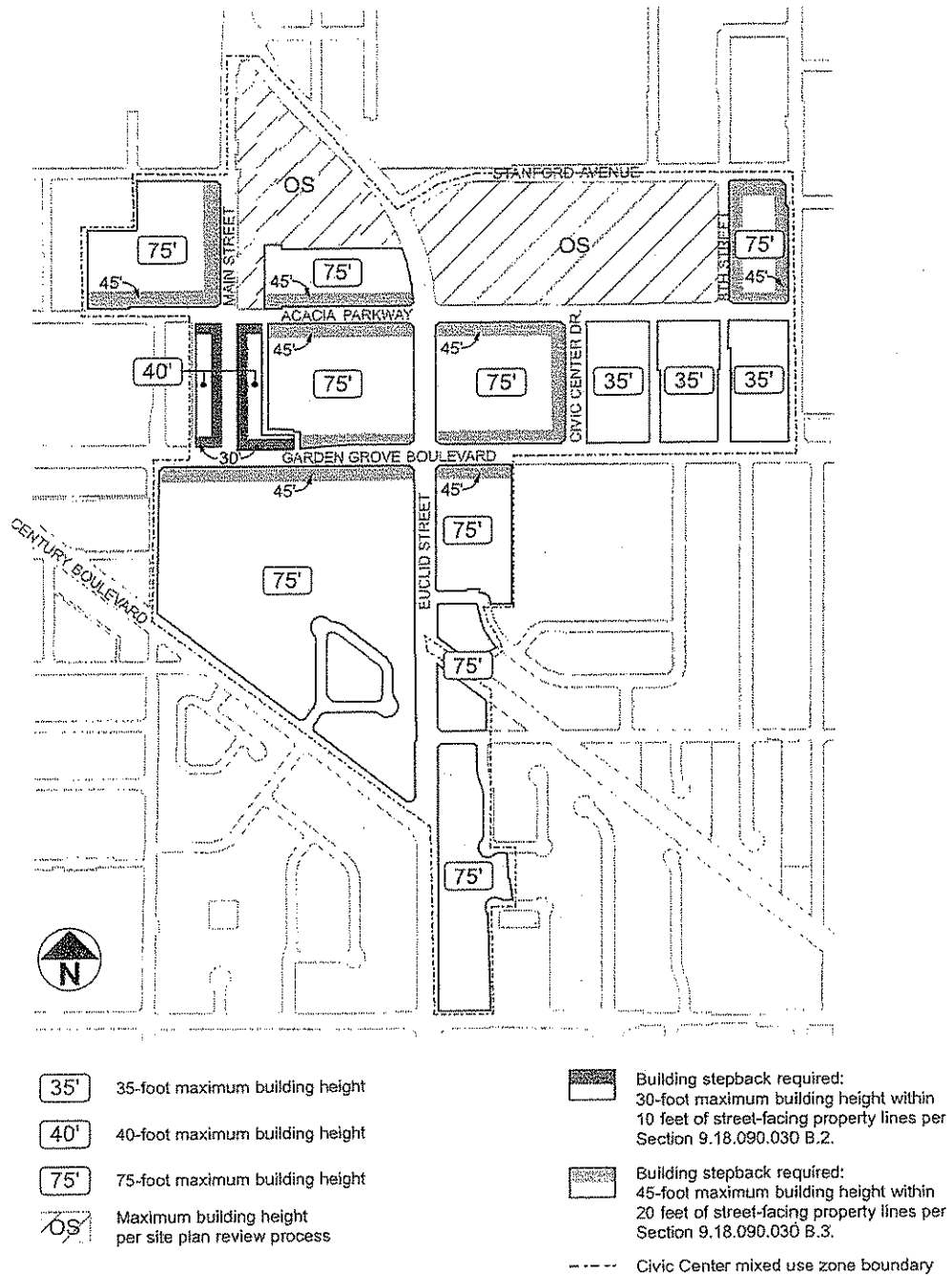
A. Required Setbacks. All structures shall maintain the minimum required setbacks set forth on Figure 9.18-8 (CC Required Street Frontage Setbacks), below.

FIGURE 9.18-8: CC Required Street Frontage Setbacks



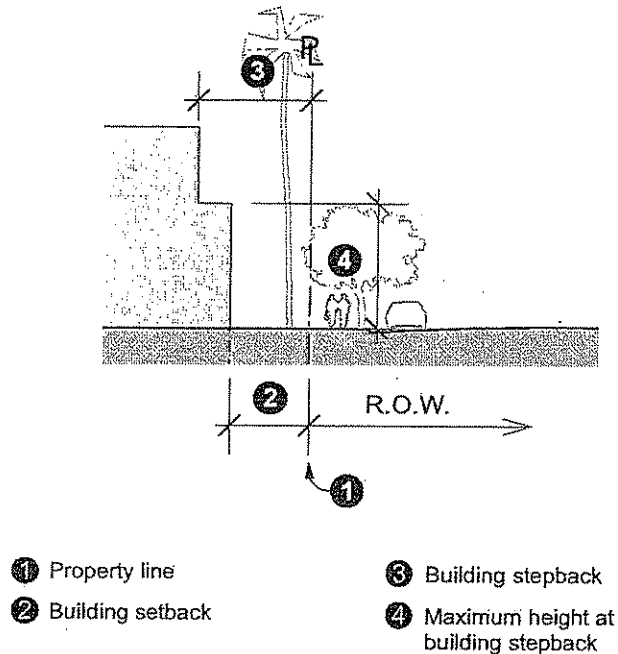
B. Maximum Heights and Required Building Stepbacks. New buildings and structures shall conform to the maximum height and building stepback requirements of this Section.

FIGURE 9.18-9: CC Maximum Heights and Required Building Stepbacks



1. In the CC-1 zone, no building setback shall be required.
2. In the CC-2 zone, building setbacks shall be required pursuant to Figure 9.18-9 (CC Maximum Height Limits and Required Building Setbacks) for any new development with a property line abutting Main Street, Garden Grove Boulevard, or Acacia Parkway and where a building will be located within 10 feet of the subject street.
3. In the CC-3 zone, building setbacks shall be required pursuant to Figure 9.18-9 (CC Maximum Height Limits and Required Building Setbacks) for any new development with a property line abutting Garden Grove Boulevard, Acacia Parkway, Main Street, Civic Center Drive, 8th Street, 9th Street, and Stanford Avenue east of Euclid Street and where a building will be located within 20 feet of the subject street. Where a building with frontage on a subject street is located more than 20 feet from the subject street, no additional building setback shall be required.
4. Building setbacks shall be measured from the property line per Figure 9.18-10 (Required Building Setbacks), below.

FIGURE 9.18-10: Required Building Setbacks



C. Storefronts and Commercial Uses Required at Ground Floors. Storefronts provide a means for commercial uses to orient display toward and access directly from public sidewalks. By providing visibility into these commercial spaces, pedestrian interest is enhanced to contribute to the pedestrian experience and encourage high pedestrian volumes. Storefronts and associated ground floor commercial space shall be required for certain properties with lot lines along Garden Grove Boulevard, Acacia Parkway, Main Street, and Euclid Street, as indicated on Figure 9.18-11 (CC Required Storefronts/Ground Floor Commercial Uses).

1. Where storefronts are required pursuant to Figure 9.18-11 (CC Required Storefronts/Ground Floor Commercial Uses), required commercial space shall have a minimum depth of 40 feet for a minimum of 60 percent of the length of the building façade measured parallel to the property line. The storefront shall be oriented toward the street indicated in Figure 9.18-11 (CC Required Storefronts/Ground Floor Commercial Uses).
2. Commercial space shall be occupied by a commercial use that is permitted in the zone pursuant to Table 9.18-1 (Use Regulations for the Mixed Use Zones) of this Chapter.
3. For a civic, institutional, public, or similar use, a public lobby and offices may be considered a storefront.

Photo 9.18-3: Examples of Storefronts

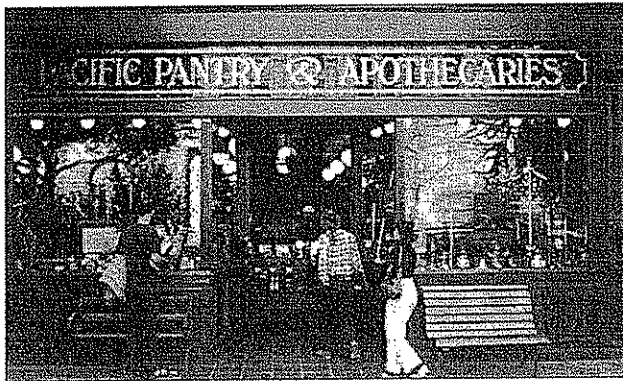
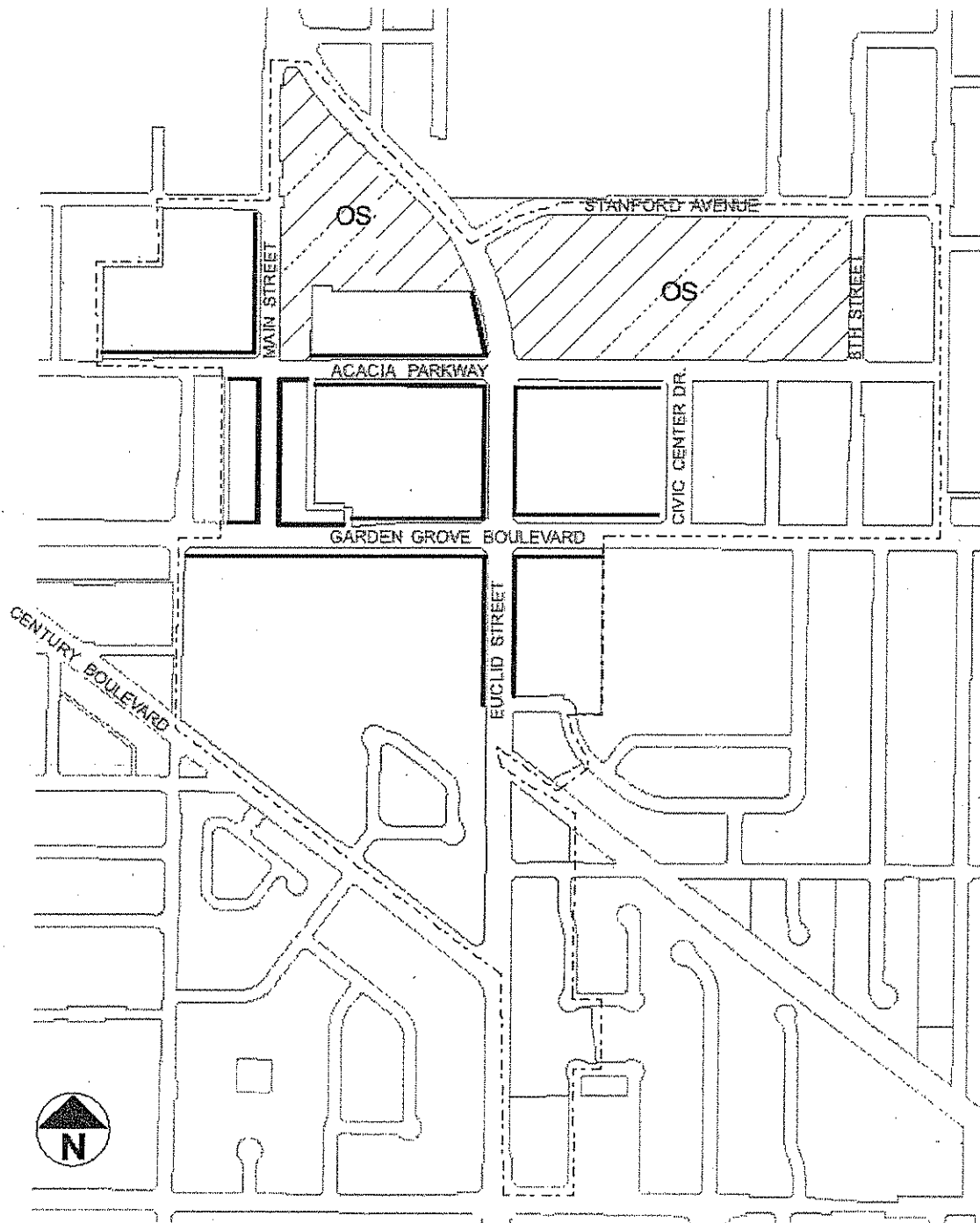



FIGURE 9.18-11: CC Required Storefronts/Ground Floor Commercial Uses

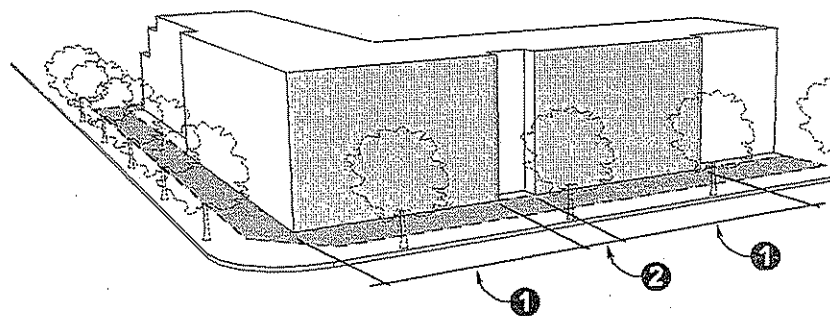


- Storefront and commercial use required per Section 9.18.090.030 C.
-  Storefront and commercial use per site plan review process
- - - Civic Center mixed use zone boundary

SECTION 9.18.090.040: Additional Regulations Specific to the CC-1 Zone.

- A. Purpose and Applicability.** In addition to the other applicable requirements of this Chapter, the provisions of this subsection apply to development in the CC-1 zone. These standards are established to maintain the character of established neighborhoods within the Civic Center East district.
- B. Architectural Character.** Architectural character of new buildings and structures shall be compatible with the character and scale of existing neighborhoods. New buildings and structures shall incorporate variation in building massing and roofline, utilization of projecting bays or recesses, changes in material, differentiation of color, changes in architectural detailing or ornament, or similar architectural features.
- C. Maximum Length of Building Façade.** Façades of buildings and structures facing public right-of-ways shall not exceed 50 feet of uninterrupted length measured parallel to the property line. Façades greater than this length shall be interrupted by breaks in façade plane not less than 10 feet in width and five feet in depth.

Figure 9.18-12: CC-1 Maximum Length of Building Façade



- ① 50-foot maximum length of building facade per Section 9.18.090.040 C.
- ② Required 10-foot separation

- D. Porches and Patios at Street-Fronting Setbacks.** Porches and patios are encouraged at street-fronting setbacks and may encroach within required setbacks for not more than five feet measured perpendicular to the property line.
- E. Existing Single-Family Residential Development.** Any legally established single-family residential development existing on the effective date of the ordinance establishing the CC-1 Mixed Use zone that is maintained as a single-family residential use shall be subject to the use regulations and development standards contained in Chapter 9.08 (Single-Family Residential Development Standards) of this Title for any additions or modifications.

SECTION 9.18.090.050: Additional Regulations Specific to the CC-2 Zone.

- A. Purpose and Applicability.** In addition to the other applicable requirements of this Chapter, the provisions of this subsection apply to proposed development in the CC-2 zone. These standards are established to maintain the low-scale character and architectural style of development of the early-20th century district located along Main Street.
- B. Limit on Residential Units.** Residential units shall be permitted only above ground floor commercial space and shall be further limited as follows:
1. The maximum allowable number of residential units within the entire CC-2 zone, located on the east and west sides of Main Street between Garden Grove Boulevard and Acacia Parkway, shall not exceed 102 units. As each property is developed with residential units, the number of units that have been approved shall reduce the maximum number of allowable units in the CC-2 zone as a whole. In the event that a commercial development is expanded that would reduce the number of available surplus parking spaces, the maximum allowable number of units will be reduced according to the number of parking spaces encumbered by the commercial development, unless parking has been provided for on site or within a parking structure.
 2. Each unit shall be limited to a maximum of two sleeping rooms.
 3. The design of the individual units shall preserve the historic feel of the Main Street District and shall comply with the standards set forth in this Title.
- C. Parking.** Parking shall be unassigned throughout the Main Street Parking District unless provided for on site, and any assigned parking shall not be counted toward meeting minimum parking requirements.
- D. General Design Regulations and Site Development Standards.** The following site development standards for the CC-2 zone are established to provide for the orderly development, restoration, and revitalization of properties within the CC-2 zone; to provide for the proper relationship of various uses, buildings, structures and open spaces; to allow for the maximum flexibility in design and development within the parameters of the historical theme of Main Street; and to encourage the utilization of recognized economic, cultural, and social values of good environmental planning.
1. **Architectural and Design Criteria.** In order to ensure that the development, restoration, and revitalization of properties and buildings are completed in accordance with the general historical theme of the CC-2 zone, the Community Development Department shall adopt, by resolution, architectural and design criteria, which shall be filed in the office of the City Clerk. All development projects shall conform to such architectural and design criteria as though listed verbatim in this Title.
 2. **Site Plan Required.** Prior to the issuance of a building permit for any building or structure, a site plan shall be adopted if either of the following conditions apply:

- a. Floor area in excess of 10 percent will be added to an existing building or structure.
- b. A new building or structure will be established.

The proposed plan shall be submitted to the Parking and Main Street Commission for review and recommendation to the Planning Commission. All required site plans shall be submitted to the Community Development Department and Planning Commission for approval and architectural review.

3. Building Design Plan. Under the provisions of this subsection, when a structural rehabilitation is requested and a site plan is not required, a building design plan shall be required. The proposed building design plan shall be submitted to the Zoning Administrator for technical review and recommendation to the Parking and Main Street Commission. The Parking and Main Street Commission shall review the proposed plan and make recommendations to the Community Development Department. All required building design plans shall be submitted to the Community Development Department for approval and architectural review. The specific drawings and contents required in the building design plan shall be determined by the Community Development Department and shall be adopted by resolutions as a portion of the architectural design criteria.

4. Conformance with Site Plan and/or Building Design Plan Required. All work to be carried out in the development, restoration, or revitalization of any building or structure located within the CC-2 zone shall be performed in accordance with the provisions and conditions of an approved site plan or building design plan.

E. Signs. All signs shall be regulated by the provisions of Chapter 9.20 (Sign Standards) of this Title.

F. Maintenance Requirements. All buildings and structures within the CC-2 zone shall be maintained in good repair and in a manner consistent with the general historical theme adopted for the zone. Maintenance shall include, but not be limited to, buildings being painted and awnings replaced periodically as required.

