

CHAPTER 8

MIXED USE-URBAN (MU-U) DISTRICT



Mixed Use-Urban (MU-U) District

A. Intended Character

The Mixed Use-Urban (MU-U) District is intended to:

- Create the maximum amount of commercial development at a variety of scales, from regional mall “big boxes” to community-serving retail, consistent with market demand
- Encourage higher density residential development to occur in close proximity to employment uses and services to achieve smart growth objectives
- Foster pedestrian-oriented activity nodes by providing a mix of uses in compact and walkable areas
- Provide appropriate locations for a broad range of live/work activities, such as residential over retail and live/work lofts
- Create a comprehensive and integrated built environment through master planning.

B. Definitions

The following definitions apply to this chapter. Refer to CCMC Chapter 9.08 (Definitions) for all other definitions.

Development Project: A project in the North City Specific Plan area designed in accordance with a comprehensive development plan. It may be comprised of a single parcel or multiple parcels, in either single ownership or multiple ownerships with joint use agreements. Within an approved development project, individual or out-lots may be created for financing/sale purposes.

Floor Area Ratio (FAR): The gross floor area of the building or buildings on a site or lot divided by the area of the site or lot.

Mixed Use Development: Development with residential uses integrated with compatible commercial uses, vertically or horizontally, within the same building or structure. A mixed-use project may also constitute separate buildings or structures on the same parcel of land and/or in a development project, so long as there are visual and pedestrian connections between buildings that integrates and unifies the development.

Townhome: Residential dwellings constructed in a row of more than two attached units on a single lot. All units are on the same lot.





Freeway-oriented “big box” retail that is targeted towards the regional market is suitably located on properties adjacent to the I-10 Freeway in the Mixed Use-Urban District.





Regional retail, commercial, entertainment and hospitality uses are an integral part of vibrant commercial and mixed-use centers. Human-scaled plazas and courtyards, shaded pedestrian connections and walkways, outdoor dining areas, and other wind-screened public gathering spaces and community amenities all contribute to the desired pedestrian-friendly character of new development in the Mixed Use-Urban District.



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Well-designed high-density multi-family residential projects can be a part of horizontal mixed use projects in the Mixed Use-Urban District.



Vertical mixed use projects with live/work spaces or urban lofts add to the desired round-the-clock activity in the Mixed Use-Urban District.



C. Mixed Use Flex Boundary

Nearly 30% the land within the Specific Plan area is zoned either MU-U or Mixed Use-Neighborhood (MU-N). These parcels are mostly under the control of a few property owners and can be aggregated into large development projects. In order to allow for the optimal and most efficient use of land, boundary flexibility is provided for between adjacent Mixed Use zoned properties.

This Specific Plan provides a process for modifying the boundary location between the two Mixed Use Districts. In locations where MU-U and MU-N Districts are adjacent, a property owner(s) or their designee may request a change in designation from one district to the other as part of a development project application, provided the following criteria are met:

1. **Project size:** The minimum size of the total development project shall be 100 acres.
2. **Adjacency:** MU-U and MU-N Districts are immediately adjacent.
3. **Ownership:** The underlying properties are under the same ownership, or have a single master developer with written consent of all affected property owners.
4. **Maximum 'flex' area:** Up to 20% of a development project area (that falls within a Mixed Use District) may "flex" either way (MU-U to MU-N or MU-N to MU-U) up to a maximum of 50 acres.
5. **Approval process:** A Precise Plan of Design (PPD) submittal is required. The approval of the Mixed Use Flex Boundary option shall be a part of the PPD approval process.
6. **Required Documentation:** The requirements of a PPD submittal shall apply.

D. Use Regulations

1. Permitted and Conditionally Permitted Uses

Table 8-1 identifies the permitted and conditionally permitted uses in the MU-U District. Other similar uses to those listed in Table 8-1, as interpreted by the City Planner or designee, are also permitted or conditionally permitted in the MU-U District. Certain uses may be subject to special conditions regarding the location, operation or design of the use. Where applicable, references to these provisions are provided in Table 8-1.

2. Prohibited Uses

The following uses are explicitly prohibited in the MU-U District:

- (a) Industrial uses
- (b) Outdoor sales and display (including vehicles)
- (c) Single-family dwelling units (detached)
- (d) Tattoo parlors
- (e) Truck service stations



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Other uses not specifically authorized or determined by the City Planner or designee to be detrimental to the public welfare are also prohibited.

