

**4.1 PURPOSE AND INTENT**

This section provides regulations for the development and land uses within the Specific Plan and describes how these development regulations will be used as part of the City’s development review process. Proposed development, subdivisions, and new land uses within the Specific Plan area must comply with all applicable requirements of this Specific Plan.

**4.2 CONSISTENCY WITH ADOPTED PLANS**

As required by Government Code Sections 65454 and 65455, upon adoption, the Specific Plan would be consistent with the City’s adopted General Plan. **Appendix 1.0-2, General Plan Consistency Analysis**, of this Specific Plan discusses this consistency in detail.

All subsequent land use entitlements and permits (e.g., tentative Tract Maps, Parcel Map, General Plan Amendment, or Zone Change), implementing the Specific Plan must also be consistent with the Specific Plan.

**4.3 RELATIONSHIP TO CITY’S UNIFIED DEVELOPMENT CODE**

The Specific Plan, including the development regulations, are intended to provide a comprehensive set of regulations governing the use and development of the land within the Specific Plan area. These Development Regulations replace the requirements of the City’s Unified Development Code, Titles 16 and 17 of the SCMC. Any matter or issue not specifically and directly covered by this Specific Plan shall be subject to the nonconflicting regulations and procedures of the SCMC. If a conflict arises between the Specific Plan and the City’s Unified Development Code, the provisions of this Specific Plan shall control.

**4.4 EXISTING USES AND SEVERABILITY**

Existing uses within the Specific Plan area as of the effective date of this Specific Plan are addressed as follows:

- (a) Any development or land uses that were lawfully established and existing as of the effective date of this Specific Plan may continue, and may be altered or replaced, only in compliance with this Specific Plan; and
- (b) Existing land uses that may continue within the Specific Plan area include water supply well operations and maintenance, and maintenance and operation of all existing easements and pipelines.

If any term or provision of this Specific Plan, or the application of any provision of this Specific Plan to a particular situation, shall for any reason be found to be invalid or unenforceable by a court of competent jurisdiction, such term or provision will remain in force and effect to the extent allowed by such ruling, and all other terms and other provisions of this Specific Plan or its application shall remain in full force and effect.

#### 4.5 ADMINISTRATION

The regulations, standards, and other requirements of this Specific Plan shall be administered and enforced by the City's Community Development Department, Planning Commission, and City Council in the same manner as the provisions of the City's Unified Development Code.

#### 4.6 LAND USE DESIGNATIONS

##### 4.6.1 *Land Use Plan and Zones*

The following two land use designation zones are established by this Specific Plan, and are applied to the property within the Specific Plan area as shown on the Land Use Plan (**Figure 2.0-1**):

1. **Residential (R).** The R land use designation zone is applied to areas appropriate for a variety of attached residential units, including market rate apartments, age-qualified apartments, affordable senior apartments, townhomes, and other similar residential product types, with parking garages, carports, and surface parking. The R designation includes for rent and for sale units and both market-rate and affordable units. The designation also allows recreation uses, including club houses, parks, playgrounds, and pathways, as well as landscaped areas and courtyards.
2. **Open Space (OS).** The OS land use designation zone is applied to the public plaza area at the far eastern end of the Specific Plan site, which connects to the new Metrolink station.

#### 4.7 ALLOWED LAND USES/PERMIT REQUIREMENTS

##### 4.7.1 *Introduction*

This section sets forth the permitted land uses within the R and OS land use designation zones. Each Land Use Type identified in this section is defined in Unified Development Code, Chapter 17, Division 5 (Use Classifications and Required Parking). These definitions shall be applied within the Specific Plan area.

Any one or more land uses identified in this section as allowed land uses within a specific land use designation zone may be established on any parcel within that zone, subject only to the planning permit requirements.

The City's Director of the Community Development Department (Director) may determine that a proposed land use type not listed in this section is an allowed land use in accordance with Section 6.4.1, Consistent Projects. Temporary uses are allowed within the Specific Plan area in compliance with the Temporary Use Permit requirements of the SCMC.

#### **4.7.2 Residential (R) Use Types**

The following uses shall be permitted by right in the Residential (R) land use designation zone within the Specific Plan area.

##### **4.7.2.1 Primary Uses**

A primary use is the main principal use of land or structures on the site. The following uses are permitted by right as Primary Uses in the R zone:

1. Dwelling - Multi-family
2. Model Homes, Rental, Sales Offices<sup>4.0-2</sup>

##### **4.7.2.2 Secondary Uses**

Where a primary use is established on a development site, secondary uses may also be permitted. A secondary use is a use that is not the primary use and not the main use of land or structures on the development site. A secondary use is incidental to or in support of the primary use(s) on the same development site or another development site within the R zone of this Specific Plan.