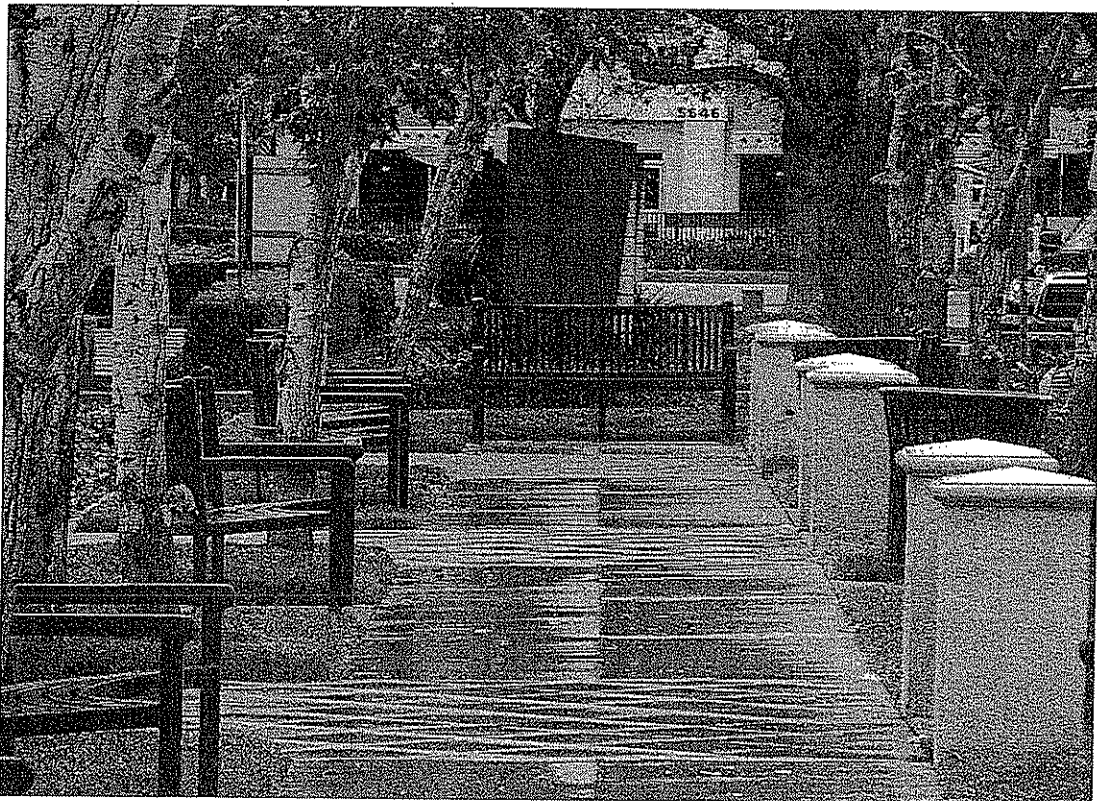
The Parking and Main Street Commission shall monitor compliance and shall notify property owners and tenants in the event of noncompliance. In the event of continued noncompliance, the Parking and Main Street Commission shall make recommendations to the Community Development Department, which shall be empowered to utilize any available means to ensure compliance.

G. Role of the Parking and Main Street Commission. The Parking and Main Street Commission shall review proposed building design plans and site plans, monitor the maintenance of the buildings in the CC-2 zone, and advise the City Council regarding the levy of annual assessments for the Main Street Assessment District No. 1.

SECTION 9.18.090.060: Additional Regulations Specific to the CC-3 Zone.

A. Intent. It is the City's intent to create a Civic Center district that consists of a several distinct neighborhoods connected to the Civic Core and public park areas by a series of pedestrian pathways, thereby enhancing district cohesion and allowing people to easily walk to uses throughout the Civic Center district, as defined in the General Plan. While public sidewalks provide the primary means of pedestrian mobility within the district, additional connections can be provided via pathways, pasoes, trails, and walkways that traverse private properties. This is particularly the case where large blocks either obstruct or are not well integrated into the traditional grid street pattern shaping the historic civic district. Thus, to fully realize the General Plan goal of providing connecting pathways throughout the Civic Center district, these regulations are established to incentivize provision of pedestrian access across private properties to connect one public right-of-way to another. These regulations shall become effective upon the City's adoption of guidelines and a pedestrian pathway plan for the Civic Center district.

Photo 9.18-4: Example of Pedestrian Pathway with Benches and Landscape Features



B. Applicability. These regulations shall apply to all new development within the CC-3 zone, as specified in subsections C (Commercial, Mixed Use, Education, and Institutional/Civic Developments) and D (Residential Developments) below for particular types of development. The design and dimensions of such pedestrian pathways shall conform to any guidelines the City may adopt for such.

- C. Commercial, Mixed Use, Educational, and Institutional/Civic Developments.** All new commercial, mixed use, educational, and institutional/civic developments, and any additions or improvements to an existing development whereby the new construction equals or exceeds 50 percent of the replacement value of the existing construction, shall integrate into the development a pathway, paseo, walkway, or similar pedestrian access that connects the primary entrance along an adjacent public street or alley to either another adjacent public street or alley, or to a similar pathway on an abutting property. The area devoted to such pathway can be credited toward any open space requirement of the development.
- D. Residential Developments.** All new development projects with a residential component shall integrate into the development a pathway, paseo, walkway, or similar pedestrian access that connects the primary entrance along an adjacent public street or alley to either another adjacent public street or alley, or to a similar pathway on an abutting property. The area devoted to such pathway can be credited toward any open space requirement of the development.
- E. General Requirements.** All pathways, paseos, walkways, or similar pedestrian accesses shall be reviewed as part of any required site plan review or discretionary permit review process. The project may be conditioned to address such issues as, but not limited to, design materials, hours during which such pathway shall be available for general public access, pedestrian safety enhancements, lighting, and security of the businesses and residences with direct access to the pathway.

SECTION 9.18.090.070: Neighborhood Mixed Use Zone (NMU) Development Standards.

A. General. In addition to the other applicable requirements of this Chapter, the provisions of this subsection 9.18.090.070 apply to proposed development in the NMU zone. Table 9.18-5 (Development Standards for the Neighborhood Mixed Use Zone) sets forth the general development standards applicable to all development in the NMU zone.

**TABLE 9.18-5
Development Standards for the Neighborhood Mixed Use Zone**

DEVELOPMENT STANDARDS	NEIGHBORHOOD MIXED USE ZONE (NMU)
Minimum Lot Size	<i>Minimum area and width for new lots. When a lot has less than the minimum required area or width as set forth in the development standards for the zone in which it is located and was of record on November 12, 1960, the lot shall be deemed to have complied with the current minimum required lot area or width.</i>
Minimum Area	15,000 sf
Minimum Width	75 ft
Minimum Width (Corner Lot)	75 ft
Maximum Density/Intensity	
Maximum Commercial Floor Area Ratio (FAR)	0.5
Maximum Residential Density (units/acre)	21 units/acre Residential development requires an on-site commercial development component of a minimum 0.2 FAR.
Setbacks	<i>Minimum setbacks required. See Section 9.18.100 for setback measurement, allowed encroachments and projections into setbacks, and exceptions to setbacks.</i>
Front	Minimum 15 ft
Side	None required
Corner Side	Minimum 10 ft
Rear	None required unless abutting a residentially zoned lot; minimum 10 ft when abutting a residentially zoned lot. See Section 9.18.100.
Maximum Height	<i>Maximum building height shall not exceed height limit in feet or stories. See also Section 9.18.100 for rear and side yard encroachment plane requirements which may restrict heights adjacent to a residentially zoned lot.</i>
	50 ft or 4 stories, whichever is less
Lot Coverage	
Minimum Lot Coverage	Not applicable
Maximum Lot Coverage	Not applicable

B. Maximum Gross Building Footprint. In the NMU zone, the gross building footprint of any structure at the ground level shall not exceed 40,000 square feet of contiguous floor area.

- C. Pedestrian-oriented Plaza Requirement.** Each project in the NMU zone shall provide a pedestrian plaza. The purpose of the pedestrian-oriented plaza is to provide a place for passive recreation, public gathering, landscape amenities, display of public art, and similar uses that enhance the appearance and function of development and integrate multiple uses on a site. For a building that is constructed with orientation toward the street, the pedestrian-oriented plaza shall be in the form of a boulevard garden plaza along the front setback and shall conform to the standards of Section 9.18.090.020.F (Boulevard Garden Plaza Requirement). For other development approaches and types, the plaza shall be a pedestrian plaza that provides enhanced pedestrian circulation and connects the various uses/buildings on the site. In particular, for sites at Brookhurst Street and Chapman Avenue, efforts shall be made to physically and/or visually connect pedestrian pathways to uses across the street from each other.
- 1. Permitted Uses.** The required pedestrian plaza may consist of landscaped and paved areas, outdoor dining, public art display, fountains, or similar uses and amenities permitted in the applicable zone. When the plaza is interior to a property, nonvehicular vending kiosks may be permitted.
 - 2. Minimum Area.** The pedestrian plaza shall comply with the minimum area requirements set forth in Table 9.18-6 (Minimum Pedestrian Plaza Area in the NMU Zone).

**Table 9.18-6
Minimum Pedestrian Plaza Area in the NMU Zone**

Right-of-Way Frontage Length	Minimum Plaza Area
Less than 150 feet	600 sf
150-300 feet	1,000 sf
More than 300 feet	1,500 sf

- 3. Shape and Minimum Dimensions.** The required plaza area shall have minimum dimensions of 10 feet in width and 10 feet in length. The required area may be split into no more than two contiguous areas.
- 4. Location.** The plaza area may be located anywhere on a site but in a manner that provides for easy accessibility and maintenance. The plaza area shall be well integrated into other development features and pedestrian accessways on the site. Proposed locations shall be reviewed through the site plan review process.
- 5. Other Requirement.** The plaza area shall not be enclosed or obstructed by fencing or walls, except as required for permitted outdoor dining areas abutting a public right-of-way.

SECTION 9.18.090.080: Adaptive Reuse Zone (AR) Development Standards. In addition to the other applicable requirements of this Chapter, the provisions of this subsection 9.18.090.080 apply to proposed development in the AR zone. Table 9.18-7 (Development Standards for the Adaptive Reuse Zone) establishes the development standards applicable to all development in the AR zone.

**TABLE 9.18-7
Development Standards for the Adaptive Reuse Zone**

DEVELOPMENT STANDARDS	ADAPTIVE REUSE ZONE (AR)
Minimum Lot Size	<i>Minimum area and width for new lots. When a lot has less than the minimum required area or width as set forth in the development standards for the zone in which it is located and was of record on November 12, 1960, the lot shall be deemed to have complied with the current minimum required lot area or width.</i>
Minimum Area	15,000 sf
Minimum Width	75 ft
Minimum Width (Corner Lot)	75 ft
Maximum Density/Intensity	
Maximum Commercial Floor Area Ratio (FAR)	0.5
Maximum Residential Density (units/acre)	32 units/acre All residential units shall be work-live units, per Section 9.18.020.070.
Setbacks	<i>Minimum setbacks required. See Section 9.18.100 for setback measurement, allowed encroachments and projections into setbacks, and exceptions to setbacks.</i>
Front	Minimum 15 ft
Side	None required
Corner Side	Minimum 10 ft
Rear	None required unless abutting a residentially zoned lot. minimum 10 ft when abutting a residentially zoned lot. See Section 9.18.100.
Maximum Height	<i>Maximum building height shall not exceed height limit in feet or stories. See also Section 9.18.100 for rear and side yard encroachment plane requirements which may restrict heights adjacent to a residentially zoned lot.</i>
	50 ft or 4 stories, whichever is less
Lot Coverage	
Minimum Lot Coverage	Not applicable
Maximum Lot Coverage	Not applicable

SECTION 9.18.100: Development and Design Standards Applicable to All Mixed Use Zones

SECTION 9.18.100.010: Purpose and Applicability of Development and Design Standards in Mixed Use Zones	89
SECTION 9.18.100.020: Development Standards Applicable to All Mixed Use Zones	89
SECTION 9.18.100.030: Site Design Standards	95
SECTION 9.18.100.040: Enhanced Building Design Standards	99

SECTION 9.18.100.010: Purpose and Applicability of Development and Design Standards in Mixed Use Zones.

A. Purpose. These development and design standards are established to achieve General Plan goals of encouraging local and regional commerce in the Mixed Use zones, creating attractive districts, and enhancing city image. The city's goal is to ensure that developments interact with each other and provide a consistent pattern and urban form along boulevards and within mixed use districts, rather than exist as stand-alone, individual projects. Developments within the Mixed Use zones are intended to harmonize with adjacent residential uses by maintaining a pedestrian scale and compatible architectural styles, and by providing inviting and attractive access, well-designed landscaping, and pedestrian amenities that encourage walking throughout the districts. While vehicular access is important to support broad-based use of businesses within the Mixed Use zones, parking areas and driveways shall be considered as an integral part of project design, with detailed attention to quality and accommodation of pedestrian movement.

B. Application of Design Standards. Subsections 9.18.100.030 (Site Design Standards) and 9.18.100.040 (Enhanced Building Design Standards) establish standards for the design of sites and buildings in all Mixed Use zones. If, through the discretionary review process, a finding is made that the project substantially meets the intent of the design standards of these subsections, an alternative design may be approved. However, approvals of alternatives shall not be permitted for any of the general development standards set forth in subsection 9.18.100.020 (Development Standards Applicable to All Mixed Use Zones).

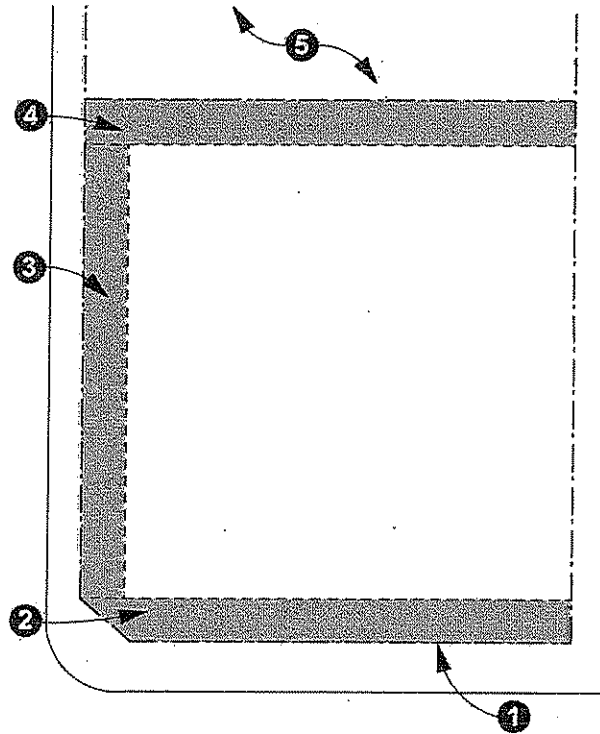
SECTION 9.18.100.020: Development Standards Applicable to All Mixed Use Zones.

A. Applicability. Subdivisions, new land uses and structures, and alterations to existing land uses and structures shall be designed, constructed, and established in compliance with the requirements set forth in Section 9.18.090 (Development Standards Specific to Individual Mixed Use Zones) and Section 9.18.100 (Development and Design Standards Applicable to All Mixed Use Zones), in addition to all applicable standards of Title 9.

B. Lot Area. No lot area shall be reduced or diminished so that the setbacks or other open spaces shall be less than prescribed for the zone in which it is located.

C. Setbacks. Setbacks, as required by Section 9.18.090 (Development Standards Specific to Individual Mixed Use Zones) and Section 9.18.100(Development and Design Standards Applicable to All Mixed Use Zones), are diagrammed in Figure 9.18-13 (Required Setbacks).

Figure 9.18-13: Required Setbacks

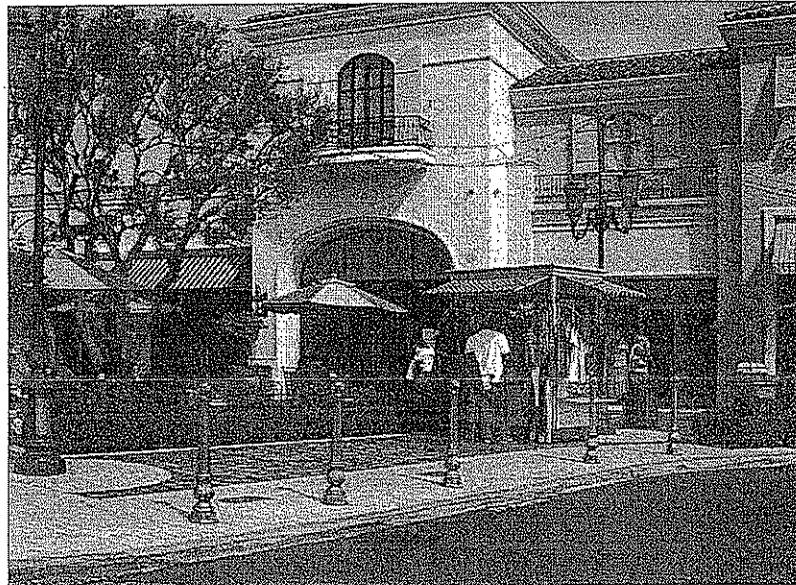


- | | |
|----------------------------|---------------------------|
| ① Property line | ④ Rear yard setback |
| ② Front yard setback | ⑤ Residentially zoned lot |
| ③ Corner side yard setback | |

- 1. Garden Grove Boulevard Adjacent Setbacks.** For properties with any property line abutting the Garden Grove Boulevard right-of-way, said property line shall be considered the front line for the purpose of determining required setbacks.
- 2. Setbacks Unobstructed.** Required setbacks shall be open and unobstructed from the ground to the sky except for trees and other plant material. No building, parking space, or turning aisle to any parking space shall occupy any portion of any required setback. Easements for utilities (e.g., electrical, communications) are exempt from the requirements of this Section.
- 3. Permitted Intrusions in Setbacks.** The following may project into any required setback a maximum of two feet: cornices, eaves, belt courses, sills, buttresses, planter boxes, masonry planters, guard railings, chimneys or similar architectural features.
- 4. Setback Point of Measurement.** All building setbacks shall be measured from the ultimate street right-of-way.