Table 8-1: Permitted and Conditionally Permitted Uses in the Mixed Use-Urban (MU-U) District

Land Use	Permitted (P) or Conditionally Permitted (C)	Specific Regulation
Accessory uses (customarily incidental to any permitted uses when located on the same site with the main building and use)	P	
Alcohol sales: (a) For on-site consumption (incidental to primary use) (b) For off-site consumption	P C	
Assemblies of people: (a) Entertainment (live performance theaters, cinemas, auditoriums, banquet halls, nightclubs, etc.) (b) Non-Entertainment (places of worship, fraternal, service organizations, conference/convention facilities, etc.)	C C	
Automobile rental	C	<i>CCMC Chapter 9.96 (Special Provisions Applying To Miscellaneous Problem Uses)</i>
Automobile service stations	C	<i>CCMC Chapter 9.96 (Special Provisions Applying To Miscellaneous Problem Uses)</i>
Automobile wash facilities	C	<i>CCMC Chapter 9.96 (Special Provisions Applying To Miscellaneous Problem Uses)</i>
Banks and financial institutions/services	P	
Bars and cocktail lounges	P	
Bed and breakfasts	C	
Business support services and facilities (including graphic reproduction, computer-services, etc.)	P	



Land Use	Permitted (P) or Conditionally Permitted (C)	Specific Regulation
Catering establishments	P	
Dwelling Units: (a) Multiple-family dwelling, 3 or more units (Stacked flat, townhome, etc.) (b) Live/work unit	P P	
Drive-thru lanes	C	
Educational facilities: (a) College, university, professional (b) Elementary and secondary schools (c) Vocational and trade schools (total enrollment 20 persons or less or a total size of 2,000 square feet or less)	C C C	
Equipment sales and rental of small hand operated and human driven tools, compressors and similar industrial equipment, including servicing of such equipment	P	
Farmers' market	C	<i>CCMC Chapter 9.68 (Special Use Permit)</i>
Game arcade	C	<i>CCMC Chapter 9.96 (Special Provisions Applying To Miscellaneous Problem Uses)</i>
Graphic arts and photo studio	P	
Grocery store	P	
Health and fitness clubs	P	
Helistop	C	
Home improvement sales and service (hardware, lumber and building material stores)	P	
Home occupations	P	
Hospital	C	
Hotels and resort hotels	C	
Live animal pet shop	C	
Medical services (clinic, medical/dental offices, laboratory, urgent/express care, etc.; not including hospitals)	P	
Mortuary	C	
Motels	C	
Multi-modal transportation facility	C	
Museums	P	
Offices (administrative, business, executive and professional)	P	
Outdoor dining, incidental to primary use	P	
Parking lot or parking structure (stand alone)	C	



Land Use	Permitted (P) or Conditionally Permitted (C)	Specific Regulation
Personal services (barber, beauty salon, spa, tailor, dry cleaner, self-service laundry, etc.)	P	
Private recreational facility and incidental commercial use	C	
Public buildings: (a) when incidental to a public park and/or recreation facility (b) locations other than in (a) above	P C	
Public parks and recreation facilities	P	
Public utility structures and public service facilities	C	
Recreational vehicle park (RV resort)	C	<i>CCMC Chapter 9.84 (Recreational Vehicle Parks)</i>
Recycling collection facility (500 square feet or less)	P	
Restaurants (sit down and take-out)	P	
Retail sales	P	
Veterinary services, incidental to a pet shop	C	

E. Mixed Use and Commercial Development Standards

The following development standards apply to all **mixed use** and **stand-alone commercial development projects** within the MU-U District:

1. Requirement for Commercial Component

- (a) A minimum of 35% of the gross floor area of a mixed use development project, 10 acres or more in size, shall be used for commercial purposes. Development projects less than 10 acres in size have no minimum commercial requirement.
- (b) Lots fronting any street designated *Arterial Highway*, regardless of size, are required to have commercial uses along their frontage.

2. Development Project FAR and Density

- (a) The maximum gross FAR for the commercial component of a development project is 1.0.
- (b) The maximum gross density of the residential component of a mixed use development project is 45 dwelling units/acre.