The following categories of uses that are allowed in the R zone are permitted by right as secondary uses.

1. Clubrooms and Community Rooms, private
2. Courtyards and Plazas, public and private
3. Food Trucks<sup>4.0-3</sup>
4. Health/Fitness Facilities, private
5. Home Occupation<sup>4.0-4</sup>
  - a. Telecommuting/Business and Professional Offices<sup>4.0-5</sup>
6. Parking Lots, accessory to principal use

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<sup>4.0-2</sup> Model homes shall be developed in accordance with Section 17.67.030(C) (Temporary Uses)

<sup>3.0-3</sup> Food Truck Vendors shall be in accordance with the provisions of SCMC Section 11.37.080 (Peddlers of Prepared Food Products from Motor Vehicles Permitted).

<sup>4.0-4</sup> Home occupation businesses shall be in accordance with Chapter 17.65 (Home Occupations).

<sup>4.0-5</sup> Home occupation businesses shall be in accordance with Chapter 17.65 (Home Occupations).

7. Parks, public and private
8. Residential Recreation Facilities
9. Swimming Facility, private
10. Trails, Biking
11. Trails, Equestrian
12. Trails, Pedestrian

### **4.7.3      *Open Space (OS) Use Types***

The following uses shall be permitted by right in the Open Space (OS) land use designation zone within the Specific Plan site.

#### **4.7.3.1      *Primary Uses***

A primary use is the main principal use of land or structures on the site. The primary uses permitted by right as Primary Uses in the Open Space (OS) land use designation zone shall be those permitted in the Open Space (OS) Zone of SCMC Chapter 17.36 of the Zoning Regulations.

#### **4.7.3.2      *Secondary Uses***

Where a primary use is established on a development site, secondary uses may also be permitted. A secondary use is a use that is not the primary use and not the main use of land or structures on the development site. A secondary use is incidental to or in support of the primary use(s) on the same development site or another development site within the OS zone of this Specific Plan.

The following categories of uses that are allowed in the OS zone are permitted by right as secondary uses.

1. Bicycle Rentals
2. Community Garden
3. Farmer’s Market
4. Food Truck<sup>4.0-6</sup>
5. Outdoor events<sup>4.0-7</sup>

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<sup>4.0-6</sup> Food Truck Vendors shall be in accordance with the provisions of SCMC Section 11.37.080 (Peddlers of Prepared Food Products from Motor Vehicles Permitted).

<sup>4.0-7</sup> Outdoor events includes temporary, predominantly spectator uses conducted in the open or partially enclosed or screened facilities, such as outdoor movie screenings, “live” theaters or concerts with limited spectator capacity, as determined by the Director.

## 4.8 SITE DEVELOPMENT STANDARDS

### 4.8.1 *Purpose and Intent*

This section sets forth the Development Standards governing the R land use designation zone shown on the Land Use Plan (Figure 2.0-1), and described in Section 4.6, above. The Specific Plan's Development Standards are set forth in the Site Development Standards Matrix (Table 4.0-1).

### 4.8.2 *Development Standards*

The Site Development Standards Matrix (**Table 4.0-1**) below provides the standards for maximum building heights, minimum distance between buildings and open space requirements, as appropriate to each land use designation zone. In addition to these development standards, the overall maximum density of the Specific Plan Area is 30 dwelling units per acre; however, in no event shall the project be permitted to exceed a maximum of 498 residential units.

#### 4.8.2.1 *Setback Requirements*

In order to create development regulations that are sensitive to adjacent uses, the Specific Plan contains setbacks for development along the entire site perimeter. As indicated in the City's Zoning Code, a setback is defined as the distance from a defined point or line governing the placement of buildings, structures, parking or uses on a lot. No habitable structures or buildings are allowed within setback areas. The following minimum setback requirements, are as follows:

1. Front Setback<sup>4.0-8</sup> (along Lost Canyon Road) shall be 20 feet, landscaped and maintained.
2. Reverse Corner<sup>4.0-9</sup> Lot Setback (along Harriman Drive) shall be 10 feet with a minimum five-foot landscaped planter to be maintained.
3. Rear<sup>4.0-11</sup> Setback (RR easement) shall be 15 feet, inclusive of a seven-foot wide maintained landscaped planter, including six-inch curbs, which is sufficient in size for mature trees.

