

**ORANGE COUNTY ZONING CODE
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COUNTY OF ORANGE ZONING CODE UPDATE

Crosswalk

~~(Cross-Reference From Current Section Numbers to Revised Code Sections)~~

Current Section No.	Location in Updated Zoning Code		Title
	Subarticle	Section No.	
Article 1. Decision-Making Bodies			
NEW	Article 1	7-9-1.	Board of Supervisors.
7-9-1.	Article 1	7-9-2.	County Planning Commission.
7-9-2.	Article 1	7-9-2.1.	Terms of office.
7-9-3.	Article 1	7-9-2.2	Meetings.
7-9-4.	Article 1	7-9-2.3	Compensation and expenses.
7-9-5.	Article 1	7-9-2.4	Powers of Commission.
7-9-6.	Article 1	7-9-3.	Office of Zoning Administer and Associate Zoning Administrator.
NEW	Article 1	7-9-4.	Deputy Director, OC Public Works/Manager, OC Development Services, Planning Division (“Director”).
NEW	Article 1	7-9-5.	Reserved.
NEW	Article 1	7-9-6.	Reserved.
7-9-7.	Article 1	7-9-7.	Reserved.
7-9-8.	Article 1	7-9-8.	Reserved.
7-9-9.	Article 1	7-9-9.	Reserved.
7-9-10.	Article 1	7-9-10.	Reserved.
7-9-11.	Article 1	7-9-11.	Reserved.
7-9-12.	Article 1	7-9-12.	Reserved.
7-9-13.	Article 1	7-9-13.	Reserved.
7-9-14.	Article 1	7-9-14.	Reserved.
7-9-15.	Article 1	7-9-15.	Reserved.

Current Section No.	Location in Updated Zoning Code		Title
	Subarticle	Section No.	
7-9-16.	Article 1	7-9-16.	Reserved.
7-9-17.	Article 1	7-9-17.	Reserved.
7-9-18.	Article 1	7-9-18.	Reserved.

Article 2. The Comprehensive Zoning Code			
NEW	1	-	Subarticle 1: Introductory Provisions.
7-9-19.	1	7-9-19.	Authority, purpose, and objectives.
NEW	1	7-9-19.1.	Title and authority.
NEW	1	7-9-19.2.	Purpose and objectives.
7-9-20.	1	7-9-20.	Applicability of the Zoning Code.
7-9-21.	7	7-9-135.	–Definitions.
7-9-21.1.	7	7-9-134.1	Title, purpose and applicability.
NEW	1	7-9-21.	Relation to other regulations.
NEW	1	7-9-22.	Organization of Zoning Code.
NEW	1	7-9-23.	General rules for construction of language and interpretation.
7-9-21.2.	1	7-9-23.1.	General rules for construction of language.
7-9-21.3	1	7-9-23.2.	General terms.
NEW	1	7-9-23.3.	Fractions.
NEW	1	7-9-24.	Rules for measurement.
NEW	1	7-9-24.1.	Purpose.
7-9-27.(F)	1	7-9-24.2.	Determining floor area.
7-9-23.(B)	1	7-9-24.3.	Determining building site area.
7-9-23.(B)	1	7-9-24.4.	Building site coverage, maximum.
7-9-126.3.	1	7-9-24.5.	Measuring building site width and depth.
NEW	1	7-9-24.6.	Determining building site frontage.
NEW	1	7-9-24.7.	Determining setbacks.
7-9-127.1.D.	1	7-9-24.7(b).	Rear setbacks.
NEW	1	7-9-24.8.	Measuring distances.
7-9-28.	1	7-9-24.9.	Determining grade ground level.
7-9-129.1	1	7-9-24.10	Measuring height.

NEW	<u>1</u>	7-9-25.	Zones and districts.
NEW	<u>7</u>	-	Subarticle 7: General Terms.
NEW	<u>7</u>	7-9-134.	Use classifications.
7-9-22.	<u>7</u>	7-9-135.	Definitions. (A)
7-9-23.	<u>7</u>	7-9-135.	Definitions. (B)
7-9-24.	<u>7</u>	7-9-135.	Definitions. (C)
7-9-25.	<u>7</u>	7-9-135.	Definitions. (D)
7-9-26.	<u>7</u>	7-9-135.	Definitions. (E)
7-9-27.	<u>7</u>	7-9-135.	Definitions. (F)
7-9-28.	<u>7</u>	7-9-135.	Definitions. (G)
7-9-29.	<u>7</u>	7-9-135.	Definitions. (H) —
7-9-30.	<u>7</u>	7-9-135.	Definitions. (I) —
7-9-31.	<u>7</u>	7-9-135.	Definitions. (J) —
7-9-32.	<u>7</u>	7-9-135.	Definitions. (K) —
7-9-33.	<u>7</u>	7-9-135.	Definitions. (L) —
7-9-34.	<u>7</u>	7-9-135.	Definitions. (M) —
7-9-35.	<u>7</u>	7-9-135.	Definitions. (N) —
7-9-36.	<u>7</u>	7-9-135.	Definitions. (O) —
7-9-37.	<u>7</u>	7-9-135.	Definitions. (P) —
7-9-38.	<u>7</u>	7-9-135.	Definitions. (Q) —
7-9-39.	<u>7</u>	7-9-135.	Definitions. (R) —
7-9-40.	<u>7</u>	7-9-135.	Definitions. (S)
7-9-41.	<u>7</u>	7-9-135.	Definitions. (T)
7-9-42.	<u>7</u>	7-9-135.	Definitions. (U)
7-9-43.	<u>7</u>	7-9-135.	Definitions. (V)
7-9-44.	<u>7</u>	7-9-135.	Definitions. (W)

Attachment F

ATTACHMENT F – PROPOSED ZONING CODE AMENDMENT CA 24-01
(Deleted language is ~~struck~~. New language is underlined.)

7-9-45.	-	Deleted.	Reserved.
7-9-46.	-	Deleted.	Reserved.
7-9-47.	-	Deleted.	Reserved.
NEW	3	7-9-45.	MX Mixed Use Overlay.
NEW	3	7-9-45.1.	Purpose and intent.
NEW	3	7-9-45.2.	Application.
NEW	3	7-9-45.3.	Use Permit.
NEW	3	7-9-45.4.	Additional Land Use Regulations.
NEW	3	7-9-45.5.	Site Development Standards.
NEW	3	7-9-45.6.	Supplemental Regulations.
7-9-117.	3	7-9-46.	O “Oil Production” Combining District.
7-9-103.	3	7-9-47.	PC “Planned Community” Combining District
7-9-48.	1	7-9-25.1.	Scope of the Comprehensive Zoning Code and adoption of zoning district maps.
7-9-49.	1	7-9-25.2.	Establishment of districts and interpretation of district boundaries.
7-9-50.	-	Deleted.	Reserved.
7-9-51.	-	Deleted.	Reserved.
7-9-52.	-	Deleted.	Reserved.
7-9-114.	3	7-9-50.	SS “Service Station” combining district.
7-9-111.	3	7-9-51.	SR “Sign Restrictions” combining district.
NEW	3	7-9-52.	S “Specific Plan” District.
7-9-53.	3	7-9-53.	Reserved.
7-9-54.	3	7-9-54.	Reserved.
NEW	2	-	Subarticle 2: Base Districts.
NEW	2	7-9-30.	Agriculture and Open Space Districts.
NEW	2	7-9-30.1.	Purpose and Intent.
7-9-55.	2	7-9-30.1(a).	A1 “General Agricultural” district.

7-9-55.1.	2	7-9-30.1.(a).	Purpose and intent.
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7-9-56.	3	7-9-56	Reserved.
NEW	3	7-9-57	Reserved.
NEW	3	7-9-58	Reserved.
NEW	3	7-9-59	Reserved.
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7-9-57.6.	2	7-9-30.2.	Table 7-9-30.2 Land Use Regulations.
7-9-57.7.	2	7-9-30.3.	Table 7-9-30.3 Site development standards.
7-9-58.	2	7-9-30.1(c).	OS “Open Space” district.
7-9-58.1.	2	7-9-30.1(c).	Purpose and intent.
7-9-58.2.	2	7-9-30.2.	Table 7-9-30.2 Land Use Regulations.
7-9-58.3.	2	7-9-30.2.	Table 7-9-30.2 Land Use Regulations.
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Attachment F

ATTACHMENT F – PROPOSED ZONING CODE AMENDMENT CA 24-01
(Deleted language is ~~struck~~. New language is underlined.)

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7-9-58.6.	2	7-9-30.2.	Table 7-9-30.2 Land Use Regulations.
7-9-58.7.	2	7-9-30.3.	Table 7-9-30.3 Site Development Standards.
NEW	2	7-9-30.4	Supplemental Regulations.
NEW	2	7-9-31.	Single-Family Residential Districts.
NEW	2	7-9-31.1	Purpose and intent.
7-9-59.	2	7-9-31.1(a).	AR “Agricultural Residential” district.
7-9-59.1.	2	7-9-31.1(a).	Purpose and intent.
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7-9-59.5.	2	7-9-31.2.	Table 7-9-31.2 Land Use Regulations.
7-9-59.6.	2	7-9-31.2.	Table 7-9-31.2 Land Use Regulations.
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7-9-59.8.	2	7-9-31.3.	Table 7-9-31.3 Site Development Standards.
7-9-60. through 7- 9-60.11	-	Deleted	Reserved.
NEW	4	7-9-60.	Purpose.
7-9-61.	-	Deleted	Reserved.
NEW	4	7-9-61.	General site regulations.
7-9-62.	-	Deleted	Reserved.
7-9-63.	-	Deleted.	Reserved.
7-9-64.	-	Deleted.	Reserved.
7-9-65.	2	7-9-31.1(b).	E1 “Estates” district.
7-9-65.1.	2	7-9-31.1(b).	Purpose and intent.
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7-9-65.5.	2	7-9-31.2.	Table 7-9-31.2 Land Use Regulations.
7-9-65.6.	2	7-9-31.2.	Table 7-9-31.2 Land Use Regulations.
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7-9-65.8.	2	7-9-31.3.	Table 7-9-31.3 Site Development Standards.
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7-9-66.8.	2	7-9-31.3.	Table 7-9-31.3 Site Development Standards.
7-9-67.	2	7-9-31.1(d).	E4 “Small Estates” district.
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7-9-67.6.	2	7-9-31.2	Table 7-9-31.2 Land Use Regulations.
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7-9-71.	-	Deleted.	Reserved.
7-9-72.	-	Deleted.	Reserved.
NEW	4	7-9-72.	Solar energy systems.
7-9-73.	4	7-9-73.	Reserved.
7-9-74.	2	7-9-31.1(f).	R1 “Single Family Residence” district.
7-9-74.1.	2	7-9-31.1(f).	Purpose and intent.
7-9-74.2.	2	7-9-31.2.	Table 7-9-31.2 Land Use Regulations.
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7-9-74.7.	2	7-9-31.2.	Table 7-9-31.2 Land Use Regulations.
7-9-74.8.	2	7-9-31.3.	Table 7-9-31.3 Site Development Standards.
7-9-75.	2	7-9-31.1(g).	RS “Residential, Single Family” district.
7-9-75.1.	2	7-9-31.1(g).	Purpose and intent.
7-9-75.2.	2	7-9-31.2.	Table 7-9-31.2 Land Use Regulations.
7-9-75.3.	2	7-9-31.2.	Table 7-9-31.2 Land Use Regulations.

7-9-75.4.	2	7-9-31.2.	Table 7-9-31.2 Land Use Regulations.
7-9-75.5.	2	7-9-31.2.	Table 7-9-31.2 Land Use Regulations.
7-9-75.6.	2	7-9-31.2.	Table 7-9-31.2 Land Use Regulations.
7-9-75.7.	2	7-9-31.2.	Table 7-9-31.2 Land Use Regulations.
7-9-75.8.	2	7-9-31.3.	Table 7-9-31.3 Site development standards.
NEW	2	<u>7-9-32.</u>	<u>Multifamily Residential Districts.</u>
NEW	2	<u>7-9-32.1</u>	<u>Purpose and intent.</u>
7-9-76.	2	7-9-32.1(a).	R2D “Two-Family Residence” district.
7-9-76.1.	2	7-9-32.1(a).	Purpose and intent.
7-9-76.2.	2	7-9-32.2.	Table 7-9-32.2 Land Use Regulations.
7-9-76.3.	2	7-9-32.2.	Table 7-9-32.2 Land Use Regulations.
7-9-76.4.	2	7-9-32.2.	Table 7-9-32.2 Land Use Regulations.
7-9-76.5.	2	7-9-32.2.	Table 7-9-32.2 Land Use Regulations.
7-9-76.6.	2	7-9-32.2.	Table 7-9-32.2 Land Use Regulations.
7-9-76.7.	2	7-9-32.2.	Table 7-9-32.2 Land Use Regulations.
7-9-76.8.	2	7-9-32.3.	Table 7-9-32.3 Site Development Standards.
7-9-77.	2	7-9-32.1(b).	R2 “Multifamily Dwelling” district.
7-9-77.1.	2	7-9-32.1(b).	Purpose and intent.
7-9-77.2.	2	7-9-32.2.	Table 7-9-32.2 Land Use Regulations.
7-9-77.3.	2	7-9-32.2.	Table 7-9-32.2 Land Use Regulations.
7-9-77.4.	2	7-9-32.2.	Table 7-9-32.2 Land Use Regulations.
7-9-77.5.	2	7-9-32.2.	Table 7-9-32.2 Land Use Regulations.
7-9-77.6.	2	7-9-32.2.	Table 7-9-32.2 Land Use Regulations.
7-9-77.7.	2	7-9-32.2.	Table 7-9-32.2 Land Use Regulations.
7-9-77.8.	2	7-9-32.3.	Table 7-9-32.3 Site Development Standards.
7-9-78.	2	7-9-32.1(c).	R3 “Apartment” district.

7-9-78.1.	2	7-9-32.1(c).	Purpose and intent.
7-9-78.2.	2	7-9-32.2.	Table 7-9-32.2 Land Use Regulations.
7-9-78.3.	2	7-9-32.2.	Table 7-9-32.2 Land Use Regulations.
7-9-78.4.	2	7-9-32.2.	Table 7-9-32.2 Land Use Regulations.
7-9-78.5.	2	7-9-32.2.	Table 7-9-32.2 Land Use Regulations.
7-9-78.6.	2	7-9-32.2.	Table 7-9-32.2 Land Use Regulations.
7-9-78.7.	2	7-9-32.2.	Table 7-9-32.2 Land Use Regulations.
7-9-78.8.	2	7-9-32.3.	Table 7-9-32.3 Site Development Standards.
7-9-79.	2	7-9-32.1(d).	R4 “Suburban Multifamily Residential” district.
7-9-79.1.	2	7-9-32.1(d).	Purpose and intent.
7-9-79.2.	2	7-9-32.2.	Table 7-9-32.2 Land Use Regulations.
7-9-79.3.	2	7-9-32.2.	Table 7-9-32.2 Land Use Regulations.
7-9-79.4.	2	7-9-32.2.	Table 7-9-32.2 Land Use Regulations.
7-9-79.5.	2	7-9-32.2.	Table 7-9-32.2 Land Use Regulations.
7-9-79.6.	2	7-9-32.2.	Table 7-9-32.2 Land Use Regulations.
7-9-79.7.	2	7-9-32.2.	Table 7-9-32.2 Land Use Regulations.
7-9-79.8.	2	7-9-32.3.	Table 7-9-32.3 Site Development Standards.
NEW	2	7-9-32.4	Supplemental regulations.
NEW	2	7-9-33.	Commercial Districts.
NEW	2	7-9-33.1	Purpose and intent.
7-9-80.	2	7-9-34.1(a).	RP “Residential Professional” district.
7-9-80.1.	2	7-9-34.1(a).	Purpose and intent.
7-9-80.2.	2	7-9-34.2.	Table 7-9-34.2 Land Use Regulations.
7-9-80.3.	2	7-9-34.2.	Table 7-9-34.2 Land Use Regulations.
7-9-80.4.	2	7-9-34.2.	Table 7-9-34.2 Land Use Regulations.
7-9-80.5.	2	7-9-34.2.	Table 7-9-34.2 Land Use Regulations.

7-9-80.6.	2	7-9-34.2.	Table 7-9-34.2 Land Use Regulations.
7-9-80.7.	2	7-9-34.2.	Table 7-9-34.2 Land Use Regulations.
7-9-80.8.	2	7-9-34.3.	Table 7-9-34.3 Site Development Standards.
7-9-81.	4	7-9-81.	Reserved.
7-9-82.	4	7-9-82.	Reserved.
7-9-83.	4	7-9-83.	Reserved.
NEW	4	7-9-84.	Reserved.
7-9-84.	2	7-9-33.1(a).	C1 “Local Business” district
7-9-84.1.	2	7-9-33.1(a).	Purpose and intent.
7-9-84.2.	2	7-9-33.2.	Table 7-9-33.2 Land Use Regulations.
7-9-84.3.	2	7-9-33.2.	Table 7-9-33.2 Land Use Regulations.
7-9-84.4.	2	7-9-33.2.	Table 7-9-33.2 Land Use Regulations.
7-9-84.5.	2	7-9-33.2.	Table 7-9-33.2 Land Use Regulations.
7-9-84.6.	2	7-9-33.2.	Table 7-9-33.2 Land Use Regulations.
7-9-84.7.	2	7-9-33.3.	Table 7-9-33.3 Site Development Standards.
7-9-85.	2	7-9-33.1(b).	C2 “General Business” district.
7-9-85.1.	2	7-9-33.1(b).	Purpose and intent.
7-9-85.2.	2	7-9-33.2.	Table 7-9-33.2 Land Use Regulations.
7-9-85.3.	2	7-9-33.2.	Table 7-9-33.2 Land Use Regulations.
7-9-85.4.	2	7-9-33.2.	Table 7-9-33.2 Land Use Regulations.
7-9-85.5.	2	7-9-33.2.	Table 7-9-33.2 Land Use Regulations.
7-9-85.6.	2	7-9-33.2.	Table 7-9-33.2 Land Use Regulations.
7-9-85.7.	2	7-9-33.3.	Table 7-9-33.3 Site Development Standards.
7-9-86. through 86.7	-	Deleted.	Reserved.
NEW	5	7-9-86.	Multifamily residential standards and requirements.
7-9-87.	2	7-9-33.1(c).	CC “Commercial Community” district.

Attachment F

ATTACHMENT F – PROPOSED ZONING CODE AMENDMENT CA 24-01
(Deleted language is ~~struck~~. New language is underlined.)

7-9-87.1.	2	7-9-33.1(c).	Purpose and intent.
7-9-87.2.	2	7-9-33.2.	Table 7-9-33.2 Land Use Regulations.
7-9-87.3.	2	7-9-33.2.	Table 7-9-33.2 Land Use Regulations.
7-9-87.4.	2	7-9-33.2.	Table 7-9-33.2 Land Use Regulations.
7-9-87.5.	2	7-9-33.2.	Table 7-9-33.2 Land Use Regulations.
7-9-87.6.	2	7-9-33.2.	Table 7-9-33.2 Land Use Regulations.
7-9-87.7.	2	7-9-33.3.	Table 7-9-32.3 Site Development Standards.
7-9-88.	2	7-9-33.1(d).	CH “Commercial Highway” district.
7-9-88.1.	2	7-9-33.1(d).	Purpose and intent.
7-9-88.2.	2	7-9-33.2.	Table 7-9-33.2 Land Use Regulations.
7-9-88.3.	2	7-9-33.2.	Table 7-9-33.2 Land Use Regulations.
7-9-88.4.	2	7-9-33.2.	Table 7-9-33.2 Land Use Regulations.
7-9-88.5.	2	7-9-33.2.	Table 7-9-33.2 Land Use Regulations.
7-9-88.6.	2	7-9-33.2.	Table 7-9-33.2 Land Use Regulations.
7-9-88.7.	2	7-9-33.3.	Table 7-9-33.3 Site Development Standards.
7-9-89.	2	7-9-33.1(e).	CN “Commercial Neighborhood” district.
7-9-89.1.	2	7-9-33.1(e).	Purpose and intent.
7-9-89.2.	2	7-9-33.2.	Table 7-9-33.2 Land Use Regulations.
7-9-89.3.	2	7-9-33.2.	Table 7-9-33.2 Land Use Regulations.
7-9-89.4.	2	7-9-33.2.	Table 7-9-33.2 Land Use Regulation.
7-9-89.5.	2	7-9-33.2.	Table 7-9-33.2 Land Use Regulations.
7-9-89.6.	2	7-9-33.2.	Table 7-9-33.2 Land Use Regulations.
7-9-89.7.	2	7-9-33.3.	Table 7-9-33.3 Site Development Standards.
NEW	2	<u>7-9-34.</u>	Employment Districts.
NEW	2	<u>7-9-34.1</u>	Purpose and intent.
7-9-90.	5	7-9-90.	Accessory dwelling units and junior accessory dwelling units

Attachment F

ATTACHMENT F – PROPOSED ZONING CODE AMENDMENT CA 24-01
(Deleted language is ~~struck~~. New language is underlined.)

7-9-90.1.	-	Deleted.	Purpose and intent.
7-9-90.2.	-	Deleted.	Principal uses permitted subject to a site development permit.
7-9-90.3.	-	Deleted.	Principal uses permitted subject to a use permit.
7-9-90.4.	-	Deleted.	Temporary uses permitted.
7-9-90.5.	-	Deleted.	Accessory uses permitted.
7-9-90.6.	-	Deleted.	Prohibited uses.
7-9-90.7.	-	Deleted.	Site Development Standards.
7-9-91.	-	Deleted.	Reserved.
7-9-92.	-	Deleted.	Reserved.
7-9-93.	5	7-9-93	Short-term rentals. Reserved.
7-9-94.	5	7-9-94	Community assembly facilities. Reserved.
7-9-95.	2	7-9-34.1(b).	M1 “Light Industrial” district.
7-9-95.1.	2	7-9-34.1(b).	Purpose and intent.
7-9-95.2.	2	7-9-34.2.	Table 7-9-34.2 Land Use Regulations.
7-9-95.3.	2	7-9-34.2.	Table 7-9-34.2 Land Use Regulations.
7-9-95.4.	2	7-9-34.2.	Table 7-9-34.2 Land Use Regulations.
7-9-95.5.	2	7-9-34.2.	Table 7-9-34.2 Land Use Regulations.
7-9-95.6.	2	7-9-34.2.	Table 7-9-34.2 Land Use Regulations.
7-9-95.7.	2	7-9-34.3.	Table 7-9-34.3 Site Development Standards.
7-9-95.8	5	7-9-95.8	Reserved.
7-9-96.	5	7-9-96.	Health care facilities. Reserved.
7-9-97.	5	7-9-97.	Reserved.
7-9-98.	2	7-9-30.1(d)	R/OSP “Research/Open Space Park” district.
7-9-98.1	2	7-9-30.1(d)	Purpose and intent.
7-9-98.2	2	7-9-30.	Table 7-9-30.2 Land Use Regulations.
7-9-98.3	2	7-9-30.	Table 7-9-30.2 Land Use Regulations.