3. Minimum Development Project and Individual Lot Size and Dimensions

- (a) An objective of this Specific Plan is to encourage comprehensive and integrated development projects. Therefore, the minimum size of a new development project site



shall be 10 acres, except in the case when a PPD or Planned Unit Development (PUD) permit application is submitted, in which case, site size and dimensions shall be established as a part of the PPD or PUD approval process.

- (b) Within an approved development project, smaller individual lots may be created for financing or sale purposes. The minimum sizes for individual residential lots are established in Section F.2 of this Chapter.
- (c) Lots 10 acres or less in size that are existing at the time of Specific Plan adoption cannot subdivide except as noted in (b) above. Development on these lots shall follow all other provisions of this chapter.

4. Maximum Building Height

- (a) For purposes of this Section, a **building** is defined to include all towers with a common base.
- (b) The maximum building height shall be 65 feet or 5 stories, whichever is less.
- (c) When appropriate in its context and approved through the development permit process, a building height may be increased to create a unique environment in North City and to take advantage of views to the south. Buildings may punctuate the vista; however, a wall or solid mass of tall structures is not permitted. In addition, the following standards shall be met:
 - Buildings may exceed 65 feet in height to a maximum of 125 feet in height provided they are within the areas defined as: 1) 1,300 feet of Date Palm Drive centerline, 400 feet north of Valley Center Boulevard centerline, and 700 feet north of Interstate 10 centerline; or 2) 1,300 feet of Palm Drive centerline, 400 feet north of Valley Center Boulevard centerline, and 700 feet north of Interstate 10 centerline. See Figure 8-1 (Location Map for Buildings Exceeding 65 Feet in Height) for approximate location.
 - All portions of a building exceeding 65 feet in height shall be within the boundary described herein.
 - No portion of a building exceeding 65 feet in height shall be above an imaginary plane drawn from the edge of the property line and extended at an angle of 60 degrees towards the center of the property, as illustrated in Figure 8-2.
 - The maximum building height may exceed 125 feet within the areas defined in 4(c)(1), above, when the above standards are met and additional review relative to aesthetics, aircraft safety, earthquake standards and wind current analysis (non-inclusive list) is provided.
- (d) Graphics, such as photo-simulations, shall be submitted for proposed projects exceeding 65 feet in height to illustrate the impact of the proposed project and to demonstrate how the standards are met.