#### 4.8.2.2 *Landscaping Requirements*

Landscaping requirements within the Specific Plan area shall be addressed as follows:

1. On-site trees and landscaping shall be completed in accordance with the Conceptual Landscape Plan, provided in Appendix 4.0-1.

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<sup>4.0-8</sup> As defined in the SCMC, the front yard setback shall be measured from the ultimate street right-of-way or the line established by the General Plan, whichever is greater, and be removed therefrom by the perpendicular distance prescribed for the front yard setback

<sup>4.0-9</sup> As defined in the SCMC, the rear or side yard setback shall be measured from the property line, removed therefrom by the perpendicular distance prescribed for the yard setback.

2. Additional landscape requirements are listed for parking areas in Section 4.11.2, Parking Regulations.
3. On-site and parking lot landscaping shall be completed in accordance with the Conceptual Landscape Plan, provided in Appendix 4.0-1.

#### **4.8.2.3 Storage Space Requirements**

If a fully enclosed garage is not provided, a minimum of two hundred fifty (250) cubic feet per unit of lockable, enclosed storage space shall be provided. Storage areas may be located in-unit or elsewhere within a residential building. Multiple storage areas may be provided.

#### **4.8.2.4 Open Space Requirements**

Open space for active recreation and passive leisure space shall be provided for each residential unit within the Specific Plan and shall be provided through a combination of common and private space in accordance with the approved architectural and open space plans. Modifications to the approved open space plans may be approved by the Director in accordance with Section 6.4.1, Consistent Projects. Open Space shall be provided for each residential unit as follows:

1. Studio units – two hundred (200) square feet;
2. One-bedroom units – three hundred (300) square feet;
3. Two or more-bedroom units - four hundred (400) square feet;
4. Townhome units - six hundred fifty (650) square feet.

Common open spaces may include, but are not limited to, outdoor areas such as plazas, outdoor dining areas, rooftop gardens, and landscaped areas designed for active or passive use. Land required for setbacks or occupied by buildings, streets, driveways or parking spaces may not be counted in satisfying the open space requirement; however, land occupied by any recreational structures may be counted as required open space.

Private open space may include, but is not limited to, outdoor patios, balconies, or decks, but in no case shall an area dedicated for private open space be less than 60 square feet.

**Table 4.0-1  
Site Development Standards Matrix (PA-1, PA-2, PA-3, and PA-4)**

<b>Site Development Standards</b>		
<b>Land Use Designation</b>	<b>Minimum Distance between Building (in feet)</b>	<b>Maximum Building Heights (in feet)<sup>1,2</sup></b>
<i>PA-1</i>		
<b>Residential (R)</b>		
Multi-Family (Market Rate Apartments)	10	50
<i>PA-2</i>		
<b>Residential (R)</b>		
Multi-Family (Age-Qualified Apartments)	10	50
<i>PA-3</i>		
<b>Residential (R)</b>		
Multi-Family (Affordable Senior Apartments)	10	50
<i>PA-4 (R)</i>		
<b>Residential (R)</b>		
Multi-Family (Townhomes)	10	40

1. Roof Projections: In all zones, building’s architectural elements such as hips, gables, and spires, may not project more than 10 feet above the permitted standard height limit, without approval of a Conditional Use Permit.
2. Buildings and structures exceeding the maximum building height in the planning area may be permitted subject to approval of a Conditional Use Permit and shall conform to the requirements of the SCMC (Chapter 17.25, Section 17.25.100 - Conditional Use Permit).

## **4.9 TRANSFER ADJUSTMENT REGULATIONS**

### **4.9.1 *Planning Area Transfers***

This section sets forth regulations intended to provide land use flexibility in the implementation of the Specific Plan. The Specific Plan permits the transfer of residential dwelling units between the Specific Plan Planning Areas, so long as a transfer still retains a minimum of 80% of the original units and does not exceed 120% of the original units approved under the Specific Plan for any Planning Area, and all other development standards applicable to the Planning Area and associated residential product type are complied with, including parking regulations set forth in this Chapter, unless a parking reduction is permitted subject to the approval of a minor use permit as outlined in Section 6.4.2., Adjustments, Variances, and Minor Use Permits for Parking Reductions, and a new parking demand study is provided if there is a proposed deviation from the parking ratios provided in this Chapter. In no case shall the Specific Plan Area exceed a total of 498 residential units. In all cases, the number of restricted affordable senior units within the Specific Plan Area shall not be less than 50 units, inclusive of one manager unit.

