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**TOWN OF APPLE VALLEY
PLANNING COMMISSION AGENDA**

WEDNESDAY, FEBRUARY 3, 2021

Regular Meeting 6:00 p.m.

Town Council Chambers
14955 Dale Evans Parkway

PLANNING COMMISSION MEMBERS

Bruce Kallen, Chairman
Joel Harrison, Vice-Chairman
B.R. "Bob" Tinsley, Commissioner
Mike Arias Jr., Commissioner
Jared Lanyon, Commissioner

PLANNING DIVISION OFFICE: (760) 240-7000 Ext. 7200
www.AVPlanning.org

Monday - Thursday 7:30 a.m. to 5:30 p.m.
Alternating Fridays 7:30 a.m. to 4:30 p.m.



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**TOWN OF APPLE VALLEY
PLANNING COMMISSION AGENDA
REGULAR MEETING
WEDNESDAY FEBRUARY 3, 2021 – 6:00 P.M.**

PUBLIC PARTICIPATION IS INVITED. Planning Commission meetings are held in the Town Council Chambers located at 14955 Dale Evans Parkway, Apple Valley, California. If you wish to be heard on any item on the agenda during the Commission's consideration of that item, or earlier if determined by the Commission, please so indicate by filling out a "REQUEST TO SPEAK" form at the Commission meeting. Place the request in the Speaker Request Box on the table near the Secretary, or hand it to the Secretary at the Commission meeting. (G.C. 54954.3 {a}).

Materials related to an item on this agenda, submitted to the Commission after distribution of the agenda packet, are available for public inspection in the Town Clerk's Office at 14955 Dale Evans Parkway, Apple Valley, CA during normal business hours. Such documents are also available on the Town of Apple Valley website at www.applevalley.org subject to staff's ability to post the documents before the meeting.

The Town of Apple Valley recognizes its obligation to provide equal access to those individuals with disabilities. Please contact the Town Clerk's Office, at (760) 240-7000, two working days prior to the scheduled meeting for any requests for reasonable accommodations.

REGULAR MEETING

The Regular meeting is open to the public and will begin at 6:00 p.m.

CALL TO ORDER

ROLL CALL

Commissioners: Arias _____; Tinsley _____; Lanyon _____;
Vice-Chairman Harrison _____; Chairman Kallen _____

PLEDGE OF ALLEGIANCE

ELECTION OF NEW OFFICERS

1. Nomination for Chairperson
2. Nomination for Vice-Chairperson

RECESS FOR REORGANIZATION

APPROVAL OF MINUTES – No minutes

PUBLIC COMMENTS

Anyone wishing to address an item not on the agenda, or an item that is not scheduled for a public hearing at this meeting, may do so at this time. California State Law does not allow the Commission to act on items not on the agenda, except in very limited circumstances. Your concerns may be referred to staff or placed on a future agenda.

PUBLIC HEARING ITEMS

1. **Development Code Amendment No. 2021-001.** An amendment to Title 9 "Development Code" of the Town of Apple Valley Municipal Code modifying development standards applicable to the construction of multi-family housing. The Planning Commission shall consider amending various sections of the Development Code relating to setbacks, drive aisle widths, unit sizes, required storage and required separation distances between structures. Also under consideration are density-based site development standards consisting of building height, parking, trash enclosures, equipment screening, landscaping, private and common open space, laundry facilities, amenities, requirements for architectural variations for projects consisting of multiple duplex structures and project phasing requirements.

APPLICANT: Town of Apple Valley

LOCATION: Town wide

ENVIRONMENTAL

DETERMINATION: It has determined that, pursuant to Section 15061(b)(3) of the State Guidelines to Implement CEQA, which states that the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment, the project is not subject to the California Environmental Quality Act (CEQA). Where it can be seen with certainty that there is no possibility that the activity in question, the proposed Code Amendment, may have a significant effect on the environment, the activity is not subject to CEQA.

OTHER BUSINESS

PLANNING COMMISSION COMMENTS

STAFF COMMENTS

ADJOURNMENT

The Planning Commission will adjourn to its next regularly scheduled Planning Commission meeting on February 17, 2021.



Planning Commission Agenda Report

DATE:	February 3, 2021	Item No. 1
CASE NUMBER:	Development Code Amendment No. 2021-001	
APPLICANT:	Town of Apple Valley	
PROPOSAL:	<p>An amendment to Title 9 "Development Code" of the Town of Apple Valley Municipal Code modifying development standards applicable to the construction of multi-family housing. The Planning Commission shall consider amending various sections of the Development Code relating to setbacks, drive aisle widths, unit sizes, required storage and required separation distances between structures. Also under consideration are density-based site development standards consisting of building height, parking, trash enclosures, equipment screening, landscaping, private and common open space, laundry facilities, amenities, requirements for architectural variations for projects consisting of multiple duplex structures and project phasing requirements.</p>	
LOCATION:	Town wide	
ENVIRONMENTAL DETERMINATION:	<p>It has determined that, pursuant to Section 15061(b)(3) of the State Guidelines to Implement CEQA, which states that the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment, the project is not subject to the California Environmental Quality Act (CEQA). Where it can be seen with certainty that there is no possibility that the activity in question, the proposed Code Amendment, may have a significant effect on the environment, the activity is not subject to CEQA.</p>	
CASE PLANNER:	Pam Cupp, Senior Planner	

RECOMMENDATION: Adopt Planning Commission Resolution No. 2021-002

BACKGROUND

An Ad Hoc Committee was formed by the Town Council to review the Town's existing multi-family development standards. On October 8, 2020, the committee met along with staff and members of the public consisting of professionals in the apartment and townhouse development community. During that meeting, the Committee formed a list of recommendations for the Town Council's review. At its November 10, 2020 meeting, the Town Council received the recommendations of the Ad Hoc Committee and subsequently initiated a Development Code Amendment to modify multi-family residential development standards.

ANALYSIS

The Ad Hoc Committee recommendations are based primarily upon industry preferences, and consistency with other cities. Changes to Development Code regulations should encourage multi-family development by making it easier and financially solvent to build new units. These changes would also assist the Town in its current efforts to update the Housing Element and obtain certification from the State Department of Housing and Community Development.

The existing regulations are mostly based upon the number of bedrooms in each unit and by the unit count. The Ad Hoc Committee recommendation is that the regulations should be modified to address different sizes of projects and with specific criteria applied to each project size. Their recommendation is to have 3 project sizes:

Small: 2-8 units;
Medium: 9-15 units; and
Large: 16+ units

State law states requires projects that have 16 or more units be required to have an on-site manager living at the premises. The Committee wanted to find ways to encourage these types of large projects and differentiate them from the small or medium projects that are frequently built in Apple Valley. In the last 15 years since the Development Code regulations for multi-family development was last modified, there have been 174 multi-family units constructed consisting of thirty-six small projects and two large projects.

The recommendation from the Ad Hoc Committee also includes modifications to several definitions. For the most part, it is recommended that architectural guidelines remain the same. A minor reduction to drive aisles is also recommended, subject to Fire District regulations. It is recommended that the minimum unit sizes be reduced to be more in keeping with industry standards.

Most of the proposed modifications includes a reduction including the number of amenities, size of common and private open space, setbacks, landscaping, parking, building separations and buffers from other uses. More provisions for encroachments and making the location of parking and trash enclosures more flexible.

Keeping the architectural standards similar to what is required now, will allow implementation of these modifications to the Code, while not jeopardizing the quality character that is expected in Apple Valley. Allowing flexibility in these regulations will also allow developers to emphasize or invest in more architectural integrity than they might have under the current regulations.

Based upon the extensive modifications, it is recommended that the Section 9.29.070 "Multi-family Housing Standards" be replaced in its entirety. To create a user-friendly document, the replacement text mostly based upon project size. For a clear understanding of the modification, staff has provided for the Commission's consideration the existing text with strike-thru underline where appropriate and/or details of each change based upon project density.

9.29.070 Multi-Family Housing Standards

- A. *Applicability.*** Multi-family housing, including but not limited to duplexes, triplexes, apartments, condominiums and townhouses is permitted in the R-M district with an approved Development Permit **or Conditional Use Permit**. Single-family housing, including attached and detached homes, is permitted within the R-M district within the Mountain Vista neighborhood only.
- B. *General Development Standards.*** All multi-family housing projects shall comply with applicable site development standards of Chapter 9.28, *Residential Districts*, of this Code. ~~Single-family and multi-family housing projects in the Mountain Vista neighborhood shall comply with applicable site development standards of Chapter 9.28.040 B of this Code.~~ **Projects shall be regulated by total unit count. Small Projects shall be from 2-8 units in size; Medium Projects shall be from 9-15 units in size; and Large Projects shall be 16 units in size or larger.** In addition, the following standards shall apply to all multi-family projects:

1. Setbacks –

- a. Front yard – Fifteen (15) feet**
- b. Street side yard – Fifteen (15) feet**
- c. Interior side yard – Ten (10) feet**
- d. Rear yard – Ten (10) feet**
- e. No parking shall be permitted in the required fifteen (15)-foot front yard or street side yard setback. Parking shall be setback**

from the interior side and rear property lines by a minimum of five (5) feet.

- f. Structures shall have a minimum fifteen (15)-foot side or rear setback when adjacent to a single-family residential zone.
- g. Properties with a recorded front and street side yard setback greater than the minimum required setback can reduce this setback with the recordation of a Certificate of Correction to the approved map as long as the new setback is an average of the two (2) adjacent developments and not less than twenty-five (25) feet.

2. ~~Separation Between Buildings.~~ Habitable structures containing three (3) or more units shall have a minimum separation distance of twenty-five (25) feet unless the Planning Commission approves a reduction of the separation distance to a minimum of ten (10) feet. Habitable structures with less than three (3) units shall be separated a minimum of ten (10) feet. Non-habitable structures shall be separated by a minimum of six (6) feet. Non-habitable structures shall be separated from habitable structures by a minimum of ten (10) feet. **Habitable and non-habitable buildings on the same lot shall be separated by a minimum of seven (7) feet. Structures greater than two (2)-stories shall be separated by a minimum of fifteen (15) feet. Over three (3) stories shall have a minimum separation of thirty (30) feet, or greater as determined by the Apple Valley Fire Protection District.**

2. ~~Setback Encroachment.~~ Non-habitable structures can encroach within the required side and rear setbacks, provided that they comply with the applicable building code requirements.

3. ~~Permitted Installations within the Required Building Setback Lines.~~ Unless specifically regulated by another section of this Code or the Town Municipal Code, permitted installations within the required building setback lines may include handicapped access ramps, landscaping, garden walls, parking lots, recreational facilities (side and rear yards only), entry statements (decorative block/stucco, boulders, signage, architectural statements), sidewalks and driveways, underground utilities, lighting and similar fixtures.

