

17.34.030 - SP-1 Allowable Land Uses and Permit Requirements

A. **Allowable land uses.** All land uses allowed in the base zoning districts as permitted or conditional uses may be allowed in the SP-1 overlay district in compliance with the land use permit requirements of the applicable base zoning district, except as follows:

1. **Additional allowed uses.** The following additional uses shall be allowed within the SP-1 overlay:
 - a. In the SP-1a subdistrict, restaurants, fast-food restaurants, formula fast-food restaurants, maintenance and repair services, and personal services are allowed. Restaurants, fast-food and formula fast-food restaurants shall not be allowed to have beer and wine service or full alcohol service.
 - b. In the SP-1a, SP-1b, SP-1c and SP-1e subdistricts, work/live units are allowed subject to a conditional use permit.
2. **Additional prohibited uses.** The following uses are prohibited throughout the overlay district:
 - a. Commercial growing grounds;
 - b. Drive-through businesses;
 - c. Life/care facilities;
 - d. Medical services: extended care;
 - e. Temporary swap meets;
 - f. Vehicle services: service station;
 - g. Vehicle services: vehicle storage;
 - h. Vehicle services: vehicle washing and detailing including small-scale vehicle washing and detailing businesses; or
 - i. Wholesaling, distribution, and storage - small-scale.
3. **Additional Prohibited Uses in SP-1a.** In the SP-1a and SP-1c subdistricts, commercial off-street parking uses are prohibited;
4. **Additional Prohibited Uses in SP-1d.** In the SP-1d subdistrict, the following uses are prohibited:
 - a. Single-family residential;
 - b. Multi-family residential;
 - c. Boarding houses;
 - d. Caretaker quarters;
 - e. Dormitories;
 - f. Fraternity/sorority housing;
 - g.

Mixed-use projects;

- h. Residential care facilities, general;
- i. Residential care facilities, limited;
- j. Single-room occupancy;
- k. Supportive housing;
- l. Transitional housing; or
- m. Work/live.

5. **Additional Prohibited Uses in SP-1e.** In the SP-1e subdistrict, single-family residential and multi-family residential uses.

B. **Nonconforming uses.** Except as modified in this Section, the provisions of Chapter 17.71 (Nonconforming Uses, Structures, and Parcels) shall apply to nonconforming uses in the overlay district.

1. **Expansion prohibited.** The following uses shall not be expanded:

- a. Mini-malls;
- b. Vehicle services - service stations;
- c. Vehicle services - vehicle/equipment repair;
- d. Vehicle services - sales and leasing limited;
- e. Vehicle services - vehicle storage;
- f. Vehicle services - vehicle washing/detailing and vehicle washing/detailing, small scale; or
- g. Commercial off-street parking.

2. **Expansion defined.** For the uses listed above in subsection 1, expansion or enlargement is prohibited. The use is expanded if any of the following occurs:

- a. Enlargement or expansion of the gross floor area;
- b. The paved parking area serving the use is increased;
- c. One of the following occurs:
 - (1) Increasing the number of fueling positions for a service station;
 - (2) Increasing the number of work stations for vehicle equipment repair; or
 - (3) Adding or changing a service at a service station or vehicle/equipment repair use that was not previously offered, including an auto wash or mini-mart.

3. **Allowed Alterations.** The following changes are allowed:

- a. Modernization of equipment;
- b. Reconfiguration of the parking in order to provide a more efficient plan;
- c.

Modification of existing landscaping or new landscaping to accommodate a reconfiguration of the parking;

d. Modernization that is consistent with the intent of this subsection as determined by the Zoning Administrator.

4. **Alterations.** Buildings housing any of the uses listed in Subsection B.1 above, may be altered according to the provisions of Chapter 17.71 (Nonconforming Uses, Structures, and Parcels).

C. **Drive-through businesses.** The number of queuing positions or service windows for any use that provides drive-through services may be increased with the approval of a conditional use permit; however, the gross square footage of such business shall not be increased. A drive-through business may be completely demolished and rebuilt with the approval of a conditional use permit as long as the square footage of the new building is not more than the building proposed to be demolished.