#### 4.9.2 *Planning Area Boundary, Acreage, and Adjustments*

Precise Planning Area boundaries and acreages shall be established at the subdivision map recordation phase. A subdivision map, or phased map, submittal may incorporate an adjustment in the gross acreage of each Planning Area, as shown on the Land Use Plan Statistical Summary (**Table 2.0-2**), without necessitating a Specific Plan amendment or a Development Review, provided that each Planning Area affected by the boundary or acreage adjustment does not exceed 120% of the original gross acreage approved under the Specific Plan.

The City and the applicant (or its designee) will retain certain flexibility with respect to the details of the Specific Plan provided that no new environmental impacts occur and, therefore, agree that the following Administrative Modifications for each Planning Area shall, unless otherwise provided in the Specific Plan, be approved by the Director:

- (a) In order to accommodate the needs of third party purchasers, the size and configuration of lots or parcels and dimensions and/or locations of improvements may be modified at the discretion of the applicant, and the City shall fully cooperate therewith, subject to the provisions of the Subdivision Map Act, and provided that the aggregate total density and intensity of the Specific Plan is not increased, the permitted uses are not modified from those approved, and the parcels and lots and improvements thereon are consistent with the applicable rules and project approvals, including all development standards contained within this Specific Plan.
- (b) The design and configuration of lots and related improvements within the Specific Plan site may be reconfigured and redesigned by the applicant provided the number of residential units is not increased. Such reconfiguration and redesign may include making one or more Planning Areas less dense and modifying the design of streets, curbs, gutters, sidewalks, drainage and affected utilities to be consistent with such reconfiguration and redesign so long as each reconfiguration and redesign is otherwise consistent with the design and configuration standards and requirements in the Specific Plan and Conditions of Approval.
- (c) Any subsequent revision to the tentative tract map that is submitted for review and approval shall be approved by the City provided the residential design and configuration complies with the Specific Plan and Conditions of Approval.
- (d) Upon adoption of the Specific Plan, the applicant shall have the vested right to develop the Specific Plan site that is consistent with the project approvals and the Specific Plan. The City agrees to process and administratively approve any modifications to the tentative tract map, including modifications in the size, design and configuration of the lots and improvements as provided in the Specific Plan and Conditions of Approval, required for the applicant to develop the Specific Plan site consistent with the Specific Plan and project approvals, and such administrative approvals are deemed to constitute ministerial acts implementing the Specific Plan and the project approvals.



## 4.10 SIGNAGE REGULATIONS

### 4.10.1 *Purpose and Intent*

The signage regulations in this section shall govern the design and maintenance of all signage within the Specific Plan area. The regulations are intended to result in functional, attractive signage that incorporates a uniformly high level of design, graphics, continuity, consistency, and maintenance throughout the Specific Plan area. All signage is intended to be consistent with the architectural and landscape character of the specific parcel development and with the design intent of the Specific Plan as a whole. Consistency shall be determined in terms of materials, scale, size, and placement on buildings or in landscaping; integration with the buildings' architectural design, texture, color, relation to other signage in the immediate vicinity and in the public spaces; and type of illumination, if any. The scale and proportion of graphics used in signage shall be consonance with the design of buildings, individual stores, landscape, and site design. Bold or inharmonious colors or color combinations shall not be used.

The purposes of the signage regulations are to:

- (a) Avoid traffic safety hazards to motorists, bicyclists, and pedestrians caused by visual distractions and obstructions;
- (b) Promote the aesthetic values of the Specific Plan community by providing for signs that do not impair its attractiveness;
- (c) Provide for signs as an effective channel of communication while ensuring that signs are aesthetically proportioned in relation to adjacent buildings/structures and the buildings/structures to which they are attached; and
- (d) Safeguard and protect the public health, safety, and general welfare.

### 4.10.2 *Applicability and Conformance*

Consistent with the intent and purpose provisions set forth above, all signage within the Specific Plan area shall conform to the requirements of the SCMC provisions regulating signage on private property (Chapter 17.51, Section 17.51.080).

No person shall erect, construct, enlarge, alter, move, improve, remove, convert, or equip any sign or sign structure, or cause or permit the same to be done, contrary to or in violation of the provisions of this Specific Plan and Chapter 17.15, Section 17.51.080 of the SCMC (Sign Regulations (Private Property)). Conformance shall be strictly enforced. All non-conforming or unapproved signs shall be brought into conformance at the expense of the person(s) responsible for installation of the sign or sign structures.

