

**EXHIBIT “A”**

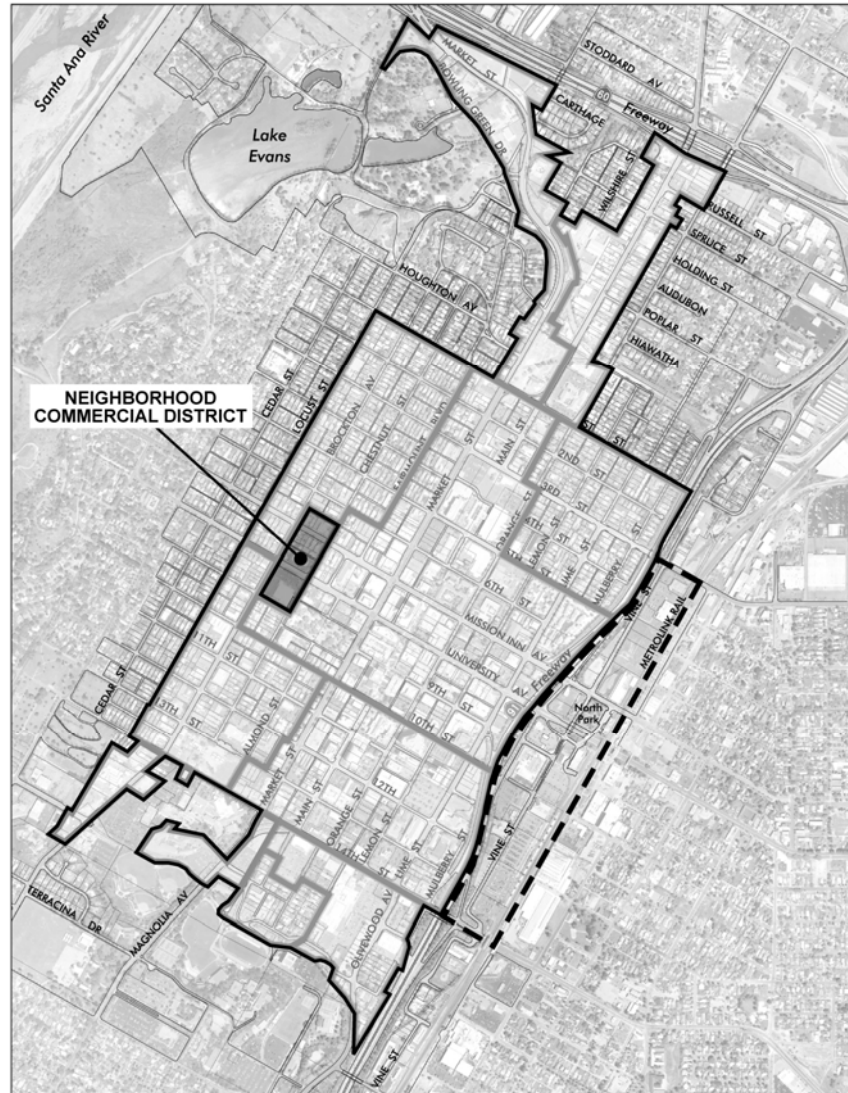
**CHAPTER 14**

**NEIGHBORHOOD COMMERCIAL DISTRICT**

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This Chapter defines the land uses, development standards and design standards and guidelines for the Neighborhood Commercial District. This Chapter is organized as follows:

- 14.1 Purpose
- 14.2 Permitted Uses
- 14.3 Conditionally Permitted Uses
- 14.4 Prohibited Uses
- 14.5 Development Standards for Commercial Development in the Neighborhood Commercial District
- 14.6 Development Standards for Multiple-family Residential Development in the Neighborhood Commercial District
- 14.7 Development Standards for Mixed-Use Development in the Neighborhood Commercial District
- 14.8 Design Standards and Guidelines for the Neighborhood Commercial District



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## 14.1 PURPOSE

The Neighborhood Commercial District is **primarily** intended to provide neighborhood-serving commercial uses to support nearby neighborhoods. The Neighborhood Commercial District promotes a concentration of businesses that provide convenience goods and services frequented by local residents. **Mixed-use and multiple-family development is also encouraged to add to the vibrancy of the District.** Development within this District should promote human scale elements while providing a sensitive transition between these uses and neighboring residences.