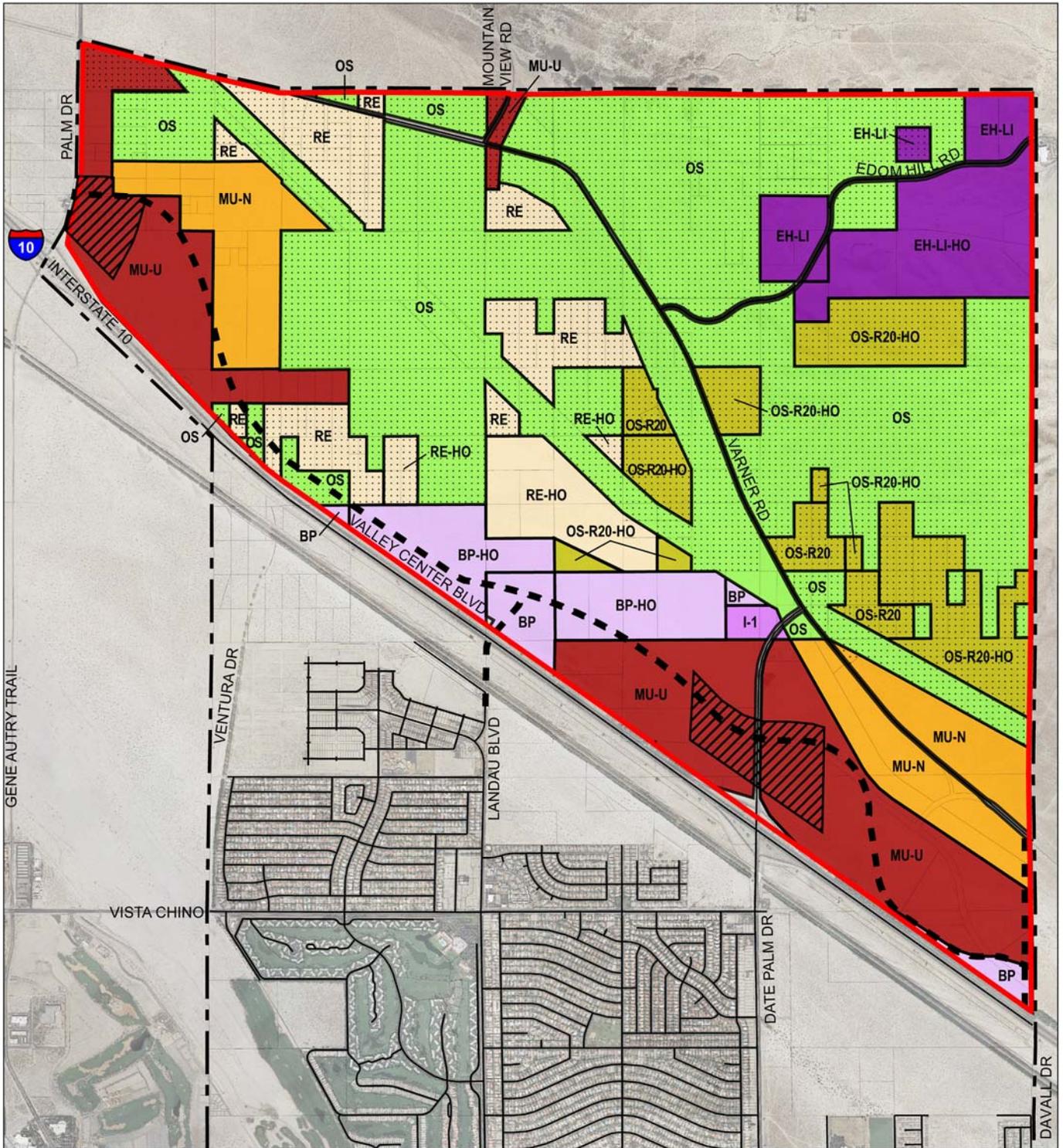


Figure 8-1: Location Map for Buildings Exceeding 65 Feet in Height

- | | |
|------------------------------------|-------------------------------------|
| Specific Plan Area | 125' Building Height |
| City Boundary | Existing Road |
| MSHCP Conservation Area | Future Road (approximate alignment) |
| Mixed Use - Urban (MU-U) | |
| Mixed Use - Neighborhood (MU-N) | |
| Business Park (BP) | |
| Edom Hill Light Industrial (EH-LI) | |
| Light Industrial (I-1) | |
| Residential Estate (RE) | |
| Open Space Residential (OS-R20) | |
| Open Space (OS) | |
| Hillside Overlay (-HO) | |