## 4.11 PARKING REGULATIONS

### 4.11.1 Purpose and Intent

Parking regulations within the Specific Plan are intended to provide the requisite number of parking spaces for all uses, while reinforcing the pedestrian-oriented character and accessibility to transit, amenities and daily services intended to minimize vehicle trips and parking demand. The overall purpose, therefore, of the Specific Plan’s Parking Regulations is to create a well-planned community that provides for the sufficient parking needs of each resident, while in turn promoting the community as a place with all of the advantages within walking distance to live, work, play, and shop and enjoy a high quality of life.

### 4.11.2 Parking Regulations

The Specific Plan establishes a parking ratio of 1.5 spaces per unit for all Market Rate, All-Ages Apartments, consistent with Vista Canyon Specific Plan’s residential use parking requirements of 1.5 spaces per unit. Guest parking for Market-Rate, All-Ages Apartments and parking for all other uses are consistent with SCMC parking standards (see SCMC, Chapter 17, Division 5, Use Classifications and Required Parking). The Specific Plan’s Parking Regulations governing the site are provided in **Table 4.0-2**.

**Table 4.0-2**  
**Parking Requirements Matrix<sup>1, 2, 3, 4</sup>**

Unit Type	Parking Requirements
Market Rate All-Ages Apartments	1.5 enclosed parking space or carport parking per unit
Market Rate Age-Qualified Apartments	0.5 enclosed parking space or carport parking per unit
Affordable Senior Apartments	0.5 enclosed parking space or carport parking per unit
Townhomes	2 enclosed parking spaces per unit
All Unit Types	Guest parking – 0.5 parking space per unit

<sup>1</sup> Accessible parking stalls shall be required in accordance with the Building Code.

<sup>2</sup> Additional parking for secondary uses shall not be required.

<sup>3</sup> Parking for temporary uses shall be as determined by the Director.

<sup>4</sup> If a transfer of residential dwelling units occurs between the Specific Plan Planning Areas consistent with Section 4.9 Transfer Adjustment Regulations, parking must be provided in accordance with the parking regulations set forth in this table, unless a parking reduction is permitted subject to the approval of a minor use permit as outlined in Section 6.4.2., Adjustments, Variances, and Minor Use Permits for Parking Reductions, and a new parking demand study is provided if there is a proposed deviation from the parking ratios provided in this Chapter.

- (a) **Parking Space Specifications.** Unless otherwise noted in the Specific Plan, all required parking spaces shall be designed in accordance with the specifications set forth in the SCMC Chapter 17.51, Section 17.51.060(E) - Specifications for Development of Parking Facilities. Carports shall be provided in accordance with the approved architectural plans.

(b) **Parking Landscaping Standards.**

1. Assigned parking spaces shall be shaded by a carport.
2. Guest parking spaces shall be shaded by trees and/or screening hedges with a landscaped island at least 5 feet wide; each tree shall provide a minimum of 40 SF of cumulative root planting area.
3. Shrub and ground coverage shall be installed in and near carport areas to provide additional visual relief from concrete hardscape in parking areas.

**4.11.2.1 Electric Vehicle Charging Stations**

- (a) **Multifamily Dwellings.** In accordance with Section 4.106.4.2 of the California Green Building Standards Code, for new multifamily dwellings where residential parking is available, ten (10) percent of the total number of parking spaces shall be electric vehicle (EV) charging spaces capable of supporting future EV supply equipment. Calculations for the required number of EV spaces shall be rounded up to the nearest whole number.
- (b) **Townhouses with Attached Private Garages.** In accordance with Section 4.106.4.1 of the California Green Building Standards Code, each new townhome with attached private garage must provide capability for EV charging by installing a listed raceway to accommodate a dedicated 208/240-volt branch circuit.

**4.11.2.2 Bike Parking**

- (a) **Number of Bicycle Spaces Required.** Every use shall provide on-site bicycle parking spaces in accordance with the following ratio of 1 space per each 5 residential units consistent with the SMC Chapter 17.51, Section 17.51.060(I) On-Site Bicycle Parking Requirement.
- (b) **Bicycle Parking Facilities.** Parking facilities shall be conveniently located throughout the Specific Plan Area and may include the following:
  1. Covered, lockable enclosures with permanently anchored racks for bicycles;
  2. Lockable bicycle rooms with permanently anchored racks; and
  3. Lockable, permanently anchored bicycle lockers.

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