7-9-98.4	2	7-9-30.	Table 7-9-30.2 Land Use Regulations.
7-9-98.5	2	7-9-30.2.	Table 7-9-30.2 Land Use Regulations.
7-9-98.6	2	7-9-30.2	Table 7-9-30.2 Land Use Regulations.
7-9-98.7	2	7-9-30.2	Table 7-9-30.2 Land Use Regulations.
7-9-98.8	2	7-9-30.3.	Table 7-9-30.3 Site Development Standards.
7-9-99.	5	7-9-99.	Reserved.
7-9-100.	-	Deleted.	Reserved.
NEW	5	7-9-100	Community Gardens.
7-9-101.	-	Deleted.	Reserved.
NEW	5	7-9-101.	Farmers' markets.
7-9-102.	-	Deleted.	Reserved.
NEW	5	7-9-102.	Fruit and vegetable gardening.
NEW	3	-	Subarticle 3: Overlay, Combining, and Other Districts.
7-9-103.	3	7-9-47.	PC "Planned Community" combining district.
7-9-103.1.	3	7-9-47.1.	Purpose and intent.
7-9-103.2.	3	7-9-47.2.	General provisions and regulations.
7-9-103.3.	3	7-9-47.3.	Planned community program required.
7-9-103.4.	3	7-9-47.4.	Applicability.
7-9-103.5.	3	7-9-47.5.	PC program text.
7-9-103.6.	3	7-9-47.6.	Statistical summary.
7-9-103.7.	3	7-9-47.7.	PC zoning map.
7-9-103.8.	3	7-9-47.8.	P.C. development map.
7-9-103.9.	3	7-9-47.9.	Adoption and amendment procedures.
7-9-103.10.	3	Deleted	Planned community manual.
7-9-103.11.	3	7-9-47.10.	Previously adopted "development plan and supplementary text."
7-9-104.	2	7-9-35.	SG "Sand and Gravel Extraction" district.

7-9-104.1.	2	7-9-35.1.	Purpose and intent.
7-9-104.2.	2	7-9-35.3.	Definitions.
7-9-104.3.	2	7-9-35.4.	Uses permitted subject to an SG-site permit.
7-9-104.4.	2	7-9-35.6.	Contents of SG-site permit applications.
7-9-104.5.	2	7-9-35.5.	Site development standards.
7-9-104.6.	2	7-9-35.7.	Approval of SG-site permit applications.
7-9-104.7.	-	Deleted	Miscellaneous provisions.
7-9-104.7.	2	7-9-35.2.	Applicability.
7-9-104.8.	2	7-9-35.8.	Reclamation of mined areas required.
7-9-104.9.	5	7-9-104.9.	Reserved.
7-9-104.10.	5	7-9-104.10.	Reserved.
7-9-104.11.	5	7-9-104.11.	Reserved.
7-9-104.12.	5	7-9-104.12.	Reserved.
7-9-104.13.	5	104.13.	Reserved.
7-9-104.14.	5	104.14.	Reserved.
7-9-104.15.	5	104.15.	Reserved.
7-9-104.16.	5	104.16.	Reserved.
7-9-104.17.	5	104.17.	Reserved.
7-9-104.18.	5	104.18.	Reserved.
7-9-104.19.	5	104.19.	Reserved.
7-9-146.3.	5	7-9-105.	Pets and animals.
7-9-105.	-	Deleted.	Reserved.
7-9-105.1.	5	7-9-105.1.	Reserved.
7-9-105.2.	5	7-9-105.2.	Reserved.
7-9-105.3.	5	7-9-105.3.	Reserved.
7-9-105.4.	5	7-9-105.4.	Reserved.

7-9-105.5.	5	7-9-105.5	Reserved.
7-9-105.6.	5	7-9-105.6	Reserved.
7-9-105.7.	5	7-9-105.7	Reserved.
7-9-146.1.	5	7-9-106.	Animal hospitals and clinics.
7-9-106.	-	Deleted.	Reserved.
NEW	5	7-9-107.	Electric vehicle charging stations.
7-9-107.	-	Deleted.	Reserved.
7-9-146.8	5	7-9-108.	Small wind energy systems.
7-9-108.	-	Deleted.	Reserved.
7-9-146.13.	5	7-9-109.	Wireless communications facilities.
7-9-109.	-	Deleted.	Reserved.
7-9-109.1.	5	7-9-109.1.	Reserved.
7-9-109.2.	5	7-9-109.2.	Reserved.
7-9-109.3.	5	7-9-109.3.	Reserved.
7-9-109.4.	5	7-9-109.4.	Reserved.
7-9-109.5.	5	7-9-109.5.	Reserved.
7-9-109.6	5	7-9-109.6	Reserved.
7-9-110.	3	7-9-48.	PD “Planned Development” combining district.
7-9-110.1.	3	7-9-48.1.	Purpose and intent.
7-9-110.2.	3	7-9-48.2.	Application.
7-9-110.3.	3	7-9-48.3.	Principal uses permitted subject to a Use Permit.
7-9-110.4.	3	7-9-48.4.	Accessory uses permitted.
7-9-110.5.	3	7-9-48.5.	Prohibited uses.
7-9-110.6.	3	7-9-48.6.	Site development standards.
7-9-111.	3	7-9-51.	SR “Sign Restrictions” combining district.
7-9-111.1.	3	7-9-51.1.	Purpose and intent.

7-9-111.2.	3	7-9-51.2.	Application.
7-9-111.3.	3	7-9-51.3.	Wall signs.
7-9-111.4.	3	7-9-51.4.	Monument/ground signs.
7-9-111.5.	3	7-9-51.5.	Temporary signs.
7-9-111.6.	3	7-9-51.6.	Sign programs.
7-9-111.7.	3	7-9-51.7.	Signs permitted subject to Zoning Administrator approval.
7-9-111.8.	3	7-9-51.8.	Signs prohibited.
7-9-112 through 112.5	-	Deleted	Reserved.
7-9-113.	3	7-9-42.	FP “Floodplain” overlay district.
7-9-113.1.	3	7-9-42.1.	Purpose and intent.
7-9-113.2.	3	7-9-42.2.	Definitions.
7-9-113.3.	3	7-9-42.3.	Application.
7-9-113.4.	3	7-9-42.4.	Responsibilities of Floodplain Administrator.
7-9-113.5.	3	7-9-42.5.	Uses permitted.
7-9-113.6.	3	7-9-42.6.	Uses permitted subject to a Site Development Permit.
7-9-113.7.	3	7-9-42.7.	Uses permitted subject to a Use Permit.
7-9-113.8.	3	7-9-42.8.	Prohibited uses.
7-9-113.9.	3	7-9-42.9.	Site Development Permit procedures.
7-9-113.10.	3	7-9-42.10.	Nonconforming uses and structures in FP Districts.
7-9-113.11.	3	7-9-42.11.	Exceptions to FP District regulations.
7-9-113.12.	3	7-9-42.12.	Variances from FP District site development standards.
7-9-113.13.	3	Deleted.	Reserved.
7-9-113.14.	3	Deleted.	Reserved.
7-9-113.15.	3	Deleted.	Reserved.
7-9-113.16.	3	Deleted.	Reserved.
7-9-114.	3	7-9-50.	SS “Service Station” combining district.

7-9-114.1.	3	7-9-50.1.	Purpose and intent.
7-9-114.2.	3	7-9-50.2.	Application.
7-9-114.3.	3	7-9-50.3.	Principal uses permitted subject to a Use Permit.
7-9-114.4.	3	7-9-50.4.	Accessory use permitted.
7-9-114.5.	3	7-9-50.5.	Prohibited uses.
7-9-114.6.	3	7-9-50.6.	Site development standards.
7-9-115.	5	7-9-115.	Nonconforming uses and structures.
7-9-115.	-	Deleted.	Reserved.
7-9-116.	3	Deleted.	GPI “General Plan Implementation” district regulations.
7-9-116.1.	3	Deleted.	Purpose, intent and authority.
7-9-116.2.	3	Deleted.	Application.
7-9-116.3.	3	Deleted.	Uses permitted.
7-9-116.4.	3	Deleted.	Prohibited uses.
7-9-116.5.	3	Deleted.	Site development standards.
7-9-116.6.	3	Deleted.	Finding of consistency with the General Plan.
7-9-117.	3	7-9-46.	O “Oil Production” combining district.
7-9-118.	3	7-9-40.	CD “Coastal Development” district.
7-9-118.1.	3	7-9-40.1.	Purpose and intent.
7-9-118.2.	3	7-9-40.2.	Application; interpretation of boundaries.
7-9-118.3.	3	7-9-40.3.	Definitions.
7-9-118.4.	3	7-9-40.4.	Coastal Development Permit required.
7-9-118.5.	3	7-9-40.5.	Exemptions.
7-9-118.6.	6	7-9-40.6.	Coastal Development Permit procedures.
NEW	6	7-9-127	CD Coastal Development Permits.
7-9-118.6	6	7-9-127.1	Coastal Development Permit procedures.
7-9-118.6(i)	6	7-9-127.2	Appeal Procedures for Coastal Development Permits.

7-9-118.7.	3	7-9-40.8.	Enforcement provisions.
7-9-118.8.	3	7-9-40.7.	Open-space easements and public access documents.
7-9-119.	3	7-9-49.	SH “Scenic Highway” Combining district.
7-9-119.1.	3	7-9-49.1.	Purpose and intent.
7-9-119.2.	3	7-9-49.2.	Application.
7-9-119.3.	3	7-9-49.3.	Uses permitted subject to a Site Development Permit.
7-9-119.4.	3	7-9-49.4.	Uses prohibited.
7-9-119.5.	3	7-9-49.5.	Site development standards.
7-9-119.6.	3	Deleted.	Reserved.
7-9-119.7.	3	Deleted.	Reserved.
7-9-119.8.	3	Deleted.	Reserved.
7-9-120.	3	7-9-41.	E “Equine” Combining district.
7-9-120.1.	3	7-9-41.1.	Purpose and intent.
7-9-120.2.	3	7-9-41.2.	Application.
7-9-120.3.	3	7-9-41.3.	General regulations.
7-9-120.4.	3	7-9-41.4.	Recreational Equine Use Permit.
7-9-120.5.	3	7-9-41.5.	Revocation of Recreational Equine Use Permit.
7-9-120.6.	3	7-9-41.6.	Nonconforming uses.
7-9-120.7.	3	7-9-41.7.	Corral setbacks.
7-9-120.8.	3	7-9-41.8.	Severability.
7-9-121.	-	Deleted.	Reserved.
7-9-122.	5	7-9-122.	Reserved.
7-9-123.	5	7-9-123.	Reserved.
7-9-124.	5	7-9-124.	Reserved.
7-9-125.	4	7-9-63.	Dedications, improvements, and fees required.
7-9-125.1.	4	7-9-63.1.	Street and highway dedications and improvements.

7-9-125.2	-	Deleted.	Reserved.
7-9-125.3	-	Deleted.	Reserved.
7-9-125.4.	4	7-9-63.2.	Drainage fees and dedications.
7-9-125.5	-	Deleted.	Reserved.
NEW	4	-	Subarticle 4: Site Development Regulations.
NEW	4	7-9-60	Purpose.
NEW	4	7-9-61.	General site regulations.
7-9-126	4	7-9-61.1	Building site requirements.
7-9-126 (a)	4	7-9-61.4.	Lawful, nonconforming building sites.
7-9-126 (b)	4	7-9-61.5.	Creation of new building sites.
7-9-126 (c)	4	7-9-61.6.	Lot line adjustments.
7-9-126 (d)	4	7-9-61.7.	Building site area.
7-9-126.1.	4	7-9-61.2	Establishing district symbols for building site requirements.
7-9-126.2.	4	7-9-61.3	Building site reduced by acquisition for public use.
7-9-126.3.	1	7-9-24.5.	Measuring building site width and depth.
7-9-127.	4	7-9-61.8.	Building line regulations for main buildings and structures.
7-9-127.1.	4	7-9-61.9.	Building line designation.
7-9-128.	4	7-9-61.10.	Exceptions to building lines chart.
7-9-128.1.	4	7-9-61.11.	Building line on panhandle building site.
7-9-128.2.	4	7-9-61.12.	Building line on shallow building site.
7-9-128.3.	4	7-9-61.13.	Building line on narrow building site.
7-9-128.4.	4	7-9-61.14.	Building line based on average of adjoining sites.
7-9-128.5.	4	7-9-61.15.	Building line on building site adjacent to a projecting building on one side.
7-9-128.6.	4	7-9-61.16.	Balconies, decks, porches, terraces, exterior steps, exterior stairways.
7-9-128.7.	4	7-9-61.17.	Eaves, cornices, canopies, and cantilevered roofs.

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7-9-128.8.	4	7-9-61.18.	Chimneys, fireplaces, wing walls, and other minor architectural features.
7-9-128.9	4	Deleted.	Reserved.
7-9-128.10.	4	7-9-61.19	Setbacks determined by Director.
7-9-129.1	1	7-9-24.10.	Measuring height.
7-9-129.1.	1	7-9-24.10(a).	Measuring building height.
7-9-129	4	7-9-62.	Building and structure heights, and exceptions to height limits.
7-9-129.2.	4	7-9-62(a).	Radio and television antennas.
7-9-129.3.	4	7-9-62(b).	Architectural features.
7-9-129.4.	4	7-9-62(c).	Hazards to air navigation.
7-9-129.5.	4	7-9-62(d).	Oil derricks.
7-9-129.6.	4	7-9-62(e).	Signs.
7-9-132.	4	7-9-71.	Screening and Landscaping.
7-9-132.1.	4	7-9-71.1.	Screening.
7-9-132.2.	4	7-9-71.2.	Landscaping.
7-9-133	4	7-9-68.	Landscape and Irrigation Code.
7-9-133.1	4	7-9-68.1.	Purpose.
7-9-133.2	4	7-9-68.2.	Applicability.
7-9-133.3	4	7-9-68.3.	Definitions.
7-9-133.4	4	7-9-68.4.	Implementation procedures and landscape documentation package.
7-9-133.5	4	7-9-68.5.	Landscape water use standards.
7-9-133.6	4	7-9-68.6.	Guidelines.
7-9-134.1 through 135.6	-	Deleted	Reserved.
7-9-136.	5	7-9-117.	Temporary uses and structures.
7-9-136.1.	5	7-9-117.7.	Residential tract sales and rentals.
7-9-136.2.	5	7-9-117.3.	Construction office.

7-9-136.3.	5	7-9-117.4.	Continued use of an existing building during construction.
7-9-136.5.	5	7-9-117.2.	Commercial coaches.
7-9-136.6	5	7-9-136.6	Reserved.
7-9-136.7.	5	7-9-117.5.	Mobilehome residence.
7-9-136.8.	5	7-9-117.8.	Seasonal product sales.
7-9-136.9.	5	7-9-117.6.	Public display of fireworks.
7-9-136.10.	5	Deleted	Moved to 7-9-117.8.
7-9-136.11.	5	7-9-117.9.	Special gatherings.
7-9-136.12.	5	7-9-117.1.	Agricultural product sales.
7-9-137.	5	7-9-116.	Accessory uses and structures.
7-9-137(a-f).	5	7-9-116.1.	General standards.
7-9-137.1.	4	7-9-70.3(d).	Garages and carports.
7-9-137.3.	2	7-9-30. 7-9-31. 7-9-32. 7-9-33. 7-9-34.	Satellite dish antennas. (See Land Use Regulations tables in Article 2, Subarticle 2)
7-9-137.4.	4	7-9-116.2	Swimming pools and spas.
7-9-137.5.	4	7-9-64.	Fences, walls, and hedges.
7-9-137.6 through 137.7	-	Deleted	Reserved.
7-9-137.8.	4	7-9-65.	Elevated driveway on steep topography.
7-9-138.	5	7-9-88.	Single room occupancy.
7-9-139.	4	7-9-66.	Grading and excavation.
NEW	4	7-9-67	Lighting and illumination.
7-9-140.	5	7-9-87.	Density bonus and other incentives.
7-9-140(a).	5	7-9-87.1.	Purpose and intent.

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NEW	5	7-9-87.2.	General provisions.
NEW	5	7-9-87.3.	Requirements and standards for granting density bonus and incentives.
NEW	5	7-9-87.4.	Procedure.
NEW	-	7-9-95.	Community care facilities, congregate living health facilities, alcoholism or drug abuse recovery/treatment facilities, child day care facilities, and group homes.
7-9-141.	5	7-9-95.2.	Community care facilities.
7-9-141.1	5	7-9-95.1	Definitions.
7-9-141.2.	5	7-9-99.5.	Child day care facilities.
New	5	7-9-95.4	Alcoholism or drug abuse recovery/treatment facilities.
7-9-141.3.	5	7-9-95.3	Congregate living health facilities.
7-9-142.	5	7-9-98.	Senior living facilities.
7-9-143.	5	7-9-113.	Transportation demand programs.
7-9-143.1.	5	7-9-113.1.	Purpose and intent.
7-9-143.2.	5	7-9-113.2.	Definitions.
7-9-143.3.	5	7-9-113.3.	Applicability.
7-9-143.4.	5	7-9-113.4.	Site development standards.
7-9-144.	5	7-9-114.	Signs.
7-9-144.1.	5	7-9-114.1.	Signs definitions.
NEW	5	7-9-114.2.	Purpose.
NEW	5	7-9-114.3.	Applicability.
NEW	5	7-9-114.4.	General requirements for all signs.
NEW	5	7-9-114.7.	Exempt signs.
7-9-144.2	5	7-9-114.9.	Permitted signs by zoning district.
NEW	5	7-9-114.8.	Temporary signs.
7-9-144.2(g).	5	7-9-114.10.	Permits required.
7-9-144.3.	5	7-9-114.11	Signs permitted subject to a Site Development Permit.

7-9-144.4.	5	7-9-114.6.	Prohibited signs/advertising device.
7-9-144.5.	5	7-9-114.5.	Rules for sign measurement.
7-9-144.6.	5	7-9-114.4(c)(7).	Public safety.
7-9-144.7.	5	7-9-114.2(c)(8).	Signs abutting residential areas.
7-9-144.8.	5	7-9-114.4(c)(5).	Illumination.
7-9-144.9.	5	7-9-114.10(b).	Sign permit.
7-9-145.	4	7-9-70.	Off-street parking and loading.
7-9-145.1.	4	7-9-70.1.	Purpose and intent.
7-9-145.2.	4	7-9-70.2.	General requirements.
7-9-145.3.	4	7-9-70.3.	Off-street parking requirements for residential uses.
7-9-145.4.	4	7-9-70.4.	Off-street parking requirements for non-residential uses.
7-9-145.5.	4	7-9-70.5.	Design requirements.
7-9-145.6.	4	7-9-70.6.	Number of off-street parking requirements for non-residential uses.
NEW	4	7-9-70.7.	Parking calculations.
NEW	4	7-9-70.8.	Loading requirements.
7-9-145.7.	4	7-9-70.9.	Alternatives to off-street parking regulations.
NEW	4	7-9-70.10.	Bicycle parking.
NEW	4	7-9-70.11.	Recreational vehicle parking.
7-9-146.	-	Deleted.	Special regulations.
7-9-146.1.	5	7-9-106.	Animal hospitals and clinics.
7-9-146.2.	5	7-9-120.	Adult entertainment businesses.
7-9-146.3.	5	7-9-105.	Pets and animals.
7-9-146.4.	5	7-9-118.	Waste management and hazardous material.
7-9-146.5 (a).	5	7-9-91.	Guesthouses.

7-9-146.5 (b).	5	7-9-90.	Accessory dwelling units (ADU) and junior accessory dwelling units (JADU).
7-9-146.6.	5	7-9-104.	Home occupations.
NEW	5	-	Subarticle 5: Standards for Specific Uses and Activities.
NEW	5	7-9-85.	Purpose and applicability.
7-9-146.7.	5	7-9-86.	Multifamily residential standards and requirements.
7-9-146.8.	5	7-9-108.	Small wind energy systems.
NEW	5	7-9-111.	Drive through facilities and drive in/drive thru restaurants.
7-9-146.9.	5	7-9-112.	Bus stop benches and shelters.
7-9-146.10.	5	7-9-121.	Resource modification activities.
7-9-146.11.	5	7-9-110.	Heliports/helistops.
7-9-146.12.	5	7-9-119.	Waste Transfer/materials recovery facilities.
NEW	5	7-9-119.1.	Use Permit required.
7-9-146.13.	5	7-9-109.	Wireless communications facilities.
7-9-146.14	5	7-9-103	County of Orange Commercial Cannabis Activities and Outdoor Personal Cultivation Prohibition Ordinance.
7-9-147.	5	7-9-89.	Condominium conversions.
7-9-147.1.	5	7-9-89.1.	Purpose and intent.
7-9-147.2.	5	7-9-89.2.	Standards.
7-9-147.3	5	7-9-89.3	Reserved.
7-9-147.4.	5	7-9-89.4.	Application requirements.
7-9-147.5.	5	7-9-89.5.	Tenant provisions.
7-9-148.	3	7-9-44.	H Housing Opportunities Overlay district.
7-9-148.1.	3	7-9-44.1.	Purpose and intent.
7-9-148.2.	3	7-9-44.2.	Application.
7-9-148.3.	3	7-9-44.3.	Site Development Permit.
7-9-148.4.	3	7-9-44.4.	Temporary uses permitted.

7-9-148.5.	3	7-9-44.5.	Accessory uses permitted.
7-9-148.6.	3	7-9-44.6.	Housing Opportunities Manual.
7-9-148.7.	3	7-9-44.7.	Residential site development standards.
7-9-148.8.	3	7-9-44.8.	Emergency shelter and multi-service center for the homeless (multi-service center) site development standards and operational requirements.
7-9-149.	5	7-9-92.	Mobilehome regulations.
7-9-149.1	5	Deleted	Reserved.
7-9-149.2	5	Deleted	Reserved.
7-9-149.3.	5	7-9-92.1.	Mobilehome development regulations.
7-9-149.4	-	Deleted	Reserved.
7-9-149.5.	5	7-9-92.2.	Mobilehome installation.
NEW	6	-	Subarticle 6: Administration and permits.
7-9-150.	6	7-9-125.	Discretionary permits and procedures.
7-9-150.1.	6	Deleted.	Types of permits.
NEW	6	7-9-126.	Site Development Permits; Use Permits, Special Permits, and Variance Permits.
7-9-150.1(a)	6	Deleted.	Feature plans
7-9-150.1(b)	6	7-9-128	Area plans.
7-9-150.1(c)	6	7-9-126.2.	Use Permits.
7-9-150.1(d)	6	7-9-126.1.	Site Development Permits.
7-9-150.1(e)	6	7-9-126.4.	Variance Permits.
7-9-150.1(f)	6	Deleted.	Special Use Permits
7-9-150.1(g)	6	Deleted.	Other Special Permits
7-9-150.2.	6	7-9-125.1.	Applications.
7-9-150.2(c)	6	7-9-125.3(a)	Review for completeness.
7-9-150.3.	6	7-9-125.3.	Review of Applications.
7-9-150.3(b)	6	7-9-125.3(e)	Review by citizens' advisory body.