5. **Landscaping Required in Setbacks.** A minimum of 60 percent of the surface area of required setbacks shall be landscaped in all Mixed Use zones, with the exception of the required front and corner side yard setbacks in the GGMU-1 and CC-2 zones. In the GGMU-1 zone, a maximum of 60 percent and a minimum of 15 percent of the surface area of required setbacks shall be landscaped. In the CC-2 zone, landscaping in setbacks is not required. Any non-landscaped area within a required setback shall be paved per the requirements of Section 9.18.100.020.C.6 (Paved Areas in Setbacks), below.
6. **Paved Areas in Setbacks.** Areas not landscaped shall be paved in high-quality materials such as pavers, stone or cobblestone, patterned or scored colored concrete, or similar durable materials. Plain and colored concrete and plain asphalt are prohibited.
7. **Limited Outdoor Dining/Seating Permitted in Setbacks.** Outdoor seating may be allowed in accordance with the requirements of Section 9.18.030.300 (Outdoor Dining at Eating Establishment/Restaurant) in the front yard setback. No more than 30 percent of the required front yard setback area may be occupied by outdoor dining/seating.
8. **Vending Permitted.** Nonvehicular vending kiosks and vehicular vending may be allowed in accordance with the requirements of Section 9.18.070 (Outdoor Sales of Goods and Merchandise).

Photo 9.18-5: Example of Landscaping and Paving and a Vending Kiosk in Required Setback Areas

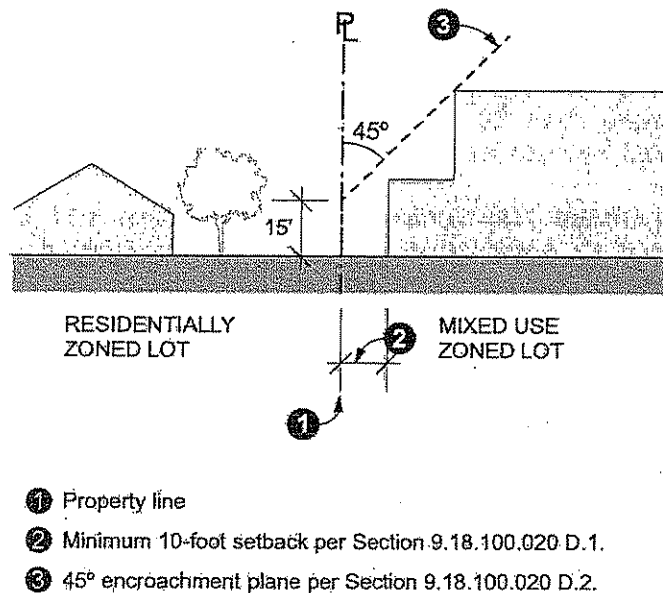


- D. **Rear or Side Yard Setback and Encroachment Plane Required when Abutting a Residentially Zoned Lot.** Where the rear lot line and/or side lot line of a Mixed Use zoned lot abuts an "R" zoned property or a PUD established

exclusively for residential uses, the following standards shall be met in addition to all other required setbacks:

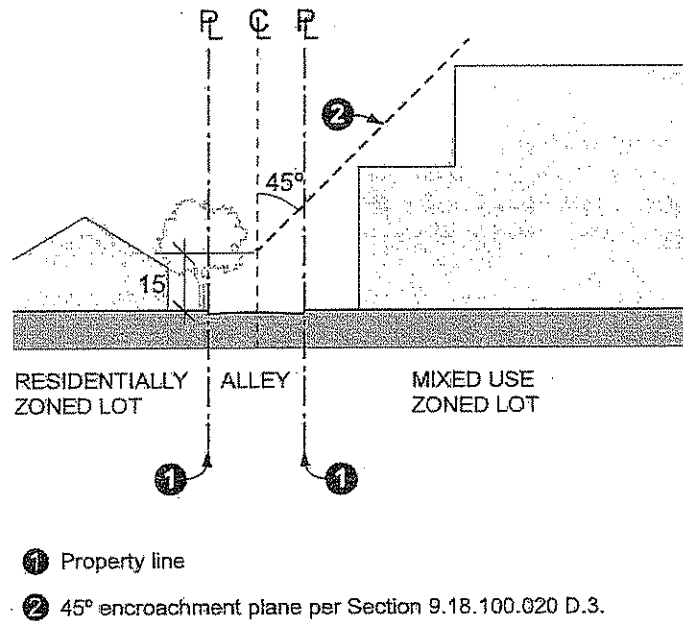
- 1. 10-Foot Rear Yard Setback.** A 10-foot rear yard setback or side yard setback, as applicable, shall be provided.
- 2. Encroachment Plane.** No buildings or structures shall be located within an encroachment plane sloping upward and inward to the site at a 45-degree angle, commencing 15 feet above the existing grade at the property line (see Figure 9.18-14: Rear or Side Yard Setback and Encroachment Plane at Residentially Zoned Lot).

Figure 9.18-14: Rear or Side Yard Setback and Encroachment Plane at Residentially Zoned Lot



- 3. Encroachment Plane at Alley.** Where an alley separates the rear lot line of a Mixed Use zoned lot from a property zoned exclusively for residential uses, no building or structure shall be located within an encroachment plane sloping upward and inward to the site at a 45-degree angle, commencing 15 feet above the existing grade at the centerline of the alley (see Figure 9.18-15: Rear Yard Setback and Encroachment Plane at Alley Abutting Residentially Zoned Lot).

Figure 9.18-15: Rear Yard Setback and Encroachment Plane at Alley Abutting Residentially Zoned Lot



4. Property Line Wall Required. A solid decorative masonry wall or concrete block wall shall be provided at the property line. The wall shall be at least six feet in height but shall not exceed eight feet in height.

E. Access to Nonresidential Uses. Primary access to any nonresidential use shall be taken from a primary, major, or principal arterial street classification, as defined by the General Plan Circulation Element. No access shall be provided to a nonresidential use from local residential streets, as defined by the General Plan Circulation Element, unless specifically allowed through the site plan review process. Emergency access from local residential streets shall be permitted only where no other feasible emergency access to a primary arterial or higher street classification is possible. On through lots, no access to nonresidential uses shall be provided on local residential streets, unless specifically allowed through the site plan review process.

F. Building Height Exceptions for Uninhabited Penthouses and Roof Structures. Penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, fire or parapet walls, skylights, towers, flagpoles, chimneys, smokestacks, wireless masts, and similar structures may be erected above the height limits established by this Chapter by no more than fifteen feet. No penthouses, roof structure, or other space above the height limit shall be allowed for the purpose of providing additional usable floor space.

G. Outdoor Lighting. All on-site lighting shall be stationary and directed away from adjoining properties and public right-of-ways.

H. Modification of Required Front Yards on Lots Fronting on the Curves of Cul-De-Sacs or Knuckles. Where the street pattern of a subdivision includes

lots fronting upon cul-de-sac turnarounds or knuckle widenings at right angles or approximate right angle turns in a street, and where such fronting lots by reason of the cul-de-sac or knuckle creating a greater street width with the resultant reduced depth of fronting lots, the required front yard may be reduced in the following manner:

1. Any lot fronting entirely on an arc formed by a knuckle or cul-de-sac, the front setback shall be no less than one-half the required setback for that zone; however, no setback shall be less than 10 feet. The prescribed setback shall be measured by maintaining a constant parallel arc to the front property line.
2. Where lots have only a portion of the property located on a cul-de-sac, knuckle, reverse curve, or where the street widens from the established parallel right-of-way, that portion where the reduction occurs may have the front yard setback reduced in the following manner: The setback shall be determined by first locating a point of reference on the property line, of the subject lot, that establishes the required setback for that zone in which the property is located. The second point of reference shall be established by locating a point on the property line establishing the property's depth from street's arc, by locating the point one-half the required setback for that zone and in no instance shall the setback at any point along the property street frontage be less than 10 feet. Once the two points are established, a line is drawn from one point to the other, thus reflecting the front yard setback.

I. Vision Clearance and Driveway Site Design.

1. **Vision Clearance at Street Intersections.** All corner and reverse corner lots shall maintain, for safety vision purposes, an open to the sky and unobstructed triangular area at the intersection of the front and side street property lines. One angle and two sides of the triangular area shall be formed by the intersection of the front and the side street property lines or their projection to a point of intersection. The third side of the triangle shall be a straight line connecting those points on the front and side property lines measured 25 feet from the point of intersection.
2. **Vision Clearance at Street Intersections Paving and Landscaping.** The area comprising an open and unobstructed triangular area for vision clearance shall be paved and landscaped in accordance with Section 9.18.120 (Landscaping) and other applicable tree and landscaping standards required for specific zones, except that no trees, shrubs, fences, or other physical obstructions higher than 36 inches above existing grade shall be permitted.
3. **Maximum Number of Driveways and Total Allowable Driveway Width.** The number of permitted driveways and the width of driveways shall comply with Public Works standards established in Ordinance No. 2155.
4. **Vision Clearance at Driveways.** On corner lots or reverse corner lots, if a vehicular entrance is provided from the side street side, an area for safety vision clearance shall be maintained on each side of the driveway. Such area for vision clearance shall be defined by a diagonal line beginning at the

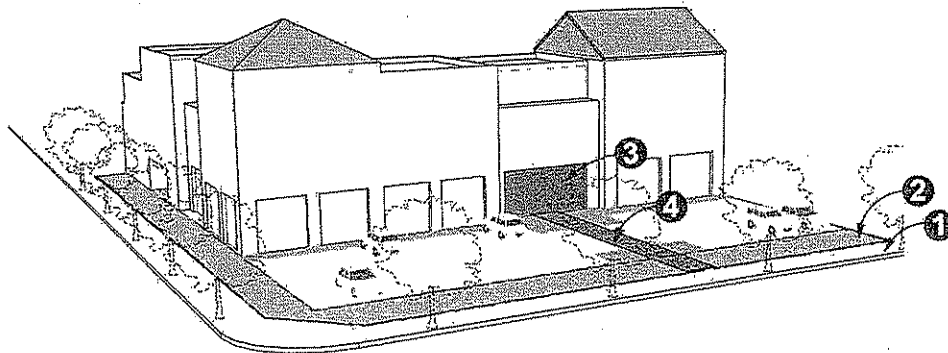
intersection of the edges of the driveway and the inside line of the required side yard and extending away from the driveway at an angle of forty-five degrees to the edge of the driveway toward the side street property line of the lot.

SECTION 9.18.100.030: Site Design Standards.

A. Pedestrian Walkways.

- 1. Pedestrian Walkway Location.** Pedestrian walkways shall be provided and located on the site in a manner that allows easy and clearly identifiable pedestrian access from sidewalks at public rights-of-way to building entrances, publicly accessible amenity areas, any required pedestrian-oriented plaza (including boulevard garden plazas and pedestrian plazas), and similar on-site uses. Pedestrian walkways shall also provide access between building entrances and uses on the same site.
- 2. Pedestrian Walkway Design.** Pedestrian walkways shall have a minimum width of four feet. Pedestrian walkways shall be paved in high-quality materials such as pavers, stone or cobblestone, patterned or scored colored concrete, or similar durable materials. Plain and colored concrete and plain asphalt are prohibited.

Figure 9.18-16: Pedestrian Walkway



- ① Public sidewalk
- ② Required setback
- ③ Building entrance
- ④ Pedestrian walkway per Section 9.18.100.030 A.

- 3. Pedestrian Walkway Visibility and Site Features.** Pedestrian walkways shall be located so that they are clearly visible from sidewalks at the public right-of-way. Additional site features shall include but not be limited to directional signage (as permitted by this code), placement of markers, landscape planters, or vegetation. These features shall be used to emphasize the location of the pedestrian walkway at the public right-of-way and throughout the development.

4. Pedestrian Walkways within Parking Areas.

- a. Where parking areas are located between public sidewalks and buildings, publicly accessible amenity areas, and similar on-site uses, pedestrian walkways shall be located to provide the most direct access from public sidewalks to building entrances, publicly accessible amenity areas, and similar on-site uses.
- b. Where pedestrian walkways pass through parking areas, they shall be differentiated from parking areas using raised walkways, raised curbs, enhanced paving clearly differentiated from the parking area paving, and/or landscape buffers.
- c. Pedestrian walkway requirements shall apply in addition to the landscaping standards of Section 9.18.120 (Landscaping) and the parking design standards of Section 9.18.140.070 (Parking Design Standards).

Photo 9.18-6: Example of Enhanced Pedestrian Walkway in a Parking Area



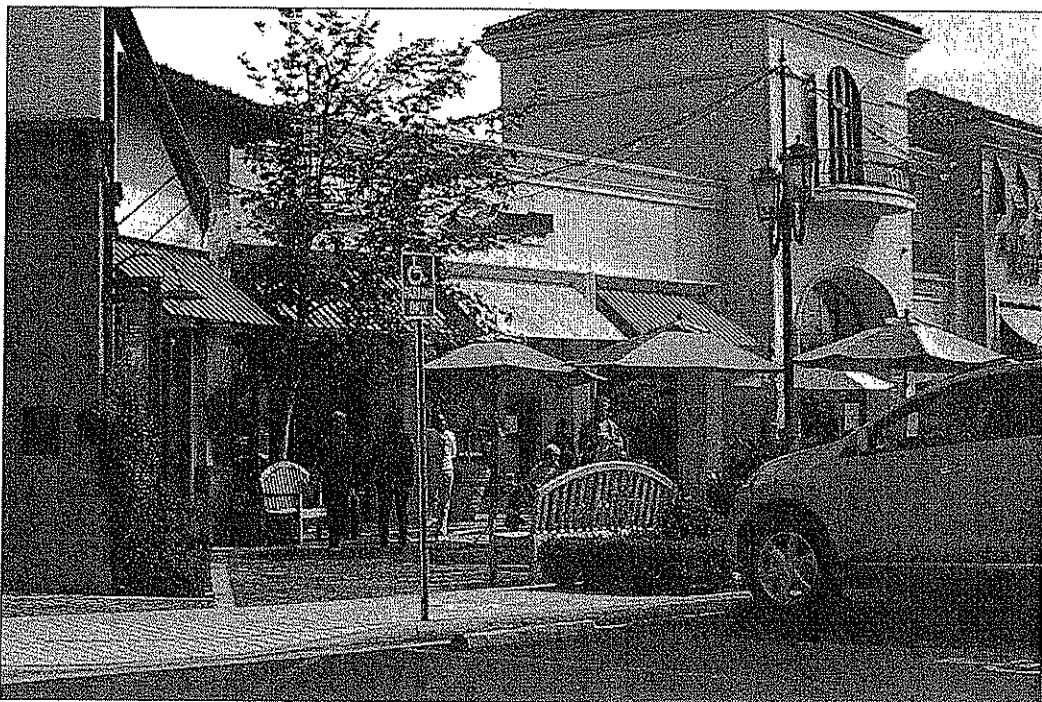
B. Pedestrian-Oriented Plazas. Pedestrian-oriented plazas, whether required pursuant to Sections 9.18.090.020.F (Boulevard Garden Plaza Requirement) or 9.18.09.070.C (Pedestrian-oriented Plaza Requirement), or provided as a non-required on-site improvement, shall follow the following standards:

- 1. Pedestrian-Oriented Plaza Design.** Pedestrian-oriented plazas shall have minimum dimensions of 10 feet in any direction. Pedestrian-oriented plazas shall be visible and easily accessible from areas of pedestrian activity, including public right-of-ways, required pedestrian walkways, building

entrances, and parking lots. Pedestrian-oriented plazas shall include elements including but not limited to enhanced paved areas, benches and seating, landscape planters, gazebos, or similar amenities. Pedestrian-oriented plazas shall be located so as to be convenient for a diversity of users of a development.

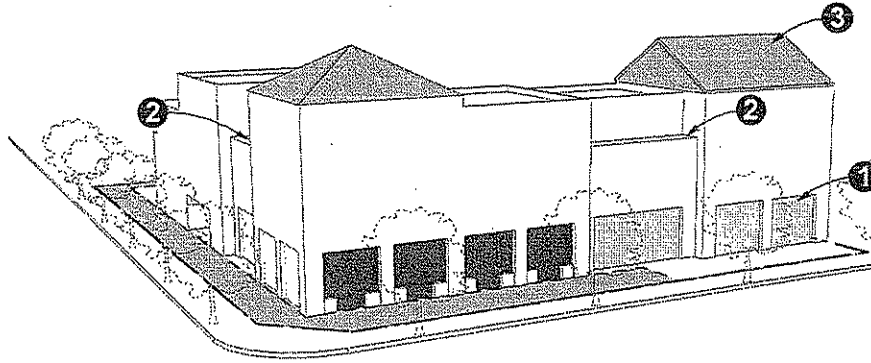
2. **Paving.** Pedestrian-oriented plazas shall be paved in high-quality materials such as pavers, stone or cobblestone, patterned or scored colored concrete, or similar durable materials. Plain and colored concrete and plain asphalt are prohibited.
3. **Landscaping.** A minimum of 25 percent of the pedestrian-oriented plaza shall be landscaped with live materials. Pedestrian-oriented plazas shall feature landscape amenities including but not limited to landscape planters, low hedges, and shade-providing trees, water features, or unique features that enhance the appearance, desirability, and usability of the plaza.
4. **Pedestrian-Oriented Plazas Abutting Parking Areas.** Pedestrian-oriented plazas abutting parking areas shall be separated from drive aisles and parking stalls with raised curbs. Additional features creating a sense of safety such as decorative bollards, low and well-maintained hedges, or landscaped planters are strongly encouraged.
5. **Count towards Open Space Requirement.** Pedestrian-oriented plazas that are accessible to both commercial and residential components of an integrated mixed use development and not allocated to specific uses or tenants may be counted towards open space, recreation, and leisure area requirements per Section 9.18.110.030.F (Open Space, Recreation, and Leisure Area Requirements for Residential Components of Integrated Mixed Use Developments).

Photo 9.18-7: Example of Pedestrian Plaza Featuring Paving, Landscaping, and Pedestrian-Oriented Amenities



SECTION 9.18.100.040: Enhanced Building Design Standards. New buildings and structures shall be designed and constructed in compliance with the following standards and as illustrated in Figure 9.18-17 (Enhanced Building Design Standards).

Figure 9.18-17: Enhanced Building Design Standards



- ① Enhanced storefront design per Section 9.18.100.040 F.
- ② Building articulation per Section 9.18.100.040 B.
- ③ Roofline variation per Section 9.18.100.040 C.

