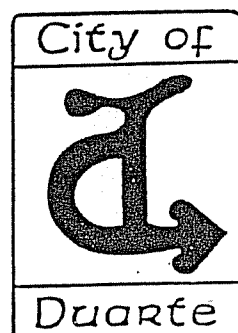


SEPTEMBER 1989

HIGHLAND AVENUE SPECIFIC PLAN

CITY OF DUARTE



HIGHLAND AVENUE SPECIFIC PLAN

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September 1989

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INTRODUCTION

Purpose of Specific Plan

The purpose of a specific plan is to ensure that the development of a project can co-exist with the environment and existing land uses within a given area. The Highland Avenue Specific Plan has been prepared in recognition of the development potential of the property and surrounding area, emphasizing the positive opportunities of the site. Tentative Tract Map 48057 has been prepared as one of the implementing tools of the Highland Avenue Specific Plan. This document fulfills the intent of the Specific Plan requirements of the State of California and the City of Duarte, as well as the implementation of the City's General Plan, as adopted.

Authority

The following Specific Plan text has been prepared in conformance with California Government Code (Sections 65450-65457). In addition, all applicable ordinances of the City of Duarte have been incorporated into the plan and the final document will, in fact, replace zoning and land use regulations currently existing on the site. The land use standards outlined in the Highland Avenue Specific Plan shall govern all areas within the project and tentative tract. All ordinances, regulations, policies, and other guidelines applicable to the property not covered in this Specific Plan shall remain in effect. Any development standard not covered or addressed in this document, shall conform to the PUD, Planned Unit Development Zone.

Interpretation

The Community Development Director of the City of Duarte, or his designee, shall have the responsibility to interpret the proposed Specific Plan and its provisions. All interpretations shall be in writing to ensure consistency of interpretations and disclosure to the developer. Such interpretations shall be permanently maintained by the City of Duarte.

PHYSICAL SETTING

Project Location

The Highland Avenue Specific Plan consists approximately of 1.11 acres, or 48,546 square feet. The Plan is located north of Huntington Drive, approximately in the center of the City. The City is bounded by the cities of Monrovia, Bradbury, and Azusa to the west, north, and east respectively. Directly south of the City of Duarte is the Santa Fe Recreational Area, which is County, unincorporated territory. Figure 1 identifies the regional location of the City of Duarte.

Regional access to the site is via the Foothill Freeway (Route 210), which is linked to the San Gabriel River Freeway (Route 605). The Foothill Freeway provides east/west movement from the Los Angeles metropolitan area to the eastern end of the East San Gabriel Valley. Route 605 provides a north/south transportation corridor that terminates in the City of Duarte and transversing a variety of communities from Los Alamitos to Duarte. Huntington Drive is a major east/west transportation corridor through the City of Duarte and outlying cities, as previously mentioned. The property of the Specific Plan is accessible through a network of collector and local residential streets.

The proposed Specific Plan will take access off of Highland Avenue, which is an 80 foot public right-of-way, with a roadbed width of 64 feet. First Street terminates into Highland Avenue at approximately the center of the proposed development project. First Street is a local collector street with a public right-of-way width of 40 feet. Other local collector streets that would have close proximity to the Specific Plan are Second Street and Third Street to the west, and Royal Oaks Drive to the North.