Permitted setback encroachments could include trash enclosures, screened mechanical equipment and covered parking subject to a project's unit count.

4. ~~Height Limitations.~~ Structures shall be limited to a maximum height of thirty-five (35) feet; however, this height may increase with the Planning Commission's approval, not to exceed fifty (50) feet.

Height limits shall become dependent upon a project's unit count. Small (2-8 units) and Medium Projects (9-15 units) would be permitted a maximum height of thirty-five (35) feet. Large projects (16 units or greater) would have a maximum height of fifty (50) feet.

53. *Minimum Dwelling Unit Size.* The minimum dwelling unit size, exclusive of any balcony or private open space shall be as follows:
- a. Studio – 600 450 square feet
 - b. One Bedroom - 800 650 square feet
 - c. Two Bedroom – 1,000 800 square feet
 - d. Three Bedroom and larger —1,200 1,000 square feet. **For every bedroom increase above a 3-bedroom, an additional 150 square feet shall be added to the minimum unit square footage.**
 - e. Where single family homes are constructed within the R-M District and/or in the Mountain Vista neighborhood, the minimum home size shall be 1,000 square feet. (The Mountain Vista neighborhood is described in Section 9.28.020 H – Footnote No. 1).
- ~~6. *Required Open Space.* In addition to any other open space requirement of this Code, all multi-family projects shall provide the following amounts of open space:~~
- ~~a. *Private open space.* The following private open space shall be provided. Private open space shall be accessible from the dwelling unit served and not from other units.~~
 - ~~1. *Duplexes and Triplexes.* Each dwelling unit shall be provided with a useable private open space area in the form of a courtyard, patio or a garden, or combination thereof, with a minimum area of 450 square feet and a minimum dimension of fifteen (15) feet.~~
 - ~~2. *Other Multi-Family dwelling units.* Ground floor units shall be provided with a private (walled) patio, balcony or courtyard with a minimum area of 150 square feet. Units located above the ground floor units shall be provided one or two balconies with a combined minimum area of 150 square feet.~~
 - ~~3. *Private open space waived.* Private open space may be waived if an additional 200 square feet of minimum dwelling unit size is provided in addition to the requirements of paragraph 9.29.070.B.2, Minimum Dwelling Unit Size, of this Section.~~

4. Open Space – Private open space on a ground floor unit shall be a minimum of 250 square feet with a minimum width of ten (10) feet. Upper floor units shall have a balcony with a minimum of 150 square feet.

- ~~b. Common useable open space. All multi-family developments, within the exception of duplexes, triplexes and fourplexes, shall provide not less than fifteen (15) percent of the net site area as common useable open space.~~
- ~~c. Common useable open space standards. Common useable open space shall meet the following requirements:
 - ~~A. Useable open space areas shall not include rights-of-way, vehicle parking areas, private open space areas, or areas with slopes exceeding fifteen (15) percent. Setback areas which are landscaped shall be included in the common open space areas.~~
 - ~~B. Such areas shall be planted with turf or ground cover, or other landscaping which will control dust;~~
 - ~~C. Common useable open space shall not be obstructed except by improvements that enhance usability, such as swimming pools, fountains, sunshades, and plantings; and~~
 - ~~D. If at ground level, common useable open space areas shall not be covered more than fifty (50) percent by a building overhang or balcony.~~~~

Required Common open space would only apply the Large Projects and has been reduced to 5,000 square feet or five (5) percent of the site, whichever is larger? Common Useable open space standards will be moved to the section specific to Large Projects.

- ~~7. Entry Statements. Developments with ten (10) or more units shall provide an entry statement in accordance with subsection 9.31.040.C, Entry Statements of this Code.~~

Entry statement are only recommended for Medium and Large Projects. The above standard has been moved the specific standards for Medium and Large Projects.

- ~~8. Required Amenities.
 - ~~a. At least two hundred (200) square feet per unit of common open space shall be devoted to recreational amenities, as described in paragraph 9.29.070.B.5.b below.~~
 - ~~b. All multi-family housing developments shall provide recreational amenities within the site which may include: a swimming pool and spa; clubhouse; tot lot with play~~~~

~~equipment; picnic shelter/barbecue area with seating; court game facilities such as tennis, basketball, racquetball; improved softball or baseball fields; or day care centers. The amenities shall not be located within the front yard of the development and shall be reviewed and approved with the required Development Permit or Conditional Use Permit for the project. The number of amenities provided per project shall be provided according to Table 9.29.070-A. For projects of four (4) or more dwelling units, private outdoor space of at least 450 square feet for each dwelling unit may be provided in lieu of the required amenities. This may completely replace the required amenities for four to ten (4-10) dwelling units.~~

Table 9.29.070-A Required Multi-Family Project Amenities

Number of Dwelling Units	Number of Amenities Required
0—3	Private outdoor space 450 square feet
4—10	1
11—50	2
51—100	3 (including at least one community focal point)
101—200	4

Amenities will only be required for Large Projects. Therefore, this section should be moved to standards specific to Large Projects. Amenities will be allowed within the setbacks and within the required Common Open Space area with the number of amenities as follows:

16-50 units – requires 2 amenities; 51-100 units – requires 3 amenities; 101-150 units – requires 4 amenities; 150-200 units – requires 5 amenities (for every 50 units above 200, an additional amenity shall be required).

It is further recommended that a majority or fifty (50%) of the amenities provided be recreational in nature. It further recommended that duplicate amenities be counted as a single amenity. The Commission should consider whether it would be appropriate to allow amenities within the front setback.

- ~~e. Community focal points. Projects containing more than twenty (20) units require installation of at least one (1) community focal point per project. The community focal point shall be designed to function as a central meeting place for use by project residents and shall consist of a plaza, courtyard, or other type of landmark feature. The focal points shall be protected from the extreme elements characteristic of the desert environment, such as wind and high and low temperatures. These areas shall include shading, seating, and decorative features consistent with the style and design of the units, or may be enclosed to function as a recreation room or cabana. If enclosed, the structure shall be~~

~~architecturally embellished to signify a focal point. The focal point shall be centrally located and accessible to all residents.~~

There would be no community focal points required for any project size.

- 95. Landscape Required.** A minimum landscaped setback area fifteen (15) feet ten (10) feet wide, measured from the property line, shall be provided along each street frontage of the project. A minimum five (5)-foot wide landscape setback shall be provided along the interior side and rear yards, with the exception of driveways, private open space and accessible pathways. All areas not utilized for structures, walkways, parking or drive aisles shall be fully landscaped. ~~Such buffer shall be landscaped as required in Chapter 9.75, *Water Conservation/Landscaping Regulations*, of this Code.~~
- 406. Lot Coverage.** The maximum lot coverage is sixty (60) seventy (70) percent of the net project site. ~~An increase to Lot coverage over seventy (70) percent can be allowed with Planning Commission approval.~~
- 417. Pedestrian Circulation.** An interior walkway system with a minimum width of four (4) feet shall be incorporated into the project for the purpose of providing direct access to and from all individual dwelling units, trash storage areas, parking areas, recreational areas and other outdoor common spaces.
- ~~**12. Parking.** The number of parking spaces provided shall be consistent with the requirements of Chapter 9.72, *Off-Street Parking and Loading Regulations*, of this Code. In addition, the following standards shall apply:~~
- ~~**a.** Communal and guest parking areas shall be partially screened from the dwellings within the development;~~
 - ~~**b.** Where parking areas are to be located immediately adjacent to a peripheral boundary, a landscape buffer shall be provided to insure the privacy of adjacent property and an attractive streetscape;~~
 - ~~**c.** Parking shall be allowed in the front setback provided that a fifteen (15)-foot landscape buffer is provided between the parking spaces and the front property line.~~
 - ~~**d.** Parking shall be provided in a manner that allows vehicles to enter onto public streets in a forward motion.~~
 - ~~**e.** Required parking for uncovered spaces can include the uncovered parking directly in front of the enclosed garage space.~~

Parking requirements will be subject to project size as follows:

Small Projects (2-8 units) - A two (2) car garage, plus 1 uncovered guest space shall be required for each unit. Carports are permitted for the guest space.

Medium Projects (9-15 units) - A total of 2.5 parking spaces shall be required for each unit. One of the required spaces shall be covered parking, which can include a garage or a carport. If a carport is used for the covered parking it must not be open to the street. If this cannot be accommodated, then a garage would be required.

Large Projects (16 or more units) - A total of 2.25 parking spaces shall be required for each unit. One of the required spaces shall be covered parking, which can include a garage or a carport.

Criteria will also be added to medium and large projects regarding covered parking structures as follows: The parking structure shall have a ten (10)-foot setback from the interior side and rear property lines and the overhang of a structure can encroach up to three (3) feet into a setback. If the structure is equipped with solar panels, the encroachment into the setback can be up to five (5) feet.

~~13. On-Site Storage. Each dwelling unit shall be provided a minimum of 400 cubic feet of private enclosed lockable storage space within the garage, carport or immediately adjacent to the dwelling unit.~~

On-Site storage will be subject to project size as follows:

Small Projects (2-8 units) – No additional storage will be required in addition to the garage requirement.

Medium Projects (9-15 units) - No additional storage will be required in addition to a two (2)-car garage; however, cubic storage area a minimum of 400 cubic feet in size shall be constructed in the covered parking structure.

Large Projects (16 or more units) - Cubic storage area a minimum of 400 cubic feet in size shall be constructed in the covered parking structure.

~~14. Laundry Facilities.~~

~~a. Common laundry facilities of sufficient number and accessibility consistent with the Uniform Building Code shall be provided; or~~

- ~~b. Each dwelling unit shall be plumbed and wired for a washing machine and dryer.~~

Laundry facilities will be subject to project size as follows:

Small Projects (2-8 units) and Medium Projects (9-15 units) will require each unit to be plumbed for a washing machine and dryer. The Commission should consider if machines should be required for each unit. Staff's recommendation would be to include the machines in each unit.

Large Projects (16 or more units) – If laundry utilities are not provided in each unit, a community laundry facility shall be provided on site.

458. Lighting.

- a. The following areas shall be lighted during the hours of darkness in a manner consistent with the Performance Standards contained in subsection 9.70.020.H of this Code and the Town Lighting Ordinance:
- 1) Private streets and drive aisles;
 - 2) Parking Areas;
 - 3) Walkways or pedestrian or bicycle paths;
 - 4) Individual dwelling entries;
 - 5) Addresses;
 - 6) Recreational facilities;
 - 7) Active outdoor play areas; and
 - 8) Project entryways.
- b. All on-site lighting shall be stationary, directed away from adjacent properties and public rights-of-way.
- c. Lighting fixtures shall be of a type and shall be located such that no light or reflected glare is directed off-site and shall provide that no light is directed above the horizontal plane.
- d. When on-site lighting occurs, low-rise, pedestrian scale lighting fixtures shall be used in common open space areas, adjacent to dwellings, and along pedestrian and bicycle paths. The maximum height of such a fixture shall be fifteen (15) feet.