A. Architectural Character. The architectural character of all new construction and additions as established by subparagraphs B through G in this subsection 9.18.100.040 shall be consistently utilized and expressed at all faces of buildings visible from public rights-of-way.

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

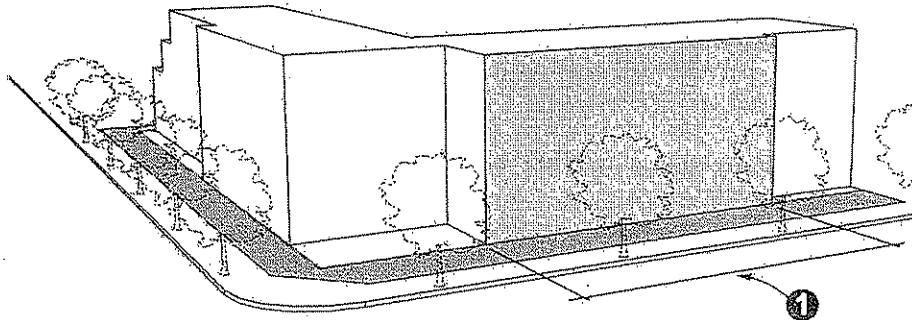
C. Roofline Variation. Variation of roof forms shall be used to create visual distinction between buildings and to incorporate human-scale modulation that breaks down the bulk of structures and buildings, and at the same time, creates a sense of common identity throughout the development.

Photo 9.18-8: Example of Architecturally Treated and Human-Scaled Buildings



D. Maximum Length of Building Façade. Façades of buildings and structures facing public rights-of-way shall not exceed 75 feet of uninterrupted length measured parallel to the property line. Façades greater than this length shall be interrupted by breaks in façade plane, major changes in building massing, and utilization of projecting bays or recesses, along with changes in material, differentiation of color, or changes in architectural detailing or ornament.

Figure 9.18-18: Maximum Length of Building Façade

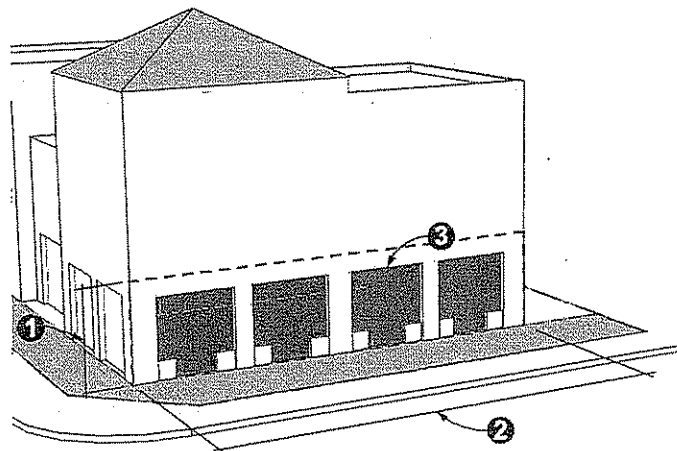


① Maximum length of building facade per Section 9.18.100.040 D.

E. Entrance Frequency. At street frontages, ground-related entrances shall occur at least once every 150 feet, as measured along the street-facing property line. In addition to entrances to ground-related uses, entrances to residential units, clusters of residential units, lobbies, or private courtyards may be applied towards meeting this requirement.

F. Enhanced Storefront Design. For nonresidential street frontages, glazing at the ground floor adjacent to or facing a front property line shall comprise a minimum of 40 percent of the ground floor height at the façade of the building. The glazing at the ground floor height of other facades that face public and private streets at side yards shall comprise a minimum of 20 percent of the ground floor height. Minimum storefront glazing shall be calculated per Table 9.18-8 (Storefront Glazing Calculation).

Figure 9.18-19: Required Storefront Glazing



- ① Floor-to-floor height at ground floor
- ② Length of building facade
- ③ Storefront
- Storefront glazing area per Section 9.18.100.040. F

**TABLE 9.18-8
Storefront Glazing Calculation**

Storefront Glazing at Front Property Line						
GROUND FLOOR FLOOR-TO-FLOOR HEIGHT	X	LENGTH OF BUILDING FACADE	X	40%	=	MINIMUM GLAZING AREA REQUIRED
Storefront Glazing at Other Facades Facing Public and Private Streets						
GROUND FLOOR FLOOR-TO-FLOOR HEIGHT	X	LENGTH OF BUILDING FACADE	X	20%	=	MINIMUM GLAZING AREA REQUIRED

G. Window Design and Glazing. Storefronts and windows shall be inset from exterior façade planes and/or adjoining exterior wall planes a minimum of two inches to realize increased shade, shadow, and visual texture along the building face. Alternatively, windows shall be articulated by adjacent and adjoining projecting sills, jambs, heads, frames, and/or ornamental surrounds that project a minimum of one inch from the exterior building plane. Curtain walls and storefronts shall incorporate mullions and/or vertical and horizontal dividers that permit glazing placement a minimum of two inches behind the plane of the curtain wall, as measured from the exterior face of the mullions and dividers. Glazing at the ground plane and first level of buildings shall be clear, colorless, and transparent. Use of reflective glazing is prohibited.

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SECTION 9.18.110: Development Standards for Specific Uses in Mixed Use Zones

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SECTION 9.18.110.010: Purpose and Applicability. Certain categories of uses vary in their needs for unique development requirements. For example, residential uses require on-site open space to achieve a high level of livability for residents. The development standards applicable to all buildings housing residential and commercial uses in the Mixed Use zones are provided in this Section 9.18.110. Standards for existing nonconforming single-family dwellings located in the Mixed Use zones are also provided in this Section 9.18.110.

SECTION 9.18.110.020: Development Standards for Commercial Uses within All Mixed Use Zones. In addition to the other applicable requirements of this Chapter, the provisions of this subsection 9.18.110.020 apply to all commercial developments and commercial portions of residential/commercial mixed use developments.

A. Commercial Ground Floor Design Standards.

- 1. Elevation of First Floor.** The ground floor elevation shall be located no more than one foot above the existing grade and no more than one foot below existing grade.
- 2. Minimum Ground Floor Height.** The minimum height of commercial ground floor spaces shall be 18 feet. This height shall be measured from the floor of the at-grade level to the floor of the second story. If there is no second story, the height shall be measured to the top of the roof.
- 3. Building Entrances to Commercial Uses.** Commercial uses shall provide at least one entrance facing the front property line, which shall serve as the primary entrance to the business. Walkways, architectural elements, directional signage, or similar means shall be used to emphasize and direct persons toward that entrance. Interior space shall be arranged to orient towards the primary entrance. Street-facing entrances shall be unlocked and accessible to the public during business hours.

SECTION 9.18.110.030: Development Standards for Multi-Family Residential Uses within All Mixed Use Zones. In addition to the other applicable requirements of this Chapter, the provisions of this subsection 9.18.110.030 apply to all multi-family residential developments and residential portions of residential/commercial mixed use developments.

A. Minimum Dwelling Unit Area. New dwelling units shall have a minimum floor area established in Table 9.18-9 (Minimum Dwelling Unit Size) excluding garages.

**TABLE 9.18-9
Minimum Dwelling Unit Size**

Number of Bedrooms	0	1	2	3 or more
Minimum Floor Area per Unit	500 sf	750 sf	900 sf	1,050 sf

B. Maximum Number of Bedrooms per Unit. No single dwelling unit shall have more than four bedrooms.

C. Residential Building Separation. In addition to the setback requirements set forth in Section 9.18.090 (Development Standards Specific to Individual Mixed Use Zones) and Section 9.18.100 (Development and Design Standards Applicable to All Mixed Use Zones), residential developments and residential portions of residential/commercial mixed use developments shall meet the minimum building separation requirements set forth in Table 9.18-10 (Building Separation Requirements).

**TABLE 9.18-10
Building Separation Requirements**

Minimum Building Separation	
From Rear Property Line	10 feet
From Interior Side Property Line	10 feet

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

E. Minimum Floor-to-Floor Height. The minimum floor-to-floor height of residential spaces shall be nine feet six inches. This height shall be measured from the floor of one story to the floor of the next story. Where a building has only one story, the height shall be measured to the top of the roof.

F. Open Space, Recreation, and Leisure Area Requirements for Residential Components of Integrated Mixed Use Developments. Residential components of integrated residential/commercial mixed use developments shall provide open space, recreation, and leisure area equal of a minimum 300 square feet per dwelling unit. The following spaces shall contribute to the open space, recreation area, and leisure area requirement:

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

2. Active Recreation Areas. Active recreation areas shall include one or more of the following: spa, pool, tennis, volleyball, racquetball courts, basketball half court, or other similar usable recreational activities. Active recreation areas shall be open to and accessible to all residents. The required active recreational amenities shall be based on a needs assessment evaluation of

the proposed project. The evaluation shall take into consideration the following criteria:

- a. Size and shape of active recreation area;
- b. Location and placement of buildings;
- c. Diversity of recreational amenities;
- d. Number of units and lot size.

Active recreation areas shall never have a minimum dimension of less than 20 feet. Increased dimensions may be required through the site plan review process based upon specific project circumstances and the intended use of that active recreation area. Active recreation areas shall not be located in any required setback area and shall be buffered from adjacent residentially zoned lots. Active recreation areas may be located indoors, at the outdoor portions of habitable levels, or on roof decks. Areas located indoors or on roof decks shall not contribute more than 50 percent of the required open space, recreation, and leisure areas. Active recreation areas that feature such activities as pools, spas, court activities shall be placed and operated so as not to infringe upon the peacefulness of nearby residential properties.

3. Passive Recreation Areas. Passive recreation areas shall consist of landscape areas that incorporate pathways, waterscape, hardscape (i.e., large rocks or boulders, benches, gazebos, raised planters constructed on site of bricks, concrete or rocks, railroad ties) and unique features that enhance the appearance, desirability and usability of the area. The intent is to provide landscaped areas that can be utilized for walking, sitting, viewing plants and vegetation, reading, and similar types of activities. Passive recreation areas shall have a minimum dimension of 10 feet in width and 30 feet in length. Said areas shall not contribute more than 50 percent of the required open space, recreation, and leisure areas.

4. Residential/Commercial Shared Passive Recreation Areas. Passive recreation areas and joint use patios and plazas may contribute toward the requirement for open space, recreation, and leisure areas, the use of which is shared with the commercial components of a residential/commercial mixed use development, provided that such areas are not used for outdoor dining, fenced, or otherwise restricted to use by a single business or tenant. These areas may include required front and corner side yard setbacks designed and landscaped to meet the requirements for passive recreation areas above and the requirements for minimum setbacks per Section 9.18.090 (Development Standards Specific to Individual Mixed Use Zones) and Section 9.18.100 (Development and Design Standards Applicable to All Mixed Use Zones). Shared passive recreation areas shall have a minimum dimension of 10 feet in width and 30 feet in length. Such areas shall not contribute more than 25 percent of the required open space, recreation, and leisure areas.

G. Open Space Requirements for Stand-Alone Multi-Family Developments. All stand-alone multi-family residential developments shall comply with the open space standards for the R-3 zone, as established in Chapter 9.12 (Multi-Family Residential Development Standards) of this Title.

H. Additional Residential Unit Requirements. Each residential unit in a multiple family development shall comply with the following requirements.

1. **Laundry Facilities.** Each unit shall be provided with washer and dryer hookups and laundry space within the unit or garage. For apartment units, common laundry facilities may be provided.
2. **Storage Facilities.** Each unit shall be provided with a separate storage area having a minimum of 300 cubic feet of private and secure storage space. This storage may be provided within the parking garage provided it does not interfere with garage use for automobile parking. Closet and cupboard space within the dwelling unit shall not count towards meeting this requirement.

I. Residential Parking Requirements.

1. **Enclosed Parking Required.** Required residential parking, per Section 9.18.140 (Parking), shall be provided within a parking structure or enclosed one- and two-car garages. Parking spaces shall be assigned to each individual unit.
2. **Individual One- and Two-Car Garages.** Individual one- and two-car garages shall maintain a minimum clear parking area of not less than 10 feet by 20 feet for a one-car garage and not less than 20 feet by 20 feet for a two-car garage. No storage cabinets or mechanical equipment, including but not limited to water heaters, utility sinks, or washers and dryers, shall encroach into the required parking area.

SECTION 9.18.110.040: Existing Nonconforming Single-Family Dwellings. Single-family dwellings existing as of ~~October 27, 2011~~ in any Mixed Use zone that allows residential uses shall be considered a permitted use and shall be subject to R-1 property standards for modifications and additions, as set forth in Chapter 9.08 (Single-Family Residential Development Standards) of this Title.

SECTION 9.18.120: Landscaping

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SECTION 9.18.120.010: Landscaping General Provisions

A. Intent and Applicability.

1. The landscape provisions in this Section are established to provide for property improvements that enhance the overall character of development within the Mixed Use zones; to provide for the planting and maintenance of trees that contribute shade and visual quality to streets and properties; and to provide functional, attractive open spaces.
2. It is not the intent of this Section to require identical landscape materials or landscape designs for all developments. Where existing mature landscaping is in good, healthful condition, every effort shall be made to retain and incorporate that landscaping into the overall landscape theme.
3. The hearing body may, through the site plan review procedure, modify the requirements with consideration to the size and species of trees used, and may require landscaping in excess of the minimum area specified for a proposed development in order to achieve a superior project.
4. The general landscaping requirements established in this Section shall apply to all Mixed Use zones.

B. Single-Family Residential Development. Parcels developed with single-family residential uses shall provide landscaping in all areas not covered by buildings, structures, patios, or driveways.

C. Compliance with Regard to Additions. All developed properties shall be required to be in substantial compliance with the provisions of this subsection when any additions of one or more square feet are proposed. Guidelines for implementation of the City of Garden Grove Landscape Water Efficiency Provisions can be found in Appendix 1, Title 9.

D. General Standards.

1. Adjacent uses shall be considered when designing landscaping to mitigate the negative impacts of parking areas, activities, storage, or structures by appropriate screening measures.
2. Every effort shall be made to provide landscaping that is compatible with neighboring uses.

3. All unpaved areas shall be planted with an effective combination of trees, grass berms, groundcover, lawn, shrubbery, and/or approved dry decorative landscape material.

SECTION 9.18.120.020: Water Efficiency Requirements

A. Applicability. Beginning January 1, 2010, the following Landscape Water Efficiency Provisions shall apply to all planting, irrigation, and landscape-related improvements for projects included within the following categories:

1. New landscape installations or landscape rehabilitation projects by public agencies or private non-residential developers, except for cemeteries, with a landscaped area, including pools or other water features, but excluding hardscape, equal to or greater than 2,500 square feet, and which are otherwise subject to a discretionary approval of a landscape plan, or which otherwise require a ministerial permit for a landscape or water feature.
2. New landscape installations or landscape rehabilitation projects by developers or property managers of single-family and multi-family residential projects or complexes with a landscaped area, including pools or other water features, but excluding hardscape, equal to or greater than 2,500 square feet, and which are otherwise subject to discretionary approval of a landscape plan, or which otherwise require a ministerial permit for a landscape or water feature;
3. New landscape installation projects by individual homeowners on single-family or multi-family residential lots with a total project landscaped area, including pools or other water features, but excluding hardscape, equal to or greater than 5,000 square feet, and which are otherwise subject to a discretionary approval of a landscape plan, or which otherwise require a ministerial permit for a landscape or water feature.

B. Exceptions. The Water Efficient Landscape regulations do not apply to the following:

1. Registered local, state, or federal historical sites; or
2. Ecological restoration projects that do not require a permanent irrigation system; or
3. Mined-land reclamation projects that do not require a permanent irrigation system; or
4. Plant collections, as part of botanical gardens and arboretums open to the public.

C. Irrigation Design Criteria. Water-efficient irrigation design criteria, as set forth in this subsection shall apply to: all landscaped areas, whether installed prior to or after January 1, 2010; and all landscaped areas installed after January 1, 2010 to which this Section 9.18.120.020 is applicable.

1. **Runoff and Overspray.** Soil types and infiltration rate shall be considered when designing irrigation systems. All irrigation systems shall be designed to

avoid runoff, low-head drainage, overspray or other similar conditions where irrigation water flows onto non-targeted areas, such as adjacent property, non-irrigated areas, hardscapes (walks, etc.), roadways or structures.

2. Runoff on Slopes. Special attention shall be given to avoid runoff on slopes and to avoid overspray on narrow and irregularly shaped areas, including turf, less than eight feet in width in any direction. Such narrow and irregularly shaped areas shall be irrigated with subsurface irrigation or a low volume overhead irrigation system.

3. Irrigation Efficiency.

a. For applicable landscape installations or rehabilitation projects subject to Section 9.16.120.020.A (Applicability), the Estimated Applied Water Use allowed for the landscaped areas shall not exceed the MAWA calculated using an ET adjustment factor of 0.7, except for special landscaped areas where the MAWA is calculated using an ET adjustment factor of 1.0; or the design of the landscaped areas shall otherwise be shown to be equivalently water-efficient in a manner acceptable to the city; as provided in the Guidelines.

b. Irrigation of all landscaped areas shall be conducted in a manner conforming to the rules and requirements, and shall be subject to penalties and incentives for water conservation and water waste prevention as determined and implemented by the Water Department, or as mutually agreed by the Water Department and the local agency.

c. The project applicant shall understand and implement the requirements in the City of Garden Grove, Water Conservation Ordinance.

4. Equipment. The Guidelines provide design criteria for irrigation equipment in Section 2.5 "Irrigation Design Plan."

D. Documentation Required. The following shall be required for all landscape projects subject to these Landscape Water Efficiency Provisions:

1. Prior to installation, a Landscape Documentation Package shall be submitted to the City for review and approval of all landscape projects subject to the provisions of this Section and the Landscape Water Efficiency Provisions. Any Landscape Documentation Package submitted to the City shall comply with the provisions of the Guidelines.

2. The Landscape Documentation Package shall include a certification by a professional, appropriately licensed in the State of California, stating that the landscape design and water use calculations have been prepared by, or under, the supervision of the licensed professional and are certified to be in compliance with the provisions of this Section and the Guidelines.

a. Landscape and Irrigation plans shall be submitted to the City for review and approval with appropriate water use calculations. Water use calculations shall be consistent with calculations contained in the Guidelines and shall be provided to the Water Department, as appropriate, under procedures determined by the City.

