

ATLANTIC AVENUE PLANNED DEVELOPMENT DISTRICT (PD-25)

Ordinance No. C-7882

I. PURPOSE AND INTENT

- A. The intent of this Atlantic Avenue Planned Development Plan is to establish guidelines for the use and the development of those parcels of land along Atlantic Avenue generally between Pacific Coast Highway to the south and Willow Street to the north.
- B. This Atlantic Avenue Planned Development District is divided into two (2) subareas. Subarea 1 consists of parcels of land along Atlantic Avenue generally between Pacific Coast Highway to the south and Willow Street to the north. Subarea 2 also known as the Central Village Mixed Use Subarea boundaries are Willow Street to the north, PD-22 to the south and west and Atlantic Avenue to the east.
- C. This area currently suffers from blighted conditions, including vacant and underutilized commercial structures, deteriorated commercial and residential structures and incompatible land uses. These conditions have increased crime in the area and have had a negative impact on the adjacent residential neighborhood.
- D. The purpose of this Planned Development Ordinance (PD-25) is to ensure that the recycling and reinvestment that occur along this portion of Atlantic Avenue result in high quality developments and provide compatible uses that complement and serve the adjoining residential neighborhood. In addition to prohibiting certain uses that might have a negative impact on the area, certain uses such as childcare are specifically encouraged.
- E. Subarea 2 (Central Village Mixed Use District) is intended to recognize the importance of the intersection of Willow Street and Atlantic Avenue and opportunities to provide a mix of commercial and residential uses that support the nearby Memorial Medical Center.

II. DEVELOPMENT REVIEW PROCESS

- A. Except for interior and exterior remodeling, no building permit shall be issued for any development in the PD-25 Zoning District until a Site Plan Review has been approved, or conditionally approved, for that development by the Site Plan Review Committee under the procedures for Site Plan Review set forth in the Zoning Regulations. Utility and infrastructural facilities shall be part of the Site Plan Review. No building

permits shall be issued until construction plans have been approved and surety provided for all utility and infrastructural improvements. No grading permits shall be issued until all soil studies and drainage plans relevant to such grading have been approved and surety provided for. Each applicant shall also submit detailed plans of the security package to the Crime Prevention Unit of the Police Department for review.

III. LAND USE AND DEVELOPMENT STANDARDS FOR SUBAREA 1

A. Uses.

The use and development standards shall be as follows:

1. Residential Development

Residential projects shall be of a town home design and conform to the R-3-T standards. However, the height, front and rear yard setbacks shall conform to the CNR standards.

2. Residential Use Limitation

No new residential development shall be located on the ground floor within one hundred feet of any existing liquor store (defined as any establishment which sells distilled spirits for off-premise consumption) unless it can be demonstrated, to the satisfaction of the Director of Planning and Building, that the design of the project mitigates the negative locational aspects of locating next to a liquor store.

3. Commercial Development

All commercial projects shall conform to the development standards of the CNR zone.

a. The attached "PD-25 Use Table" indicates the classes of uses permitted, not permitted, or permitted by special hearing processes which, as set forth, shall apply in the PD-25 Zoning District.

b. Access for new commercial developments shall be from a side street or alleyway.

4. Landscaping

The landscaping along Atlantic Avenue shall be of a uniform treatment using London Plan Trees for street trees and Bradford Pear Trees and mounded grass within the front yard area.

5. Historical District

The permitted use for properties located within a designated historical district shall be the same as that permitted by the historical district. In addition, a residential care facility may be permitted with a Conditional Use Permit by using the same requirements as the CO zone provided that such a facility shall be established within a designated landmark building, and no new construction of additional floor areas shall be permitted.

IV. LAND USE AND DEVELOPMENT STANDARDS FOR SUBAREA 2 (THE CENTRAL VILLAGE MIXED USE DISTRICT)

A. Uses

The use and development standards shall be as follows:

1. Residential Development

Residential projects shall be of mixed use, multi-family and townhome designs and conform to the R-4-N standards. However, the height, front, side, rear yard setbacks including stepbacks shall conform to the Central Village Mixed Use District Land Use and Development Standards.

2. Commercial Development

Refer to the Revised PD-25 Use Table.

B. Setbacks and Pedestrian Orientation

1. For properties fronting Willow Street, eighty percent (80%) of the ground floor building frontage shall be constructed with a zero setback or as otherwise approved at Site Plan Review.
2. For properties fronting Atlantic Boulevard, buildings shall be set back a minimum of five feet (5') from the property line.
3. For properties fronting Vernon Street, buildings shall be set back a minimum of five feet (5') from the property line.
4. Interior property lines - Where property is adjacent to side yard of a residential district, the setback shall be five feet (5'). Otherwise, no setback shall be required. Where property is adjacent to the Planned Development District (PD-22), the setback shall be zero feet (0').