- ~~16. **Trash Enclosures.** Trash enclosures shall be provided and comply with the minimum standards set forth in Sections 9.28.150, *Trash Enclosures*, and 9.31.050, *Multi-Family Architectural Design Standards*, of this Code. Trash enclosures shall be located at convenient distances from the buildings they serve and sited to minimize visual, odor and noise impacts to abutting properties.~~

Trash enclosure standards will be subject to project size as follows:

Small Projects (2-8 units) - When trash enclosures are required (more than four (4) units), they shall be allowed in the front and street side yards setbacks with the construction of a standard trash enclosure.

Medium Projects (9-15 units) Trash enclosures shall be allowed in the front and street side yards setbacks with the construction of a standard trash enclosure.

Large Projects (16 or more units) – Trash Enclosures shall not be located within a required setback and shall be screened from the public right-of-way.

~~17. **Internal Separation Walls.** All party walls (floors and walls separating dwelling units) shall be constructed with acoustical insulation with a sound transmission class (STC) rating of fifty (50).~~

Unnecessary for Planning to govern. Fire and Building Code take precedence.

~~189. **Security Devices.** Each door providing ingress and egress to any multi-family dwelling unit shall be equipped with the following devices:~~

- ~~a. A peephole allowing a person inside the unit to see, at a wide angle, persons outside of the unit at the door, without the person inside being seen; and~~
- ~~b. A deadbolt lock attached to the construction studding. Attachment to the doorjamb or trim shall not be sufficient to comply with this standard.~~

~~19. **Roofs.** Wood-shake roof materials are prohibited in new multi-family developments due to fire hazards and the increased risk posed by wood-shake in the desert environment (high wind, low humidity).~~

Unnecessary for Planning to govern. Fire and Building Code take precedence.

2010. Streets. Development projects which have a maximum of two (2) access points to a public right-of-way or which are enclosed private drives shall be permitted to use private driveways for access. Two-way driveways **and drive aisles** shall have a minimum width of ~~twenty-eight (28)~~ **twenty-six (26)** feet. **Proposed structures over thirty-five (35) feet in height shall require thirty-six (36)-foot wide fire lanes, subject to the review and approval of the Apple Valley Fire Protection District.** Where a development is designed to mimic a small tract of residences, or where the

project provides more than two (2) external connections to public rights-of-way, private roads shall be built to Town Standards.

~~C. **Buffer Areas.** A buffer area between new development and abutting properties shall be provided as follows:~~

- ~~1. A minimum ten (10)-foot wide, densely planted landscape buffer between new multi-family development and existing multi-family residential development;~~
- ~~2. A minimum fifteen (15)-foot wide, densely planted landscape buffer between new multi-family residential development and existing single family developments or zoning districts or nonresidential uses or zoning districts.~~

C. Small Projects (2-8 Units) Development Standards. In addition to the standards within Section B “General Development Standards”, the following standards shall apply:

- 1. Common open space shall not be required for Small Projects.**
- 2. Parking – A two (2) car garage, plus 1 uncovered guest space shall be required for each unit. Carports are permitted for the guest space.**
- 3. Uncovered Parking – The parking space shall have a minimum standard width of nine (9) feet and a length of nineteen (19) feet. Vehicles can hang over into landscape planters a maximum of two (2) feet reducing the minimum length of the parking space to a minimum of seventeen (17) feet.**
- 4. Parking Lot Shading. Tree wells/Fingers in parking lots shall be required for every ten (10) spaces of uncovered parking with a minimum of at least one (1) in order to provide shade.**
- 5. Covered Parking – A two (2)-car garage with minimum interior dimensions of twenty (20) feet by twenty (20) feet shall be required for each unit.**
- 6. Storage – No additional storage shall be required in addition to the garage requirement.**
- 7. Mechanical Equipment – Ground mounted mechanical equipment can be located in the front or street side yard setbacks as long as it is screened from view. Screening can consist of a decorative block wall or landscape material. Ground mounted equipment can also be located in the side and rear setbacks without screening.**
- 8. Trash Enclosures – When trash enclosures are required (more than four (4) units), they shall be allowed in the front and street side yards setbacks with the construction of a standard trash enclosure. Trash enclosures shall be provided and comply with the minimum standards set forth in Sections 9.28.150, *Trash Enclosures*,**

and 9.31.050, *Multi-Family Architectural Design Standards*, of this Code. Trash enclosures shall be located at convenient distances from the buildings they serve and sited to minimize visual, odor and noise impacts to abutting properties.

9. **Height – Structures shall be limited to thirty-five (35) feet in height.**
 10. **Laundry Facilities – Each unit shall be plumbed and wired for a washing machine and dryer and shall be provided to each occupant.**
 11. **Amenities – No amenities shall be required for Small Projects.**
- D. Medium Projects (9-15 Units). In addition to the standards within Section B “General Development Standards”, the following standards shall apply:**
1. **Common open space shall not be required for Medium Projects.**
 2. **Parking – A total of 2.5 parking spaces shall be required for each unit. One of the required spaces shall be covered parking, which can include a garage or a carport. If a carport is used for the covered parking it must not be open to the street. If this cannot be accommodated, then a garage would be required.**
 3. **Uncovered Parking – The parking space shall have a minimum standard width of nine (9) feet and a length of nineteen (19) feet. Vehicles can hang over into landscape planters a maximum of two (2) feet reducing the minimum length of the parking space to a minimum of seventeen (17) feet.**
 4. **Parking Lot Shading. Tree wells/Fingers in parking lots shall be required for every ten (10) spaces of uncovered parking with a minimum of at least one (1) in order to provide shade.**
 5. **Covered Parking – The garage or carport structure shall be have a ten (10)-foot setback from the interior side and rear property lines and the overhang of a structure can encroach up to three (3) feet into a setback. If the structure is equipped with solar panels, the encroachment into the setback can be up to five (5) feet.**
 6. **Storage – No additional storage will be required in addition to a two (2)-car garage; however, 400 cubic feet of storage space shall be constructed within the covered parking structure.**
 7. **Mechanical Equipment – Ground mounted mechanical equipment can be located in the front or street side yard setbacks as long as it is screened from view. Screening can consist of a decorative block wall or landscape material. Ground mounted equipment can also be located in the side and rear setbacks without screening.**

8. **Trash Enclosures – Trash enclosures shall be allowed in the front and street side yards setbacks with the construction of a standard trash enclosure.** Trash enclosures shall be provided and comply with the minimum standards set forth in Sections 9.28.150, *Trash Enclosures*, and 9.31.050, *Multi-Family Architectural Design Standards*, of this Code. Trash enclosures shall be located at convenient distances from the buildings they serve and sited to minimize visual, odor and noise impacts to abutting properties.
 9. **Height – Structures shall be limited to thirty-five (35) feet in height.**
 10. **Laundry Facilities – Each unit shall be plumbed and wired for a washing machine and dryer and shall be provided to each occupant.**
 11. **Amenities – No amenities shall be required for Medium Projects.**
 12. **Entry Statements – Development shall provide an entry statement in accordance with subsection 9.31.040.C. Entry Statements of this Code.**
- E. Large Projects (16 Units and Larger) Development Standards. In addition to the standards within Section B “General Development Standards”, the following standards shall apply:**
1. **Common Open Space – A minimum of 5,000 square feet or five percent (5%), whichever is larger, of the project site shall be provided as common open space. Common useable open space shall meet the following requirements:**
 - a. Useable open space areas shall not include rights-of-way, vehicle parking areas, private open space areas, or areas with slopes exceeding fifteen (15) percent. ~~Setback areas which are landscaped shall be included in the common open space areas~~ **and shall have a minimum width of twenty-five feet.**
 - b. Such areas shall be planted with turf or ground cover, or other landscaping which will control dust;
 - c. Common useable open space shall not be obstructed except by improvements that enhance usability, such as swimming pools, fountains, sunshades, and plantings; and
 - d. If at ground level, common useable open space areas shall not be covered more than fifty (50) percent by a building overhang or balcony.
 2. **Amenities- Amenities shall be provided under the following schedule. A majority, or fifty (50) percent of the amenities shall be recreational amenities as defined in Chapter 9.08 of this Code. Duplicated amenities shall be considered a single amenity.**

Amenities can be located within the setback areas and within the required Common Open Space area.

- a. **16-50 units – requires 2 amenities**
 - b. **51-100 units – requires 3 amenities**
 - c. **101-150 units – requires 4 amenities**
 - d. **150-200 units – requires 5 amenities (for every 50 units above 200, an additional amenity shall be required).**
3. **Parking – A total of 2.25 parking spaces shall be required for each unit. One of the required spaces shall be covered parking, which can include a garage or a carport.**
 4. **Uncovered Parking – The parking space shall have a minimum standard width of nine (9) feet and a length of nineteen (19) feet. Vehicles can hang over into landscape planters a maximum of two (2) feet reducing the minimum length of the parking space to a minimum of seventeen (17) feet.**
 5. **Parking lot landscaping and screening shall comply with the provisions of Section 9.72.080.**
 6. **Covered Parking – The garage or carport structure shall have a ten (10)-foot setback from the interior side and rear property lines and the overhang of a structure can encroach up to three (3) feet into a setback. If the structure is equipped with solar panels, the encroachment into the setback can be up to five (5) feet.**
 7. **Height – The maximum height of a structure is limited to fifty (50) feet. Any portion of a building that exceeds thirty-five (35) feet in height, must be stepped back with a setback minimum of 20 feet from any property line.**
 8. **Storage – A minimum of 400 cubic feet of lockable private storage shall be constructed in the covered parking structure.**
 9. **Trash Enclosures shall not be located within a required setback and shall be screened from the public right-of-way.** Trash enclosures shall be provided and comply with the minimum standards set forth in Sections 9.28.150, *Trash Enclosures*, and 9.31.050, *Multi-Family Architectural Design Standards*, of this Code. Trash enclosures shall be located at convenient distances from the buildings they serve and sited to minimize visual, odor and noise impacts to abutting properties.
 10. **Mechanical Equipment shall not be located within a required setback and shall be screened from the public right-of-way.**
 11. **Laundry – If laundry utilities are not provided in each unit, a community laundry facility shall be provided on site.**

12. Entry Statements – Development shall provide an entry statement in accordance with subsection 9.31.040.C. Entry Statements of this Code.