- b. Verification of compliance of the landscape installation with the approved plans shall be obtained through a Certification of Completion in conjunction with a Certificate of Use and Occupancy or Permit Final process, as provided in the Guidelines.

E. Landscape Water Efficiency Guidelines. Guidelines for implementation of the City of Garden Grove Landscape Water Efficiency Provisions referenced in this Chapter have been adopted as an Appendix to Title 9 (Land Use Code) and are maintained on file in the offices of the Planning Division of the Community Development Department.

SECTION 9.18.120.030: Landscaping Requirements. All landscaping shall comply with the provisions of this subsection in addition to any other applicable landscaping requirements of this Chapter. Where landscaping provisions conflict, the stricter standard shall prevail.

A. Minimum Landscaped Area. Ten percent of the total net developable site area shall be landscaped. Required setbacks shall be excluded from the calculation of the minimum landscaped area and landscaping provided in required setbacks shall not contribute towards the required minimum landscaped area. Minimum landscaped area that may be counted is 24 square feet.

B. Paved Areas. Only those portions that are required by the Chapter or by the site plan to be used directly for structures, parking spaces, aisles, refuse storage areas, drives, or walkways shall be paved. All other areas not needed for the above shall be landscaped or provided with complementary hardscape materials and fountains consistent with this Chapter.

C. Ground Cover. All landscaped areas shall be covered with turf, non-deciduous groundcover, or other types of plantings. All plant spacing shall be as indicated on the landscape plans. Substitute landscaping such as crushed rock, redwood chips, pebbles, and stone may not be used in lieu of live plant materials, although limited use may be approved by the hearing body through the site plan review process.

D. Artificial Plants Prohibited. Artificial plants, with the exception of artificial turf, are prohibited.

E. Artificial Turf. Artificial turf may be approved by the hearing body through the site plan review process. Artificial turf, where permitted, shall comply with the following criteria:

1. Artificial turf shall not be located in front yards, corner side yards, or portions of side yards visible from a public right of way.
2. Artificial turf shall have a minimum eight-year no fade warranty.
3. Artificial turf shall be installed by a licensed professional and shall be installed pursuant to manufacturer's requirements.
4. Artificial turf shall be installed and maintained to effectively simulate the appearance of a well-maintained lawn. The turf shall be maintained in a

green fadeless condition and shall be maintained free of weeds, debris, tears, holes, and impressions.

5. The use of indoor or outdoor plastic or nylon carpeting as a replacement of artificial turf or natural turf is prohibited.
6. Areas of living plant material (i.e., flower beds, tree wells, etc.) shall be included within the overall landscape design within the front, side, and rear yards, as well as common areas when installing artificial turf.
7. Artificial turf shall be separated from flowerbeds by a concrete mow strip, bender board, or other barrier acceptable to the city in order to prevent intrusion of living plant material into the artificial turf.

F. Trees

1. **Tree Location.** No trees shall be planted under any eave, balcony, or overhang.
2. **Root Barriers Required.** Trees in landscape planters measuring 10 feet or less in width or depth shall be provided with tree root barriers.
3. **Tree Staking.** All trees shall be staked in accordance with standards maintained by the City Manager or designee.
4. **Visibility.** All trees whether singularly placed or placed on clusters shall not inhibit standard visibility parameters.
5. **Required Site Trees.** One tree shall be provided for every 1,000 square feet of site area that is not a required setback, occupied by buildings, or used for parking or pedestrian walkways. Trees shall conform to the matrix of plant materials established by the City Manager or designee. Minimum tree size at planting shall be 24-inch box.
6. **Street Trees.** Street trees shall be provided per City standards.

G. Substantial Landscaping. All required landscaped areas and planters shall be landscaped with a mix of shrubs, perennials, ornamental grasses, vines, and ground cover to create a dense and layered design. A substantial quantity of plants shall be planted to create a naturalistic setting.

SECTION 9.18.120.040: Landscaping Compliance

- A. Modifications.** Any modification to an approved landscape or irrigation plan must be approved by the hearing body prior to installation of the landscaping or irrigation.
- B. Approvals.** All approvals of such plans are subject to and dependent upon the applicant complying with all applicable ordinances, codes, regulations, adopted policies and the payment of all applicable fees and assessments.

- C. Consistency with Approved Plans.** No final inspection or occupancy clearance will be granted until all of the landscaping and irrigation is installed in accordance with the approved plans.
- D. Location and Design.** Landscaping and irrigation systems shall be located and designed as specified on the approved plans.

SECTION 9.18.120.050: Maintenance Requirements and Violations

- A. Maintenance.** All landscaping shall be maintained in a neat and healthy condition. Maintenance of landscaping areas shall include, but not be limited to, the following:
1. Irrigation equipment shall be in working condition at all times.
 2. Litter shall be removed from all landscaped areas in a timely manner.
 3. All sod areas shall be mowed on a regular basis. Sod areas shall at all times be kept green. Accumulation of leaves, bark and other similar plant materials shall be removed in a timely fashion. Planting areas must be kept in a weed free fashion.
 4. Landscaping maintenance shall include pruning, cultivating, weeding, fertilizing, replacement of plants and watering on a regular basis.
 5. Landscape maintenance shall also include pruning or removal of overgrown vegetation, cultivated or uncultivated, that is likely to harbor rats, vermin or other nuisances, or that causes detriment to neighboring properties or property.
 6. Landscape maintenance shall also include the removal of dead, decayed, diseased or hazardous trees, weeds and debris constituting unsightly appearance, dangerous to public safety and welfare or detrimental to neighboring properties or property values. Compliance shall be by removal, replacement or maintenance requirements.
 7. Any removal of mature landscaping must be replaced with landscaping of similar size and maturity as that which was removed.
- B. Prohibition on Use of Landscaped Areas.** Use of landscaped areas for purposes other than for landscaping as approved in the landscape plan and as authorized in the amenity area in the GGMU zones shall be a misdemeanor. Willful failure to maintain the landscaping shall be punishable by fine, or by imprisonment, or both fine and imprisonment.
- C. Delegation.** The City may delegate to, or enter into a contract with, a local agency to implement, administer, and/or enforce any of the Landscape Water Efficiency Provisions on behalf of the City.

SECTION 9.18.130: Walls, Fences, and Hedges

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SECTION 9.18.130.010: Location and Height. Walls, fences, or hedges may be maintained in the following locations:

- A. General.** A wall, fence, or hedge no more than 36 inches in height may be located and maintained on any part of a lot in any Mixed Use zone except within a required front yard setback of a commercial or mixed use development and within the required pedestrian-oriented plaza area in the GGMU and NMU zones. However, in the CC and AR zones, a residential component of a mixed use development may include a wall, fence, or hedge within the front yard setback if approved by the hearing body.
- B. Interior Lots.** On interior lots, a fence, wall, or hedge not exceeding eight feet in height above the adjacent natural grade may be located anywhere on the lot behind the required front yard setback line.
- C. Corner and Reverse Corner Lots.** On corner and reverse corner lots, a fence, wall, or hedge not exceeding eight feet in height above the adjacent natural grade may be located anywhere on the lot behind the required front yard setback line and behind the required corner side yard setback line.
- D. Retaining Wall below Natural Grade.** Where a retaining wall protects a cut below the natural grade and is located on the line separating lots or parcels, the retaining wall may be topped by a wall, fence, or hedge of the same height that would otherwise be permitted at the location if no retaining wall existed.
- E. Retaining Wall Containing Fill.** Where a retaining wall contains a fill, the height of the retaining wall built to retain the fill shall be considered as contributing to the permissible height of a wall, fence, or hedge, provided that in any event, a protective fence or wall not more than 36 inches in height may be erected at the top of the retaining wall. Any portion of a fence above the maximum height shall be an open-work fence. An openwork fence means a fence in which the component solid portions are evenly distributed and constitute not more than 60 percent of total surface area of the face of the fence.
- F. Open Space.** No wall, fence, or hedge exceeding 42 inches in height may be located in open space required between buildings used for human habitation when the buildings are situated front to front, front to rear, or front to end.
- G. Freeway Right-of-Way Adjacent.** A wall or fence not exceeding eight feet in height may be constructed along that portion of a lot or parcel that abuts a freeway right-of-way, provided that:
 - 1. The wall or fence does not extend into any front yard.

2. A wall or fence exceeding six feet in height shall be subject to the review and approval of the hearing body, which shall consider the effect of such wall or fence on other property in the vicinity.
3. Walls used for sound attenuation purposes along arterial roadways shall be attractive and subject to approval by the hearing body.

H. Residential Zone Adjacent. Any other provision of the Chapter notwithstanding, a wall, fence, or hedge that is provided along a common boundary line separating property used for commercial or industrial purposes from an "R" zoned property or any PUD established exclusively for residential use, and that is permitted or required to maintain a height of six feet, may be extended to a height not to exceed eight feet. However, no wall, fence, or hedge shall extend more than six feet above the highest existing grade elevation on a subject lot.

I. Railroad or Flood Control Channel Adjacent. When commercial or industrial property has a common property line with an "R" zoned property or any PUD established exclusively for residential use, and that is a right-of-way for a railroad or flood control channel, the hearing body may waive the requirement for a zone separation wall or fence.

J. Setback Area. Notwithstanding the above requirements, no fence, wall, or hedge shall be permitted within any required street-fronting setback area for any commercial or residential/commercial mixed use development, with the exception of any fence or wall required for any outdoor dining area.

SECTION 9.18.130.020: Fences at Public Utility Installations, Schools, and Public Playgrounds. The provisions of this Section shall not apply to fences required by the state to surround and enclose public utility installations, or to chain link fences enclosing school grounds and public playgrounds.

SECTION 9.18.140: Parking

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SECTION 9.18.140.010: Purpose.

A. Purpose. These regulations are established to define the regulations applicable to on-site parking and circulation, and to ensure that parking facilities are properly designated and located to meet the parking needs created by specific uses within the respective zones.

B. Intent. The intent of these regulations is to:

1. Ensure adequately designed parking areas with sufficient capacity and adequate circulation to minimize traffic congestion;
2. Ensure the usefulness of the facilities by providing on-site circulation patterns that facilitate client/business relationships;
3. Contribute to public safety and health;
4. Promote efficient use of land and, where appropriate, buffer and transition land uses from foreseeable impacts; and
5. Utilize landscaping as an effective buffer between different uses and to promote an aesthetic quality within the parking area and site.

SECTION 9.18.140.020: General Provisions.

A. Applicability. In all districts, off-street parking shall be provided subject to the provisions of this Chapter for:

1. Any new building or structure constructed;
2. Any new use established;
3. Any structural addition or enlargement of an existing building or use; however, additional parking spaces may be required for the entire building or use as a condition of approval of a conditional use permit, site plan or other discretionary permit granted by the City; or

4. Any change in the occupancy or use of any building that would result in a requirement for additional parking spaces pursuant to this Section.
- B. Restriction within Reserved Right-of-Way.** Property within the ultimate right-of-way of a street or highway shall not be used to provide required parking or loading or unloading facilities.
- C. Restriction on Streets, Driveways, and Drives.** On-street parking within public or private streets, driveways, or drives shall not be used to satisfy the off-street parking requirements.
- D. Garages to Be Used for Parking Only.** For developments required to provide garages, each such garage shall only be utilized for the parking of vehicles. No garage shall be used for storage, rental, or lease or for any use other than the parking of vehicles related to the unit or development for which the garage is required by this Section and storage areas required by Section 9.18.110.030.H.2 (Storage Facilities).
- E. Parking Must Remain Accessible.** All off-street parking spaces and areas required by this Section shall be designed and maintained to be fully usable for the duration of the use requiring such areas and spaces. All required off-street parking spaces shall be designated, located, constructed and maintained so as to be fully available for use by patrons and employees of commercial, industrial, public or semi-public premises during operating hours.
- F. Compliance with Design Standards.** Parking facilities constructed or substantially reconstructed subsequent to the effective date of the ordinance codified in the Title, whether or not required, shall conform to the City's design standards set forth in the Parking Design Standards subsection, Section 9.18.140.070.
- G. Requirements for Uses not Listed.** The parking requirement for uses not specifically listed in the parking schedule shall be determined by the Planning Commission for the proposed use on the basis of the requirements for similar uses and on any traffic engineering and planning data that is appropriate to the establishment of a minimum requirement.
- H. Surfacing Required.** All parking spaces, driveways, and maneuvering areas shall be fully paved and maintained with asphalt, concrete, or other City approved material.
- I. Tandem Parking Restricted.** Tandem parking is expressly prohibited, except in the following circumstances:
- 1. Valet Parking.** Parking associated with valet services may be provided in tandem format through the discretionary permit review process. If an approved valet parking arrangement ceases, the use for which the valet parking was approved shall be considered in violation of the provisions of this Title. Also, no new use shall be allowed to use the buildings with which the valet parking was provided unless that use meets the requirements of this Title and this Section in particular.

2. **Work-live Units.** Parking provided for each unit may be provided in tandem format subject to conditional use permit approval.
 3. **Residential/Commercial Mixed Use Development.** Parking for the residential component of a residential/commercial mixed use development may be provided in tandem format subject to conditional use permit approval.
- J. Restriction on Commercial Vehicles in Residential Developments.** Commercial vehicles shall not be parked or stored on properties used exclusively for residential purposes, except while the operator of the vehicle is making normal deliveries or providing services to the residential premises.
- K. Restriction on Commercial Vehicle Parking in Residential/Commercial Mixed Use Developments.** No commercial vehicle shall be parked on any property zoned Mixed Use except while the operator of the vehicle or trailer is patronizing or serving a business or residential use, or unless that vehicle is associated with the day-to-day operations of an on-site business.
- L. Restrictions on Recreational Vehicle Parking.** The parking or storing of trailers, vessels, campers, camper shells, motor homes, and similar recreational vehicles shall be prohibited in all Mixed Use zones, except for such vehicles associated with single-family dwellings established prior to the effective date of the ordinance codifying these provisions, in which case the applicable standards contained in Chapter 9.08 (Single-Family Residential Development Standards) shall apply.
- M. Parking of Vehicles for Sale or Hire Prohibited.** No person shall park a vehicle, camper, camper shell, or vessel upon a public or private street, parking lot, or any public or private property for the purpose of displaying such vehicle thereon for sale, hire or rental, unless the property is duly zoned and permitted by the City to transact that type of business at that location. However, this subsection shall not prohibit persons from parking vehicles displayed for sale on private residential property belonging to or resided on by the registered owner of the vehicle. For purposes of this subsection, a vehicle, camper, camper shell, or vessel shall be presumed to be for sale if there is a price, or phone number, or a contact person, or address displayed thereon. Any person violating the provisions of this subsection shall be guilty of an infraction.
- N. Restriction of Vehicle Repair.** No person shall repair, grease, or service, or cause to be repaired, greased, or serviced, any vehicle or any part thereof in a parking lot, or anywhere outside of a wholly enclosed building.
- O. Camping in Parked Vehicles Prohibited.** No person shall occupy or use any camp car, camper, mobile home, recreational vehicle, camper shell, trailer, vessel, or other vehicle or trailer as a dwelling or for living or sleeping quarters upon any public street, right-of-way, alley, private street or alley, or any private property except in an approved trailer, mobile home, or recreational vehicle park.
- P. Parking in Required Yards.** No above-grade or surface parking shall be allowed in required yards and setbacks. However, partially subterranean and fully subterranean parking shall be permitted beneath required yards.

- Q. Parking Prohibited in Rear Yards Abutting a Residentially Zoned Lot.** No above-grade, surface, partially subterranean, or fully subterranean parking shall be located in rear yards abutting any "R" zoned lot.
- R. Parking Height.** Where any part of a building is over parking, the parking shall be considered a full story. Partially subterranean and fully subterranean parking shall not be considered a story.
- S. Maintenance Required.** Any development requiring parking lot improvements will be required to file with the City conditions, covenants, and restrictions requiring maintenance of the parking area. The conditions, covenants, and restrictions shall run with the land.

SECTION 9.18.140.030: Parking Spaces Required.

- A. General.** The number of off-street parking spaces required shall be no less than as set forth in Table 9.18-11 (Required Parking Spaces). Parking shall be calculated by the maximum building occupancy and/or the gross floor area, as applicable. Where the application of these schedules results in a fractional space, then the resulting fraction shall be rounded up to the higher whole number.
- B. Residential/Commercial Mixed Use Developments.** The calculation of required parking spaces for residential/commercial mixed use developments shall be based upon the parking required for each individual use within the development. Through the site plan review process or review of any required discretionary permit, the hearing body may reduce the total number of spaces required by up to 10 percent of the total requirement in recognition of the shared nature of the parking facilities and in particular, by allowing parking spaces provided for a commercial component to satisfy the guest parking needs of the residential component. If an applicant seeks relief greater than 10 percent, the provisions regarding shared parking and the requirements for provision of a parking management plan pursuant to Section 9.18.140.060 (Joint Use and Parking Management) shall apply.