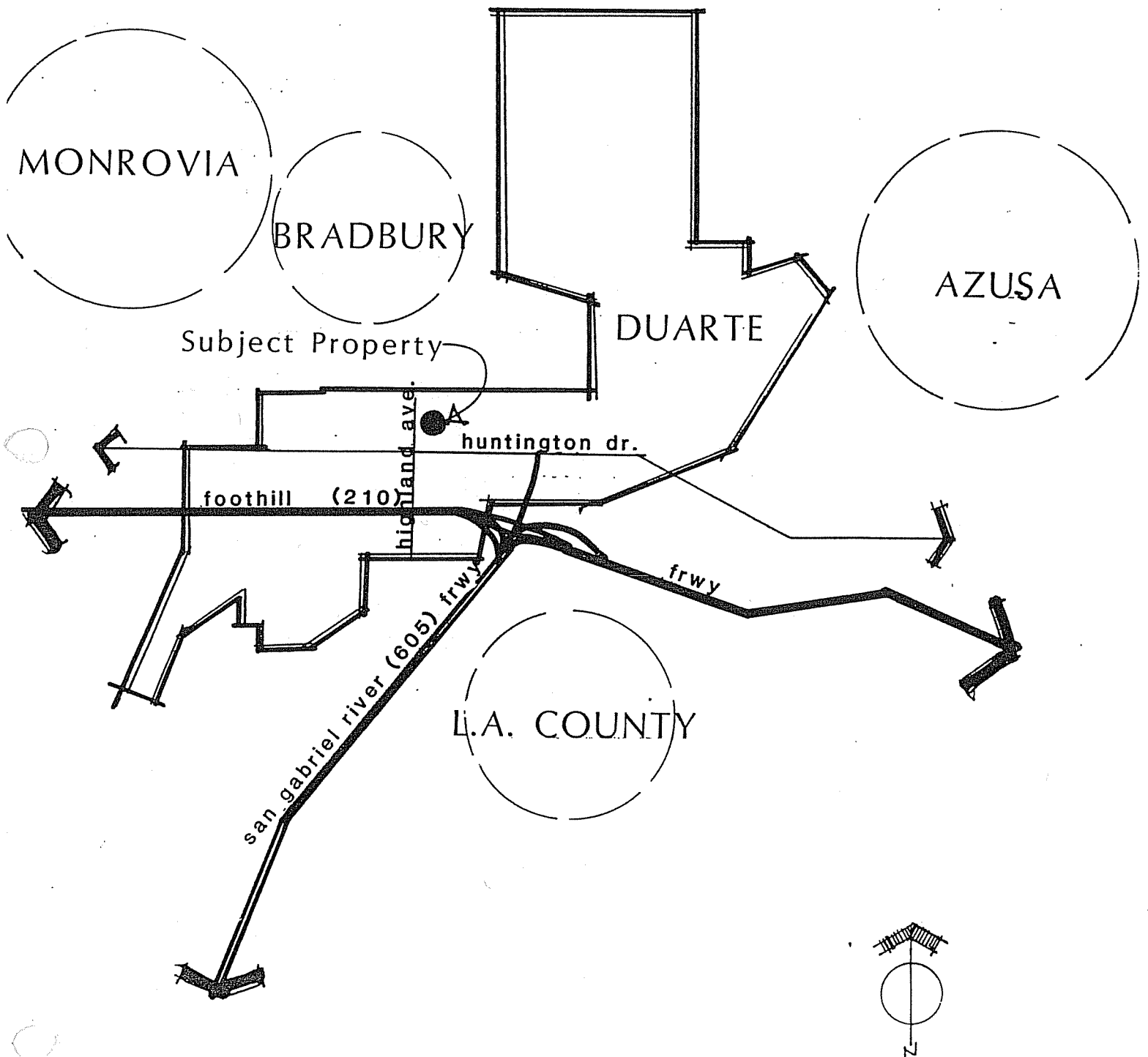
As stated, the site is approximately one acre in size and is currently developed with two, single-story residences and associated garages. One of the dwellings is located in the center of the property and the other is located along the northerly property line toward Highland Avenue. The last use of the site was a nursery. A majority of the site has been paved to accommodate the nursery, with the rear third of the lot covered with gravel. Also on the site are a number of mature oak, elm, amber and avocado trees ranging in trunk diameter of 12 inches to 48 inches.

The land of the Highland Avenue Specific Plan is legally described as follows:

All that portion of the replat of the Bonnie Highland Tract, in the City of Duarte, in the County of Los Angeles, State of California, as per map recorded in Book 52 Page 21 of Miscellaneous Records, in the office of the County Recorder of said County, lying northerly of a line parallels with and distant southerly 396.6 feet, (measured along the westerly line of said tract and the northerly prolongation thereof), from the northerly line of the strip of land shown as Fish Canyon Road on map filed in Book 49 Page 12 of Record of Surveys of said land.

Except that portion of said land lying north of a line parallel with and distant southerly 240 feet, (measured along the westerly line of said tract and the northerly prolongation thereof) from the northerly line of said strip of land, shown on Fish Canyon Road, as herein above recited.