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7-9-150.3(c).	6	7-9-125.4.	Public hearings: scheduling and notice.
7-9-150.3(e).	6	7-9-125.6.	Findings Required.
7-9-150.3(f).	6	7-9-125.3(f).	Action by the decision-making body on discretionary permit applications.
7-9-150.3(g).	6	7-9-125.3(h)	Required submission of revised plans.
7-9-150.3(h)	6	7-9-125.3(i)	Changed Plan.
7-9-150.4.	6	7-9-125.10.	Appeals.
7-9-150.5.	6	7-9-125.2.	Fees.
7-9-150.6.	6	7-9-125.7.	Period of validity, establishment, and expiration of permit.
7-9-150.7.	6	7-9-125.9.	Revocation of permit.
7-9-150.8.	6	7-9-125.8.	Amendments.
NEW	6	7-9-125.11	Zoning Code compliance determination.
7-9-150.9.	6	7-9-125.12	Limitations of actions.
7-9-150.10.	6	7-9-126.3	Exemptions to Site Development/Use Permits.
7-9-151.	5	7-9-115.	Nonconforming uses and structures.
7-9-152.	6	7-9-125.11(a)	Zoning Use Certificate.
7-9-153.	6	7-9-129	Reasonable accommodation.
7-9-154.	6	7-9-130.	Enforcement procedures.
7-9-154.1.	6	7-9-130.1.	Enforcement.
7-9-154.2.	6	7-9-130.2.	Inspection to ensure compliance.
7-9-154.3.	6	7-9-130.3.	Violations of the Zoning Code.
NEW	6	7-9-131	General Plan Amendments.
NEW	6	7-9-131.1	Applicability.
NEW	6	7-9-131.2	Initiation.
NEW	6	7-9-131.3	Procedures.
NEW	6	7-9-131.4	Planning Commission action on General Plan Amendments.
7-9-155.	6	7-9-132.	Zoning Code Amendments and Zone Changes.

7-9-155.1.	6	7-9-132.1.	Zoning Code amendment.
7-9-155.2.	6	7-9-132.2.	Zone changes.
7-9-155.3.	6	7-9-132.3.	Zoning ordinance adoption and amendment procedure.
7-9-156.	6	7-9-133.	Specific Plans.
7-9-156(a)(b)(c).	6	7-9-133.1.	Preparation and review procedures for Specific Plans.
7-9-156.1.	6	7-9-133.2.	Adoption of Specific Plan by resolution.
7-9-156.2.	6	7-9-133.3.	Adoption of Specific Plan by ordinance.
7-9-156.3.	6	7-9-133.4.	Specific Plan Amendments.
7-9-157.	6	7-9-125.5.	Tie votes.

Sec. 7-9-22.2. - Types of regulations.

Four (4) types of zoning regulations control the use and development property to which this Code applies:

- (a) *Land use regulations.* These regulations specify land uses permitted, conditionally permitted, or specifically prohibited in each zoning district, and include special requirements, if any, applicable to specific uses. Land use regulations for base zoning districts and for overlay and other districts are in Subarticles 2 and 3 of this Code. Certain regulations, applicable in some or all of the districts, and performance standards which govern special uses, are in Subarticles 4 and 5.
- (b) *Development regulations.* These regulations control the height, bulk, location, and appearance of structures on development sites. Development regulations for base zoning districts and for overlay and other districts are in Subarticles 2 and 3 respectively of this Code. Development standards and site regulations that apply throughout most or all of the unincorporated area of the county are in Subarticle 4. These include regulations for parking, setbacks, landscaping, and irrigation. Development regulations and procedural requirements applicable to specific uses in some or all districts are in Subarticle 5. These include regulations for accessory uses, signs, antennas, wireless communications facilities, and nonconforming uses.
- (c) *Administrative regulations.* These regulations in Subarticle 6 of this Code contain detailed procedures for the administration of zoning regulations, and include procedures, processes, and standards for discretionary and ministerial permit applications and other permits.
- (d) *General Terms.* Subarticle 7 provides a list of use classifications and definitions used in the Code. However, definitions contained in specific Zoning Code sections are to be used specifically for those sections.

Sec. 7-9-23.3. – Fractions.

Whenever this Code requires consideration of distances, parking spaces, dwelling units, or other aspects of development or the physical environment that are expressed in numerical quantities and the result of a calculation contains a fraction of a whole number, the results shall be rounded as follows:

General rounding. Fractions of one-half (0.5) or greater shall be rounded up to the nearest whole number, and fractions of less than one-half (0.5) shall be rounded down to the nearest whole number, except as otherwise provided.

Dwelling unit rounding. Numerical quantities and the result of a calculation that contain a fraction of a whole number, shall be rounded up to the nearest whole number.

~~*Exception for State Density Bonus Law.* The calculation of bonus density units for projects eligible for a density bonus pursuant to Government Code Section 65915, as may be amended, or any successor statute shall be done as provided by State law.~~

Sec. 7-9-25. - Zones and districts.

Sec. 7-9-25.2. - Establishment of districts and interpretation of district boundaries.

- (a) Designation of base zoning districts.

Table 7-9-25.2(c) lists the base zoning districts into which the County is divided with their map symbols and corresponding General Plan land use designations.

TABLE 7-9-25.2(c) - BASE ZONING DISTRICTS		
<i>Map Symbol</i>	<i>Full Name</i>	<i>General Plan Land Use Designation</i>
Agriculture/Open Space Districts		
A1	General Agricultural	Rural Residential
B1	Buffer	Open Space
OS	Open Space	Open Space
Single-Family Residential Districts		
AR	Agricultural Residential	Suburban Residential
E1	Estates	Suburban Residential
E4	Small Estates	Suburban Residential
RE	Residential Estates	Suburban Residential
RHE	Residential Hillside Estates	Suburban Residential

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RS	Residential, Single-Family	Suburban Residential
R1	Single-Family Residence	Suburban Residential
Multifamily Residential Districts		
R2D	Two-Family Residence	Suburban Residential
R4	Suburban Multifamily Residential	Suburban Residential
R2	Multifamily Dwelling	Urban Residential
R3	Apartment	Urban Residential
Mixed-Use and Commercial Districts		
C1	Local Business	Community Commercial
<u>MX</u>	<u>Mixed-Use</u>	<u>Suburban Residential</u> <u>Urban Residential</u>
CC	Commercial Community	Community Commercial
CN	Commercial Neighborhood	Community Commercial
C2	General Business	Regional Commercial
CH	Commercial Highway	Regional Commercial
RP	Residential Professional	Suburban Residential
Employment Districts		
M1	Light Industrial	Employment
Other District		
SG	Sand and Gravel Extraction	Open Space

(b) Designation of Overlay and Combining Districts.

Table 7-9-25.2(d) lists Overlay, Combining, and Other Districts into which the County is divided with their map symbols. These districts may be combined with the base zoning districts listed in Table 7-9-25.2(c), Base Zoning Districts pursuant to Article 2, Subarticle 3 of the Zoning Code. In any district where the base zoning district symbol is followed by one of the following district symbols, the additional requirements, limitations, and standards of the overlay or combining district may apply.

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TABLE 7-9-25.2.(d) - OVERLAY, COMBINING, AND OTHER DISTRICTS	
CD	Coastal Development Combining
E	Equine Combining
FP	Floodplain Overlay
GPI	General Plan Implementation Combining
H	Housing Opportunities Overlay
MX	Mixed Use Overlay
O	Oil Production Combining
PC	Planned Community Combining
PD	Planned Development Combining
SH	Scenic Highway Combining
SS	Service Station Combining
SR	Sign Restriction Combining
S	Specific Plan Combining

Sec. 7-9-26. - Reserved.**Sec. 7-9-27. - Reserved.****Sec. 7-9-28. - Reserved.****Sec. 7-8-29. - Reserved.**

Article 2, Subarticle 2: Base Districts.

Sec. 7-9-31. – Single-Family Residential Districts

Sec. 7-9-31.2. Land Use Regulations.

Table 7-9-31.2 and section 7-9-31.4, "Supplemental regulations," prescribe the land use regulations for Single-Family Residential Districts. The regulations for each district are established by letter designations listed below. These designations apply strictly to the permissibility of land uses; applications for buildings or structures may require discretionary review.

- (a) "P" designates principal permitted uses. Permitted uses, except those in R1, shall comply with section 7-9-121.
- (b) "SDP" designates uses that are principal permitted uses subject to the approval of a Site Development Permit.
- (c) "UP" designates uses that are principal permitted uses subject to the approval of a Use Permit.
- (d) "#" indicates the use classification shall comply with specific limitations listed at the end of the table.
- (e) "—" designates uses that are not permitted.
- (f) "NA" designates development standards that are not applicable.

Land use classifications and definitions are located in sections 7-9-134 and 7-9-135. In cases where a specific land use or activity is not defined, the Director shall assign the land use or activity to a classification that is substantially similar in character. Use classifications and sub-classifications not listed in the table or not found to be substantially similar to the uses below shall be prohibited. The table also notes additional use regulations that apply to various uses. Section numbers in the right-hand column refer to other related sections of this Zoning Code.

In the Single-Family Residential Districts, the following uses are prohibited:

- (a) Commercial stockpiling or processing of manure.
- (b) Keeping pets or animals for any commercial purpose unless otherwise provided for by an approved Use Permit.
- (c) Storage of vehicles, equipment, or products related to a commercial activity not permitted in this district.

TABLE 7-9-31.2: LAND USE REGULATIONS— SINGLE-FAMILY RESIDENTIAL DISTRICTS								
	AR	E1	RHE	E4	RE	R1	RS	Additional Regulations
RESIDENTIAL								
Accessory Dwelling Unit	P	P	P	P	P	P	P	Per section 7-9-90 <u>7-9-65</u>
Alcoholism or Drug Abuse Recovery/Treatment Facilities Small	p ²	p ²	p ²	p ²	p ²	p ²	p ²	No more than 6 persons shall be served in the facility Per section 7-9-95 and 7-9-134/135

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Community Care Facilities - Large	UP ¹	UP ¹	UP ¹	UP ¹	UP ¹	UP ¹	UP ¹	No more than 12 persons (maximum) shall be served in the facility Per section 7-9-95 and 7-9-134/135
Community Care Facilities - Small	P	P	P	P	P	P	P	No more than 6 persons shall be served in the facility Per section 7-9-95 and 7-9-134/135
Congregate Living Health Facility Large	UP ¹	UP ¹	UP ¹	UP ¹	UP ¹	UP ¹	UP ¹	7 to 12 persons (maximum) may be served in the facility Per section 7-9-95 and 7-9-134/135
Congregate Living Health Facility Small	P	P	P	P	P	P	P	No more than 6 persons shall be served in the facility Per section 7-9-95 and 7-9-134/135
Group Home Small	p ^{2,3}	p ^{2,3}	p ^{2,3}	p ^{2,3}	p ^{2,3}	p ^{2,3}	p ^{2,3}	No more than 6 persons shall be served in the facility Per section 7-9-95 and 7-9-134/135
In-home Family Child Care, Large	P	P	P	P	P	P	P	Shall provide care to no more than 14 children Per section 7-9-95
In-home Family Child Care, Small	P	P	P	P	P	P	P	Shall provide care to no more than 8 children Per section 7-9-95

Sec. 7-9-32. - Multifamily Residential Districts.

Sec. 7-9-32.1. - Purpose and intent.

The purpose of the Multifamily Residential districts is to provide for medium- to high-density residential development ~~including large lot estates to medium density single family attached and detached residential neighborhoods~~. These districts also include a variety of neighborhood-serving facilities and services such as schools, childcare facilities, community assembly facilities as well as local and community open space, trails, and parks.

- ~~(a) The R2D “Two-Family” District is established to provide for the development and maintenance of medium-high density single family and duplex residential neighborhoods. Only those uses are permitted that are complementary to and can exist in harmony with such a residential neighborhood.~~
- (a) The R2 “Multifamily Dwelling” District is established to provide for the development and maintenance of very-high-density multifamily residential neighborhoods with a low building height and a minimum amount of open space at a minimum density of thirty (30) dwelling units per acre. Those uses are permitted that are complementary to and compatible with such a residential neighborhood
- (b) The R3 “Apartment” District is established to provide for the development and maintenance of very-high-density multifamily residential neighborhoods with taller buildings and a minimum amount of open space at a minimum density of thirty (30) dwelling units per acre. Only those uses which are compatible with very-high-density residential uses are permitted.
- (c) The R4 “Suburban Multifamily” District is established to provide for the development and maintenance of high-density multifamily residential neighborhoods with a moderate amount of open spaces at a minimum density of thirty (30) dwelling units per acre. Only those uses are permitted that are complementary to and are compatible with such a residential neighborhood.

Sec. 7-9-32.2. Land use regulations.

Table 7-9-32.2 and section 7-9-32.4, “Supplemental regulations,” prescribes the land use regulations for Multifamily Residential Districts. The regulations for each district are established by letter designations listed below. These designations apply strictly to the permissibility of land uses; applications for buildings or structures may require discretionary review.

- (a) “P” designates principal permitted uses.
- (b) “SDP” designates uses that are principal permitted uses subject to the approval of a Site Development Permit.
- (c) “UP” designates uses that are principal permitted uses subject to the approval of a Use Permit.
- (d) “#” indicates the use classification shall comply with specific limitations listed at the end of the table.
- (e) “—” designates uses that are not permitted.
- (f) “NA” designates development standards that are not applicable.

Land use classifications and definitions are located in sections 7-9-134 and 7-9-135. In cases where a specific land use or activity is not defined, the Director shall assign the land use or activity to a classification that is substantially similar in character. Use classifications and sub-classifications not listed in the table or not found to be substantially similar to the uses below shall be prohibited. The table also notes additional use regulations that apply to various uses. Section numbers in the right-hand column refer to other related sections of this Zoning Code.

In the Multifamily Residential Districts, the following uses are prohibited:

- (a) Apiaries.
- (b) Keeping pets or animals for any commercial purpose unless otherwise provided for by an approved permit.
- (c) The storage of vehicles, equipment, or products related to a commercial activity not permitted in this district.

TABLE 7-9-32.2: LAND USE REGULATIONS—MULTIFAMILY RESIDENTIAL DISTRICTS					
	R2D	R2	R3	R4	Additional Regulations
RESIDENTIAL					
Alcoholism or Drug Abuse Recovery/Treatment Facilities - Large	<u>UP^{1,2}</u>	UP ^{1,2}	UP ^{1,2}	UP ^{1,2}	7 or more persons may be served in the facility Per section 7-9-95 and 7-9-134/135
Alcoholism or Drug Abuse Recovery/Treatment Facilities - Small	<u>p²</u>	p ²	p ²	p ²	No more than 6 persons shall be served in the facility Per section 7-9-95 and 7-9-134/135
Community Care Facilities - Large	<u>UP¹</u>	UP ¹	UP ¹	UP ¹	7 to 12 persons (maximum) may be served in the facility Per section 7-9-95 and 7-9-134/135
Community Care Facilities - Small	<u>p</u>	p	p	p	No more than 6 persons shall be served in the facility Per section 7-9-95 and 7-9-134/135
Congregate Living Health Facility – Large	<u>UP¹</u>	UP ¹	UP ¹	UP ¹	7 or more persons may be served in the facility Per section 7-9-95 and 7-9-134/135

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TABLE 7-9-32.2: LAND USE REGULATIONS—MULTIFAMILY RESIDENTIAL DISTRICTS					
	R2D	R2	R3	R4	Additional Regulations
Congregate Living Health Facility – Small	P	P	P	P	No more than 6 persons shall be served in the facility Per section 7-9-95 and 7-9-134/135
Duplex	P	<u>P¹⁰</u>	<u>P¹⁰</u>	<u>P¹⁰</u>	Per section 7-9-135
Fraternity or sorority house	-	-	SDP	-	Per section 7-9-135
Group Home, Large	UP^{1,2,3}	UP ^{1,2,3}	UP ^{1,2,3}	UP ^{1,2,3}	7 or more persons may be served in the facility Per section 7-9-95 and 7-9-134/135
Group Home, Small	p^{2,3}	p ^{2,3}	p ^{2,3}	p ^{2,3}	No more than 6 persons shall be served in the facility Per section 7-9-95 and 7-9-134/135
In-home Family Child Care, Large	P	P	P	P	Shall provide care to no more than 14 children Per section 7-9-95
In-home Family Child Care, Small	P	P	P	P	Shall provide care to no more than 8 children Per Section 7-9-95
Mobilehome Developments	-	UP	UP	UP	Per section 7-9-92
Multifamily Dwelling	UP⁴	P/SDP/UP ^{5,4,9,<u>10</u>}	P/SDP/UP ^{5,4,9,<u>10</u>}	P/SDP/UP ^{5,4,9,<u>10</u>}	Per section 7-9-134.2
Planned (Unit) Development	UP	UP ^{9,<u>10</u>}	UP ^{9,<u>10</u>}	UP ^{9,<u>10</u>}	Per section 7-9-48
Senior Citizen Housing Development	-	SDP/UP ^{5,4,<u>10</u>}	SDP/UP ^{5,4,<u>10</u>}	SDP/UP ^{5,4,<u>10</u>}	Shall have no less than 35 units Per section 7-9-135
Senior Living Facilities	UP¹	UP ¹	UP ¹	UP ¹	Per section 7-9-98
Short-Term Rentals	p⁶	p ^{6⁵}	p ^{6⁵}	p ^{6⁵}	Per section 7-9-93
Single-Family Dwelling or Mobilehome	P	-P	-P	-P	One (1) dwelling per building site

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TABLE 7-9-32.2: LAND USE REGULATIONS—MULTIFAMILY RESIDENTIAL DISTRICTS					
	R2D	R2	R3	R4	Additional Regulations
					Per section 7-9-135 or section 7-9-92.2
Single-Room Occupancy (SRO)	-	-	UP	-	Per section 7-9-88
Sober Living Home - Large	UP ^{1,2,3}	UP ^{1,2,3}	UP ^{1,2,3}	UP ^{1,2,3}	7 or more persons may be served in the facility Per section 7-9-95 and 7-9-134/135
Sober Living Home - Small	P/UP ^{2,3}	P/UP ^{2,3}	P/UP ^{2,3}	P/UP ^{2,3}	No more than 6 persons shall be served in the facility Per section 7-9-95 and 7-9-134/135
Supportive Housing	P	P	P	P	Per section 7-9-134/135
Transitional Housing	P	P	P	P	Per section 7-9-134/135
COMMERCIAL					
Boarding House	-	-	P/SDP ^{8,7}	-	Per section 7-9-135
Farmers' Market	UP	UP	UP	UP	Per section 7-9-101
Hotels	-	-	UP	-	Per section 7-9-134.4
PUBLIC/SEMI-PUBLIC					
Child Care Center/Early Education Facility	UP ⁷	UP ^{7,6}	UP ^{7,6}	UP ^{7,6}	Per section 7-9-95
Community Assembly Facilities	UP	UP	UP	UP	Shall be limited to: churches, temples, and other places of worship Per section 7-9-134
Community Garden	SDP	SDP	SDP	SDP	Per section 7-9-100
Cultural Institutions and Facilities	SDP	SDP	SDP	SDP	Shall be limited to: public libraries and museums Per section 7-9-134
Educational Institutions	UP	UP	UP	UP	Per section 7-9-134
Police and Fire Stations	-	SDP ^{8,7}	SDP ^{8,7}	SDP ^{8,7}	Per section 7-9-134

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TABLE 7-9-32.2: LAND USE REGULATIONS—MULTIFAMILY RESIDENTIAL DISTRICTS					
	R2D	R2	R3	R4	Additional Regulations
Park and Recreation Facilities (Non-Commercial)	<u>P</u>	P	P	P	Shall be limited to: Parks, playgrounds, and athletic fields Per section 7-9-134
TRANSPORTATION, COMMUNICATION, AND UTILITIES					
Antenna and Transmission Towers	<u>UP</u>	UP	UP	UP	Shall be limited to wireless communications facilities Per section 7-9-109
Utilities, Major	<u>SDP</u>	SDP	SDP	SDP	Shall be limited to: public/private utility uses, buildings, and structures Per section 7-9-134
ANY OTHER USE					
All other uses shall be prohibited unless a Use Permit by the Planning Commission is obtained	<u>UP</u>	UP	UP	UP	Required finding: The proposed use is consistent with the purpose and intent of this district. Per section 7-9-126.1
TEMPORARY					
Continued use of an existing permitted building during construction of a new building	<u>P</u>	-	-	-	Per section 7-9-117
Mobilehome residence during construction of a dwelling	<u>P</u>	-	-	-	Per section 7-9-117
Model Homes and Real Estate Offices	<u>P</u>	-	-	-	Per section 7-9-117
Seasonal Product and Temporary Outdoor Sales	<u>P</u>	P	P	P	Per section 7-9-117

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ACCESSORY Accessory uses and structures are permitted when associated and subordinate to a permitted principal use on the same building site					
Accessory uses the Director finds consistent with the purpose and intent of this district.	P	P	P	P	Per section 7-9-116
Accessory building(s) not usable as a guesthouse or accessory dwelling unit	-	P	P	P	Per section 7-9-116
Fences, Walls, and Hedges	P	P	P	P	Per section 7-9-64
Home Occupations	P	P	P	P	Per section 7-9-104
Satellite Dish Antenna	p⁴⁰	p⁸⁴⁰	p⁸⁴⁰	p⁸⁴⁰	Per section 7-9- 30-34
Swimming Pools and Spas	P	P	P	P	Per section 7-9-116.2, 7-9-64(d) and (e), and Figure 7-9-64.3
Notes: - Facilities serving seven (7) or more persons, and senior living facilities, shall be subject to the approval of a Use Permit to the Planning Commission. - There shall be one thousand (1,000) feet of separation (as measured from property lines) between any two (2) Alcoholism or Drug Abuse Recovery/Treatment facilities of seven (7) or over that require a UP, or between any two (2) Sober Living Homes, or between any Alcoholism or Drug Abuse Recovery/Treatment facility and Sober Living Home, as defined. - Group Homes, including Sober Living Homes, shall obtain a ministerial "Group Home Permit." Multifamily projects of no more than two (2) units as a residential condominium, stock cooperative, and community apartment projects are permitted subject to a Use Permit. 5. Multifamily projects of four (4) or fewer dwelling units are permitted. Multifamily projects of five (5) or more dwelling units are permitted subject to a Site Development Permit. Residential condominium, stock cooperative, and community apartment projects are permitted subject to a Use Permit. 6. Short-term Rentals shall obtain a ministerial "Short-term Rental Permit" per section 7-9-93. 7. Facilities serving more than fourteen (14) persons may be permitted, subject to approval of a Use Permit by the Planning Commission. 8. Boarding houses serving six (6) people or fewer are permitted. Boarding houses serving more than six (6) people are permitted subject to a Site Development Permit. Fraternity or sorority houses are subject to a Site Development Permit. 9. Satellite dish antennas shall be one (1) meter or less in diameter. <u>9. Residential development shall comply with the minimum density of thirty (30) dwelling units per acre.</u> <u>10. Affordable Housing development subject to an Affordable Housing Permit per section 7-9-124.3</u>					

Sec. 7-9-32.3. - Site Development Standards.

This section, including Table 7-9-32.3, and section 7-9-32.4, “Supplemental regulations,” specify the site development standards for Multifamily Residential Districts.