**TABLE 9.18-11
Required Parking Spaces**

Use	Required Minimum Parking Spaces
Residential Uses – Single Family	
1-4 sleeping rooms	2 spaces in an enclosed garage plus 2 open spaces
5-7 sleeping rooms	3 spaces in an enclosed garage plus 3 open spaces
More than 7 sleeping rooms	4 spaces in an enclosed garage plus 4 open spaces
Residential Multiple Family – Stand Alone	
Developments with fewer than 50 units, and adjacent to any principal, major, primary or secondary arterial street	
Fewer than 3 sleeping rooms	2.75 spaces per dwelling unit within a parking structure or enclosed garage
3 or more sleeping rooms	3.5 spaces per dwelling unit within a parking structure or enclosed garage

**TABLE 9.18-11
Required Parking Spaces**

Use	Required Minimum Parking Spaces
<p>Developments with fewer than 50 units and <u>not</u> adjacent to any principal, major, primary or secondary arterial street</p> <p>Fewer than 3 sleeping rooms</p> <p>3 or more sleeping rooms</p>	<p>2.5 spaces per dwelling unit within a parking structure or enclosed garage</p> <p>3.25 spaces per dwelling unit within a parking structure or enclosed garage</p>
<p>Developments with 50 or more units, and adjacent to any principal, major, primary or secondary arterial street</p> <p>Fewer than 3 sleeping rooms</p> <p>3 or more sleeping rooms</p>	<p>2.75 spaces per dwelling unit within a parking structure or enclosed garage</p> <p>3 spaces per dwelling unit within a parking structure or enclosed garage</p>
<p>Developments with more than 50 units and <u>not</u> adjacent to any principal, major, primary or secondary arterial street</p> <p>Fewer than 3 sleeping rooms</p> <p>3 or more sleeping rooms</p>	<p>2.5 spaces per dwelling unit within a parking structure or enclosed garage</p> <p>2.75 spaces per dwelling unit within a parking structure or enclosed garage</p>
Residential Multiple Family – Part of Mixed Use Development	
<p>Developments with fewer than 50 units</p> <p>Fewer than 1 sleeping room</p> <p>1 sleeping room</p> <p>2 sleeping rooms</p> <p>3 or more sleeping rooms</p>	<p>Within a parking structure or enclosed garage:</p> <p>2 spaces per dwelling unit</p> <p>2.25 spaces per dwelling unit</p> <p>2.75 spaces per dwelling unit</p> <p>3.5 spaces per dwelling unit</p>
<p>Developments with 50 units or more</p> <p>Fewer than 1 sleeping room</p> <p>1 sleeping room</p> <p>2 sleeping rooms</p> <p>3 or more sleeping rooms</p>	<p>Within a parking structure or enclosed garage:</p> <p>2 spaces per dwelling unit</p> <p>2.25 spaces per dwelling unit</p> <p>2.75 spaces per dwelling unit</p> <p>3 spaces per dwelling unit</p>
Other Residential Uses and Uses Incidental to Residential	
<p>Community residential care facility</p>	<p>0.5 spaces per bed</p>
<p>Senior Citizen Housing</p> <p>Apartment</p> <p>Congregate – general care</p>	<p>1 space per unit</p> <p>0.5 spaces per bed or unit</p>

**TABLE 9.18-11
Required Parking Spaces**

Use	Required Minimum Parking Spaces
Congregate – general care with on-site transportation provided	0.3 spaces per bed or unit
Work-live	2 spaces per unit plus one additional space per unit
Day Care	1 space per care provider and staff member, plus 1 space for each 6 children
Commercial Uses	
Retail	
Under 40,000 square feet	1 space per 200 square feet gross floor area
40,000-100,000 square feet	1 space per 225 square feet gross floor area
100,000+ square feet	1 space per 250 square feet gross floor area
Restaurants Eating, Drinking Establishments, Cafes, Coffeeshouses, Bars	
Attached 0-16 seats with less than 300 square feet of customer/dining area	1 space per 200 square feet of gross floor area
Attached 16+ seats	1 space per 100 square feet of gross floor area, with a minimum of 10 spaces
Freestanding	1 space per 100 square feet of gross floor area, with a minimum of 10 spaces
With entertainment	1 space per 100 square feet of gross floor area (seating and service), plus 1 space per 35 square feet of entertainment area, plus 1 space per 7 square feet of dance floor
Outdoor Dining	<p>No additional parking required for the first 500 square feet of outdoor dining area. For any area in excess of 500 square feet, parking shall be provided as required above for the applicable use.</p> <p>Where outdoor dining is covered by a roof structure, all parking shall be provided as required for the above applicable use.</p>
Service Station	
With convenience store	1 space per pump, plus 1 space per 200 square feet of gross floor area of sales area, plus 3 spaces per service bay
Without convenience store	1 space per employee, plus 3 spaces per service bay
Financial institutions	1 space per 200 square feet of gross floor area if a drive-up window exists. If no window, 1 space per 150 square feet of gross floor area
Nursery, home improvement center, building materials, furniture, general appliance stores (large display area)	1 space per 200 square feet gross floor area
Hotel, motel, bed and breakfast	1 space per room/unit plus 2 spaces for hotel manager unit, plus any parking required for restaurant, assembly, or other permitted ancillary use
Personal service	1 space per 200 square feet of gross floor area
Professional studios and galleries	
Art, music, dance, martial arts	1 space per employee, plus 1 space per 2 student capacity
Photography, portrait, radio, TV, recording	1 space per 200 square feet of gross floor area
Karaoke studios	1 space per 200 square feet of gross floor area

**TABLE 9.18-11
Required Parking Spaces**

Use	Required Minimum Parking Spaces
Art studios and galleries	1 space per 500 square feet of gross floor area
Automatic car wash	5 times the internal washing capacity for stacking and drying, plus 1 space per employee based on the maximum shift, not less than 3 (internal capacity is defined as conveyor length divided by 20 feet)
Auto rental	
Office only	1 space per 250 square feet of gross floor area
Vehicle storage	1 space per 350 square feet of gross floor area of office, plus 1 space per vehicle
Auto and boat sales, leasing	1 space per 400 square feet of gross floor area of inside display, plus 1 space per 2,000 square feet of outside display, plus 1 space per 500 square feet of gross floor area of repair, plus 1 space per 300 square feet of gross floor area of parts storage and sales area
Auto repair and maintenance	1 space per 200 square feet of gross floor area including auto paint and body of office space, plus 3 spaces per service bay
Office Uses	
General business offices	1 space per 250 square feet of gross floor area
Medical, dental and related service support facilities	1 space per 170 square feet of gross floor area
Industrial Uses	
Industrial uses	
Buildings with less than 20,000 square feet of gross floor area	2.25 spaces per 1,000 square feet of gross floor area
Buildings 20,001 to 100,000 square feet of gross floor area	2 spaces per 1,000 square feet of gross floor area
Buildings with more than 100,000 square feet of gross floor area	1 space per 1,000 square feet of gross floor area
Incidental Office:	
Under 30 percent of gross floor area	No additional requirements
30 to 50 percent of gross floor area of a building	1 space per 250 square feet of gross floor area
Public and Semi-Public Uses	
Hospital	4 spaces per bed
Private school – elementary through high school	1 space per each employee, plus 1 space for each 6 student capacity
College or university	1 space per employee, plus 1 space per 3 student capacity
Trade school; adult education	1 space per employee, plus 1 space per 3 students capacity (based on maximum occupancy allowable by building code), or 1 space per 35 square feet of instructional area, plus 1 space per 250 square feet of office space
Churches/religious facilities	Fixed seats: 1 space per each 3 fixed seats
	No fixed seats: 1 space for each 21 square feet of area designated for assembly purposes
	All ancillary area(s) shall provide 1 space for each 250 square feet of gross floor area

**TABLE 9.18-11
Required Parking Spaces**

Use	Required Minimum Parking Spaces
Commercial Recreation Uses	
Golf driving range	1.5 spaces per tee
Bowling alley	3 spaces per alley plus spaces for other uses on-site
Movie theaters	
Single screen	0.5 space per seat
Multi screen	0.3 space per seat
Arcades, pool hall	1 space per 200 square feet of gross floor area
Night clubs	1 space per 7 square feet of dance floor, plus 1 space per 35 square feet of additional gross floor area
Assembly halls and dance floors	1 space per 7 square feet of dance floor or assembly area, plus 1 space per 35 square feet of additional gross floor area
Spa/health clubs/gyms	1 space per 200 square feet of gross floor area
Private clubs	1 space per each 15 square feet of assembly area
Skating rinks	1 space per 100 square feet of gross floor area, plus spaces required for other uses on-site

SECTION 9.18.140.040: Parking Requirements. The following parking requirements are applicable to all land uses, unless stated otherwise in this Chapter.

A. Parking Space Size. All parking spaces shall conform to the minimum dimensions:

Standard Space:	9 feet wide by 19 feet long
Compact Space:	8 feet wide by 15 feet long
Parallel Space:	8 feet wide by 22 feet long

Wherever a space is adjacent to a wall, fence, or hedge, an additional one foot of width shall be provided to that space.

B. Compact Car Parking Spaces.

1. Up to 20 percent of the required parking stalls may be compact parking spaces. The determination of the percentage to be allowed will be made through the site plan review or applicable discretionary permit review process.
2. Compact stall size is subject to Public Works Department standards for compact car spaces.
3. Compact spaces, where provided, shall be consolidated into a specific area of a parking lot or structure. The area shall include signage designating the spaces by signs, colored lines, or other appropriate indicators for compact vehicles only.

C. Automated Parking Systems and Mechanical Parking Lifts. Parking spaces in automated parking systems and vertical parking lifts may be utilized to meet the required number of parking spaces pursuant to Section 9.18.140.030 (Parking Spaces Required), as well as additional/supplemental parking, provided that all of the following conditions can be met.

1. The use of automated parking systems and mechanical parking lifts does not increase the building bulk and mass, in that the area occupied by the automated parking system or mechanical parking lift is no greater in volume than a parking structure that would be configured exclusively with conventional structured parking.
 2. The parking system shall be located entirely within the confines of a building and shall not be visible from the public right-of-way.
 3. Systems may be self-service or fully automated.
 4. Sufficient vehicle queuing distance for the area accessing the parking system shall be provided, as determined through the site plan review or discretionary permit review process.
- D. Motorcycle Parking Spaces.** Commercial and industrial facilities with 25 or more parking spaces shall provide at least one paved designated parking area for use by motorcycles.
- E. Bicycle Parking.** For all new developments where parking is not provided in the form of individual garages, secure and convenient bicycle parking shall be provided at a rate of one bicycle space for every 10 required parking spaces.

SECTION 9.18.140.050: Location of Parking Spaces.

- A. Located On-site.** All required open parking spaces and garages shall be located on the same building site or within the same development, except where allowed by Section 9.18.140.050.B (Off-site Parking), below.
- B. Off-site Parking.** Off-site parking for new uses or new construction may be permitted on either a privately owned property or public property through the site plan review process or other applicable discretionary review permit process for an individual use or development project.
1. **Joint Use Off-site Parking.** Where more than one use is involved, joint use or shared parking shall require preparation of a parking management plan in accordance with Section 9.18.140.060 (Joint Use and Parking Management).
 2. **Location of Off-site Parking.** In no event shall any off-site parking facility be located more than 1,500 feet from the use it is intended to serve.
 3. **Deed Restriction Required.** Where off-site parking for an individual use or development project is approved, a deed restriction, subject to the review and approval of the City Attorney, shall be recorded against all affected properties. Such deed restriction shall indicate the restrictions on the properties relative to future use and development due to the off-site parking arrangement.
 4. **Irrevocable Access and/or Parking Easement.** If parking is provided on a site other than the subject site, an irrevocable access and/or parking easement shall be obtained on the other site for use and benefit of the site in issue. Such access and/or parking agreement, when fully exercised, shall not

diminish the available parking capacity of the site subject to the easement to less than required by this Section.

- C. Accessibility.** All off-street open and enclosed parking spaces shall be located and maintained so as to be accessible and usable for the parking of motor vehicles.
1. All motor vehicles must be parked or stored on a fully paved surface with approved entrances and exits to the street.
 2. For projects approved and developed after April 25, 1991, where security gates are proposed to be provided, 70 percent of the guest parking spaces shall be located outside the secured area.

SECTION 9.18.140.060: Joint Use and Parking Management.

- A. Applicability and Where Allowed.** These regulations apply in situations where two or more separate uses or developments look to share parking and/or loading facilities due to staggered hours of operation or other varying operational characteristics that would allow parking and loading facilities to provide for joint use. If an applicant seeks to provide for shared or joint use parking, preparation of a parking management plan shall be required to allow any deviation from parking requirement standards established by this Section, as set forth below. When prepared, a parking management plan shall provide applicable parking standards that address current development trends and the benefits of parking alternatives.

Where off-site parking is requested, the provisions in Section 9.18.140.050.B (Off-Site Parking), above, shall also apply.

- B. Parking Management Plan Required.** A parking management plan shall be required as follows:
1. Where parking is to be shared or jointly used among the same or different developments or uses.
 2. Where the number of parking spaces required is proposed to be reduced, except as provided in Section 9.18.140.030.B (Residential/Commercial Mixed Use Developments) regarding required parking for residential/commercial mixed use developments, where a 10 percent reduction shall be permitted as part of the site plan review or conditional use permit process for that development. However, any reduction beyond 10 percent shall require a parking management plan.
- C. Limitation on Parking Space Reduction and Distance.** No proposed reduction in parking spaces due to joint or shared use may exceed 25 percent of the parking required pursuant to this Section. Also, no joint use or shared facility shall be located more than 1,500 feet from the use it is intended to serve.
- D. Plan Contents.** The parking management plan shall be prepared by a qualified transportation engineer, in accordance with Planning Commission policy, and shall include, at minimum, the following elements:

1. Breakdown and description of the proposed uses, including their functional and spatial components.
 2. Statement of the functional area square footage based on the proposed plan.
 3. Statement of parking demands by uses for morning, midday, and evening periods, and a statement of employee parking demands.
 4. A peak-demand calculation by adding the various components together to determine the midday and evening demands with the higher figure represents the minimum number of spaces to be provided.
 - a. A 10 percent increase in the minimum number of spaces shall be added to the peak demand calculation to allow for future changes in the types of uses proposed in the original development plan, and
 - b. Use changes throughout the life of the project requiring more than the 10 percent figure shall require the submittal and approval of an amended parking management plan.
 7. A cross-check analysis for functional and operational aspects.
 8. Parking management plans shall include a copy of proposed easements or conditions, covenants, and restrictions tying the parking agreement to the project in perpetuity, prohibiting revision without City approval. Pre-existing, shared parking proposals shall be accompanied by a recorded off-site parking covenant running with the land. The City Attorney shall have the authority to review and dictate the contents of the CC&Rs and any deed restrictions or easement language proposed.
- E. Shared Loading Spaces.** Loading spaces may be shared in compliance with this Section. However, the loading spaces shall only be shared if located on an adjoining lot.
- F. Review Process.** For development projects involving new construction, a parking management plan for joint or reduced parking shall be considered by the appropriate review authority at the same time the project is considered. Where a new use is proposed to occupy an existing building and where a parking management plan is required, the parking management plan shall be subject to Community Development Director's review.
- G. Required Findings.** Where a shared parking facility serving more than one use will be provided, the total number of required parking spaces may be reduced only if the Planning Commission finds that all of the following are true:
1. The peak hours of use will not overlap or coincide to the degree that peak demand for parking spaces from all uses will be greater than the total supply of spaces;
 2. The adequacy of the quantity and efficiency of parking provided will equal or exceed the level that can be expected if parking for each use were provided separately;

3. A parking demand study prepared by an independent traffic engineering professional approved by the City supports the proposed reduction; and
4. The applicant submitted a signed contract between the applicant and the other property owner(s) providing the off-street parking spaces subject to the shared parking arrangement. The contract shall be subject to the approval of the Planning Commission and shall also be subject to review by the City Attorney as to form and content.

SECTION 9.18.140.070: Parking Design Standards.

A. Parking Improvements.

1. **Paving.** Parking and loading facilities and pedestrian pathways shall be surfaced and maintained with asphalt concrete, concrete, or other permanent surfacing material acceptable to the Community Development Director or designee and sufficient to prevent loose surfacing materials and other nuisances.
2. **Striping.** Parking lot striping shall be maintained at all times consistent with City standards.
3. **Drainage.** All parking and loading facilities shall be graded and provided with permanent storm drainage facilities.
 - a. Surfacing, curbing and drainage improvements shall be sufficient to preclude free flow of water onto adjacent properties or public streets or alleys.
 - b. Measures listed above shall be taken to preclude standing pools of water within the parking facility.
4. **Safety Features.** Parking and loading facilities shall meet the following standards:
 - a. Safety barriers, protective bumpers, or curbing and directional markers shall be provided to assure pedestrian and vehicular safety, efficient utilization, protection to landscaping, and prevent encroachment onto adjoining public or private property.
 - b. Unobstructed visibility shall be maintained at all times while vehicles are circulating within the parking area.
 - c. Internal circulation patterns and the location and traffic direction of all access drives shall be designated and maintained in accordance with accepted principles of traffic engineering and traffic safety.
 - d. Striping of parking lots must at all times be clearly visible and maintained throughout the life of the facility.
5. **Lighting.** Lights provided to illuminate any parking facility or paved area shall be designed with automatic timers (photovoltaic cells) and maintained in

accordance with the provisions of this Title. Parking lot security lights shall be maintained and shall be operated during all hours of darkness.

- a. All nonresidential parking area lighting shall be provided during the hours of darkness the establishment is open at a minimum of two foot-candles of light on the parking surface.
- b. A minimum of one foot-candle of light shall be provided during all other hours of darkness.
- c. Lighting in the parking area shall be directed, positioned, or shielded in such a manner so as not to unreasonably illuminate the window area of nearby residences.

6. Noise. Areas used for primary circulation, or for frequent idling of vehicular engines or for loading facilities, shall be designed and located to minimize impacts on adjoining properties, including sound attenuation to adjacent property and visibility screening from adjacent property.

7. Screening. Open off-street parking areas shall be screened from view of public streets and adjacent land uses that are more restrictive.

8. Walls. High walls shall not block or otherwise impair visual access from adjacent residential properties.

B. Surface Parking Lot Landscaping. In addition to the Site Design Standards of Section 9.18.100.030, the following landscaping standards shall apply to all surface parking lot areas:

1. Surface Parking Lots Visible from Streets. Surface parking lots that are visible from public and private streets, and in particular surface parking lots located between the public right-of-way and buildings and structures shall meet the following landscaping, paving, and tree requirements:

a. **Landscaping.** At least 10 percent of the total area of any surface parking lot shall be landscaped.

b. **Paving Area.** At least 5 percent of the total area of any surface parking lot shall be paved in high-quality materials such as pavers, stone or cobblestone, patterned or scored concrete, or similar durable materials. Paving is encouraged at highly visible locations such as main drive aisles, parking areas adjacent to required front and corner side yard setbacks, enhanced stall demarcations throughout the parking lot, or pedestrian walkways.

c. **Trees.** One tree shall be provided for every four parking spaces. Trees shall be shade-producing trees and shall be evenly distributed throughout the parking lot so as to shade the parking area. Trees shall be located in landscape planters. Trees shall conform to the matrix of plant materials established by the Planning Division. Minimum tree size at planting shall be 24-inch box.