13. Phasing – A phased project shall require that all interior circulation be completed leaving only building pads to be constructed under future phases. Amenities for the number of units for a constructed phase shall be required to be constructed and operational, prior to occupancy of that phase.

D. Maintenance and Completion of Open Space, Amenities, Landscaping and Manufactured Slopes for Non-Apartment Multi-family. No lot or dwelling unit shall have a building or occupancy permit issued unless a corporation, homeowners' association, assessment district or other approved appropriate entity has been legally formed with the right to operate and maintain all of the mutually available features of the development including, but not limited to, open space, amenities, or landscaping or slope maintenance (which may be on private lots adjacent to street rights-of-way). Conditions, Covenants, and Restrictions (CC&Rs) may be developed and recorded for the development subject to review and approval of the Town Attorney. No lot or dwelling unit shall have a building or occupancy permit issued unless all approved and required open space, amenities, landscaping or other improvements, or approved phase thereof, have been completed or if the Town Engineer determines that the health, safety and welfare of the occupants and the intent of this Code will be adequately safeguarded, he may allow issuance of a building or occupancy permit if said completion is assured by a financing guarantee method approved by the Town Engineer.

It is recommended that the following definitions be added and or modified for additional clarity:

Chapter 9.08 “Definitions”

Amenity

Aesthetic or other characteristics of a development that increase its desirability to the community or its marketability to the public. Amenities differ from development to development but may include recreational facilities ~~such as swimming pools or tennis courts, security systems, views, tree preservation, or gardens.~~ or enhanced open space **and nonrecreational facilities.**

Amenity, Recreational

Amenities that provide opportunity for physical activity such as exercise, entertainment or athletic facilities. These could include, but not limited to, recreation rooms, fitness centers, outdoor exercise equipment, swimming pools, tennis courts, putting greens, playgrounds, outdoor grill areas with shaded seating, dog park or community vegetable gardens.

Amenity, Nonrecreational

Amenities providing for passive enjoyment and/or convenience facilities. Convenience facilities may include security systems, package lockers, in unit washer and dryer, high speed internet or electric car charging stations. Passive enjoyment amenities may include enhanced common open areas incorporating water features, fire pits (non-wood burning) or public art with shaded seating areas.

Duplex

~~A detached building under single ownership that is designed for occupation as the residence of two (2) families living independently of each other.~~ **A property under single ownership containing one (1) structure consisting of two (2) living units.**

Dwelling, Multiple

A structure ~~single property~~ containing **more than** two (2) ~~or more~~ **attached** dwelling units or a combination of two (2) or more separate **detached** single family dwelling units.

The proposed changes to the site development standards for multi-family development will require modifications to the Residential Site Development Tables. It is recommended that the summary tables be removed as duplicative and unnecessary.

Table 9.28.040-A Site Development Standards

STANDARDS	R-VLD	R-A	R-LD	R-E	R-E ¾	R-EQ	R-SF	R-M	MHP	M-U	PRD⁽¹⁾
1. Minimum lot area ^(15, 17)	5 ac ⁽²⁾	2.5 ac ⁽²⁾	2.5 ac ⁽²⁾	1 ac ⁽²⁾	32,670 sf ⁽³⁾	18,000 sf ⁽³⁾	18,000 sf ⁽³⁾	18,000 sf ⁽³⁾	-	1 ac.	PRD ⁽⁴⁾
2. Minimum corner lot area	5 ac ⁽²⁾	2.5 ac ⁽²⁾	2.5 ac ⁽²⁾	1 ac ⁽²⁾	32,670 sf	20,000 sf ⁽³⁾	20,000 sf ⁽³⁾	20,000 sf ⁽³⁾	-	1 ac.	
3. Minimum lot width (ft)	200	150	150	125	125	100	100	100	-	100	PRD
4. Minimum corner lot width (ft)	200	150	150	125	100	115	115	115	-	115	PRD
5. Minimum lot depth (ft)	300	300	300	250	275	150	150	150	-	100	PRD
6. Minimum corner lot depth (ft)	300	300	300	250	275	150	150	150	-	150	PRD
7. Minimum site frontage (ft)	90	90	90	60	60	60	60	60	-	60	PRD
8. a. Minimum front setback (ft) ⁽¹⁸⁾	50	50	50	45	30	30	30	40 15	15	35/10 ⁽¹⁶⁾	10 ⁽⁵⁾
b. Average front setback (ft)	N/A	N/A	N/A	50	35	35	35	45 15	15	N/A	PRD
9. Minimum rear setback ⁽⁶⁾ ⁽¹⁸⁾	40	35	35	30	25	25	25	25 ⁽¹⁹⁾ 10	-	0	5
10. a. Minimum side setback(ft) ⁽⁷⁾ ⁽¹⁸⁾	25	25	25	20	15/10 ⁽⁸⁾ ⁽¹⁹⁾	15/10 ⁽⁸⁾ ⁽¹⁹⁾	15/10 ⁽⁸⁾ ⁽¹⁹⁾	10 ⁽⁸⁾ ⁽¹⁹⁾	-	0	6
b. Minimum street side setback ⁽⁹⁾ (ft)	45	45	45	40	25	25	25	25 15	-	10	10
11. Animal keeping compatibility buffer ⁽¹⁰⁾ (ft)	25	25	25	25	25	25	N/A	N/A	N/A	N/A	PRD
12. Height limitations ⁽¹¹⁾ (ft)	35	35	35	35	35	35	35	35 50 ⁽¹³⁾	18 ⁽¹³⁾	50	35
13. Maximum lot coverage	25%	25%	25%	25%	30%	30%	40%	60 70 % ⁽¹⁴⁾	-	50% ⁽¹⁴⁾	50%
14. Minimum dwelling unit size (sq. ft.)	1,200	1,200	1,200	1,200	1,200	1,200	1,200	600 450 to 1,200 1,000 0 ⁽¹²⁾	-	600 450 to 1,200 1,000 00 ⁽¹²⁾	PRD
15. Minimum landscape area	N/A	N/A	N/A	N/A	N/A	N/A	N/A	15% N/A ⁽¹⁹⁾	-	10%	30%
16. Minimum distance between primary structure and detached accessory structure (ft)	6	6	6	6	6	6	6	4 7	-	0	6

- (1) Development standards shall comply with the minimums established in this Chapter, and in Section 9.29.080, Planned Residential Developments, of this Code, and shall be consistent with an approved Planned Development Permit. Development standards not addressed in an approved PRD shall be the same as those standards contained in this Code for the most similar use or situation.
- (2) Lot area measured in gross acres.
- (3) Lot area measured in net square feet.
- (4) Density shall be consistent with the General Plan and applicable sections of the Development Code.
- (5) A minimum driveway of twenty (20) feet is required for the entrance to a garage or carport unless an automatic garage door opener is provided or unless garage access is provided from an alley.
- (6) Reduced rear setbacks are allowed for accessory structures pursuant to Section 9.29.030.B.
- (7) The Ranchos Residential Overlay District(s), Chapter 9.63 of this Code, may specify different side yard setbacks for interior lot lines.
- (8) Ten (10) feet is required on one side setback, fifteen (15) feet on the opposite side. See also Section 9.28.140, Solar Access, of this Code; subject to solar access requirements. A minimum fifteen (15) foot setback is required between residential districts and other districts.
- (9) Solid fences in excess of four (4) feet in height are not allowed closer than twelve (12) feet to the right-of-way, pursuant to the provisions of Section 9.28.120 Fences, Walls and Hedges, of this Chapter.
- (10) In addition, a sixty-five (65) foot setback from roofed animal enclosures to habitable structure setbacks on adjacent property is required by paragraph 9.29.030.C.2 of this Code.
- (11) Certain mechanical and architectural features may exceed height limits by a maximum of fifteen (15) feet pursuant to subsection 9.28.040.E Projections above Height Limits, of this Chapter.
- (12) See Subsection 9.29.070.B.5 **3** Minimum Dwelling Unit Size, of this Code.
- (13) See subsections ~~9.29.070.B.4~~ **9.29.070.C.9, 9.29.070.D.9 and 9.29.070.E.7** Height Limitations, of this Code. ~~A maximum height of 50 feet is allowed with Planning Commission approval.~~
- (14) See subsection 9.29.070.B.40 **6** Lot Coverage, of this Code. ~~A maximum of 70% is allowed with Planning Commission approval.~~
- (15) For lands located outside the Town limits, the following minimum lot sizes shall apply (see Zoning Map).

R-VLD/10	10 acre minimum lot size
R-VLD/20	20 acre minimum lot size
R-VLD/40	40 acre minimum lot size
- (16) From Major or Secondary/Local Streets
- (17) Projects proposed in the Deep Creek area shall be required to provide perimeter lots of the same size or larger than the adjacent land use designation, or lands across the abutting street. The Deep Creek area shall be defined as land south of Bear Valley Road, east of the Jess Ranch Specific Plan, north of Tussing Ranch Road, and west of Itoya Vista Road and Mockingbird Avenue.
- (18) ~~Handicapped access ramps are permitted in the front, side and rear yard setbacks.~~ **See Table 9.28.040.E and Section 9.28.040.B for permitted projections and exceptions to the required setbacks.**
- (19) ~~Non-habitable structures can encroach within the side and rear yard setbacks.~~

Table 9.28.040-B Summary of Site Development Standards for Residential Districts

Table 9.28.040-B summarizes the minimum site development standards for residential districts

	A, A1	B	C	D	E	F	G
ZONING DISTRICT	MINIMUM LOT WIDTH OR FRONTAGE	MINIMUM LOT DEPTH	MINIMUM AVERAGE FRONT SETBACK⁽⁵⁾	MINIMUM REAR SETBACK⁽⁵⁾	MINIMUM STREET SIDE SETBACK⁽⁵⁾	MINIMUM SIDE SETBACK⁽⁵⁾	MAXIMUM HEIGHT
R-VLD⁽¹⁾	200/90	300	50	40	45	25	35
R-A⁽¹⁾	150/90	300	50	35	45	25	35
R-LD⁽¹⁾	150/90	300	50	35	45	25	35
R-E Corner Lot⁽¹⁾	125/60	250 250	45/50	30	40	20	35
R-E ¾ Corner Lot⁽¹⁾	100/60 100/60	275 275	30/35	25	25	15/10	35
R-EQ Corner Lot⁽¹⁾	100/60 115/60	150	30/35	25	25	15/10	35
R-SF Corner Lot	100/60 115/60	150	30/35	25	25	15/10	35
R-M Corner Lot	100/60 115/60	150	40/45	25 ⁽²⁾	25 ⁽²⁾	15/10 ⁽²⁾	35 ⁽³⁾
M-U	75/60	100	35/10 ⁽⁴⁾	0	10	0	50
PRD	per PRD	per PRD	10	5	10	6	35

(1) See Footnote 17, Table 9.28.040-A regarding lots in Deep Creek area and definition of the Deep Creek area.