- (a) Access to units.
 - (1) Each residential unit shall have one (1) front door. A front door shall be defined as the primary doorway that visitors and guests are directed to enter the residential unit from a publicly accessible exterior area (e.g., parking lot, sidewalk, driveway, etc.).
 - (2) Doorways providing direct access from a publicly accessible exterior area into a residential unit shall only be allowed in common living areas subject to the following exceptions:
 - a. One (1) doorway into one (1) bedroom for each residential unit.
 - b. Doorways into a garage.
 - c. Doorways into areas with no internal access to the residential unit (e.g., storage closets).
 - d. Doorways required by other local governmental agencies (e.g., Orange County Fire Authority, Orange County Health Care Agency, etc.).
 - (3) If a stairwell is separated by an interior doorway or other partially framed-in opening from other common living areas there shall be no direct exterior access into the stairwell area.
 - (4) A maximum of one (1) kitchen for each residential unit shall be permitted.
 - (5) The floor plan shall not be designed in a way that would allow splitting into two (2) or more separate residential units with simple or minor changes as determined by the Director.
 - (6) Multifamily residential projects with two (2) or more units shall provide a minimum of one hundred fifty (150) square feet of exterior open space per dwelling unit of which a minimum of one hundred (100) square feet shall be private and accessible directly from the residential unit. The balance of open space shall be provided on-site as common open space area.
- (b) In Table 7-9-32.3, additional regulations are denoted with section numbers in the right-hand column, which refer to other related sections of this Zoning Code.

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TABLE: 7-9-32.3: SITE DEVELOPMENT STANDARDS— MULTIFAMILY RESIDENTIAL DISTRICTS					
Standard	R2D	R2	R3	R4	Additional Standards
BUILDING HEIGHT AND SITE REQUIREMENTS					
Maximum Building Height (ft)	35	35	65	35	An accessory structure within required setback area shall be limited to 12 ft. in height; if within 3 ft. of the property line, it shall be limited to 8 ft. in height Except for section 7-9- 61.2 <u>Except for section 7-9-124.3</u>
Maximum Building Site Coverage (% of lot)	60	NA	NA	NA	Per section 7-9-135
<u>Minimum Density (du/ac)</u>		<u>30</u>	<u>30</u>	<u>30</u>	<u>Minimum required density of project net development area</u>
<u>Maximum Density (Minimum Net Land Area Per Unit) (sq ft)</u>	NA	1,000	1,000	3,000 <u>1,000</u>	Except for section 7-9-61.2
Minimum Building Site Area (sq ft)	7,200	7,200 <u>5,000</u>	7,200 <u>5,000</u>	7,200 <u>5,000</u>	Except for section 7-9-61.2
MINIMUM BUILDING SETBACKS (FT)					
Front Setback From Ultimate Street R/W Line	20	20	20	20	Per section 7-9-61.9 <u>Except for section 7-9-124.3</u>
Side Setback From Ultimate Street R/W Line	5	5	B	5	Per section 7-9-61.9 <u>Except for section 7-9-124.3</u>
Rear Setback From Ultimate Street R/W Line	25	25	25	25	Per section 7-9-61.9 <u>Except for section 7-9-124.3</u>
Side Setback From Property Line Not Abutting Street Rear	5	5	B	5	Per section 7-9-61.9 <u>Except for section 7-9-124.3</u>
Rear Setback From Property Line Not Abutting Street	25 or D	25 or D	25 or D	25 or D	Per section 7-9-61.9 <u>Except for section 7-9-124.3</u>
On Panhandle Building Site from Any Property Line	10	10	10	10	Per section 7-9-61.9 <u>Except for section 7-9-124.3</u>

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TABLE: 7-9-32.3: SITE DEVELOPMENT STANDARDS—					
MULTIFAMILY RESIDENTIAL DISTRICTS					
Standard	R2D	R2	R3	R4	Additional Standards
Minimum Distance Between Principal Structures (ft)	NA	10	15	15	Per section 7-9-61.9
OTHER					
Elevated Driveway	P	P	P	P	Per section 7-9-65
Fences, Walls, and Hedges	P	SDP (Over 3 ½ feet in height)	P	P	Per section 7-9-64
Grading and Excavation Over 10,000 Cubic Yards	SDP	SDP	SDP	SDP	Per section 7-9-66
Swimming Pools and Spas	Swimming pools shall not be constructed within three (3) feet of an ultimate vehicular right-of-way or property line or within those areas described by section 7-9-116.2, 7-9-64(d) and (e), and Figure 7-9-64.3				Per section 7-9-116.2, 7-9-64(d) and (e), and Figure 7-9-64.3
Notes:					
R/W: Right-of-Way					
A. Ten (10) percent of average ultimate net width of building site—Maximum twenty (20) feet.					
B. Five (5) feet; add one (1) foot for each additional story over two (2).					
C. Ten (10) feet one (1) side only or ten (10) feet total of two (2) sides combined.					
D. In computing the depth or a rear setback from any building where such setback opens on alley, private street, public park or public beach, one-half (0.5) of the width of such alley, street, park or beach may be deemed to be a portion of the rear setback, except that under this provision, no rear setback shall be less than fifteen (15) feet.					
E. If no openings, such as windows, doors, and circulation vents, exist on the side of the building facing the property line, this setback may be reduced to fifteen (15) feet.					

Sec. 7-9-32.4. Supplemental regulations.

- (a) Accessory uses and structures: Per section 7-9-116.
- (b) Fences, walls, and hedges: Per section 7-9-64.
- (c) Garages and carports: Per section 7-9-70.
- (d) Landscaping and irrigation: Per section 7-9-68.
- (e) Lighting and illumination: Per section 7-9-67.
- (f) Nonconforming uses and structures: Per section 7-9-115.
- (g) Off-street parking and loading: Per section 7-9-70.

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- (h) Planned (unit) developments: Per section 7-9-47.
- (i) Screening and landscaping: Per section 7-9-71.
- (j) Signs: Per section 7-9-114.
- (k) Swimming pools and spas: Per section 7-9-116.2.
- (l) Temporary uses and structures: Per section 7-9-17.
- (m) Waste management and hazardous materials: Per section 7-9-118.

Sec. 7-9-33. - Commercial Districts.**Sec. 7-9-33.1. Purpose and Intent.**

The purpose of the Commercial Districts is to accommodate a range of retail, office and community uses and services to serve surrounding neighborhoods, the larger community, and the region and are sited at appropriate locations and compatible with surrounding development. Commercial development and other non-residential uses and services shall be sited at locations accessible to all transportation modes where a safe means of travel can be provided to users along the right-of-way. Residential rental projects that are one hundred percent (100%) affordable and emergency shelters, multi-service centers, and low-barrier navigation centers that provide services for persons experiencing homelessness, are also permitted in Commercial Districts, pursuant to section 7-9-44, “Housing Opportunities” Overlay District.

- (a) The C1 “Local Business” District is established to provide for the development and maintenance of medium-intensity commercial uses serving the needs of both the surrounding neighborhood and the local community. All commercial uses and their related products in the C1 districts shall be contained entirely within a completely enclosed structure, except for parking and loading areas, and except for outdoor uses expressly permitted by an approved Site Development Permit or Use Permit.
- (b) The C2 “General Business” District is established to provide for the development and maintenance of high-intensity commercial uses which serve the local community but which may not be compatible with surrounding residential uses or certain commercial uses.
- ~~(c) The CC “Community Commercial” District is established to provide for the development and maintenance of high-intensity commercial uses which serve the local community and regional area and are compatible with surrounding residential uses. All commercial uses and their related products in the CC district shall be contained entirely within a completely enclosed structure, except for parking and loading areas and except for outdoor uses expressly permitted by an approved Site Development Permit or Use Permit.~~
- ~~(d) The CH “Commercial Highway” District is established to provide for the development and maintenance of medium-intensity commercial uses which serve the needs of the motoring public in the local community and the regional area. It is intended to provide an environment which shall take advantage of the superior access afforded by freeways and highways without undue detrimental effects on traffic flow or safety.~~

- (c) The CN “Commercial Neighborhood” District is established to provide for the development and maintenance of low-intensity commercial uses which serve the immediate needs of the surrounding neighborhood. Such uses are to be grouped in small areas of three (3) to eight (8) acres and designed so that adverse impacts on residential properties are minimized. Business hours in the CN District shall be limited to the hours between 6:00 a.m. and 10:30 p.m. unless otherwise provided for by a Use Permit approved by the Zoning Administrator. All commercial uses and their related products in the CN district shall be contained entirely within a completely enclosed structure, except for parking and loading areas and except for outdoor uses expressly permitted by an approved Site Development Permit or Use Permit.

Sec. 7-9-33.2. - Land Use Regulations.

Table 7-9-33.2 and section 7-9-33.4, “Supplemental regulations,” prescribe the land use regulations for Commercial Districts. The regulations for each district are established by letter designations listed below. These designations apply strictly to the permissibility of land uses; applications for buildings or structures may require discretionary review.

- (a) “P” designates principal permitted uses.
- (b) “SDP” designates uses that are principal permitted uses subject to the approval of a Site Development Permit.
- (c) “UP” designates uses that are principal permitted uses subject to the approval of a Use Permit.
- (d) “#” indicates the use classification shall comply with specific limitations listed at the end of the table.
- (e) “—” designates uses that are not permitted.
- (f) “NA” designates development standards that are not applicable.

Land use classifications and definitions are in sections 7-9-134 and 7-9-135. In cases where a specific land use or activity is not defined, the Director shall assign the land use or activity to a classification that is substantially similar in character. Use classifications and sub-classifications not listed in the table or not found to be substantially similar to the uses below shall be prohibited. The table also notes additional use regulations that apply to various uses. Section numbers in the right-hand column refer to other related sections of this Zoning Code

TABLE 7-9-33.2: LAND USE REGULATIONS—COMMERCIAL DISTRICTS						
	C1	C2	CC	CH	CN	Additional Regulations
RESIDENTIAL						
Congregate Living Health Facility	UP	UP	UP	UP	-	Per section 7-9-134/135
Multifamily Dwelling – Affordable Only	<u>P</u> SDP	<u>P</u> SDP	SDP	SDP	<u>P</u> SDP	Per section <u>7-9-124.3</u> 7-9-44
Short-Term Rentals	p ¹	p ¹	p¹	p¹	p ¹	Applicable if located within a continuing permitted residential use Per section 7-9-93
COMMERCIAL						
Administrative and Professional Offices	SDP	SDP	SDP	-	SDP	Except as exempted per sec. 7-9-126.3. Includes business, professional, technology, medical/dental, wholesale business office, and offices with walk-in clientele.
Animal Clinics	SDP	SDP	SDP	SDP	SDP	Per section 7-9-106
Animal Hospitals (Livestock)	-	SDP	-	-	-	Per section 7-9-106
Automobile Service and Gas Stations	UP	UP	UP	UP	UP	Per section 7-9-50
Automobile/Vehicle Sales and Rentals	SDP	SDP	SDP	SDP	-	Shall be limited to: automobiles/vehicles, trailers, vessels, trucks and motorcycles Per section 7-9-134
Automobile/Vehicle Service and Repair, Major	-	UP	-	UP	-	Per section 7-9-134.4
Automobile/Vehicle Service and Repair, Minor	SDP	SDP	SDP	SDP	-	Per section 7-9-134.4
Automobile/Vehicle Washing and Services	UP	SDP	UP	UP	-	Per section 7-9-134.4

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TABLE 7-9-33.2: LAND USE REGULATIONS—COMMERCIAL DISTRICTS						
	C1	C2	CC	CH	CN	Additional Regulations
Banks and Financial Institutions	SDP	SDP	SDP	SDP	SDP	Per section 7-9-134.4
Breweries	SDP	SDP	SDP	SDP	-	Per section 7-9-135
Commercial Recreation	SDP	SDP	SDP	SDP	-	Per section 7-9-134
Distilleries	SDP	SDP	SDP	SDP	-	Per section 7-9-135
Farmers' Market	UP	UP	UP	UP	UP	Per section 7-9-101
Fitness Center	SDP	SDP	SDP	SDP	SDP	Per section 7-9-134
Funeral Parlors and Interment Services	UP	UP	UP	-	-	Shall be limited to mortuaries and crematories Per section 7-9-134
Retail Sales and Personal Services Businesses (Includes convenience retail)	SDP	SDP	SDP	SDP	SDP	Except as exempted per section 7-9-126.3 Per section 7-9-134
Hotels and Motels	SDP	SDP	UP	SDP	-	Per section 7-9-135
Single-Room Occupancy (SRO)	UP	UP	UP	UP	-	Per section 7-9--88
Recycling, Transfer, and Materials Recovery Facility	-	UP	-	UP	-	Per section 7-9-119
Restaurants	SDP	SDP	SDP	SDP	SDP	Full service, limited service, drive-thru, and take-out Per section 7-9-134
Wholesale Businesses	-	SDP	SDP (Without warehousing)	-		Per section 7-9-134.5
Wineries	SDP	SDP	SDP	SDP	SDP	Per section 7-9-135
INDUSTRIAL						
Automobile Salvage and Wrecking	-	UP	-	-	-	Per section 7-9-50

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TABLE 7-9-33.2: LAND USE REGULATIONS—COMMERCIAL DISTRICTS						
	C1	C2	CC	CH	CN	Additional Regulations
Construction and Material Yards	-	UP	-	-	-	Shall be limited to: Storage yards, work, and fabricating areas Per section 7-9-134.5
General Manufacturing	-	UP	-	-	-	Shall be limited to: bottling plants, metal plating, tire retreading, and welding shops Per section 7-9-134
Heavy Vehicle and Large Equipment Sales and Rental	-	-	-	<u>UP</u>	-	Shall be limited to: agricultural, industrial, and construction equipment Per section 7-9-134.5
Limited Industrial	-	UP	-	-	-	Shall be limited to: cleaning, dyeing, and laundry plants Per section 7-9-134.5
Mini-storage Facility	UP	UP	<u>UP</u>	<u>UP</u>	UP	Per section 7-9-135
Vehicle Storage	-	UP	-	<u>UP</u> (impound and storage)	-	Per section 7-9-134
Warehouse Storage and Distribution	UP	UP	-	-	-	Per section 7-9-134
PUBLIC/SEMI-PUBLIC						
Automobile Parking Lots and Structures	SDP	SDP	SDP	SDP	SDP	Per section 7-9-70
Child Care Center/Early Education Facility	SDP ²	-	SDP²	-	-	Per section 7-9-95
Community Assembly Facilities	SDP	-	SDP	-	SDP	Shall be limited to churches, temples, and other places of worship Per section 7-9-134
Community Garden	P	SDP	SDP	-	SDP	Per section 7-9-100
Convalescent Care Facility	UP	-	-	-	-	Per section 7-9-134/135

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(Deleted language is ~~struck~~. New language is underlined.)

TABLE 7-9-33.2: LAND USE REGULATIONS—COMMERCIAL DISTRICTS						
	C1	C2	CC	CH	CN	Additional Regulations
Cultural Institutions and Facilities	SDP	SDP	SDP	-	SDP	Shall be limited to public libraries and museums Per section 7-9-134
Government Buildings	SDP	SDP	SDP	SDP ³	SDP	Per section 7-9-134
Health Care Facilities	UP	-	UP	-	-	Shall be limited to hospitals Per section 7-9-134/135
TRANSPORTATION, COMMUNICATION, AND UTILITIES						
Antenna and Transmission Towers	SDP/ UP ³	SDP/ UP ³	SDP/ UP³	SDP/ UP³	SDP/ UP ³	Shall be limited to wireless communications facilities Per section 7-9-109
Bus/Rail/Taxi Passenger Station	-	-	-	SDP	-	Per section 134.6
Heliports	UP	UP	UP	-	-	Per section 7-9-134
Utilities, Major	SDP	SDP	SDP	SDP	SDP	Shall be limited to: public/private utility uses, buildings, and structures Per section 7-9-134
ANY OTHER USE						
All other uses shall be prohibited unless a Use Permit by the Planning Commission is obtained	UP	UP	UP	UP	UP	Required finding: The proposed use is consistent with the purpose and intent of this district. Per section 7-9-126.1
TEMPORARY						
Commercial coaches	P	P	P	P	P	Per section 7-9-117
Seasonal Product and Temporary Outdoor Sales	P	P	P	P	P	Per section 7-9-117
ACCESSORY						
Accessory uses and structures are permitted when associated and subordinate to a permitted principal use on the same building site						

TABLE 7-9-33.2: LAND USE REGULATIONS—COMMERCIAL DISTRICTS						
	C1	C2	CC	CH	CN	Additional Regulations
Accessory uses the Director finds consistent with the purpose and intent of this district.	P	P	P	P	P	Per section 7-9-116
Accessory building(s) not usable as a guesthouse or accessory dwelling unit	P	P	P	P	P	Per section 7-9-116
Satellite Dish Antenna	P ⁴	P ⁴	P⁴	P⁴	P ⁴	Per section 7-9-30-34
Notes: - Short-term Rentals shall obtain a ministerial “Short-term Rental Permit” per section 7-9-93. - Facilities serving more than fourteen (14) persons may be permitted, subject to approval of a Use Permit by the Planning Commission. - Fire and police stations shall be the only government buildings permitted. - Wireless communication facilities are permitted subject to a Site Development Permit or Use Permit, depending on their distance from a residential or open space district. See section 7-9-109. - Satellite dish antennas shall be two (2) meters or less in diameter.						

Sec. 7-9-33.3. Site Development Standards.

Table 7-9-33.3 and section 7-9-33.4, “Supplemental regulations,” prescribe the development standards for Commercial Districts. Additional regulations are denoted with section numbers in the right-hand column, which refer to other related sections of this Code.

TABLE 7-9-33.3: SITE DEVELOPMENT STANDARDS—COMMERCIAL DISTRICTS						
Standard	C1	C2	CC	CH	CN	Additional Standards
BUILDING HEIGHT AND SITE REQUIREMENTS						
Maximum Building Height (ft)	35	35	65	35	35	Accessory structure within required setback area shall be limited to 12 ft. in height; if within 3 ft. of the property line, shall be limited to 8 ft. in height Per section 7-9-61.1.
Maximum Building Site Coverage (% of lot)	NA	NA	NA	NA	35	Per section 7-9-61.9

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TABLE 7-9-33.3: SITE DEVELOPMENT STANDARDS—COMMERCIAL DISTRICTS						
Standard	C1	C2	CC	CH	CN	Additional Standards
MINIMUM BUILDING SETBACKS (FT)						
Front Setback From Ultimate Street R/W Line	0	0	5	53	20	Per section 7-9-61.9
Side Setback From Ultimate Street R/W Line	0	0	5	10	20	Per section 7-9-61.9
Rear Setback From Ultimate Street R/W Line	0	0	5	10	20	Per section 7-9-61.9
Front Setback From Alley	0	0	5	0	20	Per section 7-9-61.9
Side Setback From Alley	0	0	5	0	20	Per section 7-9-61.9
Rear Setback From Alley	5	5	5	0	20	Per section 7-9-61.9
Side Setback From Property Line Abutting A, R, or E Districts	0	0	20	10	20	Per section 7-9-61.9
Rear Setback From Property Line Abutting A, R, or E Districts	10	10	20	10	20	Per section 7-9-61.9
Side Setback From Property Line Abutting Districts Other Than A, R, or E Districts	0	0	0	0	0	Per section 7-9-61.9
Rear Setback From Property Line Abutting Districts Other Than A, R, or E Districts	10	10	0	0	0	Per section 7-9-61.9
OTHER						
Elevated Driveway	P	P	P	P	P	Per section 7-9-65
Fences, Walls, and Hedges	P	P	P	P	P	Per section 7-9-64
Swimming Pools and Spas	Swimming pools shall not be constructed within three (3) feet of an ultimate vehicular right-of-way or property line or within those areas described by section 7-9-116.2, 7-9-64(d) and (e), and Figure 7-9-64.3					Per section 7-9-116.2, 7-9-64(d) and (e), and Figure 7-9-64.3
Notes: R/W: Right-of-Way A Districts: Agricultural Districts E Districts: Estates Districts R Districts: Residential Districts						

Sec. 7-9-33.4. Supplemental regulations.

- (a) Business Hours:
 - (1) For CN: Business hours shall be limited to the hours between 6:00 a.m. and 10:00 p.m. unless otherwise provided for by a Use Permit approved by the Zoning Administrator.
- (b) Enclosed Uses:
 - (1) For CN: All commercial uses and their related products shall be contained entirely within a completely enclosed structure, except for parking and loading areas and except for outdoor uses expressly permitted by an approved Site Development Permit or Use Permit.
- (c) Landscape and irrigation: Per section 7-9-68.
 - (1) For CN: Landscaping per section 7-9-71.2.
- (d) Lighting and illumination: Per section 7-9-67.
- (e) Off-street parking and loading: Per section 7-9--70.
 - (1) For CN: All loading operations shall be performed on-site and loading areas shall be screened by a landscape or architectural feature.
- (f) Nonconforming uses and structures: Per section 7-9-115.
- (g) Planned (unit) developments: Per section 7-9-48.
- (h) Screening and landscaping: Per section 7-9-71.
- (i) Signs: Per section 7-9-114.
 - (1) For CN: *Wall Signs*. There shall be no more than one (1) such sign per public entrance for each use.
 - (2) For CN: *Freestanding signs*. Not more than one (1) freestanding sign shall be permitted on each site.
- (j) Temporary uses and structures: Per Section 7-9-117.
- (k) Vehicular Access Regulations: Street openings in the C1 and C2 Districts shall be a minimum of twenty-two (22) feet apart and twenty-two (22) feet from any existing street openings, measured at the ultimate street right-of-way line; however, every building site shall be permitted to have at least one (1) street opening.
- (l) Waste management and hazardous materials: Per section 7-9-118.
- (m) In addition, all storage of cartons, containers, and trash in the C1, C2, ~~CC, CH,~~ and CN Districts shall be enclosed by a wall not less than six (6) feet in height. If unroofed, no such area shall be located within forty (40) feet of any district zoned for residential or agricultural uses.

Sec. 7-9-34. - Employment Districts.

Sec. 7-9-34.1. - Purpose and Intent.

The Employment Districts are areas intended for use by employment generators, which are usually light and service industries or professional-administrative uses that have few nuisance or hazard problems. The uses shall be compatible with one another and with surrounding development. Locations

shall be transit accessible and provide opportunities for transportation demand management measures to reduce the potential for congestion and facilitate access to transit. Sites shall be designed to promote safe and comfortable travel by pedestrians, bicyclists, and public transportation riders.

~~(a) The RP “Residential Professional” District is established to provide for the development and maintenance of moderate density/intensity residential and office uses to produce an integrated mixed-use neighborhood of superior quality. All commercial uses and their related products in the RP district shall be contained entirely within a completely enclosed structure, except for parking and loading areas, and except for outdoor uses expressly permitted by an approved Site Development Permit or Use Permit.~~

(a) The M1 “Light Industrial” District is established to provide for the development and maintenance of light industrial uses and industry-supporting activities. Industry-supporting activities are those activities which tend to promote the vitality of light industrial areas by providing a convenient location for services incidental to the conduct of business of the permitted uses, thus internalizing vehicle trips for such services. Industry-supporting activities are typically those which naturally locate in an industrial area because the principal part of their business activity is derived from such areas. It is intended that these regulations promote the effective operation of light industrial uses by site design and by excluding incompatible uses. It is also intended that potentially significant adverse environmental impacts on the surrounding community be prevented. In those areas of the district where a wide mix of older general retail commercial uses have been established, a secondary intent shall be to support appropriate new uses of high quality over simple consistency with these older, established uses. Residential rental projects that are one hundred percent (100%) affordable and emergency shelters, multi-service centers, and low-barrier navigation centers that provide services for persons experiencing homelessness, are also permitted in the M1 “Light Industrial” District, pursuant to section 7-9-44, “Housing Opportunities” Overlay District.