5. Rear property lines – No rear setback shall be required. Where property is adjacent to the Planned Development District (PD-22), the setback shall also be zero (0).
6. Ground floor street frontage shall consist of active uses such as commercial, retail, or other active spaces. For residential projects, common activity areas such as community spaces, recreation areas (with the exception of laundry areas) and/or entries to units shall be located at the ground floor street frontage.
7. Ground floor street frontage shall provide a minimum of 50% transparency at height between three feet (3') and ten feet (10') above the top of curb, or as otherwise approved at Site Plan Review.

C. Access and Parking

1. Vehicular access shall be taken off the alley for all properties facing Willow Street.
2. Off-street grade-level parking spaces shall not be placed within the street frontage or in between buildings.
3. All at grade parking shall be screened from the street by active uses. Alternatives such as screening with architectural or landscape treatment may be approved at site plan review.
4. Alleys and other PE ROW grade-level off-street parking spaces shall be screened with architectural or landscape treatment.

D. Building Height

In order to provide a sensitive response to varying site conditions, height requirements shall vary within PD-25 (Per Map within Attachment 6) and by the specific standards below.

1. Subarea 2a
 - a. Buildings shall be no more than forty-eight feet (48') to top of roof, with the following exceptions: thirty percent (30%) of the building footprint may be as high as sixty feet (60') placed anywhere within building footprint. For development at the corner of Willow Street and Atlantic Avenue, additional height shall be located at the corner of the building and a maximum of 50% of building footprint may extend to a height of sixty feet if approved at Site Plan Review.

2. Subarea 2b
 - a. Height limit of twenty-eight feet (28') (thirty-five feet (35') permitted through Site Plan Review).
3. Subarea 2c
 - a. A maximum forty-eight feet (48') height applies, with a thirty-foot (30') stepback from both the alley and the PE ROW that shall be a maximum height of twenty-eight feet (28') for a minimum of 50% of the area, with the remainder having a maximum height of thirty-five feet (35'), or as otherwise approved at Site Plan Review.
4. Subarea 2d
 - a. Height limit of forty-eight feet (48').
 - b. The allowable height shall be forty-eight feet (48') with allowable projections.
5. Subarea 2e
 - a. Height limit of twenty-eight feet (28') (thirty-five feet (35') to forty-eight feet (48') permitted through Site Plan Review) with a stepback of thirty feet (30').
 - b. A maximum forty-eight feet (48') height applies, with a thirty-foot (30') stepback from both the alley and the PE ROW that shall be a maximum height of twenty-eight feet (28') for a minimum of 50% of the area, with the remainder having a maximum height of thirty-five feet (35'), or as otherwise approved at Site Plan Review.

E. Building Articulation

The following building articulation requirements shall apply unless alternative designs are approved through Site Plan Review.

1. Buildings shall be fully articulated in accordance with the architectural design concept (Per Map within Attachment 6). At a minimum, articulation shall be provided along building frontage at each public right of way (including alleys). The minimum articulation provided shall be no more than fifteen feet (15') above grade, shall be no less than fifteen feet (15') wide and twenty feet (20') in depth, and shall be open to the sky. The stepback of area C shall be exempt from this requirement.

2. No building facade or massing configuration shall repeat within a distance of 100'.
3. For Subarea 2e a courtyard with a minimum dimension of thirty feet (30') n/s and seventy-five feet (75') EW fronting Vernon Street shall be provided on any site with a length of more than 200', or as otherwise approved at Site Plan Review.

PD-25 USE TABLE			
Uses			Comments
ALCOHOLIC BEVERAGE SALES:	Off-premises sales as accessory use to a full line grocery store	C	Note: For alcoholic beverage sales exempted from the CUP process, see Footnote #2. Note: The concentration of existing ABC licenses & the area crime rate are factors considered in reviewing applications for alcohol sales.
	All other off-premise sales	N	
	On-premise sales as accessory use to a restaurant	C	
	All other on-premise sales	N	
AUTOMOBILE (VEHICLE) USES:	Auto Detailing (with hand held machines only)	AP	Mobile businesses prohibited.
	Car Wash	N	
	Gasoline Sales	C	Site plan review is required. For auto repair, see "Minor Auto Repair".
	General Auto Repair (body work, painting, etc)	N	
	Minor Auto Repair, Tune Up & Lube, Smog Test	N	
	Limousine Service	Y	Fully enclosed garage required.
	Motorcycle/Jet Ski Sales & Repair	N	
	Parking Service - principal use	C	
	Recreational Vehicle Storage	N	
	Rental Agency (does not include repair)	N	
	Sales (does not include auto repair)	N	
	Towing	N	
	Vehicle Parts (with installation); Tire Store	N	
	Vehicle Parts (w/o installation)	AP	
BILLBOARDS:	Mini-poster or Poster (up to 300 sq. ft)	N	
	Painted Board (300 sq. ft or more)	N	
BUSINESS OFFICE SUPPORT	Copy, Fax, Mail Box, or Supplies	Y	