North City Specific Plan



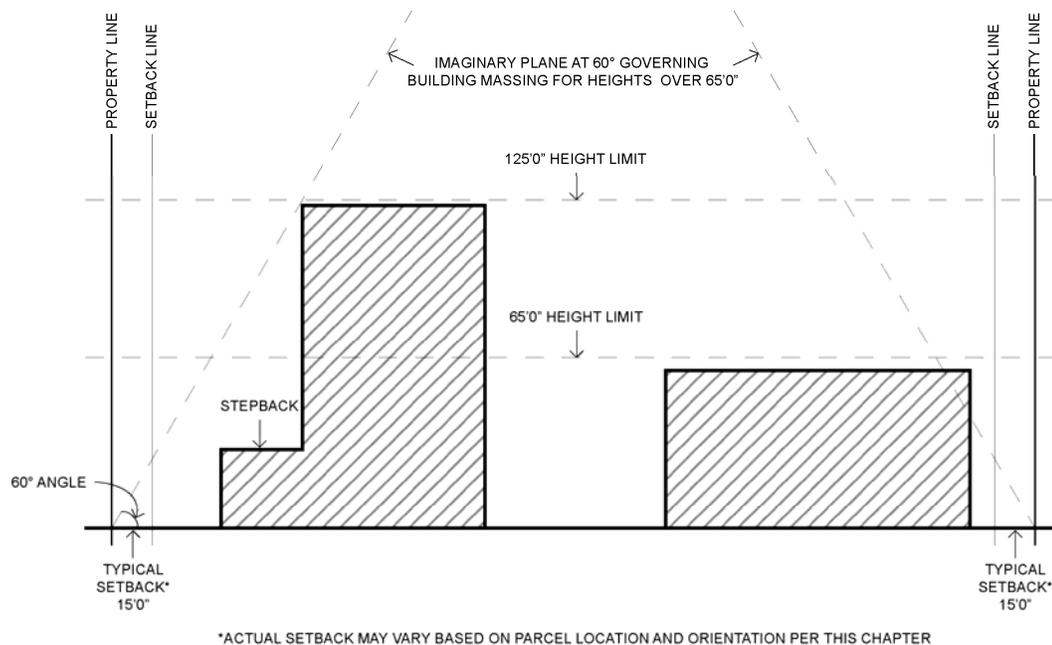


Figure 8-2: Maximum Building Height Stepback

5. Setbacks

- (a) For properties adjacent to I-10, an average setback of 75 feet (minimum of 40 feet) is required to provide space for a public parkway. The setback dimension shall be measured from the property line adjacent to the freeway's right-of-way. Refer to Section H in Chapter 5 (Circulation and Streetscape Improvements) of this Plan for applicable design criteria for the public parkway.
- (b) For properties adjacent to the MSHCP Conservation Area, a minimum setback of 15 feet is required along the shared property line(s). This 15-foot setback requirement applies on all sides if the property falls within the MSHCP Conservation Area. This requirement fulfills the Land Use Adjacency Guidelines of the MSHCP.
- (c) Except as noted in (a) and (b) above, for properties that have frontage on a street designated *Arterial Highway*, *Major Highway*, *Modified Major Highway* or *Modified Secondary Highway*, the following setback requirements apply:
 - The minimum street yard setback shall be 15 feet. The setback should incorporate a combination of "soft" features (landscaping, water, etc.) and "hard" features (pavers, steps, etc.).
 - For corner lots, all street-facing sides shall meet the above requirement.
 - A minimum interior yard and rear yard setback of 15 feet shall be provided.
- (d) Except as noted in (a) and (b) above, for properties that have frontage on an internal street, the following setback requirements apply:
 - No minimum street yard setback is established.
 - No minimum is established for interior yard and rear yard except as noted below:



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- Where the interior or rear property line abuts a parcel in a residential or mixed use district, the minimum rear or interior yard setback shall be 15 feet if there is an alley (distance from building to rear property line or alley easement), and 25 feet where there is no alley.

6. Distance between Buildings

- (a) Within a horizontal mixed-use development project, the minimum distance between a multi-family residential building and commercial building shall be 15 feet.

7. Parking and Loading

In addition to the off-street parking requirements and standards based on specific uses set forth in CCMC Chapter 9.58 (Off-Street Parking), the following shall apply:

- (a) All parking spaces shall be delineated and separated by a painted divider (double stripe). The stripes shall be a 4-inch solid line painted either white or yellow in color, with outside dimensions of 18-inches. The use of graphics or text in or around the striping is prohibited. The striping shall be maintained in a clear and visible manner.
- (b) No parking is permitted in the street side setbacks. Except for required landscape areas (refer to Chapter 12 for landscaping requirements), parking and loading is permitted in the interior side yard and rear yard setbacks.
- (c) Shared parking between adjacent businesses and/or developments is highly encouraged where feasible, per the requirements established in CCMC Chapter 9.58 (Off-Street Parking).
- (d) Driveways, drive aisles and interior streets shall not be used for any purpose that would inhibit vehicle access to parking spaces, vehicular circulation or emergency response.
- (e) Loading facilities shall not be located at the front of buildings or in public areas of the development. Such facilities shall be located at the rear of the site where they can be screened appropriately. When it is not possible to locate loading facilities at the rear of the building, loading docks and doors may be located along the sides of the buildings, but should not dominate the facades and shall be screened from public rights-of-way and public areas of the development. Loading facilities should be offset from driveway openings.

8. Standards for Vertical Mixed Use Buildings

- (a) The minimum living area for residential units in a vertically mixed use project shall be 575 square feet for a studio unit, with 200 square feet for each additional bedroom.
- (b) A maximum of 40% of the residential units may be one-bedroom or smaller.
- (c) The entrances to the residential uses shall be separate and distinct from commercial uses. These entrances shall be secured.
- (d) Residential parking shall be secured and separated from public parking.
- (e) Residential units shall have adequate sound insulation for the living comfort of occupants.
- (f) Mixed-use developments shall be designed so that odors emanating from businesses do not affect residential occupants.