Sec. 7-9-34.2 - Land Use Regulations.

Table 7-9-34.2 and section 7-9-34.4, “Supplemental regulations,” prescribe the land use regulations for the Employment District. The regulations for the district are established by letter designations listed below. These designations apply strictly to the permissibility of land uses; applications for buildings or structures may require discretionary review.

- (a) “P” designates principal permitted uses.
- (b) “SDP” designates uses that are principal permitted uses subject to the approval of a Site Development Permit.
- (c) “UP” designates uses that are principal permitted uses subject to the approval of a Use Permit.
- (d) “#” indicates the use classification shall comply with specific limitations listed at the end of the table.
- (e) “—” designates uses that are not permitted.
- (f) “NA” designates development standards that are not applicable

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Land use classifications and definitions are in sections 7-9-134 and 7-9-135. In cases where a specific land use or activity is not defined, the Director shall assign the land use or activity to a classification that is substantially similar in character. Use classifications and sub-classifications not listed in the table or not found to be substantially similar to the uses below shall be prohibited. The table also notes additional use regulations that apply to various uses. Section numbers in the right-hand column refer to other related sections of this Zoning Code.

In the Employment Districts, the following uses are prohibited:

- (a) Mining or processing of cement, sand, gravel, clays, and other minerals or earth products.

TABLE 7-9-34.2: LAND USE REGULATIONS—EMPLOYMENT DISTRICTS			
	RP	M1	Additional Regulations
RESIDENTIAL			
Multifamily Dwelling	UP	-	Shall have no more than four (4) dwelling units
Multifamily Dwelling – Affordable Only	-	P-SDP	Per section <u>7-9-124.3</u> 7-9-44
Single-Room Occupancy (SRO)	-	-	Per section 7-9-88
COMMERCIAL			
Administrative and Professional Offices	SDP	SDP	Shall be limited to business, professional, technology, medical/dental, and offices with walk-in clientele. Per section 7-9-135
Automobile/Truck Rental Agencies	-	SDP	Per section 7-9-134
Automobile/Vehicle Sales and Services	-	UP	Per section 7-9-134.4
Automobile/Vehicle Service and Repair, Major	-	UP	Per section 7-9-134.4
Automobile/Vehicle Service and Repair, Minor	-	UP	Per section 7-9-134.4
Banks and Financial Institutions	-	SDP	Shall be limited to credit unions and commercial credit institutions Per section 7-9-134.4
Building and Industrial Materials Storage	-	UP	Per section 7-9-134.5
Eating and Drinking Establishments	-	SDP	Shall be limited to: Restaurant (Full service), Restaurant (Limited Service and Take-Out/Take Out Only), Bars, and Lounges Per section 7-9-134/135

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TABLE 7-9-34.2: LAND USE REGULATIONS—EMPLOYMENT DISTRICTS			
	<u>RP</u>	M1	Additional Regulations
Fitness Centers	-	SDP	Per section 7-9-134
Freight terminals and transfer stations	-	UP	Per section 7-9-134
General Personal Services	-	SDP	Shall be limited to barber and beauty shops, florists without arrangement displays, photoengraving, printing, and bookbinding Per section 7-9-134
Hotel and Motels	-	UP	Per section 7-9-135
Mail-Order Businesses	-	SDP	Per section 7-9-135
Manufacturing and/or Assembly of Component or Finished Products	-	SDP	Per section 7-9-134.5
Metal Plating Businesses	-	UP	Per section 7-9-135
Other industry-supporting commercial activities the Director finds consistent with the purpose and intent of this district.	-	UP	
Other types of professional and administrative offices the Director finds consistent with the purpose and intent of this district.	-	UP	
Recycling businesses for beverage and food containers and paper products	-	SDP	Per section 7-9-134.5/135
Recycling, Transfer, and Materials Recovery Facility	-	UP	Per section 7-9-119
Rental, repair, and storage yards for construction, farming, and industrial vehicles/equipment	-	UP	Per section 7-9-134.5
Wholesale Businesses	-	SDP	Per section 7-9-134.4
INDUSTRIAL			
Automobile Salvage and Wrecking	-	UP	Per section 7-9-134.5
Media Production Facility	-	SDP	Shall be limited to motion picture and recording studios; radio or television stations

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TABLE 7-9-34.2: LAND USE REGULATIONS—EMPLOYMENT DISTRICTS			
	<u>RP</u>	M1	Additional Regulations
			Per section 7-9-134.5
Mini-Storage Facilities or Warehouses	-	SDP	Per section 7-9-135
PUBLIC/SEMI-PUBLIC			
Automobile parking lots and structures	-	SDP	Per section 7-9-70
Community Assembly Facilities	<u>SDP</u>	-	Shall be limited to churches, temples, and other places of worship Per section 7-9-134
Cultural Institutions and Facilities	<u>SDP</u>	-	Shall be limited to public libraries and museums Per section 7-9-134
Educational Institutions Serving Adults	<u>UP</u>	SDP (Vocational schools only)	Per section 7-9-134
Government Buildings	<u>SDP</u>	SDP ²	Per section 7-9-134
Medical Clinic	-	SDP	Shall be limited to emergency health service facilities Per section 7-9-134/135
TRANSPORTATION, COMMUNICATION, AND UTILITIES			
Antenna and Transmission Towers	<u>SDP/UP²</u>	SDP/UP ³	Shall be limited to wireless communications facilities. Per section 7-9-109
Heliports	-	UP	Per section 134.6
Utilities, Major	<u>SDP</u>	SDP	Shall be limited to public/private utility buildings and structures
Utilities, Minor	<u>SDP</u>	SDP	Shall be limited to overhead or underground utility facilities Per section 7-9-134
ANY OTHER USE			
All other uses shall be prohibited unless a Use Permit by the Planning Commission is obtained	<u>UP</u>	UP	Required finding: The proposed use is consistent with the purpose and intent of this district. Per section 7-9-126.1
TEMPORARY			
Commercial Coaches	<u>P</u>	-	Per section 7-9-61.9

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TABLE 7-9-34.2: LAND USE REGULATIONS—EMPLOYMENT DISTRICTS			
	RP	M1	Additional Regulations
Construction Offices	P	P	Per section 7-9-61.9
Seasonal Product and Temporary Outdoor Sales	P	-	Per section 7-9-61.9
ACCESSORY			
Accessory uses and structures are permitted when associated and subordinate to a permitted principal use on the same building site			
Accessory building(s) and structures not usable as a guesthouse or accessory dwelling unit	P	P	Per section 7-9- 116
Accessory uses the Director finds consistent with the purpose and intent of this district.	P	P	Per section 7-9--116
Caretaker Housing	-	P	Per section 7-9-135
Fences, Walls, and Hedges	P	P	Per section 7-9-64
Satellite Dish Antenna	P⁴	P ⁴	Per section 7-9-30-34
Notes:			
1. Facilities serving more than fourteen (14) persons permitted subject to approval of a Use Permit by the Planning Commission.			
2. Fire and police stations shall be the only government buildings permitted.			
3. Wireless communication facilities permitted subject to a Site Development Permit or Use Permit, depending on their distance from a residential or open space district. See section 7-9-109.			
4. Satellite dish antennas shall be two (2) meters or less in diameter.			

Sec. 7-9-34.3. - Site Development Standards

Table 7-9-34.3 and section 7-9-34.4, “Supplemental regulations,” prescribe the development standards for the Employment District. Additional regulations are denoted with section numbers in the right-hand column, which refer to other related sections of this Zoning Code.

TABLE 7-9-34.3: SITE DEVELOPMENT STANDARDS—EMPLOYMENT DISTRICTS.			
Standard	RP	M1	Additional Standards
BUILDING HEIGHT AND SITE REQUIREMENTS			
Maximum Building Height (ft)	35	35	Except for section 7-9-61.2

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TABLE 7-9-34.3: SITE DEVELOPMENT STANDARDS—EMPLOYMENT DISTRICTS.			
Standard	RP	M1	Additional Standards
Maximum Building Site Coverage (% of lot)	NA	NA	Per section 7-9-135
Minimum Building Site Area (sq ft)	7,200	10,000	Except for section 7-9-61.2
Minimum Building Site Width (ft)	NA	NA	Except for section 7-9-61.2
<u>Maximum Density</u> (Minimum Net Land Area Per Unit) (sq ft)	3,000	NA	Except for section 7-9-61.2
MINIMUM BUILDING SETBACKS (FT)			
Front Setback From Ultimate Street R/W Line	20	20	Per section 7-9-61.9
Side Setback From Ultimate Street R/W Line	5	20	Per section 7-9-61.9
Rear Setback From Ultimate Street R/W Line	25	20	Per section 7-9-61.9
Front Setback From Alley	20	20	Per section 7-9-61.9
Side Setback From Alley	5	10	Per section 7-9-61.9
Rear Setback From Alley	25	10	Per section 7-9-61.9
Side Setback From Property Line Abutting A, R, or E Districts	5	30 or E	Per section 7-9-61.9
Rear Setback From Property Line Abutting A, R, or E Districts	25	30 or E	Per section 7-9-61.9
Side Setback From Property Line Abutting Districts Other Than A, R, or E Districts	5	20*	Per section 7-9-61.9
Rear Setback From Property Line Abutting Districts Other Than A, R, or E Districts	25	10	Per section 7-9-61.9
OTHER			
Elevated Driveway	P	P	Per section 7-9-65

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Fences, Walls, and Hedges	P	P	Per section 7-9-64
Swimming Pools and Spas	Swimming pools shall not be constructed within three (3) feet of an ultimate vehicular right-of-way or property line or within those areas described by section 7-9-116.2, 7-9-64(d) and (e), and Figure 7-9-64.3	<u>Swimming pools shall not be constructed within three (3) feet of an ultimate vehicular right-of-way or property line or within those areas described by section 7-9-116.2, 7-9-64(d) and (e), and Figure 7-9-64.3</u>	Per section 7-9-116.2, 7-9-64(d) and (e), and Figure 7-9-64.3
Notes: R/W: Right-of-Way A Districts: Agricultural Districts E Districts: Estates Districts R Districts: Residential Districts * Required for one (1) side of building site only. A. Ten (10) percent of average ultimate net width of building site—Maximum twenty (20) feet. B. Five (5) feet; add one (1) foot for each additional story over two (2). C. Ten (10) feet one (1) side only or ten (10) feet total of two (2) sides combined. D. In computing the depth or a rear setback from any building where such setback opens on alley, private street, public park, or public beach, one-half (0.5) of the width of such alley, street, park or beach may be deemed to be a portion of the rear setback, except that under this provision, no rear setback shall be less than fifteen (15) feet. E. If no openings, such as windows, doors, and circulation vents, exist on the side of the building facing the property line, this setback may be reduced to fifteen (15) feet.			

Sec. 7-9-34.4. - Supplemental regulations.

- (a) Accessory uses and structures: Per section 7-9-116.
- (b) Landscaping and irrigation: Per section 7-9-68.
- (a) Lighting and illumination: Per section 7-9-67.
- (b) Nonconforming uses and structures: Per section 7-9-115.
- (c) Off-street parking and loading: Per section 7-9-70.
 - (1) For M1: All loading operations shall be performed on the building site and shall be screened by a landscape or architectural feature in such a manner as not to be visible from a public street or from adjacent residential or agricultural districts.
- (d) Screening and landscaping: Per section 7-9-71.
- (e) Signs: Per section 7-9-114.
- (f) Temporary uses and structures: Per Section 7-9-117.
- (g) Trash and Storage Area: All storage of cartons, containers and trash shall be enclosed by a building or by a wall not less than six (6) feet in height. If unroofed, no such area shall be located within forty (40) feet of any district zoned for residential or agricultural use.
- (h) Waste management and hazardous materials: Per section 7-9-118.

Sec. 7-9-36. - MX “Mixed-Use” District.

All references to this section shall include sections 7-9-36.1 through 7-9-36.6.

Sec. 7-9-36.1. - Purpose and intent.

The purpose of the “Mixed-Use” District (MX) regulations is to facilitate the vertical and horizontal mixing of retail, office, and multifamily residential uses and the development of mixed-use buildings accommodating both high-density residential and employment activities. In both infill contexts and in larger projects, these regulations shall facilitate the inclusion of cultural, civic, educational, and urban recreational uses and support transit-oriented development and alternative modes of transportation.

Sec. 7-9-36.2. Uses Permitted.

- (a) All mixed-use projects containing market-rate multifamily residential units and commercial space, shall be subject to a Use Permit acted on by the Planning Commission.
- (b) Projects that contain only multifamily residential units shall be permitted subject to a Site Development Permit.
- (c) Residential condominium, stock cooperative, and community apartment projects are permitted subject to a Use Permit acted on by the Planning Commission.
- (d) Multifamily residential projects that reserve 100% of its units for lower income households, shall be subject to a ministerial Affordable Housing Permit as set forth in section 7-9-124.3.

Sec. 7-9-36.3. Additional land use regulations.

- (a) All mixed-use projects shall provide multifamily residential units on no less than fifty percent (50%) of the total floor area for the project.
- (b) Only dwelling units shall be allowed above the ground level in any mixed-use building.
- (c) No automobile/vehicle sales and services shall be allowed, including automobile/vehicle service and repair (major and minor), service and gas stations, and automobile/vehicle washing and services as part of the mixed-use project.
- (d) No wholesale trade, warehouse, storage, and distributions shall be allowed.

Sec. 7-9-36.4. Site development standards.

The following base district development standards and parking regulations may be modified if requested by the applicant as an incentive in the density bonus application process pursuant to section 7-9-87 and the Orange County Housing Opportunities Manual. Notwithstanding section 7-9-36., all fully residential projects shall be subject to the Land Use Regulations, Site Development Standards, and Supplemental Regulations set forth in section 7-9-32 and applicable to the R3 “Apartment” District. For mixed-use developments within Specific Plan areas and/or Planned Communities, the relevant Specific Plan or Planned Community development standards shall apply.

- (a) *Maximum building height.* Shall be sixty-five (65) feet. An increase in the maximum building height of up to twelve (12) feet may be approved as an incentive if the project is eligible for a density bonus pursuant to section 7-9-87.
- (b) *Building setbacks.* Shall be the minimum required setbacks pursuant to section 7-9-61.9.

- (c) Minimum residential density. The minimum residential density for a mixed-use, or fully residential project, shall be thirty (30) dwelling units per acre (net development area) with a minimum area of one thousand-four hundred (1,400) square feet per unit.
- (d) Maximum residential density. The maximum residential density for a mixed-use, or fully residential project, shall be forty-four (44) dwelling units per acre (net development area) with a minimum area of one thousand (1,000) square feet per unit. An increase in residential density may be achieved if the project is eligible for a density bonus pursuant to section 7-9-87.
- (e) Minimum usable open space for residential uses. One hundred fifty (150) square feet per dwelling unit of which one hundred (100) square feet shall be private and accessible from the dwelling unit. The balance may be provided by common area open space.
- (f) Off-street parking for mixed-use projects. The number of parking spaces required for both commercial and residential uses shall be consistent with Government Code 65863.2. If the development is located farther than one-half (½) mile from public transit, the following parking requirements shall apply. The number of parking spaces required for residential uses shall be added to the number of parking spaces required for non-residential uses to determine the total number of parking spaces required for the project.
 - (1) Off-street parking requirements for market-rate residential units.
 - a. Zero to one-bedroom dwelling units. One off-street parking space for each dwelling unit.
 - b. Two-bedroom dwelling units. One and a half (1.5) off-street parking spaces for each dwelling unit.
 - c. Three (3) or more bedroom dwelling units. Two (2) off-street parking spaces for each dwelling unit, plus one-half (0.5) off-street parking space for each bedroom in excess of three (3).
 - d. Required spaces shall be off-street and located within two hundred (200) feet walking distance along a pedestrian path (i.e., sidewalk, crosswalk, etc.) of the dwelling unit they serve.
 - e. For “wrap-around” multifamily, multi-story residential developments, where the units surround an interior parking structure, the required spaces shall be off-street and located within two hundred (200) feet of the elevator servicing the units.
 - f. Off-street guest parking for residential units is not required.
 - (2) Off-street parking spaces required for affordable housing residential units shall be calculated using one of the following:
 - a. The parking requirements set forth in State Density Bonus Law or other applicable State law.
 - b. The County’s residential off-street parking requirements for affordable housing projects if one hundred percent (100%) of the units are affordable pursuant to section 7-9-70.

- c. Required spaces shall be off-street and located within two hundred (200) feet walking distance along a pedestrian path (i.e., sidewalk, crosswalk, etc.) of the dwelling unit they serve.
 - d. For “wrap-around” multifamily, multi-story residential developments, where the units surround an interior parking structure, the required spaces shall be off-street and located within two hundred (200) feet of the elevator servicing the units.
 - e. Off-street guest parking for residential units is not required.
 - (3) Off-street parking spaces required for non-residential uses shall be pursuant to section 7-9-70.
 - a. Ground level retail and restaurants. One (1) for each two hundred (200) square feet of gross floor area. Up to twenty percent (20%) of the gross floor area may be restaurant use.
 - b. Ground level office uses. One (1) for each one hundred fifty (150) square feet of gross floor area.
- (g) Off-street parking for fully residential projects. The number of parking spaces required shall be consistent with Government Code 65863.2. If the development is located farther than one-half (½) mile from public transit, the Off-Street Parking and Loading Regulations set forth in section 7-9-70 for multifamily residential uses shall apply. Sec. 7-9-36.5. Supplemental regulations.

Sec. 7-9-36.5. Supplemental Regulations.

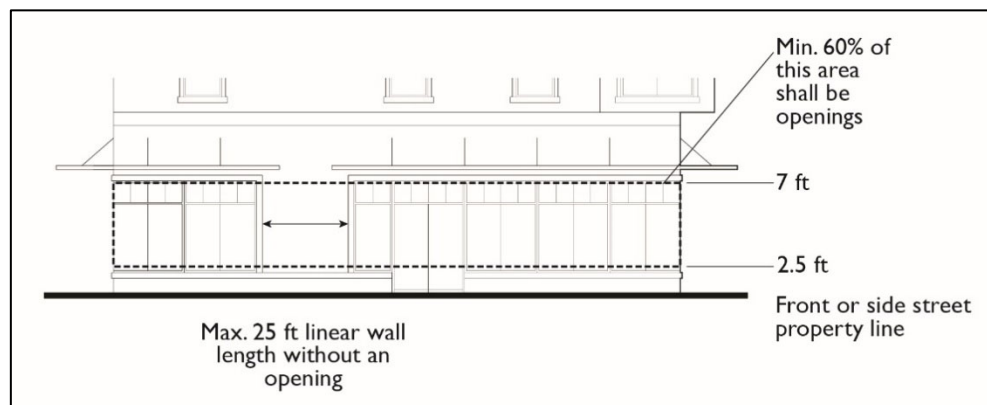
- (a) Street Frontage Improvements. New mixed-use development shall provide street frontage improvements in accordance with the following.
 - (1) Between the Property Line and Curb.
 - a. Sidewalks. Sidewalks shall be provided if none exist or if the existing sidewalks are in poor condition.
 - b. Street furniture. Trash receptacles, benches, bike racks, and other street furniture shall be provided.
 - c. Street lights. Pedestrian-scaled street lights, including attachments from which banners may be hung, may be required.
 - d. Street trees. Shade trees shall be planted in compliance with applicable County standards.
 - (2) Interior from Property Line. Except where occupied by a building or necessary for parking access, the street frontage, for a depth of ten (10) feet from the property line, shall be utilized for pedestrian circulation or active outdoor uses, including, but not limited to outdoor dining; paved for public uses so that it functions as part of a wider public sidewalk; or improved with landscaping, public art, and/or pedestrian amenities, such as outdoor seating.

(b) *Building Orientation and Entrances.*

- (1) Buildings shall be oriented to face public streets.
- (2) At least one (1) entrance shall be provided per one hundred (100) linear feet of building frontage unless the building has unique security needs.
- (3) Entrances located at corners shall generally be located at a 45-degree angle to the corner and shall have a distinct architectural treatment to animate the intersection and facilitate pedestrian flow around the corner.
- (4) Entrances to residential units shall be physically separated from the entrance to the permitted commercial uses and clearly marked with a physical feature incorporated into the building or an appropriately scaled element applied to the facade.

- (c) *Ground Level Openings for Non-Residential Uses.* Exterior walls facing and within twenty (20) feet of a front or street side building line shall include windows, glass doors, or other openings for at least sixty percent (60%) of the building wall area located between two and one-half (2.5) and seven (7) feet above the level of the sidewalk. No wall facing a street and within twenty (20) feet of a front or street side building line may run in a continuous plane for more than twenty-five (25) feet without a window or other opening.

FIGURE 7-9-36.5. REQUIRED OPENINGS FOR NON-RESIDENTIAL USES



- (1) Design of Required Openings. Openings fulfilling this requirement shall have transparent glazing and provide views into work areas, display areas, sales areas, lobbies, or similar active spaces, or into window displays that are at least three feet deep.
 - (2) Exceptions for Parking Garages. Multi-level garages are not required to meet the building transparency requirement of this subsection.
- (d) *Pedestrian Access.*
- (1) Internal Connections. On sites greater than two and one-half (2.5) acres in size, a system of pedestrian walkways shall connect all buildings on a site to each other, to on-site automobile and bicycle parking areas, and to any on-site open space areas or pedestrian amenities.

- (2) To Circulation Network. Regular connections between on-site walkways and the public sidewalk and other planned or existing pedestrian routes and trails shall be provided. An on-site walkway shall connect the primary building entry or entries to a public sidewalk on each street frontage.
- (3) To Neighbors. Direct and convenient access shall be provided from commercial and mixed-use projects to adjoining residential and commercial areas to the maximum extent feasible, while still providing for safety and security.
- (4) Interior Pedestrian Walkway Design.
 - a. Walkways shall have a minimum clear, unobstructed width of six (6) feet, where feasible, and shall be hard-surfaced with concrete, stone, tile, brick, or comparable material.
 - b. Where a required walkway crosses driveways, parking areas, or loading areas, it shall be clearly identifiable through the use of a raised crosswalk, a different paving material, or similar method and shall meet ADA requirements.
 - c. Where a required walkway is parallel and adjacent to an auto travel lane, it shall be raised or separated from the auto travel lane by a raised curb at least four (4) inches high, bollards, or other physical barrier.
- (e) Parking area design. Parking lot design, including screening and landscaping, shall be per section 7-9-70.4(b) "Parking Area Design."

Sec. 7-9-44. - H “Housing Opportunities” Overlay District.

All references to this section shall include sections 7-9-44.1 through 7-9-44.8.

Sec. 7-9-44.1.- Purpose and intent.

The purpose of the H "Housing Opportunities" Overlay District (H) is to provide for the development of affordable rental housing within commercial and/or industrial districts, and on building sites zoned for high density residential uses in which all of the housing units are reserved for households which earn eighty (80) percent or less of the County median income as verified by the County of Orange, and seventy (70) percent of the units are reserved for low income households and thirty (30) percent of the units are reserved for very low income households. This section also provides regulations intended to facilitate the establishment of emergency shelters, multi-service centers, and low-barrier navigation centers for persons experiencing homelessness pursuant to applicable State law. The intent is to facilitate the realization of affordable housing objectives presented in the Orange County Housing Element of the General Plan.