(2) See subsection 9.29.070.B.2 and 3. Non-habitable structures can encroach within the side and rear yard setbacks.

(3) See subsection 9.29.070.B.4 Height Limitations, of this Code. A maximum height of 50 feet is allowed with Planning Commission approval.

(4) No average permitted. Distance shown is from Major or Secondary/Local Street.

(5) Handicapped access ramps are permitted in the front, side and rear setbacks.

The Mountain Vista Neighborhood Site Development Standard Table should be revised as follows with its associated “Summary Table” also removed as duplicative and unnecessary.

Table 9.28.040-C Site Development Standards for the Mountain Vista Neighborhood⁽¹⁾

STANDARDS	R-SF <u>Single Family Development</u>	R-M <u>Multi-Family Development</u>
1. Minimum lot area	10,000 sf ^(2,3)	10,000 sf ^(2,3)
2. Minimum corner lot area	16,000 sf ⁽²⁾	16,000 sf ⁽²⁾
3. Minimum lot width (ft)	80	80
4. Minimum corner lot width (ft)	95	95
5. Minimum lot depth (ft)	125	125
6. Minimum corner lot depth (ft)	125	125
7. Minimum site frontage (ft)	40	40
8. a. Minimum front setback (ft) ⁽¹¹⁾	25	25 <u>15</u>
b. Average front setback (ft)	30	30 <u>15</u>
9. Minimum rear setback ⁽⁴⁾ (11)	20	20 <u>10</u>
10. a. Minimum side setback(ft) ⁽⁵⁾ (11)	15/10 ⁽⁶⁾	5 ⁽⁶⁾ <u>10</u>
b. Minimum street side setback ⁽⁶⁾ ⁽¹¹⁾ (ft)	20	20 <u>15</u>
11. Height limitations ⁽⁸⁾ (ft)	35	35 - <u>50</u> ⁽⁸⁾
12. Maximum lot coverage	40%	60 <u>70</u> % ⁽⁹⁾
13. Minimum dwelling unit size (sq. ft.)	1,200 <u>1,000</u>	600 <u>450</u> to 1,200 <u>1,000</u> ⁽¹⁰⁾
14. Minimum landscape area	N/A	40% <u>N/A</u>
15. Minimum distance between primary structure and detached accessory structure (ft)	6	6 <u>7</u>

- (1) Development standards shall comply with the minimums established in this Chapter, and in Section 9.29.080, Planned Residential Developments, of this Code, and shall be consistent with an approved Planned Development Permit. Development standards not addressed in an approved PRD shall be the same as those standards contained in this Code for the most similar use or situation.
- (2) Lot area measured in net square feet.
- (3) Density shall be consistent with the General Plan and applicable sections of the Development Code.
- (4) Reduced rear setbacks are allowed for accessory structures pursuant to Section 9.29.030.B.
- (5) No portion of the building shall be less than ten (10) feet from the side lines of the lot. Ten (10) feet is required on one side setback, fifteen (15) feet on the opposite side. See also Section 9.28.140, Solar Access, of this Code; subject to solar access requirements. A minimum fifteen (15) foot setback is required between residential districts and other districts. Non-habitable structures can encroach within the side and rear yard setbacks. See subsection 9.29.070.B.2 and 3.
- (6) Solid fences in excess of four (4) feet in height are not allowed closer than twelve (12) feet to the right-of-way, pursuant to the provisions of Section 9.28.120 Fences, Walls and Hedges, of this Chapter.
- (7) Certain mechanical and architectural features may exceed height limits by a maximum of fifteen (15) feet pursuant to subsection 9.28.040.E Projections above Height Limits, of this Chapter.
- (8) ~~See subsection 9.29.070.B.4~~ **See subsection 9.29.070.C.9, 9.29.070.D.9 and 9.29.070.E.7** Height Limitations, of this Code. A maximum height of 50 feet is allowed with Planning Commission approval.
- (9) ~~See subsection 9.29.070.B.406~~ Lot Coverage, of this Code. ~~A maximum of 70% is allowed with Planning Commission approval.~~
- (10) See Subsection 9.29.070.B.53 Minimum Dwelling Unit Size, of this Code.
- (11) Handicapped access ramps are permitted in the front, side and rear setbacks.

Table 9.28.040-D Summary of Site Development Standards for Mountain Vista Neighborhood

Table 9.28.040-D summarizes the minimum site development standards for residential districts

	A, A1	B	C	D	E	F	G
ZONING DISTRICT	MINIMUM LOT WIDTH OR FRONTAGE	MINIMUM LOT DEPTH	MINIMUM/AVERAGE FRONT SETBACK⁽³⁾	MINIMUM REAR SETBACK⁽³⁾	MINIMUM STREET SIDE SETBACK⁽³⁾	MINIMUM SIDE SETBACK⁽³⁾	MAXIMUM HEIGHT
R-SF Corner Lot	80/40 95/60	125	25/30	20	20	15/5	35
R-M Corner Lot	80/40 95/60	125	25/30	20 ⁽¹⁾	20 ⁽¹⁾	15/10 ⁽¹⁾	35 ⁽²⁾

4. _____

- (1) See subsection 9.29.070.B.2 and 3. Non-habitable structures can encroach within the side and rear yard setbacks.
- (2) See subsection 9.29.070.B.4 Height Limitations, of this Code. A maximum height of 50 feet is allowed with Planning Commission approval.
- (3) Handicapped access ramps are permitted in the front, side and rear setbacks.

This recommended addition will be specific to projects that mimic tracts of single-family homes. It is recommended that these types of developments recognize the importance of architectural diversity that the Town places upon tract development.

9.31.050 Multi-Family Architectural Design Standards

B. Architectural Unity and Variation.

- 3. Multiple two (2)-unit attached structures in a project shall require a minimum of three (3) architectural styles consisting of different colors and materials.

Modification to the multi-family site planning standards will be required for consistency with the proposed changes.

9.31.040 Multi-Family Site Planning Design Standards

C. Entry Statements

1. **Entry Statement Standards.** ~~Projects with ten or more units shall include~~ **Entry statements shall include** vehicular and pedestrian entry **level** statements which shall be consistent with the following:

F. On-Site Parking. In multi-family developments, there are generally three ways to accommodate parking: Parking drives, parking lots/courts and garages within the residential structures. Projects with either long, monotonous parking drives or large, undivided parking lots are undesirable. The following standards shall be followed in the design of parking areas for multi-family developments.

2. **Parking Area Landscaping**

- a. **Unless otherwise required by Section 9.29.070, at** least one (1) landscape or shade tree shall be provided for every seven (7) spaces of open parking areas.

5. **Parking within the Front Yard Building Setback.** Parking ~~may be~~ located within the required front yard ~~if it is~~ **shall be** completely screened from the street by either a landscaped hedge or a decorative, architectural screen wall, integrated into the architecture of the building by use of similar materials or accent treatments.

I. Landscaped Areas

2. ~~Landscape Design Standards~~

- a. ~~All areas not covered by structures, drives, parking or hardscape shall be landscaped in accordance with Chapter 9.75, Water Conservation/ Landscape Regulations.~~
- b. ~~A minimum of fifteen (15) percent of the site shall be landscaped.~~

Modifications to the below parking table are required for consistency with the proposed modifications to multi-family development.

Table 9.72.020-A Required Parking Spaces

Type of Use	Parking Spaces Required ⁽¹⁾
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A. Residential (for Senior Citizen developments refer to 9.72.040.C)

Type of Use	Parking Spaces Required ⁽¹⁾
1. Single family detached and duplex	2 car enclosed garage per unit. Said garage shall have a minimum clear gross floor area of twenty (20) feet by twenty (20) feet free of any obstructions including mechanical equipment.
2. Bed and breakfast	1 space per room available for rent, in addition to those required for the primary residence
3. Multi-family and single family attached	
a. Studios <u>Small Projects (2-8 units)</u>	1 covered space per unit and 1 open space per unit. <u>A two (2) car garage, plus 1 uncovered guest space per unit.</u>
b. One and two bedrooms <u>Medium Projects 9-15 Units</u>	2 enclosed spaces per unit and 0.50 uncovered guest spaces per unit. <u>1 covered and 1.5 uncovered space per unit.</u>
c. Three or more bedrooms <u>Large Projects (16 units or greater)</u>	2 enclosed spaces per unit, one uncovered space per unit and 0.50 uncovered guest spaces per unit. <u>1 covered and 1.25 uncovered space per unit.</u>
4. Multi-family and single family attached (Mountain Vista Estates area only)	
a. Studios	1 covered space per unit
b. One and two bedrooms	1 enclosed space per unit and 1 uncovered space per unit.
c. Three or more bedrooms	2 enclosed spaces per unit and one uncovered space per unit.

Type of Use	Parking Spaces Required ⁽¹⁾
43 . Mobile home parks	2 covered spaces per site. Parking may be in tandem. In addition provide guest parking of 1 space per 4 sites.
54. Boarding houses, dormitories and similar uses	1 space per sleeping room or 1 space per bed, whichever is greater

Modification to the abbreviations found in Chapter 9.28.030 “Permitted Uses” are recommended as follows:

ABBREVIATIONS

- R-VLD Very Low Density Residential
- R-A Residential Agriculture
- R-LD Low Density Residential
- R-E Estate Residential
- R-E ¾ Estate Residential ¾
- R-EQ Equestrian Residential
- R-SF Single Family Residential
- R-M Multi-Family Residential
- MHP Mobile Home Park
- M-U Mixed Use
- PRD Planned Residential Development

The uses listed in Table 9.28.030-A shall be allowed in the Residential districts as indicated in the column beneath each district and as defined below.

DP: Subject to Development Permit process, Department review

- SUP: Subject to Special Use Permit process, Department review
- CUP: Subject to Conditional Use Permit process, Planning Commission review.
- P: Permitted Uses.
- "-": Denotes those uses that are prohibited.

The Conditional and Special Use Permit and processes are detailed in Chapter 9.16 and the Development Permit process is detailed in Chapter 9.17 of this Code.

The uses listed in Table 9.28.030-A below apply to applications for expansion, tenant improvements, change of occupancy or new development.