- 2. Surface Parking Lots Not Visible from Streets.** Surface parking lots that are not visible from public and private streets and are located towards the rear and interior of the site shall meet the following landscaping and tree requirements:

 - a. Landscaping.** At least five percent of the total area of any surface parking lot shall be landscaped.
 - b. Trees.** One tree shall be provided for every 10 parking spaces. Trees shall be shade-producing trees and shall be evenly distributed throughout the parking lot so as to shade the parking area. Trees shall be located in landscape planters. Trees shall conform to the matrix of plant materials established by the Planning Division. Minimum tree size at planting shall be 24-inch box.
- 3. Landscape Buffer.** Where a surface parking lot abuts a parking structure or is adjacent to a surface parking lot on another lot, a landscape buffer not less than 10 feet in depth shall be provided between the lots or structures. Where adjacent surface parking lots allow common parking to serve multiple businesses and pedestrian walkways provide access to all businesses served, no landscape buffer shall be required.
- 4. Wheel Stops at Landscaping.** Concrete wheel stops shall be installed in parking areas to protect landscaping. Any broken or damaged wheel stops shall be replaced. Alternatively, parking may be designed to overhang landscaped areas. Parking shall overhang landscaping no more than two feet with a minimum planter dimension of five feet.
- 5. Landscape Planters.** All landscape planters shall have a minimum width of four feet.
- 6. Screening Required.** Storage areas, trash enclosures, public utilities, and other similar land uses or elements that do not contribute to the enhancement of the surrounding area shall be screened with landscaping. Landscape screening shall consist of evergreen shrubs, vines, or closely spaced trees.
- C. Architectural Treatment of Parking Structures.** All façades of a parking structure shall include architectural and landscaping treatment pursuant to the standards established in Sections 9.18.090 (Development Standards Specific to Individual Mixed Use Zones), 9.18.100 (Development and Design Standards Applicable to All Mixed Use Zones), and 9.18.120 (Landscaping) of this Chapter. The intent is to ensure that parking structures have the same quality treatment as the buildings and uses they serve, that such structures are well integrated into a development project, and that their design contributes to the overall character and function of the area in which they are located. In particular, any façade that can be viewed from a public right-of-way shall include treatments that make the structure resemble a habitable building.

Photo 9.18-9: Example of Parking Structure Architectural Treatment



SECTION 9.18.140.080: Loading Areas.

All nonresidential developments must provide loading berths in accordance with this Section.

- A. Retail Stores, Warehouses, Wholesaling, Manufacturing and Other Goods Handling Uses.** Loading spaces shall be provided as set forth in Table 9.18-12 (Required Loading: General Commercial and Industrial).

**TABLE 9.18-12
Required Loading: General Commercial and Industrial**

Gross Floor Area of Building or Use	Number of Loading Berths Required
Less than 100,000 sf	0
100,001 – 200,000 sf	1
200,001 – 500,000 sf	2
More than 500,000 sf	3 plus 1 for each additional 400,000 sf

- B. Offices and Hotels/Motels.** Where loading facilities are provided, the standards in Table 9.18-13 (Required Loading: Offices and Lodging) shall apply.

**TABLE 9.18-13
Required Loading: Offices and Lodging**

Number of Berths	Width	Length	Height
1	10 feet	25 feet	12 feet
2 or more	10 feet	35 feet	14 feet

C. Minimum Size of Berths. All berths must be provided with an on-site maneuvering area to the loading berth that provides a turning radius of not less than 48 feet.

D. Screening. All loading areas shall be screened from view of adjacent streets.

E. Access.

1. Access to the loading docks shall be provided without the necessity of vehicle maneuvers in the public right-of-way.
2. The dock approach may not be encumbered by parking stalls or physical obstructions.
3. All loading must be conducted in loading berths when berths are provided. Loading and unloading operations shall not be conducted so as to be a nuisance to adjacent residential areas.
4. Loading areas shall not interfere with parking or with vehicle and pedestrian access.

SECTION 9.18.150: Collection of Recyclable Materials

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SECTION 9.18.150.010: On-site Accommodation for Recyclable Materials Containers and Collection Areas.

A. Purpose. These standards are established to ensure that all developments in the Mixed Use zones are provided with convenient and appropriately sized areas for the collection of recyclable materials so that residents and businesses in Garden Grove can contribute toward the achievement of city goals relating to solid waste diversion, recycling, and greenhouse gas reduction, pursuant to state law. The city recognizes that in lieu of providing separate areas for the collection of recyclable materials, development projects can provide convenient and adequately sized areas where collection bins for both solid waste and recyclables can be maintained.

B. Area Required; Applicability. Any new development project, including a public facility, for which a building permit application has been filed, or any addition or modification to an existing development whereby the addition or modification exceeds 1,000 square feet or 10 percent of the existing floor area (whichever is less), shall include adequate, accessible, and convenient areas for the collection and loading of recyclable materials. These areas, to the maximum extent possible, shall be provided as part of the collection areas for solid waste. Construction of an addition to an existing single-family unit, or less than one full unit to multiple-family residential development, shall be exempt from this requirement.

C. Minimum Collection Areas. Areas for solid waste and recyclable materials storage shall be adequate in capacity, number, and distribution to serve the development where the project occurs, and shall be based on the following requirements:

1. Office, Commercial, Industrial, and Institutional

Collection bins of a minimum size of three cubic yards shall be provided. A storage enclosure shall be provided sufficient to hold one or more standard three-cubic-yard bins or similar collection bins available from approved haulers. Each enclosure shall provide sufficient area for the collection of solid waste and recyclable materials. Where appropriate, separate collection bins for food waste associated with food service uses shall also be provided consistent with other City regulations. The area must accommodate, at a minimum, the bins indicated in Table 9.18-14 (Recyclable Collection Areas), below, or as otherwise may be approved through the discretionary permit review process.

TABLE 9.18-14
Recyclable Collection Areas

Building Square Footage	Types of Receptacles	Number of Receptacles
0-5,000	Bin	1
5,001-10,000	Bin	2
10,001-15,000	Bin	3
15,001-20,000	Bin	4
20,001-25,000 ¹	Bin	5

¹ Each additional 5,000 square feet requires one additional bin, or more than one pick up per week, per bin.

2. Residential Developments

- a. For developments consisting of five or fewer residential units, and if containers are utilized, the exterior collection area shall consist of an area sufficient in size for the storage of containers for each residential unit consistent with city contract requirements with approved waste haulers. The suggested area for each container is a minimum of 38 inches by 38 inches.
- b. For developments with more than five residential units, sufficient area to accommodate at least one three-cubic-yard bin or similar collection bins available from approved haulers shall be provided. Each enclosure shall provide sufficient area for the collection of refuse and recyclable materials.

3. Mixed Use Developments

- a. To the greatest extent practicable, separate solid waste and recyclable materials collection areas shall be provided for residential and nonresidential components of a residential/commercial mixed use development. Where separate facilities can be and are provided, the areas shall meet the standards specified above for nonresidential and residential uses.
- b. Where it is not practicable to separate such areas, as determined through the development review process, the recyclable materials collection area shall provide aggregate space sufficient to accommodate the minimum requirements specified above for each individual use. Such areas shall be conveniently located to all users.
- c. Recycling and solid waste storage facilities for nonresidential uses shall be located as far as possible from residential units and shall be completely screened from view from the residential portion of the development. Recycling and solid waste storage facilities for nonresidential uses shall be compatible in architectural design and details with the overall project. The location and design of enclosures shall mitigate nuisances from odors when residential uses might be impacted. Trash areas for food service and sales uses, when occupying the same building as residential uses, shall be refrigerated or otherwise designed to control odor.

D. Design Standards. The following standards shall apply to all developments utilizing three-cubic-yard bins or similar collection bins available from approved haulers.

1. All solid waste and recyclable material storage areas shall be readily accessible to the users they serve, as well as for collection operations, and shall be enclosed by a solid masonry or concrete block wall.
2. Recycling bins or containers shall provide protection against adverse environmental conditions that might render the collected materials unmarketable. Solid waste and recyclable materials must be stored within the bins or containers.
3. Driveways or travel aisles shall provide unobstructed access for collection vehicles and personnel, and provide at least the minimum clearance required by the collection methods and vehicles utilized for the particular project.
4. A sign clearly identifying all recycling and solid waste collection and loading areas and the materials accepted shall be posted adjacent to the storage areas.
5. The design and construction of solid waste and recyclable materials storage areas shall be compatible with surrounding land uses.
6. The storage area shall be shielded from public view by a wall that matches the exterior building material and color.
7. The storage area shall be designed as per the Garden Grove design guidelines, as approved by City Council resolution.
8. Storage areas shall not be located in any required front, side, or rear setback or any area required to be maintained as unencumbered according to any public safety laws as adopted.
9. Where collection of solid waste and recyclable materials is separated, whenever feasible, areas for collecting and loading recyclable materials should be adjacent to the refuse storage areas.

SECTION 9.18.150.020: Large Venue Recycling

A. Waste Reduction and Recycling Plan Required. Large venues, as defined by Public Resources Code 42648, including, but not limited to, stadiums, convention centers, shopping malls, performing arts centers, amusement parks, theaters, and other public attraction facilities with an average attendance of 2,000 or more persons per day of operation shall submit a waste reduction and recycling plan to the City/Garden Grove Sanitary District. Such plan shall include, but not be limited to, source reduction and recycling programs and the processing of solid waste collected from the facility by the hauler franchised to provide solid waste collection services in the city. All solid waste collected from the large venue shall be subject to the waste reduction plan.

B. Noncompliance. Any large venue subject to this Section that is not complying with the waste reduction plan submitted to the City/Garden Grove Sanitary

District may be subject to periodic waste audits by an auditor contracted by the City/Garden Grove Sanitary District at the expense of the large venue. Based on such audit, the City/Garden Grove Sanitary District may require additional processing of solid waste generated by the large venue at an additional cost to the operator to meet the diversion goals of the City/Garden Grove Sanitary District.

SECTION 9.18.160: Planned Unit Developments

Planned Unit Developments may be permitted in any Mixed Use zone subject to the provisions of Section 9.16.030.020 (Planned Unit Development) of Chapter 16 of this Title 9. However, the following standards for the specific zones established in this Chapter shall not be modified through any Planned Unit Development approval:

- A.** Required front yard setbacks in the GGMU-1, GGMU-2, and GGMU-3 zones, and any regulations applicable to these areas.
- B.** Maximum density standards in all Mixed Use zones.
- C.** Regulations relating to drive-through establishments in all Mixed Use zones.
- D.** Signs.
- E.** Storefront requirements for any of the CC zones.
- F.** Setback requirements.

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SECTION 9.18.170: Historical-Cultural Overlay Zone (-HC)

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SECTION 9.18.170.010: Applicability. Properties in a Mixed Use zone may also be zoned with the Historic-Cultural Overlay zone.

SECTION 9.18.170.020: Permitted Uses. In addition to the uses permitted in the underlying zone, as specified in Table 9.18-1 (Use Regulations for the Mixed Use Zones), the following buildings, structures, and uses shall be permitted in the Historical-Cultural Overlay Zone:

- A. Historical buildings and structures established in permanent locations on the development site.
- B. Caretaker's residence, when incidental to primary use.
- C. Meeting areas for use by the nonprofit historical or cultural organization owning the property and the historical or cultural nonprofit organizations, when incidental to the primary use.
- D. Limited retail sales of materials related solely to the historical or cultural activity conducted upon the property.

SECTION 9.18.170.030: Determination of Historical Significance. The criteria governing the designation of a historical or cultural site in the city shall be as follows:

- A. **Sites.** Sites shall be significant to the city or local area's social, cultural, economic, political, religious, or military history, with adequate research and bibliographical proof supplied to support the designation of a historical-cultural site.
- B. **Individuals.** The individual sponsored for recognition should have made a significant historical contribution to the area in one of the aforementioned fields, and primary emphasis shall be upon the site of the achievement, rather than upon the place of birth, death, or grave site.
- C. **Accessibility.** The site shall be accessible to the public.
- D. **Ownership.** The site must be owned by a nonprofit organization, in accordance with applicable United States Internal Revenue Service regulations.

SECTION 9.18.170.040: Site Plan Required. A site plan shall be approved in the manner prescribed in Chapter 9.32 (Procedures and Hearings), prior to the issuance of any building permits for any development in this zone.

SECTION 9.18.170.050: Historical-Cultural District. To prevent visual intrusion by surrounding developments in the historical site, and to preserve the historical site in accordance with the intent of this zone, and for the general welfare of the citizens of Garden Grove, all future improvements, not requiring a public hearing, for property within a 200-foot radius of a Historical-Cultural Overlay Zone shall be approved by the Zoning Administrator before the issuance of a building permit.

SECTION 9.18.170.060: Site Development Standards. The site development standards for the Historical-Cultural Overlay Zone shall be the same as the site development standards for the base zone, with the following exceptions:

- A.** The size and shape of the site shall be sufficient to allow the full development of the proposed use in a manner consistent with the stated purpose of this zone for all essential on-site facilities.
- B.** The proposed development shall place buildings, parking, and open space in an aesthetically pleasing design complementary to the intent of this zone.
- C.** One identification sign shall be permitted provided:
 - 1.** The display area does not exceed 20 square feet;
 - 2.** The sign is stationary and non-flashing; and
 - 3.** The sign is mounted on the wall of a building or securely mounted on a detached wall, provided the maximum height of such wall shall not exceed six feet above the ground upon which such wall is located.
- D.** Covenants, conditions, and restrictions are required to guarantee the permanence of the site for historical use, subject to the approval of the City Attorney prior to the final approval of rezoning action by the City Council.

SECTION 9.18.180: Flood Hazard Overlay Zone (-FH)

Properties in a Mixed Use zone may also be zoned with the Flood Hazard Overlay zone. Where such overlay zone has been applied, affected properties shall be subject to the provisions of article 9.16.030.070 (Flood Hazard Overlay Zone [-FH]), Chapter 16 of this Title 9.

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EXHIBIT "A"

Proposed revisions to Chapter 9.04, Section 9.04.060: Definitions:

Modify the following existing definitions (new text underlined):

"Administration/Business (Office)" means a facility for the use of professional persons such as lawyers, accountants, etc., or general business offices such as insurance companies, trade associations, investment concerns, banks and trust companies, real estate companies, etc., but not including any kind of retail or wholesale store or warehouse. Administration/Business (Office) also includes establishments with a primary use of providing tutoring services to 15 or fewer students at any one time.

"Duplex or Triplex" means residential dwelling units, designed to be attached or detached, that are developed on multi-family or mixed-use zoned properties, and where each unit is occupied by one single household. The number of units allowed on the property is regulated by the zone and by the lot size.

"Educational Institution" means a public, private, parochial or other non-profit institution conducting regular academic instruction at the elementary, secondary, collegiate, university or graduate level qualified by the State Department of Education. Educational Institution does not include commercial, trade or vocational schools. Educational Institution includes establishments with a primary use of providing tutoring services to more than 15 students at any one time.

"Residential, Multiple Family" "Multiple Family Residential Use" means a residential use in which there is more than one dwelling unit on a lot, attached or detached, where the building is designed and used as a residence for three or more households living independently of each other.

"Small Lot Subdivisions" means single-family residential developments in the R-2 and R-3 zones associated with a subdivision of land into smaller single-family residential lots that are reduced in size, and are concentrated within the original lot, tract, or parcel.

Add the following new definitions:

"Bed and Breakfast" means a residential structure that has been reconfigured to create multiple bedrooms and bathrooms, which can be rented for overnight lodging, and where meals may be provided to those persons using the overnight lodging.

"Brew Pub" means an establishment that brews and sells beer on the premises. Food may also be prepared and served on the premises.

Exhibit "A"

Proposed revisions to Chapter 9.04, Section 9.04.060: Definitions:

Modify the following existing definitions (new text underlined):

"Administration/Business (Office)" means a facility for the use of professional persons such as lawyers, accountants, etc., or general business offices such as insurance companies, trade associations, investment concerns, banks and trust companies, real estate companies, etc., but not including any kind of retail or wholesale store or warehouse. Administration/Business (Office) also includes establishments with a primary use of providing tutoring services to 15 or fewer students at any one time.

"Duplex or Triplex" means residential dwelling units, designed to be attached or detached, that are developed on multi-family or mixed-use zoned properties, and where each unit is occupied by one single household. The number of units allowed on the property is regulated by the zone and by the lot size.

"Educational Institution" means a public, private, parochial or other non-profit institution conducting regular academic instruction at the elementary, secondary, collegiate, university or graduate level qualified by the State Department of Education. Educational Institution does not include schools or institutions that operate for profit nor does it include commercial, trade or vocational schools. Educational Institution includes establishments with a primary use of providing tutoring services to more than 15 students at any one time.

"Residential, Multiple Family" "Multiple Family Residential Use" means a residential use in which there is more than one dwelling unit on a lot, attached or detached, where the building is designed and used as a residence for three or more households living independently of each other.

Add the following new definitions:

"Bed and Breakfast" means a residential structure that has been reconfigured to create multiple bedrooms and bathrooms, which can be rented for overnight lodging, and where meals may be provided to those persons using the overnight lodging.

"Brew Pub" means an establishment that brews and sells beer on the premises. Food may also be prepared and served on the premises.

"Drive-Through Facility" means a structure or business designed to enable persons to purchase goods or services while remaining within a motor vehicle. Businesses that typically may provide a drive-through facility include banks, eating establishments, and pharmacies.

Exhibit "A"

"Dry Cleaning Facility" means an establishment that specializes in the process of cleaning clothes and other fabrics without using water, instead using solvents and specialized equipment, on-site, and provides services exclusively to consumers. This definition does not include large-scale bulk cleaning plants that provide business-to-business dry cleaning services and does not include Dry Cleaning – Retail Only establishments.

"Eating Establishment/Restaurant with Limited Entertainment" means a restaurant that contains a customer dining area as well as sufficient space and equipment for a full restaurant kitchen and that provides entertainment in the form of no more than two performers as an incidental activity to the primary activity of food service. Take-out establishments or establishments that only serve items such as sandwiches, salads, snacks or microwave items are not included in this definition.

"Equipment Rental, Large" means the rental of automobiles, construction equipment, motorcycles, recreational vehicles, trucks, and similar vehicles and equipment, including the on-site storage and incidental maintenance. This definition does not include any equipment a pneumatic lift.

"Equipment Rental, Small" means rental of landscape maintenance equipment, carpet cleaning equipment, small appliances, and similar tools and appliances generally used for the ordinary maintenance and cleaning of a residence or small commercial business.

"Food, Carry-out" means an establishment that offers a limited variety of food or beverages. Transactions are sales for off-site consumption. Customers are served either at a counter or service window. Incidental seating (less than 250 square feet of seating area) may be provided for limited on-site consumption of food or beverages. Typical uses include bakeries, ice cream and frozen dessert stores, delivery-only pizza establishments, small delicatessens, and similar establishments. Does not include coffeehouses.