Two locations are identified that could serve the Downtown Area. Both are existing commercial centers. One is centered on the shopping complex at Brockton and University Avenues that consists of a grocery store, a multi-tenant strip building and two freestanding pads. The other is the Pine Center just outside of the Downtown Specific Plan area, at Pine Street and Tequesquite Avenue. This center includes a (presently vacant) grocery store space and several lease spaces in strip buildings that extend from the sides of the grocery space. The site also accommodates a small freestanding restaurant in a converted gasoline station building. Both of these centers are “suburban” in nature, with large parking areas to the front and the bulk of the commercial lease spaces to the rear. The Brockton/University location has an active grocery store, however, this location suffers from its proximity to the bus station and its associated social issues. The Pine Center suffers from the vacancy of its anchor grocery lease space that was formerly occupied by an Alpha Beta grocery store. This store was closed when the Alpha Beta company merged with Ralphs. One drawback to this lease space is that it is smaller than the size of most modern-day grocery stores and may need to be expanded or creatively marketed before it can be reactivated as a grocery store.

Presently, most residents in Downtown and vicinity travel to Magnolia Center, the University Community, or Canyon Crest to satisfy their daily shopping needs. This is an anomaly that begs to be addressed by convenient, attractive, secure, and appropriately stocked stores in the immediate Downtown area. In designating these existing centers as Neighborhood Commercial Districts, it is the intent of this plan that the City would partner with the private sector to revitalize these centers and help them realize their full potential to serve the daily shopping needs of the Downtown as well as the Northside and parts of the Eastside neighborhoods.



*The Pine Center Shopping Complex*



*The Shopping Complex at Brockton and University Avenues*

## **14.2 PERMITTED USES**

The following uses are permitted in the Neighborhood Commercial District:

- a) Banking establishments 2,500 square feet or less in size.
- b) Food stores.
- c) Laundromats.
- d) Medical and dental offices and laboratories 2,500 square feet or less in size.
- e) Offices, general and professional, 2,500 square feet or less in size.
- f) Parks and open spaces.
- g) Personal service establishments, such as, but not limited to, barber or beauty shops, tailors, shoe repair, etc.
- h) Pharmacies.
- i) Restaurants, including outdoor dining, pursuant to the standards established in the Zoning Code for outdoordining.
- j) Retail uses, not otherwise listed, intended to provide neighborhood support services and goods.
- k) Temporary uses pursuant to the standards established in the Zoning Code and consistent with the purposes of this District.
- l) Wireless communication facilities, pursuant to the Zoning Code.
- m) Accessory uses, incidental and subordinate to the principal permitted use.
- n) Other uses, not listed above, which are determined by the Planning Director to be similar to those listed above.

## **14.3 CONDITIONALLY PERMITTED USES**

The following uses are permitted in the Neighborhood Commercial District with a Minor Conditional Use Permit:

- a) Arcades.
- b) Florist with incidental wine sales.
- c) Minor expansions to nonconforming uses with a previously approved Conditional Use Permit.
- d) On-sale of alcoholic beverages, pursuant to the standards established in the Zoning Code.
- e) Outdoor food preparation.
- f) Vapor recovery systems, pursuant to the Zoning Code.
- g) Wireless communication facilities, pursuant to the Zoning Code.