Sec. 7-9-44.2.- Application.

- (a) These H overlay district regulations apply to residential rental projects and owner-occupied projects that are one hundred percent (100%) affordable and, emergency shelters, multi-service centers, and low-barrier navigation centers for persons experiencing homelessness that are located in one of the following base commercial or industrial zoning districts.
- (1) C1 “Local Business” District.
 - (2) C2 “General Business” District.
 - ~~(3) CC “Commercial Community” District.~~
 - ~~(4) CH “Commercial Highway” District.~~
 - (3) CN “Commercial Neighborhood” District.
 - (4) MX “Mixed-Use” District.
 - (5) M1 “Light Industrial” District.
- (b) The H overlay district regulations apply to residential rental projects that are one hundred percent (100%) affordable that are located on building sites without an existing multifamily residential use in one of the following multifamily zoning districts.
- (1) R2 “Multifamily Dwellings” District.
 - (2) R3 “Apartment” District.
 - (3) R4 “Suburban Multifamily Residential” District.
- (c) Residential rental projects and emergency shelters, and low-barrier navigations centers to which this section applies include the following.
- (1) Projects located on building sites and/or within structures without existing residential, commercial and/or industrial uses.
 - (2) Projects located on building sites and/or within structures that include residential, commercial and/or industrial uses.

- (3) Projects wherein residential uses replace residential, commercial and/or industrial uses in a pre-existing structure.
- (d) In all cases, residential projects, emergency shelters, multi-service centers, and low-barrier navigation centers shall conform to all of the regulations in this section, including the site development standards.
- (e) Any commercial, and/or industrial uses shall satisfy the base district regulations.

Sec. 7-9-44.3.- Site Development Permit.

The residential projects, emergency shelters, multi-service centers, and low-barrier navigation centers for persons experiencing homelessness allowed herein shall be subject to the approval of a Site Development Permit unless otherwise stated. Residential projects that are one hundred percent (100%) affordable shall be approved through an Affordable Housing Permit pursuant to 7-9-124.3

Sec. 7-9-44.4.- Temporary uses permitted.

Certain temporary uses, permitted per section 7-9-117, are allowed.

Sec. 7-9-44.5.- Accessory uses permitted.

The following accessory uses and structures are permitted when associated with, and subordinate to, a permitted residential use on the same building site and when consistent with the approved Site Development Permit for the project and any other regulations in this Zoning Code that apply. Accessory uses ancillary to the primary permitted use shall not to exceed twenty five percent (25%) of total floor area of the permitted primary use.

- (a) Garages and carports.
- (b) Fences and walls.
- (c) Patio covers.
- (d) Swimming pools.
- (e) Signs per section 7-9-114 except no roof signs or projecting signs.
- (f) Noncommercial keeping of pets and animals.
- (g) Home occupations.
- (h) Manager's unit, which is exempt from affordability requirements.
- (i) Child day care center/early education facility per the Housing Opportunities Manual.
- (j) General administrative office permitted only if ancillary to the primary permitted use.
- (k) Accessory uses and structures that the Director finds are consistent with the design of the project and the purpose and intent of these overlay regulations.

Sec. 7-9-44.6.- Housing Opportunities Manual.

The Planning Commission shall adopt such guidelines, design criteria, and procedures as may be necessary or convenient to administer this section in compliance with the Housing Element. Such guidelines, design criteria, and procedures shall be referred to as the "Orange County Housing Opportunities Manual."

Sec. 7-9-44.7.- Residential site development standards.

- (a) The site development standards for residential uses shall be as follows.
- (1) For sites located within a multifamily residential zoning district, the base district site development standards shall apply.
 - (2) For sites located within a commercial or industrial zoning district, the site development standards for the R3 "Apartment" District shall apply except that the maximum building height shall be thirty-five (35) feet.
 - (3) The number of off-street parking spaces required shall be calculated using one of the following:
 - a. The parking requirements set forth in State Density Bonus Law or other applicable State law.
 - b. The County's residential off-street parking requirements for affordable housing pursuant to section 7-9-70.
 - (4) Other standards as may be provided in the Orange County Housing Opportunities Manual.
- (b) Density bonuses, development incentives, and/or waivers of development standards may be granted pursuant to section 7-9-87.
- (c) A graduated density incentive shall be granted when parcels smaller than one-half (0.5) acre are consolidated as part of a project. The increased density shall be in addition to any other density bonus available under this Zoning Code, to a maximum of forty-five percent (45%) total, and shall be calculated as follows.

Project Size (after lot consolidation)	Base Density (per net development area)
Less than 0.50 acre	70 units/acre
0.50 to 0.99 acre	77 units/acre (10% increase)
1.00 acre or more	84 units/acre (20% increase)

Sec. 7-9-44.8. - Emergency shelter and multi-service center for the homeless (multi-service center) site development standards and operational requirements.

- (a) One (1) County-sponsored multi-service center may be permitted in the unincorporated area with a maximum of two hundred (200) beds. The County-sponsored multi-service center may be granted a waiver from the standards and requirements of this section by the Director.
- (b) An emergency shelter or multi-service center shall not be allowed on parcels or building sites which share a side parcel line with a residential use.
- (c) An emergency shelter or multi-service center shall comply with the site development standards of the base district.

- (d) In addition to the base district site development standards, an emergency shelter or multi-service center shall comply with the following standards and requirements.
- (1) A management and operations plan shall be submitted for review and approval prior to operation of the emergency shelter and/or multi-service center. The management and operations plan shall comply with the Orange County Housing Opportunities Manual.
 - (2) No facility shall be permitted less than three hundred (300) feet from another emergency shelter or multi-service center, measured from the nearest property lines.
 - (3) Emergency shelters may have a maximum of fifty (50) beds. Larger emergency shelters, up to a maximum of one hundred fifty (150) beds, may be permitted subject to approval of a Use Permit per section 7-9-126.2.
 - (4) Multi-service centers shall be associated with an emergency shelter and shall be subject to the same limitations as section 7-9-44.8 (d)(3) above unless co-sponsored by the County.
 - (5) Off-street parking shall be provided at a rate of one (1) space per four (4) beds, plus one (1) space for each staff person (paid or volunteer) on duty.
 - (6) An intake and waiting area shall be provided with a minimum floor area of ten (10) square feet per bed. Exterior waiting area shall be physically separated and visually screened from the public right-of-way and be of sufficient size to prevent queuing in public right-of-way.
 - (7) One (1) toilet and shower shall be provided for each ten (10) beds. Separate facilities shall be provided for men and women.
 - (8) Bike racks shall be provided on site for use by staff and clients.
 - (9) The following may be provided inside the facility. kitchen, dining hall, laundry facilities and storage lockers.
 - (10) On-site management shall be required at all times that the shelter is in operation and the number of staff on duty shall be addressed in the approved management plan.
 - (11) An on-site covered trash enclosure shall be provided.
 - (12) An emergency shelter or multi-service center shall be open twenty-four (24) hours a day unless an exemption is granted.
 - (13) Maximum consecutive length of stay shall be one hundred eighty (180) days.
 - (14) Facility operator shall remove any trash from the premises daily and ensure there is no loitering.
- (e) In the event of a conflict between the base district regulations and these standards, the provisions of this section shall control.

~~Sec. 7-9-45. MX “Mixed-Use” Overlay District.~~

All references to this section shall include sections 7-9-45.1 through 7-9-45.6.

~~Sec. 7-9-45.1. Purpose and intent.~~

The purpose of the “Mixed-Use” Overlay District (MX) regulations is to provide the opportunity to develop high density housing in commercial areas. These regulations are intended to facilitate the vertical and horizontal mixing of retail, office, and residential uses and the development of mixed-use buildings accommodating both residential and employment activities. In both infill contexts and in larger projects, these regulations shall facilitate the inclusion of cultural, civic, educational, and urban recreational uses and support transit-oriented development and alternative modes of transportation.

~~Sec. 7-9-45.2. Application.~~

(a) ~~These “Mixed-Use” overlay district regulations may be combined with any of the following base zoning districts.~~

- (1) ~~C1 “Local Business” District.~~
- (2) ~~C2 “General Business” District.~~
- (3) ~~CC “Commercial Community” District.~~
- (4) ~~CH “Commercial Highway” District.~~
- (5) ~~CN “Commercial Neighborhood” District.~~

~~Sec. 7-9-45.3. Use Permit.~~

All mixed-use projects shall be subject to a Use Permit to the Planning Commission.

~~Sec. 7-9-45.4. Additional land use regulations.~~

- (a) ~~Only dwelling units shall be allowed above the ground level in any mixed-use building.~~
- (b) ~~No automobile/vehicle sales and services shall be allowed, including automobile/vehicle service and repair (major and minor), service and gas stations, and automobile/vehicle washing and services.~~
- (c) ~~No wholesale trade, warehouse, storage, and distributions shall be allowed.~~

~~Sec. 7-9-45.5. Site development standards.~~

The following base district development standards and parking regulations may be modified if requested by the applicant as an incentive in the density bonus application process pursuant to section 7-9-87 and the Orange County Housing Opportunities Manual.

- (a) ~~Maximum building height.~~ Shall be the maximum building height of the base district.
 - (1) ~~An increase in the maximum building height of up to twelve (12) feet may be approved as an incentive if the project is eligible for a density bonus pursuant to section 7-9-87.~~
- (b) ~~Building setbacks.~~ Shall be the minimum required setbacks of the base district.
- (c) ~~Maximum residential density.~~ The maximum residential density for a mixed-use project shall be thirty-three (33) dwelling units per acre (net development area) with a minimum area of one thousand (1,000) square feet per unit.

- a. ~~An increase in residential density may be achieved if the project is eligible for a density bonus pursuant to section 7-9-87.~~
- (d) ~~Minimum usable open space for residential uses. One hundred fifty (150) square feet per dwelling unit of which one hundred (100) square feet shall be private and accessible from the dwelling unit. The balance may be provided by common area open space.~~
- (e) ~~Off-street parking. The number of parking spaces required for residential uses shall be added to the number of parking spaces required for non-residential uses to determine the total number of parking spaces required for the project.~~
- (1) ~~Off-street parking requirements for market rate residential units.~~
- a. ~~Zero to one bedroom dwelling units. One off-street parking space for each dwelling unit.~~
- a. ~~Two bedroom dwelling units. One and a half (1.5) off-street parking spaces for each dwelling unit.~~
- b. ~~Three (3) or more bedroom dwelling units. Two (2) off-street parking spaces for each dwelling unit, plus one half (0.5) off-street parking space for each bedroom in excess of three (3).~~
- c. ~~Required spaces shall be off-street and located within two hundred (200) feet walking distance along a pedestrian path (i.e., sidewalk, crosswalk, etc.) of the dwelling unit they serve.~~
- d. ~~For “wrap-around” multifamily, multi-story residential developments, where the units surround an interior parking structure, the required spaces shall be off-street and located within two hundred (200) feet of the elevator servicing the units.~~
- e. ~~Off-street guest parking for residential units is not required.~~

- (2) ~~Off-street parking spaces required for affordable housing residential units shall be calculated using one of the following:~~
- a. ~~The parking requirements set forth in State Density Bonus Law or other applicable State law.~~
 - b. ~~The County's residential off-street parking requirements for affordable housing projects if one hundred percent (100%) of the units are affordable pursuant to section 7-9-70.~~
 - c. ~~Required spaces shall be off-street and located within two hundred (200) feet walking distance along a pedestrian path (i.e., sidewalk, crosswalk, etc.) of the dwelling unit they serve.~~
 - d. ~~For "wrap-around" multifamily, multi-story residential developments, where the units surround an interior parking structure, the required spaces shall be off-street and located within two hundred (200) feet of the elevator servicing the units.~~
 - e. ~~Off-street guest parking for residential units is not required.~~
- (3) ~~Off-street parking spaces required for non-residential uses shall be pursuant to section 7-9-70.~~
- (4) ~~Ground-level retail and restaurants. One (1) for each two hundred (200) square feet of gross floor area. Up to twenty percent (20%) of the gross floor area may be restaurant use.~~
- (5) ~~Ground-level office uses. One (1) for each one hundred fifty (150) square feet of gross floor area.~~

~~Sec. 7-9-45.6. Supplemental regulations.~~

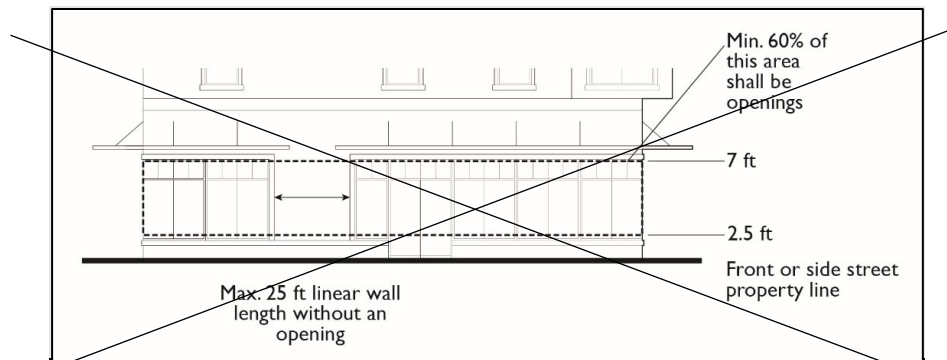
- (a) ~~Street Frontage Improvements. New mixed-use development shall provide street frontage improvements in accordance with the following.~~
- (1) ~~Between the Property Line and Curb.~~
 - a. ~~Sidewalks. Sidewalks shall be provided if none exist or if the existing sidewalks are in poor condition.~~
 - b. ~~Street furniture. Trash receptacles, benches, bike racks, and other street furniture shall be provided.~~
 - c. ~~Street lights. Pedestrian-scaled street lights, including attachments from which banners may be hung, may be required.~~
 - d. ~~Street trees. Shade trees shall be planted in compliance with applicable County standards.~~
 - (2) ~~Interior from Property Line. Except where occupied by a building or necessary for parking access, the street frontage, for a depth of ten (10) feet from the property line, shall be utilized for pedestrian circulation or active outdoor uses, including, but not limited to outdoor dining; paved for public uses so that it functions as part of a wider public sidewalk; or improved with landscaping, public art, and/or pedestrian amenities, such as outdoor seating.~~

~~(b) — *Building Orientation and Entrances.*~~

- ~~(1) — Buildings shall be oriented to face public streets.~~
- ~~(2) — At least one (1) entrance shall be provided per one hundred (100) linear feet of building frontage unless the building has unique security needs.~~
- ~~(3) — Entrances located at corners shall generally be located at a 45-degree angle to the corner and shall have a distinct architectural treatment to animate the intersection and facilitate pedestrian flow around the corner.~~
- ~~(4) — Entrances to residential units shall be physically separated from the entrance to the permitted commercial uses and clearly marked with a physical feature incorporated into the building or an appropriately scaled element applied to the facade.~~

~~(c) — *Ground Level Openings for Non-Residential Uses.* Exterior walls facing and within twenty (20) feet of a front or street side building line shall include windows, glass doors, or other openings for at least sixty percent (60%) of the building wall area located between two and one-half (2.5) and seven (7) feet above the level of the sidewalk. No wall facing a street and within twenty (20) feet of a front or street side building line may run in a continuous plane for more than twenty-five (25) feet without a window or other opening.~~

FIGURE 7-9-45.6. REQUIRED OPENINGS FOR NON-RESIDENTIAL USES



- ~~(1) — Design of Required Openings. Openings fulfilling this requirement shall have transparent glazing and provide views into work areas, display areas, sales areas, lobbies, or similar active spaces, or into window displays that are at least three feet deep.~~
- ~~(2) — Exceptions for Parking Garages. Multi-level garages are not required to meet the building transparency requirement of this subsection.~~

~~(d) — *Pedestrian Access.*~~

- ~~(1) — Internal Connections. On sites greater than two and one-half (2.5) acres in size, a system of pedestrian walkways shall connect all buildings on a site to each other, to on-site automobile and bicycle parking areas, and to any on-site open space areas or pedestrian amenities.~~
- ~~(2) — To Circulation Network. Regular connections between on-site walkways and the public sidewalk and other planned or existing pedestrian routes and trails shall be provided. An on-site walkway shall connect the primary building entry or entries to a public sidewalk on each street frontage.~~

- ~~(3) To Neighbors. Direct and convenient access shall be provided from commercial and mixed-use projects to adjoining residential and commercial areas to the maximum extent feasible, while still providing for safety and security.~~
- ~~(4) Interior Pedestrian Walkway Design.~~
- ~~a. Walkways shall have a minimum clear, unobstructed width of six (6) feet, where feasible, and shall be hard surfaced with concrete, stone, tile, brick, or comparable material.~~
- ~~b. Where a required walkway crosses driveways, parking areas, or loading areas, it shall be clearly identifiable through the use of a raised crosswalk, a different paving material, or similar method and shall meet ADA requirements.~~
- ~~c. Where a required walkway is parallel and adjacent to an auto travel lane, it shall be raised or separated from the auto travel lane by a raised curb at least four (4) inches high, bollards, or other physical barrier.~~
- ~~(e) *Parking area design.* Parking lot design, including screening and landscaping, shall be per section 7-9-70.4(b) "Parking Area Design."~~

Sec. 7-9-51.8. Signs prohibited.

The following signs are prohibited.

- (a) Off-site signs.
- (b) Roof and projecting signs.
- (c) Banner signs.
- (d) Electronic message center signs.
- (e) Portable signs.
- (f) Signs specifically prohibited by the base district.
- (g) Pole signs
- ~~(h) Pylon signs~~

Sec. 7-9-53. - Reserved.

Sec. 7-9-54. - Reserved.

Sec. 7-9-55. - Reserved.

Sec. 7-9-56. - Reserved.

Sec. 7-9-57. - Reserved.

Sec. 7-9-58. - Reserved.

Sec. 7-9-59. - Reserved.

Article 2, Subarticle 4: Site development regulations.

Sec. 7-9-61.9. - Building line designation.

Where there is no building line or setback area designated on a precise plan of highway alignment or official zoning district map, where there is no applicable adopted building line plan and when the zoning district regulations and the zoning ordinance applicable to a building site do not specify a building line or a minimum setback distance, the building line for each building site shall be as specified by Table 7-9-61.9: Building Lines Chart and setback illustrations A, B, C, and D as follows:

TABLE 7-9-61.9 - BUILDING LINES CHART										
SETBACK DISTANCE IN FEET										
(Not Applicable to Accessory Buildings and Structures)										
COMMERCIAL, <u>MIXED-USE</u> , PROFESSIONAL AND INDUSTRIAL DISTRICTS										
From Ultimate Street R/W Line			From Alley			From Property Line Abutting Agriculture (A), Estate (E) or Residential (R), Districts		From Property Line Abutting Districts Other Than A, R or E Districts		
District	Front	Side	Rear	Front	Side	Rear	Side	Rear	Side	Rear
CC	5	5	5	5	5	5	20	20	0	0
CH	5	10	10	0	0	0	10	10	0	0
CN	20	20	20	20	20	20	20	20	0	0
RP	20	5	25	20	5	25	5	25	5	25
C1	0	0	0	0	0	5	0	10	0	10
C2	0	0	0	0	0	5	0	10	0	10
M1	20	20	20	20	10	10	30 or E	30 or E	20*	10
<u>MX</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>5</u>	<u>0</u>	<u>10</u>	<u>0</u>	<u>10</u>
SG	20	5	25	0	0	10	5	25	0	10
AGRICULTURAL, ESTATES AND RESIDENTIAL DISTRICTS										

ATTACHMENT F – PROPOSED ZONING CODE AMENDMENT CA 24-01

(Deleted language is ~~struck~~. New language is underlined.)

	From Ultimate Street R/W Line			From Property Line Not Abutting Street		On Panhandle Building Site From Any
District	Front	Side	Rear	Side	Rear	Property Line
A1	20	5	25	5	25 or D	10
AR	20	5	25	5	25 or D	10
E1	45	20	50	20	50 or D	10
RHE	10	8	25	8	25 or D	10
E4	30	A	25	A	25 or D	10
R1	20	5	25	5	25 or D	10
R2D	20	5	25	5	25 or D	10
R2	20	5	25	5	25 or D	10
R3	20	B	25	B	25 or D	10
R4	20	5	25	5	25 or D	10
RE	40	A	25	A	25 or D	15
RS	10	10	10	C	0	10

*Required for one (1) side of building site only.

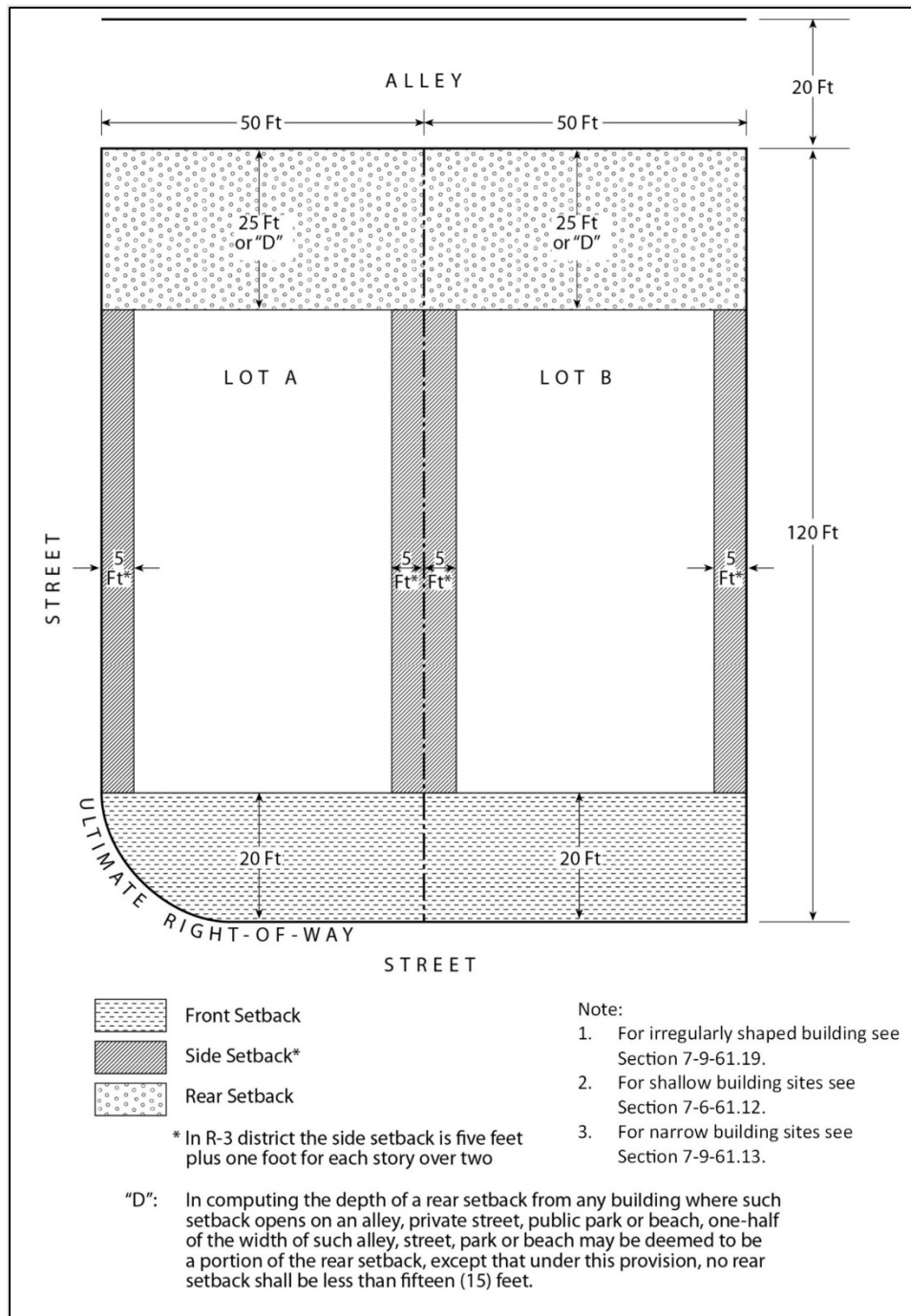
- A. Ten percent (10%) of average ultimate net width of building site—Maximum twenty (20) feet.
- B. Five (5) feet; add one (1) foot for each additional story over two (2).
- C. Ten (10) feet one (1) side only or ten (10) feet total of two (2) sides combined.
- D. In computing the depth or a rear setback from any building where such setback opens on alley, private street, public park or public beach, one-half (0.5) of the width of such alley, street, park or beach may be deemed to be a portion of the rear setback, except that under this provision, no rear setback shall be less than fifteen (15) feet.
- E. If no openings, such as windows, doors, and circulation vents, exist on the side of the building facing the property line, this setback may be reduced to fifteen (15) feet.