PD-25 USE TABLE			
Uses			Comments
	Equipment Sales, Rental or Repair	Y	
	Off-set Printing	N	
ENTERTAINMENT	Amusement Machines (4 or fewer)	N	
	Arcades	C	See Section 21..52.203
	Computer Arcades	C	See Section 21.52.220.5
	Dancing (accessory use)	N	
	Drive-in Theater	N	
	Hall Rental	AP	
	Live or Movie Theater (w/100 seats or less)	AP	For theaters w/100+ seats, see "Movie"
	Mock Boxing or Wrestling	N	
	Moving Theater (or Live Theater w/100+ seats)	N	
	Pool Tables (up to 3 tables)	A	Accessory to restaurant, tavern, community center, cultural center, or church (See 21.51.260)
	Private Club, Social Club, Night Club	N	
	Restaurant with Entertainment	Y	City Council hearing is required for new and transferred business licenses
	Other Entertainment Uses (bowling alley, miniature golf, tennis club, skating rink)	AP	
FINANCIAL SERVICES:	ATM (walk-up machine)	A	Requires 2(5 min) parking spaces for each machine. Spaces must be within 100'. Such spaces may be existing required parking. (See 21.32.240) Special standards of CNR zone apply.
	Bank, Credit Union, Saving & Loan	Y	
	Bank (with drive-up ATM or window)	AP	
	Check Cashing	AP	
	Escrow, Stocks & Bonds Brokerage	Y	

PD-25 USE TABLE			
Uses			Comments
	All Financial Services Not Listed	AP	
INSTITUTIONAL USES:	Church or Temple	AP	
	Community Center/Cultural Center	AP	Operator must be a non-profit agency
	Convalescent Hospital or Home	N	
	Crematorium	N	
	Daycare or Pre-school	Y	
	Elementary or Secondary School	N	Permitted in Institutional zones only
	Industrial Arts Trade School or Rehabilitation Workshop	N	
	Mortuary	N	
	Parsonage	A	Accessory to church or temple.
	Professional School/Business School	Y	
	Social Service Office (without food distribution)	AP	
	Social Service Office (with food distribution)	AP	
	Other Institutional Uses	C	
PERSONAL SERVICES:	Basic Personal Services (barber/beauty shop, diet center, dog/cat grooming, dry cleaner, locksmith, mailbox rental, nail/manicure shop, repair shop for small appliances/bicycles/ electronic equipment, tailoring, shoe repair, tanning salon, travel agent, or veterinary clinic without boarding)	Y	
	Catering, Party Counseling (w/o trucks)	Y	For catering w/trucks, see Table 33-1
	Fitness Center/Health Club, Dance/Karate Studio	AP	Limited to 5000 sq. ft.
	Fortune-telling	N	
	Gun Repair Shop	N	

PD-25 USE TABLE			
Uses			Comments
	House Cleaning Service	Y	
	Laundromat	Y	
	Laundry (commercial customers)	N	Permitted in Industrial zones only.
	Massage Establishment	Y	
	Recycling Center	N	Permitted in Industrial zones only.
	Recycling Collection Center for cans & bottles (staff attended)	N	
	Recycling Containers for cans & bottles	A	Accessory to grocery store only (See 21.51.265).
	Repair Shop (stove, refrigerator, upholstery, lawn mowers, etc.)	N	For small appliance repair, see "Basic Personal Services".
	Self-storage (indoor only)	N	
	Shoe Repair	Y	
	Shoe-shine Stand	A	Accessory to barber, car wash, grocery, hotel, office, or restaurant use.
	Tattoo Parlor	N	
	Termite & Pest Control	N	See "MISC.-Storage of Haz. Materials".
	Veterinary Clinic w/boarding	N	Also see "Basic Personal Services"
	All Personal Services Not Listed	AP	
PROFESSIONAL SERVICES	Accounting, Advertising, Architecture, Artist Studio, Bookkeeping, Business Headquarters, Chiropractics, Computer Programming, Consulting, Contracting, Dentistry, Engineering, Insurance, Law, Marketing, Medicine, Photography, Private Investigator, Psychiatry, Psychology, Real Estate, or Tax Preparation	Y	
	All Professional Offices Not Listed	AP	
RESIDENTIAL USES	Artist Studio with Residence	Y	
	Caretaker Residence	AP	