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The following uses are permitted in the Neighborhood Commercial District with a Conditional Use Permit:

- a) Child day carecenters.
- b) Drive-thru pharmacy.
- c) Exercise facilities.
- d) Expansion of nonconforming uses.
- e) Off-sale of alcoholic beverages (liquor stores, markets, etc.), pursuant to the standards established in the Zoning Code.
- f) Public uses not permitted as a matter of right.
- g) Public utilities or installations.
- h) Unified commercial center development of one acre or more.
- i) Veterinary clinic.
- j) Wireless communication facilities, pursuant to the Zoning Code.
- k) **Multiple-family residential pursuant to standards set forth in Section 14.6 of this Chapter.**
- l) **Mixed-use pursuant to standards set forth in Section 14.7 of this Chapter.**

## **14.4 PROHIBITED USES**

The following uses are prohibited in the Neighborhood Commercial District:

- a) Car wash.
- b) Drive-thru restaurants.
- c) Motels.
- d) Service stations (gas stations and minor repairs).
- e) Vehicle repair.
- f) Vehicle sales and vehicle parts sales.
- g) Any use not specifically authorized.

## **14.5 DEVELOPMENT STANDARDS FOR **COMMERCIAL DEVELOPMENT IN** THE NEIGHBORHOOD COMMERCIAL DISTRICT**

**All property in the Neighborhood Commercial District shall be developed in accordance with the following standards:**

### **14.5.1 **Applicability****

**The provisions of this section apply to property developed as Commercial in the Neighborhood Commercial District.**

### **14.5.2 Maximum Floor Area Ratio**

The maximum floor area ratio shall be 1.5.

### **14.5.3 Maximum Height**

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The maximum building height shall be 35 feet.

### **14.5.4 Minimum Lot Size**

The minimum lot size for new parcels shall be 10,000 square feet.

### **14.5.5 Front Yard Setback**

The minimum front yard setback shall be 5 feet. No parking is permitted in the front yard setback area. The setback area shall be landscaped or improved pursuant to the design standards set forth in Chapter 15 of this Plan. The front yard setback shall also apply to side and rear yards adjacent to a street.

### **14.5.6 Rear Yard Setback**

No minimum rear yard setback is required, except for the following:

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

### **14.5.7 Interior Side YardSetback**

No minimum interior side yard setback is required, except where the side parcel line abuts a residential **use** district or zone, the minimum side yard setback shall be 15 feet.

### **14.5.8 Parking**

Refer to Chapter 16 for off-street parking requirements and standards.

## **14.6 DEVELOPMENT STANDARDS FOR MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENT IN THE NEIGHBORHOOD COMMERCIAL DISTRICT**

### **14.6.1 Applicability**

The provisions of this section apply to property developed as multiple-family residential in the Neighborhood Commercial District.

### **14.6.2 Maximum Density**

The maximum density shall be 20 units per acre.

### **14.6.3 Maximum Height**

The maximum building height shall be 35 feet.

### **14.6.4 Number of Stories**

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The maximum number of stories is limited to two (2) stories.

#### **14.6.5 Minimum Lot Size**

The minimum lot size for new parcels shall be 20,000 square feet.

#### **14.6.6 Front Yard Setback**

The minimum front yard setback shall be 10 feet. No parking is permitted in the front yard setback area. The setback area shall be landscaped or improved pursuant to the design standards set forth in Chapter 15 of this Plan. The front yard setback shall also apply to side yards adjacent to a street.

#### **14.6.7 Rear Yard Setback**

There shall be a minimum rear yard setback of 15 feet. Where the rear property line abuts a public alley, the minimum rear yard setback may be reduced four (4) feet.

#### **14.6.8 Interior Side Yard Setback**

There shall be a minimum side yard setback of 10 feet. Where the side property line abuts a non-habitable structure, the minimum side yard setback may be reduced to five (5) feet.

#### **14.6.9 Parking**

Refer to Chapter 16 for off-street parking requirements and standards.

#### **14.6.10 Open Space**

The following is required for private and common open space for multiple-family residential developments:

- (1) Private Usable Open Space: Each dwelling unit shall have a minimum private usable open spaces as defined in the Zoning Code of 50 square feet. A rectangle inscribed within each private usable open space shall have no dimension of less than five (5) feet. At least one exterior side shall be open above the level of railing or fencing. Private open space features include: fenced yard/patio areas, balconies and roof gardens.
- (2) Private Usable Open Space or patios may encroach up to seven (8) feet into the front setback subject to the following standards:
  - a. Only along a local street;
  - b. Privacy wall or fence is limited to six feet high;
  - c. Wall or fence shall be designed to complement the architecture of the residential building;
  - d. A minimum two (2) foot landscape buffer shall surround the fence or wall.
- (3) Common Usable Open Space: Inclusive of required setback yards, a minimum of 20 percent of the site area shall be designated and permanently reserved as common usable open space in multiple-family developments with greater than 10 dwelling units. All required common open space shall be suitably improved for its intended purposes and all lawn and landscaped areas shall be provided with a permanent irrigation system to maintain such areas. Common open space areas include courtyards, terraces, rooftop amenities, landscaping,



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picnic/barbecue areas, pools/spas, tennis/sport courts, clubhouse, tot lots/playgrounds. Parking areas are not to be included in the calculation of open space.

### **14.7 DEVELOPMENT STANDARDS FOR MIXED-USE DEVELOPMENT IN THE NEIGHBORHOOD COMMERCIAL DISTRICT**

#### **14.7.1 Applicability**

The provisions of this section apply to property developed as mixed-use development, as defined in Chapter 18: Definitions, in the Neighborhood Commercial District.

#### **14.7.2 Development Standards**

Refer to Section 14.6 for development standards.

#### **14.7.3 Maximum Floor Area Ratio**

The maximum floor area ratio shall be 1.5.

#### **14.7.3 Land Use Requirements for Mixed-use Development**

Mixed-use development integrates compatible office or commercial uses with residential uses within the same building or structures. Mixed –use development in the Neighborhood Commercial District should generally promote retail uses at the street level, and shall have the following use requirements:

1. Ground Floor or Street Level
  - (a) Non-residential uses – The ground floor or street level shall be devoted to pedestrian-oriented retail, restaurant, office or similar type uses.
  - (b) Residential uses – Mixed-use projects that have frontage on Mission Inn Avenue or University Avenue may have residential uses on the ground floor only when located off-street or behind retail uses. Residential uses shall be permitted on the ground floor for all other areas in the Neighborhood Commercial District. A common entrance to the residential portion of the mixed-use project may be located adjacent to non-residential front, ground floor use.

## **14.8 DESIGN STANDARDS AND GUIDELINES FOR THE NEIGHBORHOOD COMMERCIAL DISTRICT**

### **14.8.1 District Character Defining Statement**

As new buildings are built, or as existing buildings are remodeled in the Neighborhood Commercial District, the predominant character should be that of an urban village center. Opportunities should be taken to create outdoor eating areas, plazas, and pedestrian walkways. The buildings should be given a small-town urban commercial look and the atmosphere should be that of a pedestrian-scale, walkable cluster of stores offering goods and services to meet the daily needs of the area's residential neighborhoods. Overall, the intent should be to reduce the existing automobile-oriented, suburban strip-commercial look design, and to promote of these centers and transition them to more pedestrian

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oriented **development** centers where the automobile is accommodated, but not emphasized.

## **14.8.2 Site Planning**

### **Building Orientation**

- (1) New buildings should orient both toward adjacent streets and the parking areas serving the businesses. In no case should the street frontage of a new building be flanked by a blank wall lacking an active commercial entrance or use. As opportunities arise, consideration should be given to retrofitting existing buildings (such as those at the University/Brockton Center) that back-up to public spaces with storefronts, pedestrian passageways, and/or store entrances.
- (2) New development or additions should be sited to ensure privacy of existing residences on adjoining properties.
- (3) Upper stories should be designed to avoid windows and balconies overlooking adjacent residential properties.

### **Setbacks**

- (1) Street frontages adjacent to blank walls should be softened with landscaping. Hardscape should be used in front of pedestrian entries, storefronts, and other active use areas.

### **Vehicular Access and Parking**

- (1) Surface parking is an integral part of both existing centers and will likely accompany any new uses. Parking areas should be designed to accommodate pedestrian circulation. The pedestrian should also be given careful consideration in the placement of driveways and parking.
- (2) Parking should be located away from street views as much as possible.

### **Pedestrian Access**

- (1) Pedestrian access should be conveniently oriented toward both parking and the street.