(Ord. 7326 § 6, 2018; Ord. 7313, § 9, 2017; Ord. 7300 § 9, 2017; Ord. 7160 § 21, 2009; Ord. 7129 § 3 (Exh. B) (part), 2008)

17.34.040 - SP-1 General Development Standards

Subdivisions, new land uses and structures, and alterations to existing land uses and structures shall be designed, constructed, and established in compliance with the requirements in Table 3-15.1 in addition those in Section 17.34.050 (SP-1 Additional Development Standards), and the applicable standards (e.g., landscaping, parking and loading, etc.) in Article 3 (Site Planning and General Development Standards). For residential projects, see 17.34.060 (SP-1 Residential Development Standards). The development standards of the base zoning districts shall not apply.

TABLE 3-15.1 - NORTH LAKE SPECIFIC PLAN DEVELOPMENT STANDARDS					
Development feature	Requirement by Zoning District				
	SP-1a	SP-1b	SP-1c	SP-1d	SP-1e
Minimum lot size	<i>Minimum area and width for new parcels.</i>				

Minimum area	7,200 sf	As determined through the subdivision	7,200 sf	As determined through the subdivision process consistent with the General Plan	
Width	55 ft	process consistent with the General Plan	55 ft		
Maximum density (1)	<i>Minimum lot area in square feet required for each dwelling unit. See Section <u>17.34.060</u> for the applicable residential development standards.</i>				
	2,750 sf	1,360 sf		N.A.	910 sf
Setbacks	<i>See Section <u>17.40.160</u> for setback measurement, allowed projections and encroachments into setbacks, and exceptions to setbacks.</i>				
Front	20 ft minimum (2)	5 ft - fixed (3) (4)	5 ft - fixed (3) (4)	5 ft - fixed (3) (4)	5 ft - fixed (3) (4)
Sides	7 ft	N.A.	N.A.	N.A.	N.A.
Corner side	15 ft	5 ft (4)	5 ft (4)	5 ft (4)	5 ft (4)
Rear	(5)(6)	(7)	(7)	(7)	(7)
Encroachment plane	<i>Structures shall not be located within an encroachment plane. See Section <u>17.40.160</u> for allowed projections into encroachment planes.</i>				

<p>Adjoining a residential property line</p>	<p>30-degree angle eight feet above the existing grade at the property line of abutting residential use.</p>	<p>45-degree angle eight feet above the existing grade at the property line of the abutting residential use</p>			
<p>Height limit</p>	<p><i>Maximum height of main structures at points noted. See <u>17.40.060</u> for height measurement, and exceptions to height limits.</i></p>				
	<p>30 ft non-residential including mixed-use</p>	<p>30 ft non-residential/ 42 ft. mixed use (8) (9)</p>	<p>25 ft non-residential/ 37 ft mixed-use (9)</p>	<p>30 ft (8)(9)</p>	<p>36 ft non-residential/ 48 ft mixed-mixed-use (9)</p>
<p>Accessory structures</p>	<p>See Section <u>17.50.250</u> (Residential Accessory Uses and Structures)</p>				
<p>Landscaping</p>	<p><u>Chapter 17.44</u> (Landscaping)</p>				
<p>Parking</p>	<p><u>Chapter 17.46</u> (Parking and Loading)</p>				
<p>Signs</p>	<p><u>Chapter 17.48</u> (Signs)</p>				

Other applicable standards	<u>Chapter 17.40</u> (General Property Development and Use Standards)
----------------------------	---

Notes:

- (1) See Chapter 17.43 regarding density bonus provisions.
- (2) Not more than 35 percent of the area between a street property line and a front building line may be paved. Unpaved areas must be planted and maintained with landscaping. Asphalt shall not be used as a paving material.
- (3) Recessed pedestrian entries may be provided for a distance of 30 percent of the street frontage provided that the minimum length of the building frontage that is five feet from the street property line is not reduced to less than 25 feet.
- (4) Except as provided under the driveway provision of this section and the parking provisions of Chapter 17.46, paving shall be provided throughout the corner and front yards. Asphalt shall not be used as a paving material.
- (5) For properties having a rear property line abutting the side yard of a residential use, a minimum rear yard of seven feet shall be provided. For properties having a rear property line abutting an alley, a minimum rear yard of four feet shall be provided.
- (6) A 20-foot setback is required when abutting the rear yard of a residential use.
- (7) A 15-foot setback is required when adjacent to an R district.
- (8) Along the north side of Washington Boulevard west of Prime Court, and along the south side of Washington Boulevard west of Hudson Avenue, the maximum building height is 25 feet for non-residential and 37 feet for mixed-use projects.
- (9) Minimum building height is 15 feet.

(Ord. 7160 § 22, 2009; Ord. 7129 § 3 (Exh. B) (part), 2008)

17.34.050 - SP-1 Additional Development Standards

- A. **Alcohol sales and services.** The provisions of Section 17.28.030 (AD-2 overlay district) shall apply.
- B. **Hours of operation.** The provisions of 17.40.070 shall apply.
- C. **Specific public and semi-public uses.** The development standards for public or private schools, public safety facilities, and religious assembly uses shall be determined as specified by a Conditional Use Permit.
- D. **Fences and walls.**

1. Within subdistrict SP-1a, the wall and fence requirements shall be that of the RS-6 district for all projects except multi-family projects which shall meet the fence and wall requirements of Section 17.40.180.B.3 (Multi-family projects (City of Gardens standards))
 2. Within all other subdistricts, the fence and wall provisions shall be those of the base district provided that an eight-foot-high solid masonry wall shall be constructed along the property line that separates a nonresidential use from a residential use. The required wall must be constructed on a property prior to any other new construction on that property.
- E. **Loading and refuse areas.** To the extent feasible, loading berths and refuse storage areas shall be located away from residential uses.
- F. **Signs.** The height of a free-standing or monument sign shall be limited to eight feet. Such sign shall have a minimum of 75 square feet of landscaping. All other signs shall meet the requirements of Chapter 17.48 (Signs).
- G. **Landscaping.** Vertical landscape material shall be planted and maintained on the property of a nonresidential use along the property line of a residential use.
- H. **Driveways.** The maximum driveway width shall be equivalent to the minimum driveway width allowed in Chapter 17.46. A landscape area shall be provided along the side of the driveway in front or corner yards. The width of the landscape area shall be a minimum of two feet and a maximum of five feet. The maximum height of planting materials within this required landscape area shall not exceed 2.5 feet.
- I. **Residential building conversions.** Buildings originally constructed for residential use prior to November 23, 1997, may be reused for permitted or conditionally permitted nonresidential use. Such reuse shall comply with the provisions of 17.50.070. The mixed use standards and work/live standards of this code shall not apply for such conversions. (Ord. 7129 § 3, (Exh. B), 2008)
- J. **Floor area ratio.** The floor area ratio requirement of the base district shall not be applicable in this specific plan.
- K. **Commercial frontage and façade standards.** Section 17.24.050 (Commercial Frontage and Façade Standards) shall not be applicable.

(Ord. 7160 § 23, 2009; Ord. 7129 § 3, (Exh. B) (part), 2008)

17.34.060 - SP-1 Residential Development Standards

For the development of residential uses, the following standards shall apply. All standards including height, setbacks and encroachment plane requirements of the following districts shall be applied.

- A. **Single-family.** For single-family uses, the standards of the RS-6 district shall apply.
- B. **Two units on a lot.** For two units on a lot, the standards of the RM-12 district shall apply.
- C. **Three units or more.** For development of three units or more, the following applies.

1. Within the SP-1a subdistrict, the development standards of the RM-16 district shall apply.
2. Within the SP-1b and SP-1c subdistricts, the development standards of the RM-32 district shall apply.

(Ord. 7129 § 3 (Exh. B) (part), 2008)