- (g) Refuse facilities shall be located and screened to minimize impacts from related odor and noise.
- (h) Commercial loading facilities shall be located to minimize noise impacts and maintain unobstructed access to residential areas, including residential parking facilities.
- (i) A minimum of 100 square feet of **common open space** shall be provided per dwelling unit. Common open space may be divided into more than one area, however, each area shall be a minimum of 1,000 square feet and a rectangle inscribed within each shall have no dimension less than 25 feet. Common open space may be provided in the form of roof-top garden/patio areas.
- (j) All vertical mixed use developments shall provide common bicycle storage areas for the residents as follows: two (2) bicycle storage units for every five (5) dwelling units for the first 20 dwelling units, and one (1) bicycle storage unit for every five (5) additional dwelling units.

9. Standards for Live/Work Units

- (a) The minimum square footage of a live/work unit shall be 1,250 square feet.
- (b) All living space within the live/work unit shall be contiguous with, and an integral part of, the working space, with direct access between the two areas.
- (c) At least one of the workers of the live/work unit shall reside in the unit. The residential area shall not be rented separately from the working space. The business activity occupying the live/work unit may have employees in addition to residents, as necessary.
- (d) Access to individual units shall be from common access areas, corridors or hallways.
- (e) Complete kitchen space and sanitary facilities shall be provided in compliance with all applicable codes.
- (f) The workspace shall not occupy more than 40% of the unit.
- (g) All work activities and workspace shall be limited to the first floor.
- (h) Retail space may be integrated with working space.
- (i) A business license shall be obtained in compliance with the CCMC for business activities conducted within the live/work unit.
- (j) Signage shall be a maximum of three (3) square feet; illumination is prohibited.
- (k) The parking requirements for live/work units are as follows:
 - A 2-car garage for the residential portion of each live/work unit is required. In addition, one off-street guest/customer parking space for every unit for the non-residential component is required.

10. Performance Standards

- (a) All new construction shall be subject to the general and specific standards contained in CCMC Chapter 9.86 (Performance Standards).
- (b) Connection to sewer is required.



11. Additional Standards and Guidelines

- (a) Refer to Chapter 12 (Design Standards and Guidelines) of this Plan for site and architectural design standards and guidelines, including landscaping design standards and guidelines, for commercial and mixed uses.
- (b) Refer to Chapter 13 (Specific Plan Administration) of this Plan for general provisions.

F. Multi-Family Residential Development Standards

The following development standards shall apply to **all multi-family development projects** in the MU-U District:

1. Density

- (a) The maximum gross residential density permitted for multi-family development is 45 dwelling units/acre.

2. Minimum Development Project and Individual Lot Size and Dimensions

- (a) An objective of this Specific Plan is to encourage comprehensive and integrated development projects. Therefore, the minimum size of a new development project site shall be 10 acres, except in the case when a PPD or Planned Unit Development (PUD) permit application is submitted, in which case, site size and dimensions shall be established as a part of the PPD or PUD approval process.
- (b) Within an approved development project, smaller individual lots may be created for financing or sale purposes. The minimum size for a multi-family lot is 20,000 SF.
- (c) Lots, 10 acres or less in size, that are existing at the time of Specific Plan adoption cannot subdivide except as noted in (b) above. Development on these lots shall follow all other provisions of this chapter.

3. Maximum Building Height

- (a) Refer to Section E.4 of this chapter for height regulations.

4. Minimum Dwelling Size

- (a) The minimum living area for individual multi-family dwelling units shall be 625 square feet for a studio unit, with 200 square feet for each additional bedroom.

5. Maximum Residential Lot Coverage

- (a) All buildings, together with any accessory structures, shall occupy not more than 60% of the net lot area.