PD-25 USE TABLE			
Uses			Comments
	Group Home (care of six or less)	Y	
	Residential Care Facility (care of seven or more)	N	
	Senior and/or Handicapped Housing	Y	
	Special Group Housing (fraternity, sorority, convalescent home, convent, monastery, etc)	Y	
	Single-family or Multi-family Residential	Y	See Table 31-2B (R-3-T) for permitted densities.
RESTAURANTS & READY-TO-EAT FOODS	Restaurants & Ready-to-Eat Foods without drive-thru lanes	Y	Note: For use selling alcoholic beverages, see "ALCOHOLIC BEV. SALES"
	Restaurants & Ready-to-Eat Foods with drive-thru lanes	C	Special standards apply. (See 21.45.130)
RETAIL SALES	Basic Retail Sales (except uses listed below)	Y	Note: Antiques, art, books (new & used), coins, collectibles, jewelry, and trading cards are included in "Basic Retail"
	Building Supply or Hardware Store with lumber, drywall, or masonry	N	For hardware store w/o lumber, drywall, or masonry, see "Basic Retail Sales"
	Auxiliary Flower, Plant, Fruit, or Vegetable Sales (outdoor stand or nursery)	A	Accessory to the sale of related products in a retail store. (See 21.51.255)
	Flower Stand or News Stand	Y	Requires special permit. (See 21.45.135)
	Gun Shop	N	
	Itinerant Vendor	T	
	Major Household Appliances (refrigerator/stoves/etc.)	N	
	Manufacture of Products Sold on Site	A	See 21.51.140
	Merchandise Mall, Indoor Swap Meet	N	
	Outdoor Sales Events (flea mkts/swap meet)	N	

PD-25 USE TABLE			
Uses			Comments
	Pawn Shops	N	
	Superstore (Retail > 100,000 SF with > 10% non-taxable merchandise)	N	See 21.15.2985
	Thrift Store, Used Merchandise	AP	Also see Note under "Basic Retail"
	Vending Machines	A	Accessory to existing retail sales. (See 21.51.295)
TEMPORARY LODGING	Bed & Breakfast Inn	AP	
	Hotel	AP	
	Motel	N	
	Inn	N	
	Shelters	N	
TEMPORARY USES	Carnival, Event, Fair, Trade Show, etc.	T	
	Construction Trailer	T	
TRANSPORTATION AND COMMUNICATION FACILITIES	Transportation Facilities (bus terminals, cab stands, heliports, helistops)	N	
	Communication Facilities (cellular telephone cell site, electrical distribution station)	N	
MISCELLANEOUS	Storage of Hazardous Materials Accessory to Principal Use (such as pest control)	C	A CUP is required if amount of material stored exceeds 55 gal. of liquid, 500 lbs of solids, 200 cubic feet of compressed gas, or any amount of acutely hazardous material.