F. Zoning Districts R2, R3, R4 subject to Sec.7-9-124.3

ATTACHMENT F – PROPOSED ZONING CODE AMENDMENT CA 24-01

(Deleted language is ~~struck~~. New language is underlined.)

ILLUSTRATION A

Setbacks for Main Building – AR, A1, R1, ~~R2D~~, R2, R3, R4

Sec. 7-9-64. Fences, walls, and hedges.

The regulations in this section apply to any type of fence, wall, retaining wall, sound attenuation wall, or screen, in addition to the applicable requirements of the district in which it is located except for fences and walls that are located within the interior of an approved tract map and are part of the initial development of that tract map shall be exempt from these regulations. Subsections (d) and (e) only shall also apply to hedges, or thick growth of shrubs, bushes, or trees. Fence/wall heights shall be measured from the base of the fence/wall to the top on interior or exterior side, whichever is greater. See fence/wall heights illustration, Figure 7-9-64.

FIGURE 7-9-64 - PERMITTED FENCE/WALL HEIGHTS

- (a) *Main building area.* In the area where a main building may be constructed, the district building height regulations apply.
- (b) *Setback areas bordering streets.*
 - (1) The maximum height of solid fencing shall be three and (3.5) feet within any required front setback area up to a maximum depth of twenty (20) feet.
 - (2) The maximum height of open fencing and pilasters shall be a maximum of five (5) feet within any required front setback area.
 - (3) Fences located within a front setback shall not use chain-link fencing.
 - (4) The maximum height shall be six (6) feet within any rear or side setback area (through which no vehicular access is taken) adjoining a street.
 - (5) That portion of a building site where vehicular access rights have been dedicated to a public agency may have a six (6) feet high fence/wall.
 - (6) Fences/walls that the County requires for sound attenuation bordering freeways or major arterial highways may be six (6) feet high and as high as eight (8) feet if:
 - a. The freeway/major arterial is elevated two (2) feet or more above the building site elevation, or
 - b. The exterior side measurement of the wall is not more than six (6) feet in height.
 - ~~(5)~~ (7) Where the elevation of the street is higher than the front setback area, the maximum height of a retaining wall shall be three and one-half (3.5) feet within any required front setback area and the exposed area of the retaining wall shall be a maximum of six (6) feet.
- (c) *Setback areas not bordering streets.*
 - (1) The maximum height shall be six (6) feet within any required front, rear, or side setback area not adjoining a street.

- (2) However, where the elevation of an adjoining building site to the side or rear is higher than the base of the fence or wall in the side or rear setback area, the height of the fence or wall may be measured from the elevation of the adjoining building site to the top of the fence or wall and in no case shall such fence or wall exceed eight (8) feet from the base of the fence/wall to the top.
- (d) *Access intersection area:* Notwithstanding "b" above, the maximum height shall be three and one-half (3.5) feet within five (5) feet of the point of intersection of:
 - (1) An ultimate street right-of-way line and an interior property line;
 - (2) An ultimate street right-of-way line and the edge of a driveway or vehicular accessway;
 - (3) An ultimate street right-of-way line and an alley right-of-way line; and
 - (4) The edge of a driveway or vehicular accessway and an alley right-of-way line.
- (e) *Street intersection areas:* Notwithstanding "b" above, the maximum height shall be three and one-half (3.5) feet within the triangular area formed by drawing a straight line between two (2) points located on, and fifteen (15) feet distant from, the point of intersection of two (2) ultimate street or highway right-of-way lines extended.

Sec. 7-9-65. - Elevated driveway on steep topography.

Except as otherwise limited by the provisions of section 7-9-116, where the ground surface slopes down from the street providing vehicular access to a building site, an elevated driveway connecting the dwelling and garage with the street may be installed within the setback area in compliance with the following provisions:

- (a) The ground surface elevation of the building site along a line twenty (20) feet from and parallel to the street right-of-way line shall be a minimum of at least five (5) feet lower than the street elevation.
- (b) The maximum width of the driveway shall be twenty (20) feet.
- (c) A handrail not exceeding three and one-half (3.5) feet in height may be installed along the edges of the driveway.
- (d) A stairway may be constructed from the driveway to the ground surface.

Sec. 7-9-66. - Grading and excavation.

- (a) Grading and excavation regulations adopted in a planned community text or a specific plan shall supersede this section.
- (b) A Site Development Permit issued pursuant to section 7-9-125 shall be required if any grading operation involves:
 - (1) More than ~~five thousand (5,000)~~ ten thousand (10,000) cubic yards on a building site; or
 - (2) More than five hundred (500) cubic yards on a slope greater than thirty percent (30%).
- (c) A Site Development Permit shall not be required under the following conditions:

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- (1) Grading conducted in compliance with the following permits/approvals which authorize grading:
 - a. Sand and gravel site permit.
 - b. Tentative tract map.
 - c. Area Plan.
 - d. Use Permit.
 - e. Coastal Development Permit.
- (2) Emergency grading to correct recent acts of nature in order to comply with the requirements of the Grading Code and Fire Code for public safety purposes and not related to new development.
- (d) For purposes of this section, the total number of cubic yards shall be the larger of cut (including any export) or fill (including any import).
- (e) No zone changes or discretionary permit per Zoning Code section 7-9-125 shall be approved for property on which a violation of the provisions of the Grading and Excavation Code exists, including work performed not in accordance with approved grading plans, unless conditioned to require such violation to be corrected or mitigated to the satisfaction of the Building Official prior to the issuance of any building permits.

TABLE 7-9-70.3: OFF-STREET PARKING REQUIREMENTS FOR RESIDENTIAL USES	
Use	Off-street parking spaces required
Attached or detached single-family dwellings Note: For purposes of this section <u>this is only applicable for permits deemed as new construction; however, the conversion of a required parking space to living area will require replacing the removed parking space:</u> • A room such as a den, office, study, or craft room shall be considered a bedroom, <u>as defined in Sec. 7-9-.135.1.</u> • One-half (0.5) and greater parking spaces shall be rounded up, less than one-half (0.5) shall be rounded down. • All parking spaces are subject to location requirements in (e) below.	(a) Two (2) covered parking spaces required for each dwelling. (b) In addition to parking required in (a) above, additional parking spaces shall be provided as follows: (1) Those dwellings having less than an eighteen (18)-foot setback from the right-of-way (driveway), whichever is closest to the garage or carport, shall provide one (1) additional off-street parking space within two hundred (200) feet of the dwelling subject to location requirements in (f) "Location of residential parking spaces," below. (2) Those dwelling units located within a planned development shall provide an additional one-half (0.5) guest parking space per unit subject to (f) "Location of residential parking spaces," below. (3) Those dwellings with more than four (4) bedrooms shall provide an additional one-half (0.5) off-street parking space on the same parcel for each additional bedroom. In addition to the two (2) required covered spaces. If one additional space is required, if <u>it</u> shall be covered <u>and may be a tandem space</u>. If more than one additional space is required, at least fifty percent (50 %) of the additional spaces shall be covered and may be tandem spaces. (c) Those dwellings on streets that do not allow on-street parking shall provide one (1) additional off-street parking space within two hundred (200) feet of the unit subject to (f) "Location of residential parking spaces," below.

TABLE 7-9-70.3: OFF-STREET PARKING REQUIREMENTS FOR RESIDENTIAL USES	
Use	Off-street parking spaces required
Two (2) or more dwelling units on one (1) building site (Multifamily) (Excluding accessory dwelling units) Note: For purposes of this section: • A room such as a den, study or craft room shall be considered a bedroom, <u>as defined in Sec. 7-9-135.1.</u> • One-half (0.5) and greater parking spaces shall be rounded up, less than one-half (0.5) shall be rounded down. • All parking spaces are subject to location requirements in (e) below.	(a) Zero to one-bedroom dwelling units: One and one-half (1.5) off-street parking spaces for each dwelling unit. Except as otherwise provided in d. below, one (1) space shall be covered for each dwelling unit. (b) Two-bedroom dwelling units: Two (2) off-street parking spaces for each dwelling unit. Except as otherwise provided in d. below, one (1) of the spaces shall be covered for each dwelling unit. (c) Three or more bedroom dwelling units: Two and one-half (2.5) off-street parking spaces for each dwelling unit, plus one-half (0.5) off-street parking space for each bedroom in excess of three (3). Except as otherwise provided in d. below, two (2) spaces shall be covered for each dwelling unit. (d) Notwithstanding the provisions of this subsection, the requirement that off-street parking spaces be covered is not applicable for multifamily projects of five (5) or more dwelling units. (e) Guest parking: In addition to the above, two-tenths (0.2) guest parking spaces per dwelling unit shall be provided.
Affordable housing For projects where 100% of the units, excluding the Manager's Unit, are affordable to households earning 80% or less of the Average Median Income (AMI) established by the California Department of Housing and Community Development (HCD) for the County of Orange	<u>Parking standards for 100% affordable residential projects are set forth pursuant to applicable State law.</u>

TABLE 7-9-70.3: OFF-STREET PARKING REQUIREMENTS FOR RESIDENTIAL USES				
Use	Off-street parking spaces required			
	Minimum required parking spaces			
	Unit Size (Square Feet)	Assigned		Unassigned
	700 or less	1.0		-
	701—800	1.0	+	0.17
	801—900	1.0	+	0.34
	901—1000	1.0	+	0.50
	1001—1100	1.0	+	0.67
	1101—1200	1.0	+	0.84
	1201—1300	1.0	+	1.00
	1301—1400	1.0	+	1.18
	1401—1500	1.0	+	1.34
	Over 1500	1.0	+	1.50
Senior housing (Also known as Senior Citizen Housing Development as defined by Civil Code 51.3 and 51.12, as may be amended.)	(a) Zero to one-bedroom dwelling units: One (1) off-street parking space (b) Two-bedroom to three-bedroom dwelling units: Two (2) off-street parking spaces (c) Four or more bedroom dwelling units: Two and one-half (2.5) off-street parking spaces for each dwelling unit (d) The number of required parking spaces shall be rounded up to the next whole number. (e) If there is any conflict between the senior housing parking requirements set forth in these zoning regulations and the senior housing parking requirements set forth in the State Density Bonus Law, the State Density Bonus Law parking requirements shall be used.			
Accessory dwelling units	One (1) additional parking space per accessory dwelling unit per the standards set forth in section 7-9-90 is required, except in the instances listed below. These spaces may be provided as tandem parking on an existing driveway.			

TABLE 7-9-70.3: OFF-STREET PARKING REQUIREMENTS FOR RESIDENTIAL USES	
Use	Off-street parking spaces required
	No additional parking space is required for an accessory dwelling unit in any of the following instances: (a) The accessory dwelling unit is located within one-half (0.5) mile of public transit. (b) The accessory dwelling unit is located within an architecturally and historically significant historic district. (c) The accessory dwelling unit is contained within the existing primary residence, an addition to the existing primary residence, newly built residence, or an existing accessory structure. (d) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit. (e) When there is a car share vehicle located within one block of the accessory dwelling unit. (f) If the accessory dwelling unit has no bedrooms (i.e., studio units).

Sec. 7-9-70.9. - Alternatives to off-street parking regulations.

- (a) *Required Findings for Approval.* In addition to the required findings for approval of any Use Permit in section ~~7-9-126.2 TDD~~ 7-9-126.2 Required Findings, an application for a Use Permit for a parking reduction shall only be approved if the decision-making body makes all of the findings of this section that are applicable to the particular project, as stated.
- (1) All Projects. For any project for which a parking reduction is requested, the decision-making body make all of the following findings based on information in the record:
- a. The use will adequately be served by the proposed parking demand requirement as determined in the parking study; and
 - b. If required, a parking study prepared by an independent traffic engineering professional approved by the County supports the proposed reduction.
- (2) Shared (Joint) Parking. Where a shared parking facility serving more than one use is proposed, a parking study shall be required and the decision-making body shall only approve a parking reduction if it finds that:
- a. The peak hours of use shall not overlap or coincide to the degree that peak demand for parking spaces from all uses shall be greater than the total supply of spaces;
 - b. The proposed shared parking to be provided shall be adequate to serve each use; and
 - c. A written agreement between landowner(s) and the County, in a form satisfactory to County Counsel, has been submitted to and approved by the Director. This agreement shall be in a form capable of and subject to being recorded to constitute a covenant running with the land and shall include:
 1. A guarantee that there shall be no substantial alteration in the uses that will create a greater demand for parking;
 2. A guarantee among the landowner(s) for access to and use of the shared parking facilities;
 3. A provision that the County may require parking facilities in addition to those originally approved upon a finding that adequate parking to serve the use(s) has not been provided; and
 4. A provision stating that the agreement shall not be modified or terminated without the approval of the Director.
- (3) Other Parking Reductions. Use Permits to the Zoning Administrator for a parking reduction that do not involve a shared parking facility shall be approved by the decision-making body only if a finding can be made that special conditions including, but not limited to, the nature of the proposed operation; proximity to frequent transit service; transportation characteristics of persons residing, working, or visiting the site; or because the applicant has undertaken a transportation demand management program shall reduce parking demand at the site below the level of the normal requirement.

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- (b) *Monitoring of TDM Programs.* Any project that is granted a parking reduction based on measures that intended to reduce parking demand shall submit an Annual Status Report to the County. The report shall be in a manner prescribed by the Director, and shall describe the implementation and maintenance of trip reduction measures and the parking demand generated by the project. Annual Status Reports shall be reviewed to determine if property owners have implemented and/or maintained the trip reduction program. The Director may request auditable documentation to determine compliance.

Sec. 7-9-73. - Reserved

Sec. 7-9-74. - Reserved

Sec. 7-9-75. - Reserved

Sec. 7-9-76. - Reserved

Sec. 7-9-77. - Reserved

Sec. 7-9-78. - Reserved

Sec. 7-9-79. - Reserved

Sec. 7-9-80. - Reserved

Sec. 7-9-81. - Reserved

Sec. 7-9-82. - Reserved

Sec. 7-9-83. - Reserved

Sec. 7-9-84. - Reserved

Sec. 7-9-87. - Density bonus and other incentives.

Sec. 7-9-87.1. - Purpose and intent.

This section is intended to comply with the requirements of California Government Code Section 65915 et seq. ("State Density Bonus Law"), and Government Code Section 65915-7, et seq., as may be amended from time to time, regarding the provision of a density bonus or other incentives to facilitate the production of affordable housing, senior citizen housing, or child care facilities. The amount of density bonus and the number and type of incentives shall be determined in a manner consistent with State Density Bonus Law and Government Code Section 65915-7, as may be amended from time to time.

Sec. 7-9-87.2. - General provisions.

- (a) *State law governs.* When a conflict occurs between the provisions of this section and State law, State law *shall* govern.
- (b) *Compatibility.* Affordable and market-rate units shall be comparable in appearance, materials, and finish quality. Affordable units shall also be dispersed throughout the entire development.
- (c) *Density compliance plan.* A "Density Bonus Compliance Plan" shall be approved concurrently with approval of the project requesting a density bonus or other incentive. This Density Bonus Compliance Plan shall stipulate the terms of the affordability and/or occupancy requirements on the housing development, including, but not limited to, the duration of the restrictions. Compliance with the terms of this Density Bonus Compliance Plan shall be monitored on a regular basis by the County of Orange. The Plan shall be recorded as a restriction on the parcel or parcels on which the affordable housing units shall be constructed.
- (d) *Construction with other applicable zoning regulations.* Notwithstanding any permitted density bonus or incentive granted pursuant to this section, any project receiving a density bonus hereunder shall otherwise be consistent with the applicable zoning and land use regulations and requirements, including permitted uses.
- (e) *Availability.* Affordable housing units shall be constructed concurrently with and made available for qualified occupants at the same time as market-rate units within the same project, unless both the County and the developer agree in the Density Compliance Plan to an alternative schedule for development.
- (f) *Effect of granting density bonus.* The granting of a density bonus under this section shall not, in and of itself, be interpreted to require a General Plan amendment, Zoning Code or Zoning Map amendment, or other discretionary approval.
- (g) *Parking.* The developer may request to utilize the parking requirements set forth in State Density Bonus Law or the County's residential off-street parking requirements for affordable housing projects.

Sec. 7-9-87.3. - Requirements and standards for granting a density bonus and incentives.

- (a) *Granting a density bonus and incentives for a mixed-use development project.* The granting of a density bonus and incentives for a mixed-use development project shall comply with the provisions of Government Code Section 65915.7, et. seq., as may be amended.
- (b) *Granting a density bonus and incentives for a housing development project.* The County shall grant one (1) density bonus when an applicant seeks and agrees to construct a housing development, excluding any units permitted by the density bonus awarded, that shall contain housing for any one of the following household income groups, as defined by State law.
- (1) *Very Low Income Households.* A minimum of five percent (5%) of the total dwelling units of a housing development for very low income households Section 50105 of the Health and Safety Code, as may be amended.
 - (2) *Low Income Households.* A minimum of ten percent (10%) of the total dwelling units of a housing development for lower-income households as defined in Section 50079.5 of the Health and Safety Code, as may be amended.
 - (3) *Senior Citizen Housing Development.* A senior citizen housing development, as defined in Sections 51.3 and 51.12 of the Civil Code, as may be amended, or mobile home park that limits residency based on age requirements for housing for older persons, pursuant to Section 798.76 or 799.5 of the Civil Code, as may be amended.
 - (4) *Student Housing Developments.* A minimum of twenty percent (20%) of the total dwelling units for lower income students in housing developments for students, as defined by Government Code Section 65915, as may be amended.
 - (5) *Transitional Foster Youth, Disabled Veterans, or Homeless Persons Housing Developments.* A minimum of ten percent (10%) of the total dwelling units with rents restricted at very low income level in housing developments for: transitional foster youth as defined by the Education Code, Section 66025.9, as may be amended, disabled veterans as defined by Government Code Section 18541, as may be amended, or homeless persons as defined by the Federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq., as may be amended.
 - (6) ~~*Common Interest*~~ *For-Sale Housing* *Developments.* A minimum of ten percent (10%) of the total dwelling units in a common interest development, ~~as defined in Section 4100 of the Civil Code, as may be amended,~~ are sold to-for persons and families of moderate income, as defined in Section 50093 of the Health and Safety Code, as may be amended, provided that all units in the development are offered to the public for purchase.
 - (7) *100% Affordable Housing Development.* Pursuant to Government Code Section 65915, as may be amended, housing developments with one hundred percent (100%) of the units affordable to lower income households (excluding the manager's unit), except that up to twenty percent (20%) of the total units may be for moderate income households, are eligible for a density bonus of up to eighty percent (80%) of the number of lower income units.
- (c) *Second density bonus available. A second density bonus may be available to projects meeting the requirements for the second density bonus under Government Code Section 659715, Subdivision (v).*

- (d) *Calculation of density bonus*(es). The amount of bonus density to which a developer is entitled shall vary according to the amount by which the percentage of affordable housing units equals or exceeds the percentage established in State Density Bonus Law. The density bonus shall not be included when determining the number of housing units that are to be affordable. The calculation of the density bonus awarded shall be pursuant to Government Code Section 65915, et. seq., as may be amended.

TABLE 7-9-87.3: POTENTIAL DENSITY BONUS – VERY LOW INCOME UNITS	
Percentage of Affordable Units	Percentage Density Bonus
5	20
6	22.5
7	30
8	32.5
9	35
10	37.5
11	40
12	42.5
13 and above	45

TABLE 7-9-87.3 – POTENTIAL DENSITY BONUS – LOW INCOME UNITS	
Percentage of Affordable Units	Percentage Density Bonus
10	25
11	26.5
12	28
13	29.5
14	31

15	32.5
16	35.5
17	37
18	38.5
19	40
20	41.5
21	43
22 and above	44.5

TABLE 7-9-87.3: POTENTIAL DENSITY BONUS – SENIOR CITIZEN HOUSING DEVELOPMENT	
<i>Percentage of Units for Seniors</i>	<i>Percentage Density Bonus</i>
100	20

TABLE 7-9-87.3: POTENTIAL DENSITY BONUS – STUDENT HOUSING DEVELOPMENT	
<i>Percentage of Low Income Units</i>	<i>Percentage Density Bonus</i>
20	35

TABLE 7-9-87.3: POTENTIAL DENSITY BONUS – TRANSITIONAL FOSTER YOUTH HOUSING DEVELOPMENT	
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<i>Percentage of Units with Rents Restricted at Very Low Income Level</i>	<i>Percentage Density Bonus</i>
10	20

TABLE 7-9-87.3: POTENTIAL DENSITY BONUS – DISABLED VETERANS HOUSING DEVELOPMENT	
<i>Percentage of Units with Rents Restricted at Very Low Income Level</i>	<i>Percentage Density Bonus</i>
10	20

TABLE 7-9-87.3: POTENTIAL DENSITY BONUS – HOMELESS PERSONS HOUSING DEVELOPMENT	
<i>Percentage of Units with Rents Restricted at Very Low Income Level</i>	<i>Percentage Density Bonus</i>
10	20

TABLE 7-9-87.3: POTENTIAL DENSITY BONUS – COMMON INTEREST DEVELOPMENT (FOR SALE)	
<i>Percentage of Moderate Income Units</i>	<i>Percentage Density Bonus</i>
10	5
For each additional 1% increase above 10% in the “Percentage of Affordable Units,” the “Percentage Density Bonus” shall be increased by 1% up to a maximum of 35%	

40	35%
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TABLE 7-9-87.3: POTENTIAL DENSITY BONUS— 100% AFFORDABLE HOUSING DEVELOPMENT (UP TO 20% MODERATE INCOME)		
<i>Percentage of Lower Income Units</i>	<i>Percentage of Moderate Income Units</i>	<i>Percentage Density Bonus</i>
Pursuant to California Government Code Section 65915, as may be amended		

(e) Incentives. In addition to a density bonus, an applicant whose project meets the requirements of this section may request up to five (5) ~~three (3)~~ incentives pursuant to State Density Bonus Law. The calculation of the incentives awarded shall be pursuant to Government Code Section 65915, et. seq. For projects that are one hundred percent (100%) affordable to Low and Very-Low income households, the number of incentives available increases to five (5) as set forth in Table 7-9-87.4: ~~Incentives.~~

TABLE 7-9-87.4: INCENTIVES		
<i>Unit Affordability Level</i>	<i>Percentage of Total Housing Units</i>	<i>Number of Incentives</i>
Very Low Income	5%	1
	10%	2
	15%	3
	100%	5
Low Income	10%	1
	20%	2
	30%	3
	100%	5
Moderate Income	10%	1

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	20%	2
	30%	3
100% Affordable Housing Development (Up to 20% Moderate Income)	Pursuant to California Government Code Section 65915	

Sec. 7-9-87.4. - Procedure.