For clarification of the required processes, the following modifications are recommended:

Table 9.28.030-A Permitted Uses

TYPE OF USE	R-VLD	R-A	R-LD	R-E	R-E ^{3/4}	R-EQ	R-SF	R-M	MHP	M-U	PRD ²
A. Residential Uses											
13 Multi-family housing											
1-15 units	-	-	-	-	-	-	-	<u>DP</u>	-	<u>DP</u>	P
16-50 units	-	-	-	-	-	-	-	<u>DP</u> ⁽³⁾	-	<u>DP</u> ⁽³⁾	<u>DP</u> ⁽³⁾
51 and above	-	-	-	-	-	-	-	CUP	-	CUP	CUP

FINDINGS

An amendment to the Development Code requires that the Planning Commission address two (2) required “Findings”, as listed within Development Code Section 9.06.060. For Commission consideration, the required Findings are listed below, along with a comment addressing each. If the Commission concurs with these comments, they may be adopted and forwarded to the Council for its consideration of the Development Code Amendment. If the Commission wishes modifications to the offered comments, after considering input and public testimony at the public hearing, modifications to the Findings and Code Amendment recommendations can be included into the information forwarded to the Council for consideration.

- A. The proposed amendment is consistent with the General Plan; and

Comment: The General Plan is the blueprint for the community’s future growth. Specific Goals and Objectives are provided within each of the adopted General Plan’s State mandated Elements. Many of these stated Goals and Objectives address the community’s desire to provide a variety of housing types while maintaining high standards for the quality, aesthetic appearance and safety for all new and existing development. The proposed Development Code Amendment will modify the development standards of multi-family dwelling units to be consistent with standards applied by surrounding cities. This change is consistent with the Goals and Objectives of the adopted General Plan.

- B. The proposed amendment will not be detrimental to the public health, safety or welfare of the Town or its residents.

Comment: The proposed Development Code Amendment will modify the requirements for development of multi-family housing and duplexes to be consistent with the standards of surrounding communities. Therefore, the Amendment shall not be detrimental to the health, safety or general welfare of the citizens or visitors of the Town of Apple Valley.

NOTICING

Development Code Amendment No. 2021-001 was advertised as a public hearing in the Apple Valley News newspaper on January 22, 2021.

ENVIRONMENTAL REVIEW

Development Code Amendment No. 2021-001 will modify the development standards for multi-family projects to be consistent with the neighboring cities. As proposed, this amendment will not promote development beyond that anticipated

within the Environmental Impact Report prepared for the Town's General Plan.

Staff has determined that the project is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State Guidelines to Implement CEQA, which states that the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question, the proposed Code Amendment, may have a significant effect on the environment, the activity is not subject to CEQA.

RECOMMENDATION

Following receipt of public input and discussion by the Commission, it is recommended that the Commission move to approve Planning Commission Resolution No. 2021-002 forwarding a recommendation that the Town Council amend Title 9 "Development Code" of the Town of Apple Valley Municipal Code as outlined within the staff report.

Attachment:

Draft Planning Commission Resolution No. 2021-002

PLANNING COMMISSION RESOLUTION NO. 2021-002

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF APPLE VALLEY, CALIFORNIA, RECOMMENDING THAT THE TOWN COUNCIL ADOPT DEVELOPMENT CODE AMENDMENT NO. 2021-001 AMENDING TITLE 9 “DEVELOPMENT CODE” OF THE TOWN OF APPLE VALLEY MUNICIPAL CODE, BY MODIFYING DEVELOPMENT STANDARDS FOR MULTI-FAMILY DEVELOPMENT

WHEREAS, The General Plan of the Town of Apple Valley was adopted by the Town Council on August 11, 2009; and

WHEREAS, Title 9 “Development Code” of the Municipal Code of the Town of Apple Valley was adopted by the Town Council on April 27, 2010; and

WHEREAS, The Town of Apple Valley Town Council created an Ad Hoc Committee to review multi-family development standards;

WHEREAS, On November 10, 2020, the Town Council received the recommendations of the Ad Hoc Committee and initiated a Development Code directing staff to work with the Planning Commission to modify the multi-family development standards;

WHEREAS, Title 9 “Development Code” of the Municipal Code of the Town of Apple Valley has been previously modified by the Town Council on the recommendation of the Planning Commission; and

WHEREAS, Specific changes are proposed to Title 9 “Development Code” of the Town of Apple Valley Municipal Code including Section 9.29.070 “Multi-Family Housing Standards”, Chapter 9.08 “Definitions”, Section 9.28.040 “Site Development Standards”, Section 9.31.040 “Multi-Family Site Planning Design Standards”, Section 9.31.050 “Multi-Family Architectural Design Standards”, and Table 9.72.020-A “Required Parking Spaces” as it relates to multi-family development and architectural variation; and

WHEREAS, on January 22, 2021, Development Code Amendment No. 2021-001 was duly noticed in the Apple Valley News, a newspaper of general circulation within the Town of Apple Valley; and

WHEREAS, it has been determined that the project is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State Guidelines to Implement CEQA, which states that the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question, the proposed Code Amendment, may have a significant effect on the environment, the activity is not

subject to CEQA; and

WHEREAS, on February 3, 2021 the Planning Commission of the Town of Apple Valley conducted a duly noticed and advertised the public hearing on Development Code Amendment No. 2021-001 receiving testimony from the public; and

WHEREAS, Development Code Amendment No. 2021-001 is consistent with the Land Use Element goals and policies of the Town's General Plan and Title 9 "Development Code" of the Municipal Code of the Town of Apple Valley and shall promote the health, safety, and general welfare of the citizens of the Town of Apple Valley.

NOW, THEREFORE, BE IT RESOLVED that in consideration of the evidence presented at the public hearing, and for the reasons discussed by the Commissioners at said hearing, the Planning Commission of the Town of Apple Valley, California, does hereby resolve, order and determine as follows and recommends that the Town Council make the following findings and take the following actions:

Section 1. Find that the changes proposed by Development Code Amendment No. 2021-001 is consistent with the Goals and Policies of the Town of Apple Valley adopted General Plan and Title 9 "Development Code" of the Municipal Code of the Town of Apple Valley.

Section 2. The project is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State Guidelines to Implement CEQA, which states that the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question, the proposed Code Amendment, may have a significant effect on the environment, the activity is not subject to CEQA.

Section 3. Replace Section 9.29.070 "Multi-Family Housing Standards" with the following:

"9.29.070 Multi-Family Housing Standards

- A. *Applicability.*** Multi-family housing, including but not limited to duplexes, triplexes, apartments, condominiums and townhouses is permitted in the R-M district with an approved Development Permit or Conditional Use Permit. Single-family housing, including attached and detached homes, is permitted within the R-M district within the Mountain Vista neighborhood only.
- B. *General Development Standards.*** All multi-family housing projects shall comply with applicable site development standards of Chapter 9.28, *Residential Districts*, of this Code. Projects shall be regulated by total unit

count. Small Projects shall be from 2-8 units in size; Medium Projects shall be from 9-15 units in size; and Large Projects shall be 16 units in size or larger. In addition, the following standards shall apply to all multi-family projects:

3. Setbacks –
 - a. Front yard – Fifteen (15) feet
 - b. Street side yard – Fifteen (15) feet
 - c. Interior side yard – Ten (10) feet
 - d. Rear yard – Ten (10) feet
 - e. No parking shall be permitted in the required fifteen (15)-foot front yard or street side yard setback. Parking shall be setback from the interior side and rear property lines by a minimum of five (5) feet.
 - f. Structures shall have a minimum fifteen (15)-foot side or rear setback when adjacent to a single-family residential zone.
 - g. Properties with a recorded front and street side yard setback greater than the minimum required setback can reduce this setback with the recordation of a Certificate of Correction to the approved map as long as the new setback is an average of the two (2) adjacent developments and not less than twenty-five (25) feet.
4. **Separation Between Buildings.** Habitable and non-habitable buildings on the same lot shall be separated by a minimum of seven (7) feet. Structures greater than two (2)-stories shall be separated by a minimum of fifteen (15) feet. Over three (3) stories shall have a minimum separation of thirty (30) feet, or greater as determined by the Apple Valley Fire Protection District.
3. **Minimum Dwelling Unit Size.** The minimum dwelling unit size, exclusive of any balcony or private open space shall be as follows:
 - a. Studio - 450 square feet
 - b. One Bedroom - 650 square feet
 - c. Two Bedroom - 800 square feet
 - d. Three Bedroom and larger - 1,000 square feet. For every bedroom increase above a 3-bedroom, an additional 150 square feet shall be added to the minimum unit square footage.
 - e. Where single family homes are constructed within the R-M District and/or in the Mountain Vista neighborhood, the minimum home size shall be 1,000 square feet. (The Mountain Vista neighborhood is described in Section 9.28.020 H – Footnote No. 1).

- 4. Private Open Space.** Private open space on a ground floor unit shall be a minimum of 250 square feet with a minimum width of ten (10) feet. Upper floor units shall have a balcony with a minimum of 150 square feet.
- 5. Landscape Required.** A minimum landscaped setback area ten (10) feet wide, measured from the property line, shall be provided along each street frontage of the project. A minimum five (5)-foot wide landscape setback shall be provided along the interior side and rear yards, with the exception of driveways, private open space and accessible pathways. All areas not utilized for structures, walkways, parking or drive aisles shall be fully landscaped as required in Chapter 9.75, *Water Conservation/Landscaping Regulations*, of this Code.
- 6. Lot Coverage.** The maximum lot coverage is seventy (70) percent of the net project site. Lot coverage over seventy (70) percent can be allowed with Planning Commission approval.
- 7. Pedestrian Circulation.** An interior walkway system with a minimum width of four (4) feet shall be incorporated into the project for the purpose of providing direct access to and from all individual dwelling units, trash storage areas, parking areas, recreational areas and other outdoor common spaces.
- 8. Lighting.**

 - a.** The following areas shall be lighted during the hours of darkness in a manner consistent with the Performance Standards contained in subsection 9.70.020.H of this Code and the Town Lighting Ordinance:

 - 1)** Private streets and drive aisles;
 - 2)** Parking Areas;
 - 3)** Walkways or pedestrian or bicycle paths;
 - 4)** Individual dwelling entries;
 - 5)** Addresses;
 - 6)** Recreational facilities;
 - 7)** Active outdoor play areas; and
 - 8)** Project entryways.
 - b.** All on-site lighting shall be stationary, directed away from adjacent properties and public rights-of-way.
 - c.** Lighting fixtures shall be of a type and shall be located such that no light or reflected glare is directed off-site and shall provide that no light is directed above the horizontal plane.
 - d.** When on-site lighting occurs, low-rise, pedestrian scale lighting fixtures shall be used in common open space areas, adjacent to dwellings, and along pedestrian and bicycle paths. The maximum height of such a fixture shall be fifteen (15) feet.