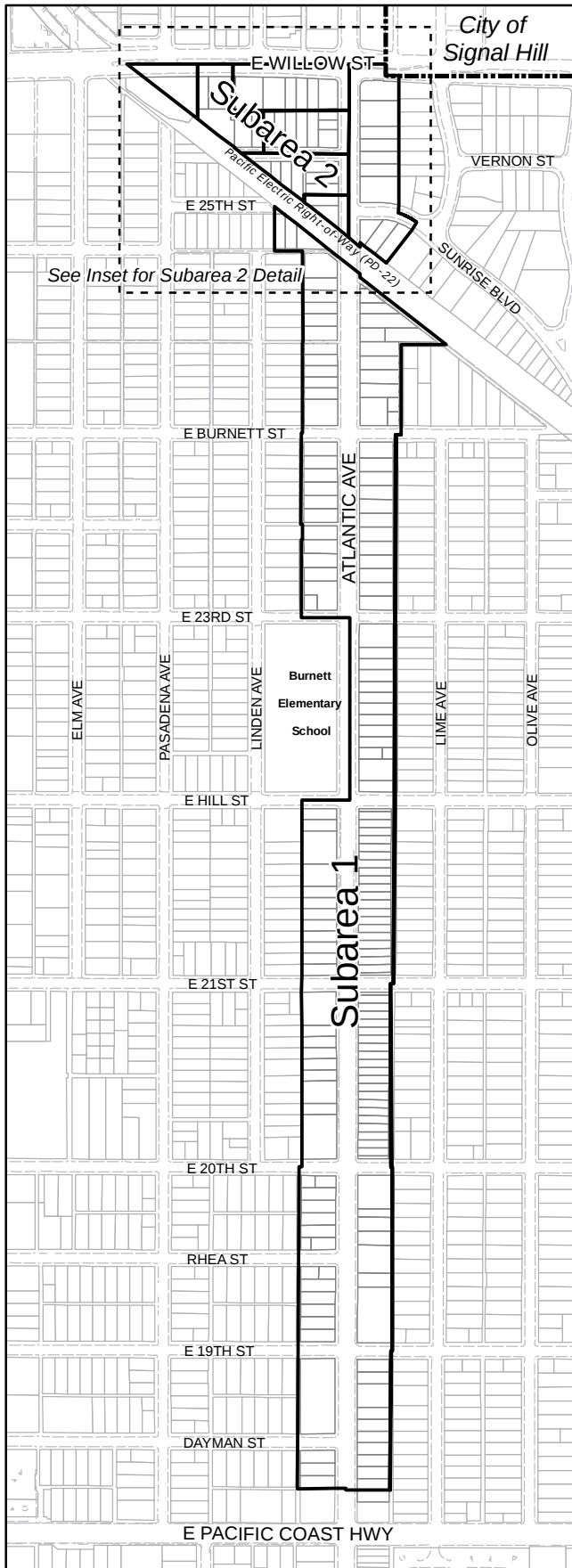
Abbreviations:

- Y = Yes (permitted use)
 N = Not permitted
 C = Conditional Use Permit is required
 A = Accessory Use
 AP = Administrative Use Permit is required
 T = Temporary use subject to provisions contained in Chapter 21.53.

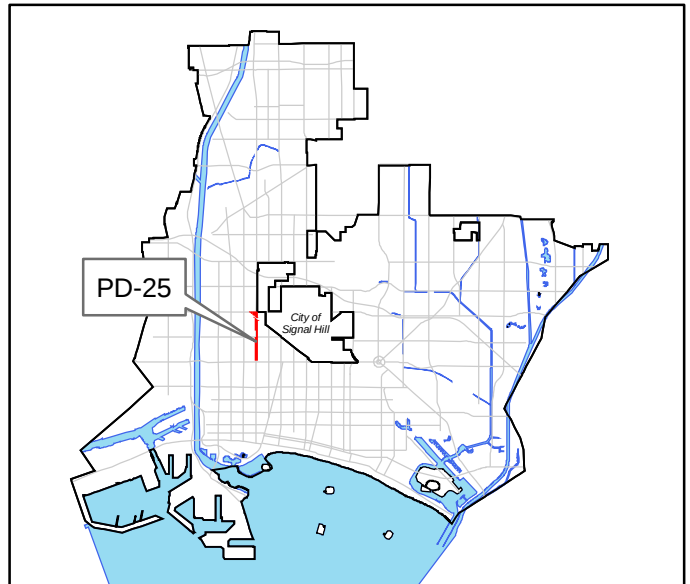
Footnotes:

- (1) Any use in excess of 10,000 sq. ft. requires an Administrative Use Permit.
- (2) The following alcoholic beverage sales shall be exempted from the CUP permit requirement:
 - a. Restaurant with alcoholic beverage service only with meal. This generally means any use with a fixed bar is not exempt. A service bar is not considered a fixed bar. A sushi bar, where alcoholic beverages are served at the same bar where meals are served, is considered serving alcoholic beverages only with meal service. A cocktail lounge with a bar, but with primarily service of only hors d'oeuvres and alcoholic beverages is not exempt. Any restaurant with more than 30 percent of gross sales consisting of alcoholic beverages shall lose its exemption and be required to obtain a condition use permit to continue to sell alcohol.
 - b. Use located more than 500 feet from zoning districts allowing residential use.
 - c. Department store or florist with accessory sale of alcoholic beverages.
 - d. Existing legal, nonconforming uses.

The Planning Bureau provides this information for reference and the convenience to the public. The adopted ordinance, together with any amendment thereto, is in the possession of the City Clerk and should be reviewed and considered prior to making any land use decision. Information contained herein is subject to change without notice as a result of updates, corrections or amendments.



Subarea 2 Inset



Atlantic Avenue Planned Development District (PD-25)



Map 1 of 1

Revised 10/17/07