"Handicraft/Industrial Art" means establishments engaged in on-site production of goods such as crafts, art, sculpture, stained glass, jewelry, apparel, and similar items using only hand tools and small-scale equipment (i.e., drills and saws, hammers and chisels; paint brushes and sprayers; pottery wheels and kilns; sewing machines; spinning wheels, etc.) and the incidental direct sale to consumers of only those goods produced on-site.

"Incidental" means accessory and subordinate to the primary use of the site, located on the same site as the primary use, and occupying not more than 30 percent of the gross floor area of all buildings on the site.

"Industry, Restricted" means the manufacturing of finished parts or products primarily from previously prepared materials and/or provision of industrial services within an enclosed building. These uses include

Exhibit "A"

processing, fabrication, assembly and treatment, but exclude basic industrial processing from raw materials, food processing, and vehicle/equipment services.

"Industry, Restricted, Small-Scale" means Industry, Restricted occurs in a building which has a maximum gross floor area of no more than 5,000 square feet.

"Industry, Standard" means the manufacturing of products, primarily from extracted or raw materials, or bulk storage and handling of the products and materials. Uses in this classification involve a moderate level of truck or rail traffic and/or limited outdoor storage of products, materials, equipment, or bulk fuel. These uses include food processing and packaging, laundry and dry-cleaning plants greater than 5,000 square feet in size, and stonework and concrete products manufacture (excluding concrete ready-mix plants).

"Laboratory" means an establishment providing dental or medical laboratory services, or an establishment providing analytical, photographic, or testing services.

"Mixed Use Development, Residential/Commercial" means the combination of nonresidential and residential uses located on the same property as part of a unified development. Mixed Use Development may consist of commercial and residential uses integrated either vertically (vertical mixed use) in the same structure or group of structures, or horizontally on the same development site (horizontal mixed use) where parking, open spaces, and other development features are shared. In a residential/commercial mixed-use development, both uses are considered primary uses of the land.

"Food Truck" (see Vehicular Vending.)

"Nonvehicular Vending Kiosk" means a cart or similar contrivance, generally with dimensions measuring no greater than six feet long, six feet wide, and seven feet tall, used for the display of merchandise or services for sale, and typically located outdoors as a use incidental to a permitted primary use. Nonvehicular Vending Kiosks are staffed by at least one person during all hours of operation. Nonvehicular Vending Kiosk does not include any vending machine or collection box.

"Parcel Deliver Service, small scale" means a facility that conducts courier services, mail delivery, packaging for delivery and having a maximum gross floor area of 5,000 square feet and using a maximum of two commercial vehicles. Does not include fleet maintenance and storage.

"Pedestrian-Oriented Plaza" means a boulevard garden plaza or pedestrian plaza as follows:

Exhibit "A"

Boulevard garden plaza – An open space area required by this Title which is enhanced with landscaping, hardscape materials, fountains, pedestrian amenities, and public art, and which is located immediately adjacent to a public right-of-way in a manner that allows for easy pedestrian access from the public sidewalk onto the adjacent private property.

Pedestrian plaza – An open space area on private property that is on a portion of the site not immediately abutting the public right-of-way. The plaza is most typically designed as a public joint-use area at the front of a building or within the parking lot, and is improved with hardscape materials, landscaping, fountains, art, benches and tables, and similar amenities for pedestrian use. The pedestrian plaza provides a location for passive recreation and leisure activities, and is part of the overall system for on-site pedestrian circulation linking the public sidewalk to the buildings and other amenities.

"Pedestrian Pathway" means a walkway, paseo, or similar pedestrian trail established for the purpose of providing access on private property either along a public right-of-way or entirely on a private property for the purpose of linking one public right-of-way to another.

"Storefront" means the front side of a store, commercial space, or room that faces a street, sidewalk, or pathway. Storefront may also refer to the window and door system that separates the exterior from the interior of a building.

"Stepback" means an architectural design approach whereby an upper floor or floors of a building are designed and constructed to be offset from the facades of the floor or floors below and away from the setback line, typically to reduce the bulk of a building or to provide outdoor floor space on the upper floors.

"Theater, Live Entertainment" means an entertainment facility within which performance by a living person or persons is provided, consistent with the definition of "Entertainment" set forth in this section. "Live Entertainment Theater" shall not mean "Adult Entertainment Businesses" as defined in this section.

"Vehicular Vending" means the preparation, display, and/or sale of food and/or beverages from a vehicle that is self-propelled and operated in compliance with any applicable public health laws. Also known as "Food Truck."

"Vertical Parking Lift" means an automated parking lift device and supporting structure for the stacking of vehicles in a vertical position.

Exhibit "A"

"Wine Tasting Establishment" means an establishment that offers the on-site consumption of wine, beer, or specialty liquors in connection with the marketing of wines, beers, or specialty liquors offered for sale on the premises. With the exception of wine, beer, and specialty liquors, no beverages or items containing alcohol shall be offered for sale or consumed on the premises. Non-alcoholic retail items associated with wine drinking such as wine glasses, decanters, ice buckets, toppers, serving implements, snack foods and non alcoholic beverages may also be offered for sale.

"Work-live" means a structure that combines work space and incidental residential occupancy, and in which individual work-live units are occupied and used by a single household. Work-live can either consist of structures specifically designed and built to function in this manner, or existing commercial or industrial structures which have been structurally modified to accommodate work activity and residential occupancy in compliance with the California Building Code. The working space is reserved for and regularly used by one or more occupants of the unit. Work/live units can include renter-occupant and/or owner-occupant.

Proposed revisions to Chapter 9.16 Commercial, Office Professional, Industrial, and Open Space Development Standards:

Modify Section 9.16.030 Special Uses as follows:

Remove Section 9.16.030.040 Main Street Overlay Zone (HR) in its entirety and renumber remainder of the Section accordingly.

Proposed revisions to Chapter 9.20, Sections 9.20.020 Definitions and Section 9.20.060 Permitted Signs.

Section 9.20.020 Definitions:

Modify the following partial list of definitions (new text is underlined and definitions starting with Monument Sign are re-lettered):

- j. "Monument Sign - Standard" means a free-standing sign permanently attached directly to a planter or pedestal base and which does not exceed a height of four feet.
- k. "Monument Sign - Tall" means a free-standing sign permanently attached directly to a planter or pedestal base and which does not exceed a height of 12 feet.
- l. "Marquee and Canopy Sign" means any sign attached to, placed in, on or around, or constructed on a marquee or canopy.
- m. "Painted Wall Signs, Commercial/Industrial" means any sign or representation painted directly on the exterior surface of any commercial and/or building or structure, except on the vertical face or valance of an awning or canopy.
- n. "Pole Sign" means any sign completely supported by a single sign structure located on the ground.
- o. "Political Sign" means any temporary sign advertising candidates for public office, bond issues or other political matters.
- p. "Portable Sign" means a sign placed upon the ground or other surface, unattached by permanent means to the ground or structure.
- q. "Projecting or Blade Sign" means any sign other than a wall sign that extends out from a building face or wall so that the sign face is perpendicular or at an angle to the building face or wall.
- r. "Public Service Sign" means any sign used to direct the general public to facilities or sites of interest to the general public.
- s. "Pylon Sign" means any sign supported by two or more sign structures located on the ground.
- t. "Roof Sign" means a sign erected upon a roof or above a roof or parapet of a building or structure.

- u. "Temporary Advertising Devices" means signs or other display devices not intended or designed for permanent use. Such devices include, but shall not be limited to, banners, flags, pennants, valances, balloons, searchlights or advertising displays constructed of cloth, canvas, light fabric, cardboard, wallboard or other light material, as well as any statutory device.
- v. "Under Canopy/Walkway Sign" means a permanent sign installed suspended below the canopy of a building or below a covered walkway and shall be perpendicular to store front.
- w. "Vehicle Sign" means any size sign attached or applied to a vehicle that advertises a business, activity, use, service or product unrelated to said vehicle, or any vehicle the primary use of which at any given time is for the display of advertising matter.
- x. "Wall Sign" means any sign attached to, painted on, erected against, or displayed in, on, or around a wall or part of a wall of a building or structure with the sign face parallel to the plane of the building.
- y. "Window Display" means a sign, printed matter or device that is used for advertising purposes and is attached to or placed within two feet of any window in any manner and that can be viewed through any window or glass area.

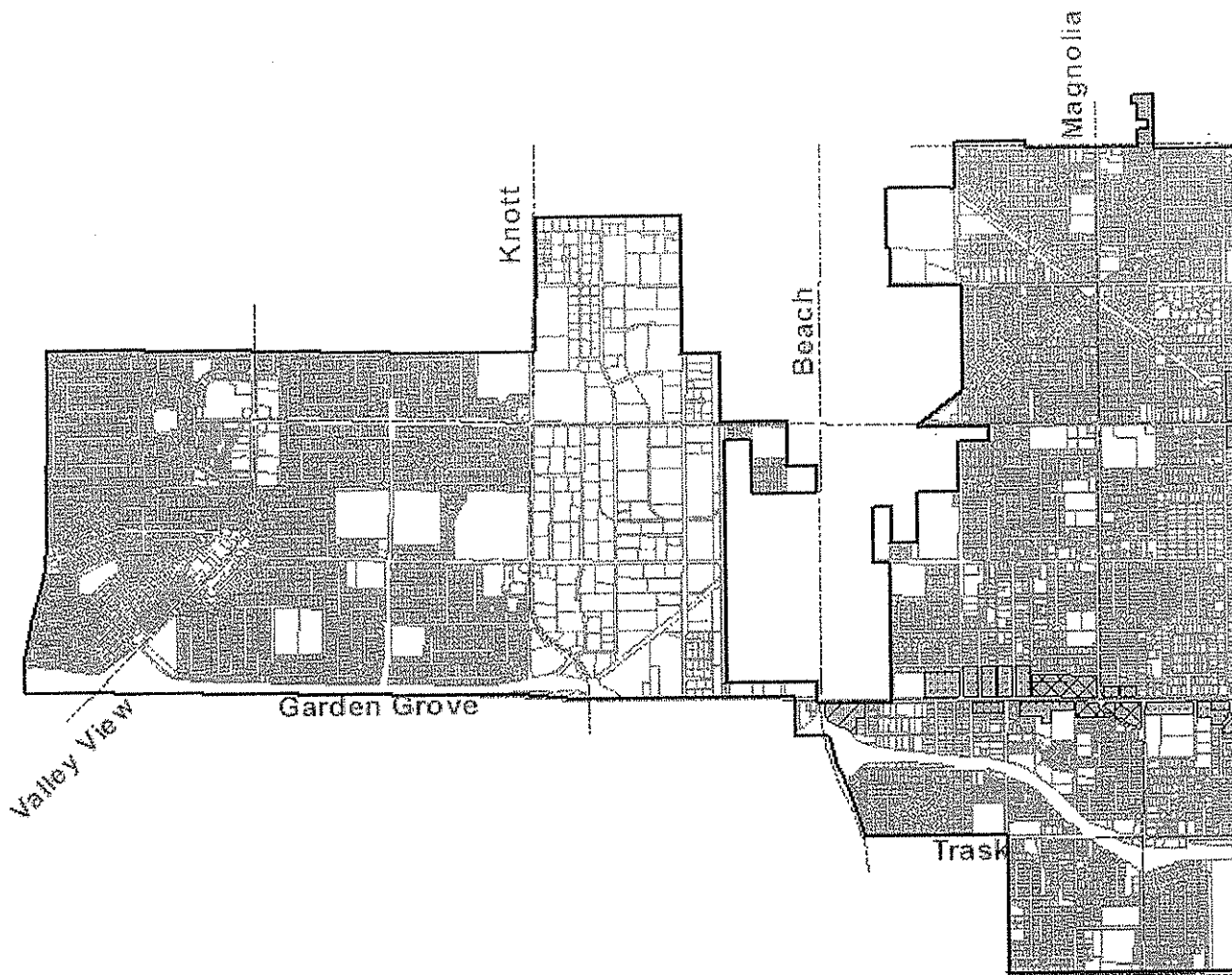
Section 9.20.060 Permitted Signs:

Modify the following table (new text is underlined>):













- A. The following table lists those sign types permitted in the respective zoning classifications and subject to the regulations of the division.

SIGN TYPES	R-1	R-2	R-3	O-P	C-1	C-2	C-3	<u>CC</u>	<u>GGMU- 1, 2, 3</u>	<u>AR</u>	<u>NMU</u>	M-1	M-P	H-R	O-S
Directional	P	P	P	P	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P	P	P	P
Marquee/Canopy	--	--	--	--	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	--	--	--	--
Nameplate	P	P	P	P	--	--	--	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	--	--	--	--
Pole	--	--	--	P	P	P	P	--	--	--	--	--	--	--	--
Pylon	--	--	--	P	P	P	P	--	<u>P</u>	<u>P</u>	<u>P</u>	--	--	--	--
Political	P	P	P	P	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P	P	P	--
Wall	--	--	--	P	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P	P	P	--
Monument -Standard	--	--	P	P	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P	P	--	--
<u>Monument - Tall</u>	--	--	--	--	--	--	--	<u>P*</u>	<u>P</u>	--	<u>P</u>	--	--	--	--
Temporary	P	P	P	P	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P	P	P	--
Community Message Center	--	--	--	P	P	P	P	<u>P</u>	--	--	<u>P</u>	P	P	P	P
Window	--	--	--	--	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	--	--	P	--
Sales/Lease/Rental	P	P	P	P	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P	P	P	--
Temporary Real Estate	P	P	P	P	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P	P	P	--
Temporary Construction	P	P	P	P	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P	P	P	--
<u>Projecting/Blade</u>	--	--	--	--	--	--	--	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	--	--	P	--
Corporate Flag	--	--	--	P	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P	P	--	--
Under Canopy/Walkway	--	--	--	P	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P	P	P	--
Directory	--	P	P	P	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P	P	P	P

*Only permitted in the CC-3 zone.



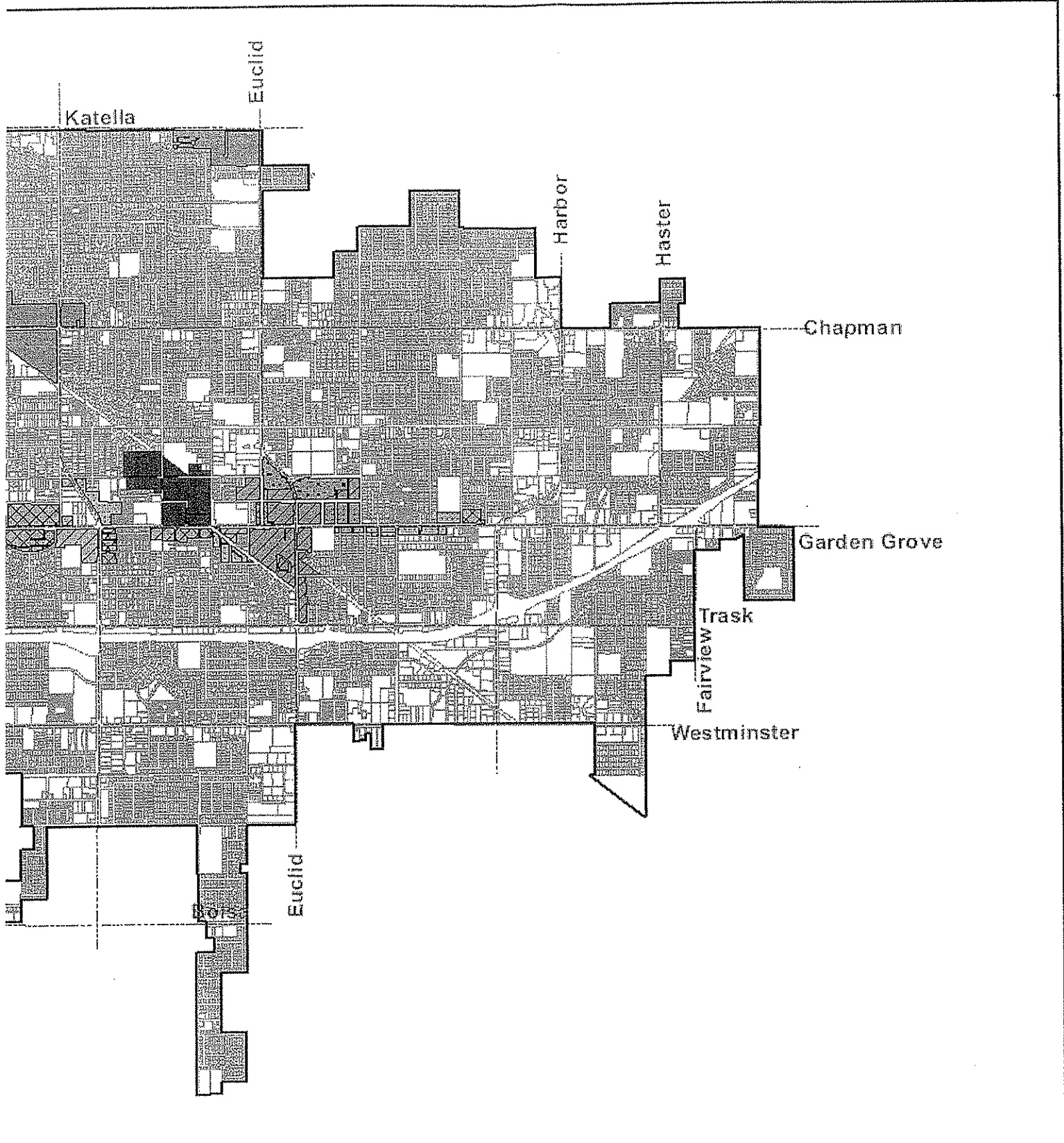
New Mixed Use Zones

-  Neighborhood Mixed Use
-  Adaptive Reuse
-  CC_1
-  CC_2
-  CC_3
-  CC_OS
-  GGMU1
-  GGMU2
-  GGMU3
-  GG Border
-  Parcels
-  Major Streets

Bolsa



PROPOSED MIXED U
AMENDMENT NO. A



E ZONES

61-11

EXHIBIT "B"



CITY OF GARDEN GROVE
 COMMUNITY DEVELOPMENT DEPARTMENT
 PLANNING DIVISION
 GIS SYSTEM
 JANUARY 2012

For Further Information Contact THE CITY OF GARDEN GROVE