9. **Security Devices.** Each door providing ingress and egress to any multi-family dwelling unit shall be equipped with the following devices:
 - a. A peephole allowing a person inside the unit to see, at a wide angle, persons outside of the unit at the door, without the person inside being seen; and
 - b. A deadbolt lock attached to the construction studding. Attachment to the doorjamb or trim shall not be sufficient to comply with this standard.
10. **Streets.** Development projects which have a maximum of two (2) access points to a public right-of-way or which are enclosed private drives shall be permitted to use private driveways for access. Two-way driveways and drive aisles shall have a minimum width of twenty-six (26) feet. Proposed structures over thirty-five (35) feet in height shall require thirty-six (36)-foot wide fire lanes, subject to the review and approval of the Apple Valley Fire Protection District. Where a development is designed to mimic a small tract of residences, or where the project provides more than two (2) external connections to public rights-of-way, private roads shall be built to Town Standards.

F. Small Project (2-8 Units) Development Standards. In addition to the standards within above Section B “General Development Standards”, the following standards shall apply:

12. **Common open space.** None required for Small Projects.
13. **Parking.** A two (2) car garage, plus 1 uncovered guest space shall be required for each unit. Carports are permitted for the guest space.
14. **Uncovered Parking.** The parking space shall have a minimum standard width of nine (9) feet and a length of nineteen (19) feet. Vehicles can hang over into landscape planters a maximum of two (2) feet reducing the minimum length of the parking space to a minimum of seventeen (17) feet.
15. **Parking Lot Landscape.** Tree wells/Fingers in parking lots shall be required for every ten (10) spaces of uncovered parking with a minimum of at least one (1) in order to provide shade.
16. **Covered Parking.** A two (2)-car garage with minimum interior dimensions of twenty (20) feet by twenty (20) feet shall be required for each unit.
17. **Storage.** No additional storage shall be required in addition to the garage requirement.
18. **Mechanical Equipment.** Ground mounted mechanical equipment can be located in the front or street side yard setbacks as long as it is screened from view. Screening can consist of a decorative block wall or

landscape material. Ground mounted equipment can also be located in the side and rear setbacks without screening.

19. **Trash Enclosures.** When trash enclosures are required (more than four (4) units), they shall be allowed in the front and street side yards setbacks with the construction of a standard trash enclosure. Trash enclosures shall comply with the minimum standards set forth in Sections 9.28.150, *Trash Enclosures*, and 9.31.050, *Multi-Family Architectural Design Standards*, of this Code. Trash enclosures shall be located at convenient distances from the buildings they serve and sited to minimize visual, odor and noise impacts to abutting properties.
20. **Height.** Structures shall be limited to thirty-five (35) feet in height.
21. **Laundry Facilities.** Each unit shall be plumbed and wired for a washing machine and dryer and shall be provided to each occupant.
22. **Amenities.** No amenities shall be required for Small Projects.

G. Medium Projects (9-15 Units). In addition to the standards within above Section B “General Development Standards”, the following standards shall apply:

13. **Common open space.** None required for Medium Projects.
14. **Parking.** A total of 2.5 parking spaces shall be required for each unit. One of the required spaces shall be covered parking, which can include a garage or a carport. If a carport is used for the covered parking it must not be open to the street. If this cannot be accommodated, then a garage would be required.
15. **Uncovered Parking.** The parking space shall have a minimum standard width of nine (9) feet and a length of nineteen (19) feet. Vehicles can hang over into landscape planters a maximum of two (2) feet reducing the minimum length of the parking space to a minimum of seventeen (17) feet.
16. **Parking Lot Landscape.** Tree wells/Fingers in parking lots shall be required for every ten (10) spaces of uncovered parking with a minimum of at least one (1) in order to provide shade.
17. **Covered Parking.** The garage or carport structure shall have a ten (10)-foot setback from the interior side and rear property lines and the overhang of a structure can encroach up to three (3) feet into a setback. If the structure is equipped with solar panels, the encroachment into the setback can be up to five (5) feet.
18. **Storage.** No additional storage will be required in addition to a two (2)-car garage; however, 400 cubic feet of storage space shall be constructed within the covered parking structure.

19. **Mechanical Equipment.** Ground mounted mechanical equipment can be located in the front or street side yard setbacks as long as it is screened from view. Screening can consist of a decorative block wall or landscape material. Ground mounted equipment can also be located in the side and rear setbacks without screening.
20. **Trash Enclosures.** Trash enclosures shall be allowed in the front and street side yards setbacks with the construction of a standard trash enclosure. Trash enclosures shall be provided and comply with the minimum standards set forth in Sections 9.28.150, *Trash Enclosures*, and 9.31.050, *Multi-Family Architectural Design Standards*, of this Code. Trash enclosures shall be located at convenient distances from the buildings they serve and sited to minimize visual, odor and noise impacts to abutting properties.
21. **Height.** Structures shall be limited to thirty-five (35) feet in height.
22. **Laundry Facilities.** Each unit shall be plumbed and wired for a washing machine and dryer and shall be provided to each occupant.
23. **Amenities.** No amenities shall be required for Medium Projects.
24. **Entry Statements –** Development shall provide an entry statement in accordance with subsection 9.31.040.C. Entry Statements of this Code.

H. Large Projects (16 Units and Larger) Development Standards. In addition to the above standards within Section B “General Development Standards”, the following standards shall apply:

1. **Common Open Space.** A minimum of 5,000 square feet or five percent (5%), whichever is larger, of the project site shall be provided as common open space. Common useable open space shall meet the following requirements:
 - a. Useable open space areas shall not include rights-of-way, vehicle parking areas, private open space areas, or areas with slopes exceeding fifteen (15) percent. Setback areas which are landscaped shall be included in the common open space areas.
 - b. Such areas shall be planted with turf or ground cover, or other landscaping which will control dust;
 - c. Common useable open space shall not be obstructed except by improvements that enhance usability, such as swimming pools, fountains, sunshades, and plantings; and
 - d. If at ground level, common useable open space areas shall not be covered more than fifty (50) percent by a building overhang or balcony.

2. **Amenities.** Amenities shall be provided under the following schedule. A majority, or fifty (50) percent of the amenities shall be recreational amenities as defined in Chapter 9.08 of this Code. Duplicated amenities shall be considered a single amenity. Amenities can be located within the setback areas and within the required Common Open Space area.
3.
 - a. 16-50 units – requires 2 amenities
 - b. 51-100 units – requires 3 amenities
 - c. 101-150 units – requires 4 amenities
 - d. 150-200 units – requires 5 amenities (for every 50 units above 200, an additional amenity shall be required).
4. **Parking.** A total of 2.25 parking spaces shall be required for each unit. One of the required spaces shall be covered parking, which can include a garage or a carport.
5. **Uncovered Parking.** The parking space shall have a minimum standard width of nine (9) feet and a length of nineteen (19) feet. Vehicles can hang over into landscape planters a maximum of two (2) feet reducing the minimum length of the parking space to a minimum of seventeen (17) feet.
6. **Parking lot landscaping and screening.** Shall comply with the provisions of Section 9.72.080.
7. **Covered Parking.** The garage or carport structure shall have a ten (10)-foot setback from the interior side and rear property lines and the overhang of a structure can encroach up to three (3) feet into a setback. If the structure is equipped with solar panels, the encroachment into the setback can be up to five (5) feet.
8. **Height.** The maximum height of a structure is limited to fifty (50) feet. Any portion of a building that exceeds thirty-five (35) feet in height, must be stepped back with a setback minimum of twenty (20) feet from any property line.
9. **Storage.** A minimum of 400 cubic feet of lockable private storage shall be constructed in the covered parking structure.
10. **Trash Enclosures.** Shall not be located within a required setback and shall be screened from the public right-of-way. Trash enclosures shall be provided and comply with the minimum standards set forth in Sections 9.28.150, *Trash Enclosures*, and 9.31.050, *Multi-Family Architectural Design Standards*, of this Code. Trash enclosures shall be located at convenient distances from the buildings they serve and sited to minimize visual, odor and noise impacts to abutting properties.
11. **Mechanical Equipment.** Shall not be located within a required setback and shall be screened from the public right-of-way.
12. **Laundry.** If laundry utilities are not provided in each unit, a community laundry facility shall be provided on site.

13. **Entry Statements.** Development shall provide an entry statement in accordance with subsection 9.31.040.C. Entry Statements of this Code.

14. **Phasing.** A phased project shall require that all interior circulation be completed leaving only building pads to be constructed under future phases. Amenities for the number of units for a constructed phase shall be required to be constructed and operational, prior to occupancy of that phase.

D. Maintenance and Completion of Open Space, Amenities, Landscaping and Manufactured Slopes for Non-Apartment Multi-family. No lot or dwelling unit shall have a building or occupancy permit issued unless a corporation, homeowners' association, assessment district or other approved appropriate entity has been legally formed with the right to operate and maintain all of the mutually available features of the development including, but not limited to, open space, amenities, or landscaping or slope maintenance (which may be on private lots adjacent to street rights-of-way). Conditions, Covenants, and Restrictions (CC&Rs) may be developed and recorded for the development subject to review and approval of the Town Attorney. No lot or dwelling unit shall have a building or occupancy permit issued unless all approved and required open space, amenities, landscaping or other improvements, or approved phase thereof, have been completed or if the Town Engineer determines that the health, safety and welfare of the occupants and the intent of this Code will be adequately safeguarded, he may allow issuance of a building or occupancy permit if said completion is assured by a financing guarantee method approved by the Town Engineer."

Section 4. Modify the Chapter 9.08 "Definitions" as follows:

"Amenity

Aesthetic or other characteristics of a development that increase its desirability to the community or its marketability to the public. Amenities differ from development to development but may include recreational and nonrecreational facilities.

Amenity, Recreational

Amenities that provide opportunity for physical activity such as recreation rooms, fitness centers, outdoor exercise equipment, swimming pools, basketball/tennis courts, playgrounds, outdoor grill areas with shaded seating, or community vegetable gardens.

Amenity, Nonrecreational

Amenities providing for passive enjoyment and/or convenience facilities. Convenience facilities may include security systems, package lockers, high speed internet or electric car charging stations or a dog park. Passive enjoyment amenities may include enhanced common open areas incorporating water features, fire pit (non-wood burning) or public art with shaded seating areas."

“Duplex

A property under single ownership containing one (1) structure consisting of two (2) living units.”

“Dwelling, Multiple

A single property containing more than two (2) attached dwelling units or a combination of two (2) or more detached single family dwelling units.”