A request for density bonus or other incentives pursuant to State Density Bonus Law shall be processed as part of an application in compliance with and subject to the provisions and requirements of section 7-9-125. No additional discretionary approval shall be required as a result of a request for or the granting of a density bonus or other incentive that is available pursuant to current State Density Bonus Law.

~~(a) Required findings. A request for density bonus or other incentives that is consistent with the provisions of State density bonus law shall be approved unless one (1) of the following findings is made based on substantial information in the record:~~

- ~~(1) A density bonus has been approved as part of a previous project approval on the same site and that project is still in place.~~
- ~~(2) The requested density bonus or incentive is not required to provide affordable or senior citizen housing as defined in Civil Code Sections 51.3 and 51.12, as may be amended.~~
- ~~(3) The incentive would have a specific adverse impact, as defined in California Government Code Section 65589.5, as may be amended, upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate income households.~~
- ~~(4) The incentive would be contrary to State or Federal law.~~

~~(f) Parking.~~

~~The developer may request to utilize the parking requirements set forth in State Density Bonus Law or the County's residential off-street parking requirements for affordable housing projects.~~

Sec. 7-9-88. - Single room occupancy.

- (a) Single room occupancy (SRO) facilities shall be permitted in any district, planned community, or specific plan area zoned for hotels subject to the approval of a Use Permit by the Planning Commission per section 7-9-125.
- (b) SRO units shall have a minimum of one hundred (100) net square feet of space for a single occupancy and one hundred twenty (120) square feet for two (2) person occupancy. The calculation for net floor space in the sleeping area includes built-in cabinets, sinks, and closets, but excludes toilet compartments. A unit larger than two hundred twenty five (225) square feet shall be deemed an efficiency dwelling unit and not a SRO.
 - ~~(c)~~(1) SRO facilities shall be treated as nonresidential uses. As such, section 7-9-87 does not apply and residential dwelling unit limitations (e.g., statistical summary) are not applicable.
 - ~~(d)~~(2) Unless modified parking requirements are approved subject to the requirements of section 7-9-70.9, Alternatives to off-street parking regulations, the off-street SRO parking requirement shall be one-half (0.5) for each SRO unit, plus one (1) for each employee.
 - ~~(e)~~(3) A management plan shall be submitted as part of the Use Permit application for review and approval by the Planning Commission. The management plan shall contain management policies, operations, emergency procedures, security program, rental procedures, maintenance plans, and staffing needs.
 - ~~(f)~~(4) An on-site twenty-four-hour manager is required in every SRO project. In addition, a single manager's unit shall be provided which shall be designed as a complete residential unit, and be a minimum of two hundred twenty-five (225) square feet in size.

Sec. 7-9-114.9. Permitted signs by zoning district.

- (a) Signs allowed in agricultural, open space, and residential districts.
 - (1) *Signs allowed without a permit.* The following signs are permitted without a permit in Agricultural, Open Space, and Residential Districts:
 - a. On any developed lot, permanent, non-illuminated freestanding signs, provided that:
 - b. The total area of all such signs shall not exceed one and one-half (1.5) square feet per lot.
 - c. No sign shall exceed six (6) feet in height.
 - d. Window signs, provided that the total area of the window signs does not exceed ten percent (10%) of the aggregate window area on a single side of a wall.
 - (2) *Signs allowed with a permit.* The following signs may be erected, maintained, and or displayed in any Agricultural and Open Space district with a Sign Permit:
 - a. Civic Activity Signs.
 - b. Freestanding Signs.
 - c. Projecting Signs.

- d. Roof Signs.
- e. Wall Signs.
- (3) *Maximum sign area:* In Agricultural, Open Space, and Residential Districts, the maximum allowable, permittable sign area on a lot for permanent signs, exclusive of the area of exempt signs, is as follows:
 - a. One (1) square foot of sign area is allowed for each linear foot of building frontage, up to a maximum of one hundred fifty (150) square feet for each sign and three hundred (300) square feet for all signs for each entity.
 - b. If the building frontage of any entity is less than fifty (50) feet, only one (1) sign having a maximum area of fifty (50) square feet shall be permitted.
- (b) Signs allowed in Mixed-Use and Commercial Districts, except CN ~~and RP~~.
 - (1) *Signs allowed without a permit.* The following signs are permitted without a permit on any developed lot in Mixed-Use and Commercial Districts, except CN ~~and RP~~:
 - a. Non-illuminated freestanding signs if:
 - 1. The total area of all such signs shall not exceed six (6) square feet per lot.
 - 2. No sign exceeds (six) 6 feet in height.
 - (2) *Signs allowed with a permit.* The following signs may be erected, maintained, and/or displayed in Mixed-Use and Commercial Districts except CN ~~and RP~~, with a sign permit:
 - a. Billboards subject to approval of a Use Permit.
 - b. Civic activity signs.
 - c. Freestanding signs.
 - d. Projecting signs.
 - e. Roof signs.
 - f. Wall signs.
 - (3) *Maximum sign area:* In Mixed-Use and Commercial Districts, except CN ~~and RP~~, the maximum allowable, permittable sign area on a lot for permanent signs, exclusive of the area of exempt signs, is as follows:
 - a. Two (2) square foot of sign area is allowed for each linear foot of building frontage, up to a maximum of one hundred fifty (150) square feet for each sign and six hundred (600) square feet for all signs for each entity.
 - b. If the building frontage of any entity is less than fifty (50) feet, only one (1) sign having a maximum area of fifty (50) square feet shall be permitted.
 - (4) *Signs allowed without a permit.* The following signs are permitted without a permit in Mixed-Use and Commercial Districts, except CN ~~and RP~~:
 - a. On any developed lot, permanent, non-illuminated freestanding signs, provided that:
 - 1. The total area of all such signs shall not exceed six (6) square feet per lot.

2. No sign shall exceed 6 feet in height.
 - b. Window signs, provided that the total area of window signs does not exceed fifteen percent (15%) of the aggregate window area on a single side of a wall.
- (5) *Signs allowed with a permit.* The following signs may be erected, maintained, and/or displayed in Mixed-Use and Commercial Districts except CN ~~and RP~~, with a Sign Permit:
- a. Billboards, with a Use Permit.
 - b. Civic activity signs.
 - c. Freestanding signs.
 - d. Projecting signs.
 - e. Roof signs.
 - f. Wall signs.
- (6) *Maximum sign area:* In Mixed-Use and Commercial Districts, except CN ~~and RP~~, the maximum allowable, permittable sign area on a lot for permanent signs, exclusive of the area of exempt signs, is as follows:
- a. Two (2) square foot of sign area is allowed for each linear foot of building frontage, up to a maximum of one hundred fifty (150) square feet for each sign and six hundred (600) square feet for all signs for each entity.
 - b. If the building frontage of any entity is less than fifty (50) feet, only one (1) sign having a maximum area of fifty (50) square feet shall be permitted.
- (c) Signs allowed in Employment, Industrial, CN, ~~and RP~~ Districts.
- (1) *Signs allowed without a permit.* The following signs are permitted without a permit in Mixed-Use, Commercial, Employment and Industrial districts:
- a. On any developed lot, permanent, non-illuminated freestanding signs, provided that:
 1. The total area of all such signs shall not exceed six (6) square feet per lot.
 2. No sign shall exceed six (6) feet in height.
 - b. Window signs, provided that the total area of the window signs does not exceed fifteen percent (15%) of the aggregate window area on a single side of a wall.
- (2) *Signs allowed with a permit.* In the Employment, Industrial, CN, ~~and RP~~ Districts, the following signs may be erected, maintained, and/or displayed with a sign permit:
- a. Billboards, only in the C1, C2, ~~CC, and CH~~ Districts, subject to a Use Permit to the Zoning Administrator.
 - b. Civic activity signs.
 - c. Freestanding signs. In the CN District, no more than one freestanding sign is permitted on each lot.
 - d. Projecting signs, except in the ~~RP and~~ CN districts, where they are prohibited.
 - e. Roof signs, except in the ~~RP and~~ CN districts, where they are prohibited.

- f. Wall signs. In the CN district, there shall be no more than one (1) wall sign per public entrance per each use.
- (d) Signs allowed in other districts. As provided in the Zoning Code.
- (e) Signs for specific uses. The following standards apply to specific uses. Signs shall also comply with the standards applicable to the district in which the use is located.
 - (1) *Wind Energy Systems*. Signs located on wind energy systems shall be no larger than four (4) square feet, unless approved by the decision-making body, and shall not be located at the base of the system within ten (10) feet of the ground.
 - (2) *Residential Tract Sales and Rentals*: Within an area of an approved tentative tract to be used solely for the first sale of homes or the first rental of apartments in projects of twenty (20) or more units within the same tract, or, in larger developments with an approved specific plan or approved planned community plan, for the first sale of homes or the first rental of apartments within a planning area when a planning area has been defined within the approved specific plan or approved planned community plan, signs are permitted subject to the following conditions:
 - a. Signs shall have a time limit of existence concurrent with the use of the permitted temporary offices.
 - b. Signs up to 64 sixty-four (64) square feet maximum in area are permitted at each street entrance.
 - c. Additional signage, exclusive of (3) above, is allowed but shall not exceed a total of one hundred (100) square feet in area.

Sec. 7-9-116. - Accessory uses and structures.

These regulations apply to all districts, planned communities, and specific plan areas, unless otherwise specified.

Sec. 7-9-116.1. - General Standards.

- (a) *Permitted accessory uses and structures*. Accessory uses and structures shall be located on the same building site as the associated pre-existing principal use. In addition to the principal uses and structures expressly included in a zoning district, planned community, or specific plan, accessory uses and structures which are associated with and subordinate to a permitted and pre-existing principal use on the same building site and which are consistent with the purpose and intent of the applicable zoning district, planned community, or specific plan are permitted. Whenever there is a question as to whether a specific use or structure is permitted as an accessory use, the Director shall make the determination.
- (b) *Discretionary action required*: Accessory uses and structures shall be subject to a discretionary action per section 7-9-125 (i.e., approved permit, amended permit, or changed plan) when one (1) or more of the following apply:
 - (1) Required by other zoning regulations.
 - (2) The principal use is subject to a discretionary permit and the accessory structure is over six (6) feet in height, not including travel direction signs.

- (c) *Location of certain attached accessory structures.* Accessory structures that are attached to a main building, are enclosed, and are over eight (8) feet in height shall comply with the setback requirements for a main building, except as provided in this section.
- (d) *Location of other accessory structures.* The building face of any detached accessory structure shall be at least three (3) feet from the building face any other structure and the eaves or projections of any structures shall not be closer than two (2) feet apart. Accessory structures other than in (c) above, shall be permitted anywhere on the same building site as the pre-existing primary use except within the following areas, unless otherwise permitted by this section:
- (1) Within the ultimate right-of-way.
 - (2) Within the area designated on an approved building line plan as a setback area applicable to accessory buildings.
 - (3) Within those areas where fences and walls are limited to a maximum height of three and one-half (3.5) feet, as specified in section 7-9- 64.
 - (4) Within the required front setback area unless provided for by a Use Permit approved by the Zoning Administrator.
 - (5) Within the panhandle portion of a panhandle building site.
- (e) *Height limit.* Accessory structures, which are within the required setback areas shall be limited to twelve (12) feet in height, unless sited within three (3) feet of a property line, in which case it shall be limited to eight (8) feet in height. However, the height limit may be increased to the maximum allowed in section 7-9-24.10 with a Use Permit approved by the Zoning Administrator.
- (f) *Building site coverage within setback areas.* Accessory structures shall be limited to the following site coverage within the required setback area:

Required Setback Area	Enclosed Structure	Unenclosed Structure
Front	0% <u>(not allowed)</u>	0% (subject to (g) below)
Rear	25%	50%
Side	25%	50%
<u>Note: If any enclosed structure is located within a required setback area, all accessory structures within the required setback, whether enclosed or unenclosed, will be limited to the 25% rear coverage.</u>		

- (g) Up to twenty-five percent (25%) building site coverage of the required front setback area shall be allowed for unenclosed structures if provided for by a Use Permit approved by the Zoning Administrator.

(h) Exempt structures. The following accessory structures shall be exempt from the requirements of this section but are subject to compliance with all other provisions.

- (1) One (1) small, detached, non-habitable accessory structure, for every 7,200 square feet of building site area, that contain less than one hundred twenty (120) square feet of fully enclosed floor area, is located at least three (3) feet away from the rear and side property line, is placed at least six (6) feet away from another building or structure located on the same property, and where no portion of the structure is greater than eight (8) feet in height. Only one of these structures shall be excluded when calculating for site coverage. Such structures shall not be located in any front yard area. Any additional non-habitable accessory structure up to 120 square feet will require a Zoning Land Use Certificate.
- (2) Flag poles that do not convey a commercial message and are no more than five (5) feet high, and are located at least three (3) feet from and rear or side property lined, and five (5) feet from any front property line.

Sec. 7-9-117.9. - Special gatherings.

The regulations of this section pertain to the temporary use of property for special gatherings, including but not limited to pageants, fairs, carnivals, commercial filming, and large athletic, religious, or entertainment events, except as covered by section 7-9-117.

Such activities are permitted, without regard for other land use regulations to the contrary, in any zoning district, planned community, or specific plan area in compliance with the following provisions:

- (a) ~~A discretionary permit shall not be required for gatherings of one hundred (100) people or less, including spectators and participants.~~ Gatherings of greater than one hundred (100) people, spectators, and participants inclusive, shall require approval of a Site Development Permit per section 7-9-125.
- (b) ~~Activities which do not require a Site Development Permit or an encroachment permit shall require a~~ A Zoning Use Certificate shall be required for gatherings of one hundred (100) people or less, spectators and participants inclusive, per section 7-9-125.11(a).
- (c) The temporary use shall be permitted for a period not to exceed ten (10) consecutive days. Events recurring more than four (4) times in a calendar year are not considered temporary.
- (d) The Director may require a cash bond or other guarantee for removal of the temporary use, cleanup, and restoration of the activity site within seven (7) days of the activity conclusion.
- (e) Applications for permits/certificates required by (a), (b), and (c) above shall be referred by the Director to other affected County agencies as may be appropriate for review and comment.
- (f) Related issues, including but not limited to police/security, food and water supply, use of tents and canopies, sanitation facilities, medical services, noise, signage, fire protection, and traffic control, shall be satisfactorily addressed as may be required by the Director, Sheriff, Fire Chief, or Health Officer in their administration of other County codes. Such other codes may require the applicant to obtain permits such as building, electrical, health and tent permits.

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(Deleted language is ~~struck~~. New language is underlined.)

- (g) Farmers' Markets established and operated in compliance with County requirements are recurring outdoor gatherings that are not subject to regulation under this section.
- (h) Activities conducted on property owned by or leased to the County and public road rights-of-way may require an encroachment permit issued by the Director.

Sec. 7-9-122. - Reserved.

Sec. 7-9-123. - Reserved.

~~Sec. 7-9-124. - Reserved.~~

Subarticle 6: - Administration and permits.

Sec. 7-9-124. Ministerial permits and procedures.

The purpose of sections 7-9-124 through 7-9-124.4 is to define a set of procedures that are common to the application for, and processing of ministerial permits and approvals provided for in the Zoning Code, except as superseded by a specific requirement of the Zoning Code or State law.

Sec. 7-9-124.1 – Ministerial permits and procedures

<u>Table 7-9-124.1: DECISION-MAKING BODIES FOR DECISIONS</u>		
<u><i>Ministerial Permit/ Action Type</i></u>	<u><i>Code Section</i></u>	<u><i>Review/Decision- Making Body</i></u>
<u>Short-term Rental Permit</u>	<u>7-9-93</u>	<u>Director</u>
<u>Group home</u>	<u>7-9-95.6</u>	<u>Director</u>
<u>Flexible Development Standards</u>	<u>7-9-124.2</u>	<u>Director</u>
<u>Affordable Housing Permit</u>	<u>7-9-124.3</u>	<u>Director</u>

Sec. 7-9-124.2 Flexible Development Standards.

Purpose and Intent. The purpose of this section is to provide the Director with the authority to allow deviations from the minimum development standards for setbacks and height as otherwise set forth in this Ordinance provided that certain conditions exist. The intent of this section is to promote the orderly and efficient development and redevelopment of property within the County.

- (a) Application. The Flexible Development standards apply to multifamily developments that are in one of the following base multifamily or mixed-use zoning districts.
- (1) R2 "Multifamily Dwellings" District.
- (2) R3 "Apartment" District.
- (3) R4 "Suburban Multifamily Residential" District.
- (4) MX "Mixed-Use"
- (b) Flexible Development Standard Permit. Determination of the applicability of flexible development standards shall be subject to the approval of a Flexible Development Standard Permit.
- (c) The following flexible development standards may be applicable where adherence to setback and/or height requirements would preclude the properties' ability to meet the minimum density standards established by the zoning district:

- (1) Setbacks. A reduction in the required setbacks set forth in Sec. 7-9-32.3 and Sec. 7-9-36.3, may be requested for a minimum of five (5) feet or up to a ten percent (10%) reduction, whichever is greater.
- (2) Height. Requests for height increases may be made for up to sixty-five (65) feet in height.

Sec. 7-9-124.3- Affordable Housing Permit.

The purpose of the Affordable Housing Permit is to ensure the development of affordable rental housing and owner-occupied housing within the Mixed-Use and high-density residential districts in which all of the housing units are reserved for households which earn eighty (80) percent or less of the County median income as verified by the County of Orange. The intent is to facilitate the realization of affordable housing objectives presented in the Orange County Housing Element of the General Plan.

- (a) The Affordable Housing permit regulations apply to residential rental projects that are at least twenty percent (20%) affordable that are located in one of the following base zoning districts.
 - (1) R2 "Multifamily Dwellings" District.
 - (2) R3 "Apartment" District.
 - (3) R4 "Suburban Multifamily Residential" District.
 - (4) C1 "Local Business "District.
 - (5) C2 "General Business" District.
 - (6) CN "Commercial Neighborhood" District.
 - (7) M1 "Light Industrial" District.
 - (8) MX "Mixed-Use" District
- (b) Residential projects that are one hundred percent (100%) affordable shall also conform to regulations in section 7-9-44.
- (c) In all cases, residential projects shall conform to all of the regulations in this section, including the site development standards.
- (d) Determination of the applicability of affordable housing development standards shall be subject to the approval of an Affordable Housing Permit.
- (e) Temporary uses permitted. Certain temporary uses, permitted per section 7-9-117, are allowed.
- (f) Accessory uses permitted. The following accessory uses and structures are permitted when associated with, and subordinate to, a permitted residential use on the same building site and when consistent with the approved Site Development Permit for the project and any other regulations in this Zoning Code that apply. Accessory uses ancillary to the primary permitted use shall not to exceed twenty five percent (25%) of total floor area of the permitted primary use.
 - (1) Garages and carports.

- (2) Fences and walls.
- (3) Patio covers.
- (4) Swimming pools.
- (5) Signs per section 7-9-114 except no roof signs or projecting signs.
- (6) Noncommercial keeping of pets and animals.
- (7) Home occupations.
- (8) Manager's unit, which is exempt from affordability requirements.
- (9) Child day care center/early education facility per the Housing Opportunities Manual.
- (10) General administrative office permitted only if ancillary to the primary permitted.
- (11) Accessory uses and structures that the Director finds are consistent with the design of the project and the purpose and intent of these overlay regulations.
- (h) Site Development Standards. The site development standards for affordable housing residential uses shall be as follows.
 - (1) For sites located within the Mixed-Use or multifamily residential zoning district, the base district site development standards shall apply.
 - (2) For sites located within a commercial or industrial zoning district, the site development standards for the R3 "Apartment" District shall apply.
 - (3) The parking requirements set forth in State Density Bonus Law or other applicable State law.
 - (4) Other standards as may be provided in the Orange County Housing Opportunities Manual.
- (i) Density bonuses, development incentives, and/or waivers of development standards may be granted pursuant to section 7-9-87.

Sec. 7-9-125. - Discretionary permits and procedures.

The purpose of sections 7-9-125 through 7-9-125.12 is to define a set of procedures that are common to the application for and processing of all discretionary permits and approvals provided for in the Zoning Code, except as superseded by a specific requirement of the Zoning Code or State law.

Sec. 7-9-135. Definitions.

Sec. 7-9-135.1. Title, purpose, and applicability.

The purpose of these provisions is to promote consistency and precision in the interpretation of the Comprehensive Zoning Code. The meaning and construction of words and phrases as set forth shall apply throughout this Code, except where the context of such words or phrases clearly indicates a different meaning or construction. Definitions contained in specific Zoning Code provisions are to be used specifically for those sections and shall supersede conflicting definitions contained in section 7-9-135.

Bedroom. Any room located in a dwelling unit or accessory dwelling unit that can be used for sleeping purposes designed to provide privacy for the occupant. Due to the layout of the floor plan, rooms designated as dens, lofts, studios, game rooms, home offices, libraries, craft rooms, or other similar habitable spaces, may be considered a bedroom unless the adjacent areas are separated by an unframed opening which is at least five (5)' wide or where the shared/common is at least fifty percent (50%) open and unobstructed to the adjacent room, whichever is greater. The decision-making body for the proposed use shall determine how many bedrooms are in a dwelling unit.

Density, residential.

- (a) *Gross.* The number of dwelling units per total project acreage.
- (b) *Net.* The number of dwelling units per acre of project net development area (i.e., building site area). Calculated by dividing the square footage of the project net development area by the minimum area required per dwelling unit (sq ft).

Ministerial permit. A permit for development approval involving little or no personal judgment by the public official as to the wisdom or manner of carrying out the project. The permit is approved if the proposed development meets all of the objective zoning or building standards in effect at the time the permit is submitted.

Net Development Area. See "project net development area."

Single room occupancy (SRO). A building with a common entrance containing a cluster of at least five (5) rental units which provide sleeping and living facilities for one (1) or two (2) persons where kitchen and/or bathroom facilities may be shared. See section 7-9-88, "Single room occupancy." ~~*Site.* A lot, or group of contiguous lots, that is proposed for development in accordance with the provisions of this Code and is in a single ownership or under unified control. See "building site."~~

Site. A lot, or group of contiguous lots, that is proposed for development in accordance with the provisions of this Code and is in a single ownership or under unified control. See "building site."

Sec. 7-9-136 – Sec. 7-9-199. - Reserved.