### **Site Furniture**

- (1) Seating areas, including tables, chairs, lighting and openwork fencing should be located in gathering spaces to serve the outdoor dining needs of restaurants and coffee shops.

### **Courtyards and Passages**

- (1) In keeping with an emphasis on pedestrian amenities and circulation, courtyards and passages need to be integrated into both new construction and the remodeling of existing centers.
- (2) To help assure the security of these areas, they need to be designed in relation to active outdoor uses, such as restaurants and coffee shops.

## **14.8.3 Architecture**

### **Style**

- (1) The architectural style of any new buildings in neighborhood centers should reflect urban **commercial** styles such as those found on Main Street in Downtown.

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- (2) The **commercial** architectural design concepts should include storefronts consisting of traditional tile bulkheads, clear glass storefront windows, transoms, inset entries, and simple roof parapets.

### **Scale**

- (1) Scale should be village-like with one to two story buildings. To further maintain a sense of pedestrian scale, all buildings should be broken into storefront bays about 25 feet wide.
- (2) Place the highest portions and largest mass of the structure away from residential neighborhoods to ensure privacy.
- (3) If a property adjoins a residential use, no portion of the building (including parapets) should be above an imaginary plane drawn at the rear property line and extended at an angle of 45 degrees towards the front of the property.
- 4) **Multiple-Family residential and mixed-use developments shall be small-town urban in scale.**

### **Detailing**

- (1) Detailing should be simple and include such things as stepped parapets, tile bulkheads, traditional canvas awnings, and terrazzo entries.
- (2) **Detailing of multiple-family residential structures should be complementary to the architectural style of the building.**

### **Roof Design**

- (1) Typically, roofs should be flat, with parapets providing mechanical equipment screening and a place for design expression.
- (2) Pitched roofs should typically be used as an accent, not a predominant roof style. Mansard roofs are strongly discouraged as they are usually identified with suburban strip centers.

### **Colors and Materials**

- (1) Wall colors should be light and neutral, with richer accents in the form of tile bulkheads, storefront window framing, awnings **or other architectural details.**

## **14.8.4 Landscaping**

### **General Site**

- (1) Landscaping should occupy at least 10% of the overall site area, not including setback areas.

### **Plant Types**

- (1) Other than scale (noted below) any plant materials suitable for this climate would be acceptable. Plants should include a balance between color, deciduous, and evergreen materials.

### **Scale**

- (1) Generally, plants should include small shrubs and lacy trees, designed to accent, not obscure, the buildings. Larger shade trees should be placed in plaza and parking areas. The pedestrian perspective should be a significant factor in plant selection.

### **Relationship to Development**

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- (1) The objective should be to accent buildings and enhance the pedestrian experience.
  - (2) Walkways and building entries should be punctuated with color; walking paths and plazas should be both colorful and shaded, and parking areas should be well shaded.

#### **Hardscape**

- (1) The emphasis should be on creating a pleasant walking experience. Walking paths and plazas should be given an upgraded appearance with special textures and scoring.
- (2) A good example of appropriate paving may be found on the pathways adjacent to the pool enclosure at the Mission Inn.
- (3) Parking lots may have simple asphalt paving, however, decorative walking paths should penetrate into all parking areas.
- (4) The use of heavily textured materials, such as deeply incised stamped concrete or pavers is discouraged as these materials tend to create an unpleasant walking surface.

### **14.8.5 Signs**

#### **Style**

- (1) Signs should be "traditional" in style. Standard franchise signing should be adapted to coordinate with the architecture of the building and the desired character of the center.

#### **Scale**

- (1) Signs should be low key, and at a pedestrian/low speed vehicular scale.

#### **Type**

- (1) Typical acceptable signs include sandblasted wood, painted metal, reverse channel letters, and traditional neon signs. More contemporary commercial signs, such as plastic faced canister and channel letter signs should be avoided.

### **14.8.6 Additional Design Standards and Guidelines**

Refer to Chapter 15 for general design standards and guidelines that apply to the entire Downtown Specific Plan area.