Section 5. Modify Table 9.29.040-A “Site Development Standards” to reflect the development standards within Section 9.29.070 as follows:

Table 9.28.040-A Site Development Standards

STANDARDS	R-VLD	R-A	R-LD	R-E	R-E ¾	R-EQ	R-SF	R-M	MHP	M-U	PRD⁽¹⁾
1. Minimum lot area ^(15, 17)	5 ac ⁽²⁾	2.5 ac ⁽²⁾	2.5 ac ⁽²⁾	1 ac ⁽²⁾	32,670 sf ⁽³⁾	18,000 sf ⁽³⁾	18,000 sf ⁽³⁾	18,000 sf ⁽³⁾	-	1 ac.	PRD ⁽⁴⁾
2. Minimum corner lot area	5 ac ⁽²⁾	2.5 ac ⁽²⁾	2.5 ac ⁽²⁾	1 ac ⁽²⁾	32,670 sf	20,000 sf ⁽³⁾	20,000 sf ⁽³⁾	20,000 sf ⁽³⁾	-	1 ac.	
3. Minimum lot width (ft)	200	150	150	125	125	100	100	100	-	100	PRD
4. Minimum corner lot width (ft)	200	150	150	125	100	115	115	115	-	115	PRD
5. Minimum lot depth (ft)	300	300	300	250	275	150	150	150	-	100	PRD
6. Minimum corner lot depth (ft)	300	300	300	250	275	150	150	150	-	150	PRD
7. Minimum site frontage (ft)	90	90	90	60	60	60	60	60	-	60	PRD
8. a. Minimum front setback (ft) ⁽¹⁸⁾	50	50	50	45	30	30	30	15	15	35/10 ⁽¹⁶⁾	10 ⁽⁵⁾
b. Average front setback (ft)	N/A	N/A	N/A	50	35	35	35	15	15	N/A	PRD
9. Minimum rear setback ⁽⁶⁾ ⁽¹⁸⁾	40	35	35	30	25	25	25	10	-	0	5
10. a. Minimum side setback(ft) ⁽⁷⁾ ⁽¹⁸⁾	25	25	25	20	15/10 ⁽⁸⁾ ⁽¹⁹⁾	15/10 ⁽⁸⁾ ⁽¹⁹⁾	15/10 ⁽⁸⁾ ⁽¹⁹⁾	10	-	0	6
b. Minimum street side setback ⁽⁹⁾ (ft)	45	45	45	40	25	25	25	15	-	10	10
11. Animal keeping compatibility buffer ⁽¹⁰⁾ (ft)	25	25	25	25	25	25	N/A	N/A	N/A	N/A	PRD
12. Height limitations ⁽¹¹⁾ (ft)	35	35	35	35	35	35	35	35-50 ⁽¹³⁾	18	50	35
13. Maximum lot coverage	25%	25%	25%	25%	30%	30%	40%	70% ⁽¹⁴⁾	-	50% ⁽¹⁴⁾	50%
14. Minimum dwelling unit size (sq. ft.)	1,200	1,200	1,200	1,200	1,200	1,200	1,200	450 to 1,000 ⁽¹²⁾	-	450 to 1,000 ⁽¹²⁾	PRD
15. Minimum landscape area	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A ⁽¹⁹⁾	-	10%	30%
16. Minimum distance between primary structure and detached accessory structure (ft)	6	6	6	6	6	6	6	7	-	0	6

Section 6. Remove Footnote 19 as no longer applicable and modify Footnotes 12, 13, 14, and 18 to cross-reference the correct subsections, and removing development standards, as follows:

- “(12) See subsection 9.29.070.B.3 Minimum Dwelling Unit Size, of this Code.
- (13) See subsections 9.29.070.C.9, 9.29.070.D.9 and 9.29.070.E.7 of this Code.
- (14) See subsection 9.29.070.B. 6 Lot Coverage, of this Code.

- (18) See Table 9.28.040.E and Section 9.28.040.B for permitted projections and exceptions to the required setbacks.”

Section 7. Remove Table 9.28.040-B “Summary of Site Development Standards for Residential Districts” and associated footnotes as duplicative.

Section 8. Modify Table 9.28.040-C “Site Development Standards for the Mountain Vista Neighborhood” for consistency with Section 9.29.070 “Multi-Family Housing Standards” as follows:

“Table 9.28.040-C Site Development Standards for the Mountain Vista Neighborhood⁽¹⁾”

STANDARDS	Single Family Development	Multi-Family Development
1. Minimum lot area	10,000 sf ^(2,3)	10,000 sf ^(2,3)
2. Minimum corner lot area	16,000 sf ⁽²⁾	16,000 sf ⁽²⁾
3. Minimum lot width (ft)	80	80
4. Minimum corner lot width (ft)	95	95
5. Minimum lot depth (ft)	125	125
6. Minimum corner lot depth (ft)	125	125
7. Minimum site frontage (ft)	40	40
8. a. Minimum front setback (ft) ⁽¹¹⁾	25	15
b. Average front setback (ft)	30	15
9. Minimum rear setback ⁽⁴⁾ ⁽¹¹⁾	20	10
10. a. Minimum side setback(ft) ⁽⁵⁾ ⁽¹¹⁾	15/10 ⁽⁶⁾	10
b. Minimum street side setback ⁽⁶⁾ ⁽¹¹⁾ (ft)	20	15
11. Height limitations ⁽⁸⁾ (ft)	35	35 - 50 ⁽⁸⁾
12. Maximum lot coverage	40%	70% ⁽⁹⁾
13. Minimum dwelling unit size (sq. ft.)	1,000	450 to 1,000 ⁽¹⁰⁾
14. Minimum landscape area	N/A	<u>N/A</u>
15. Minimum distance between primary structure and detached accessory structure (ft)	6	7

Section 9. Modify the following Footnotes to Table 9.28.040-C to reflect the correct subsection cross-reference removing development standards as applicable.

- “(8) See subsection 9.29.070.C.9, 9.29.070.D.9 and 9.29.070.E.7 of this Code. A maximum height of 50 feet is allowed with Planning Commission approval.
- (9) See subsection 9.29.070.B.6 Lot Coverage, of this Code.”

Section 10. Remove Table 9.28.040-D “Summary of Site Development Standards for Mountain Vista Neighborhood” and associated footnotes as duplicative.

Section 11. Add Paragraph 3 to Section 9.31.050(B) “Architectural Unity and Variation” as follows:

- “3. Multiple two (2)-unit attached structures in a project shall require a minimum of three (3) architectural styles consisting of different colors and materials.”

Section 12. For consistency with the changes to Section 9.29.070, modify Section 9.31.040(C), Paragraph 1 as follows:

- “**1. Entry Statement Standards.** Entry statements shall include vehicular and pedestrian entry level statements which shall be consistent with the following:”

Section 13. For consistency with the changes to Section 9.29.070, modify Section 9.31.040(F)(2)(a), as follows:

“**2. Parking Area Landscaping**

- a. Unless otherwise required by Section 9.29.070, at least one (1) landscape or shade tree shall be provided for every seven (7) spaces of open parking areas.”

Section 13. For consistency with the changes to Section 9.29.070, modify paragraph 5 of Section 9.31.040(F) On-Site Parking as follows:

- “**5. Parking within the Front Yard Building Setback.** Parking located within the required front yard shall be completely screened from the street by either a landscaped hedge or a decorative, architectural screen wall, integrated into the architecture of the building by use of similar materials or accent treatments.”

Section 14. For consistency with the changes to Section 9.29.070, modify Section 9.31.040(I) “Landscaped Areas” Paragraph 2 as follows:

- “2. All areas not covered by structures, drives, parking or hardscape shall be landscaped in accordance with Chapter 9.75, *Water Conservation/ Landscape Regulations*.”

Section 14. For consistency with the changes to Section 9.29.070, modify Section A of Table 9.72.020-A “Required Parking Spaces” as follows:

Table 9.72.020-A Required Parking Spaces

Type of Use	Parking Spaces Required ⁽¹⁾
A. Residential (for Senior Citizen developments refer to 9.72.040.C)	
1. Single family detached and duplex	2 car enclosed garage per unit. Said garage shall have a minimum clear gross floor area of twenty (20) feet by twenty (20) feet free of any obstructions including mechanical equipment.
2. Bed and breakfast	1 space per room available for rent, in addition to those required for the primary residence
3. Multi-family and single family attached	
a. Small Projects (2-8 units)	A two (2) car garage, plus 1 uncovered guest space per unit.
b. Medium Projects 9-15 Units	1 covered and 1.5 uncovered space per unit.
c. Large Projects (16 units or greater)	1 covered and 1.25 uncovered space per unit.
3. Mobile home parks	2 covered spaces per site. Parking may be in tandem. In addition, provide guest parking of 1 space per 4 sites.
4. Boarding houses, dormitories and similar uses	1 space per sleeping room or 1 space per bed, whichever is greater

Section 15. For clarity regarding the processing requirements for a multi-family project, modify the Abbreviations found in Chapter 9.28.030 “Permitted Uses” by adding an abbreviation for Development Permit as follows:

“ABBREVIATIONS”

- R-VLD Very Low Density Residential
- R-A Residential Agriculture
- R-LD Low Density Residential
- R-E Estate Residential
- R-E $\frac{3}{4}$ Estate Residential $\frac{3}{4}$
- R-EQ Equestrian Residential
- R-SF Single Family Residential
- R-M Multi-Family Residential
- MHP Mobile Home Park
- M-U Mixed Use
- PRD Planned Residential Development

The uses listed in Table 9.28.030-A shall be allowed in the Residential districts as indicated in the column beneath each district and as defined below.

DP: Subject to Development Permit process, Department review

SUP: Subject to Special Use Permit process, Department review

CUP: Subject to Conditional Use Permit process, Planning Commission review.

P: Permitted Uses.

"-": Denotes those uses that are prohibited.

The Conditional and Special Use Permit and processes are detailed in Chapter 9.16 and the Development Permit process is detailed in Chapter 9.17 of this Code. The uses listed in Table 9.28.030-A below apply to applications for expansion, tenant improvements, change of occupancy or new development.”

Section 16. For clarity regarding the processing requirements for a multi-family project, modify Paragraph 13 of Section A. “Residential Uses” of Table 9.28.030-A “Permitted Uses” by adding the Development Permit requirement to the Table as follows:

Table 9.28.030-A Permitted Uses

TYPE OF USE	R-VLD	R-A	R-LD	R-E	R-E ^{3/4}	R-EQ	R-SF	R-M	MHP	M-U	PRD ²
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A. Residential Uses

13 Multi-family housing											
1-15 units	-	-	-	-	-	-	-	DP	-	DP	P
16-50 units	-	-	-	-	-	-	-	DP ⁽³⁾	-	DP ⁽³⁾	DP ⁽³⁾
51 and above	-	-	-	-	-	-	-	CUP	-	CUP	CUP

Approved and Adopted by the Planning Commission of the Town of Apple Valley
this 3rd day of February 2021.

Chairman Bruce Kallen

ATTEST:

I, Maribel Hernandez, Secretary to the Planning Commission of the Town of Apple Valley, California, do hereby certify that the foregoing resolution was duly and regularly adopted by the Planning Commission at a regular meeting thereof, held on the 3rd day of February, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ms. Maribel Hernandez, Planning Commission Secretary