6. Setbacks

- (a) For properties adjacent to I-10, an average setback of 75 feet (minimum of 40 feet) is required to provide space for a public parkway. The setback dimension shall be measured from the property line adjacent to the freeway's right-of-way. Refer to Section H in Chapter 5 (Circulation and Streetscape Improvements) of this Plan for applicable design criteria for the public parkway.
- (b) For properties adjacent to the MSHCP Conservation Area, a minimum setback of 15 feet is required along the shared property line(s). This 15-foot setback requirement also applies on all sides if the property falls within the MSHCP Conservation Area. This requirement fulfills the Land Use Adjacency Guidelines of the MSHCP.
- (c) Except as noted in (a) and (b) above, the following setback requirements shall apply in this district:
 - The minimum street yard setback shall be 20 feet, as measured from the property line. For corner lots, all street-facing sides shall meet this requirement.
 - The minimum rear yard setback shall be 10 feet, as measured from the property line.
 - The minimum interior side yard setback shall be 10 feet, as measured from the property line.

7. Distance between Buildings

- (a) For a multi-family development containing multiple buildings, the minimum distance between buildings shall be 15 feet.

8. Open Space

- (a) Each multi-family dwelling unit shall have a minimum **private open space** of 50 square feet, accessible directly from the living area of the dwelling. A rectangle inscribed within each private open space shall have no dimension less than eight (8) feet.
- (b) Private open space for ground floor dwelling units shall be in the form of a fenced yard, patio or deck. Private open space for aboveground level dwelling units shall have at least one exterior side open above the level of railing or fencing.
- (c) All balconies and patios that front a public right-of-way shall have opaque balcony/railing enclosures to screen items being stored on the balcony or patio.
- (d) A minimum of 100 square feet of **common open space** shall be provided per multi-family dwelling unit. Common open space may be divided into more than one area, however, each area shall be a minimum of 1,000 square feet and a rectangle inscribed within each shall have no dimension less than 25 feet. Common open space may be provided in the form of roof-top garden/patio areas.
- (e) Each multi-family development shall include, but not be limited to, two of the following recreational amenities, or equivalent, as approved by the Planning Commission:
 - Tot lot with multiple play equipment
 - Pool and spa



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- Barbecue facility equipped with grill, picnic benches, etc.
- Exercise room
- Court facilities (e.g., tennis, volleyball, basketball, etc.)
- Clubhouse
- Common gardening area

Quantity and size of facilities shall be proportionate to the number and type of dwelling units included in the development.

- (f) Areas used for providing site drainage and water retention cannot be used as part of the common open space area requirements described herein.
- (g) All required common open space shall be suitably improved for its intended purposes and all landscaped areas shall be provided with a permanent irrigation system to maintain such areas.
- (h) All recreation areas or facilities required by this section shall be maintained by private homeowners' associations, assessment districts, or other mechanism, subject to City approval.

9. Parking and Loading

In addition to the off-street parking requirements and standards set forth in Chapter 9.58 (Off-Street Parking) of the CCMC, the following shall be applicable for multi-family developments:

- (a) All parking spaces shall be delineated and separated by a painted divider (double stripe). The stripes shall be a 4-inch solid line painted either white or yellow in color, with outside dimensions of 18-inches. The use of graphics or text in or around the striping is prohibited. The striping shall be maintained in a clear and visible manner.
- (b) No parking or loading is permitted in the street side setbacks. Except for required landscape areas (refer to Chapter 12 for landscaping requirements), parking and loading is permitted in the interior side yard and rear yard setbacks.
- (c) Shared parking between adjacent businesses and/or developments is highly encouraged where feasible, per the requirements established in CCMC Chapter 9.58 (Off-Street Parking).
- (d) Driveways, drive aisles and interior streets shall not be used for any purpose that would inhibit vehicle access to parking spaces, vehicular circulation or emergency response.
- (e) Parking areas shall be designed in a way to allow room for turnarounds and prevent backing onto public streets.

10. Bicycle Parking and Storage Areas

- (a) All multi-family developments shall provide common bicycle storage areas for the residents as follows: two (2) bicycle storage units for every five (5) dwelling units for the first 20 dwelling units, and one (1) bicycle storage unit for every five (5) additional dwelling units.



11. Performance Standards

- (a) All new construction shall be subject to the general and specific standards contained in Chapter 9.86 (Performance Standards) of the CCMC.
- (b) Connection to sewer is required.

12. Additional Standards and Guidelines

- (a) Refer to Chapter 12 (Design Standards and Guidelines) of this Plan for site and architectural design standards and guidelines, including landscaping design standards and guidelines, for residential uses.
- (b) Refer to Chapter 13 (Specific Plan Administration) of this Plan for general provisions.