FIGURE 1
REGIONAL LOCATION MAP



Project Description

The Highland Avenue Specific Plan is comprised of approximately one acre of land and is for the development of sixteen (16) single-family units on small postage stamp lots. The lots range in area from 2,060 square feet, to 2,500 square feet. The site is a rectangular piece of property located on the easterly side of Highland Avenue. The property has approximately 156 feet of frontage on Highland Avenue, with a depth of approximately 310 feet. The property drains in a southeasterly direction from Highland Avenue. The site has a number of mature trees on the site and every effort will be taken to maintain said trees. Access to the site will be via a 36 foot wide private drive. The land use section of this document describes the project in greater detail.

To implement the Highland Avenue Specific Plan, Tentative Tract Map 48057 has been prepared and submitted as part of this document.

Existing General Plan and Zoning

The project site is currently designated C-1, Neighborhood Commercial Zone. The Neighborhood Commercial Zone is intended to be a very limited commercial zone to serve the needs of the immediate neighborhood for convenience goods only, especially when no other convenience shopping facilities exist or are indicated in the General Plan. The zone also permits the site to be developed with residential uses in conformance with the R-4, Multiple Residential Zone (high density). The purpose of the Specific Plan is to take advantage of the permitted use of residential housing units in the C-1 Zone. The C-1 Zone also allows for property to be developed under the City's PUD, Planned Unit Development Zone, for individual home ownership. Given the conflicting residential development standards, as set forth in the zone, the Specific Plan is being proposed to take the place of the C-1, Neighborhood Commercial Zone, the R-4, Multiple Residential Zone (high density), and the PUD, Planned Unit Development Zone.

With respect to the General Plan of the subject property, it is currently master planned as Administrative-Professional Land Use Classification of the Land Use Element. The revised General Plan, currently being reviewed by Staff, is changing the land use designation to Medium Density Residential (8 to 22 dwelling units per acre). Given that the Administrative-Professional Land Use Classification is changing to a designation that would allow the development, as proposed in the Highland Avenue Specific Plan, the

Specific Plan will be in conformance with both the existing General Plan and the General Plan Land Use Element currently under review by the City of Duarte.

COMPONENT PLANS

Land Use

The proposed land uses for the project consist of a multiple-family project constructed in a manner commensurate with the single-family land uses to the north and east. The project will be subdivided into sixteen (16) residential lots for the purpose of constructing sixteen (16) single-family residential units. The balance of the site will be held in common ownership of the sixteen (16) property owners. Each lot will be developed as a "patio lot" or small postage stamp lot, to accommodate both the housing unit and private open space area. In order to breakup the street scene, the project will contain two distinct housing types to add a variety to the development. Figure 2 and 3 identifies the proposed tract map and typical lot condition of the development respectively.

In addition to the residential units, a common community park will be provided on the easterly property line of the proposed tract. The area encompasses 16,000 square feet, or three percent of the land area of the tract. As previously stated, each residential unit has a private residential area to complement the community park area. Each private patio area allows for a front courtyard for the entry of the dwelling unit as well as a rear courtyard area for outdoor use. Said areas are a minimum of ten feet in width and are screened from view within the lots with a decorative, seven foot high, wall. Each lot has approximately 555 square feet of open area dedicated for its use. Table 1 identifies a detailed site analysis of the proposed project area.

Lot coverage of the individual lots vary slightly from one another. Lots 1 and 16 are the smallest of the lots planned for residential development and have lot coverage of approximately 70 percent. The larger of the lots, 2,500 square feet in area, have lot coverage of approximately 60 percent. This Specific Plan will permit lot coverage in excess of the Duarte Municipal Code but not to exceed 70 percent.

TABLE 1
SITE ANALYSIS

Total Area	48,360 sq.ft. (100%)
Total Paving	22,260 sq.ft. (23%)
Community Park Area	1,600 sq.ft. (3%)
Total Units Provided	16
Typical Lot Condition	

PLAN I

Total Area (min lot size)	2,100 sq.ft. (100%)
Building Pad	1,465 sq.ft. (70%)
Open Area	635 sq.ft. (30%)
Front Yard Area	80 sq.ft. (4%)
Rear/side yard area	555 sq.ft. (26%)

PLAN II

Total Area (min lot size)	2,060 sq.ft. (100%)
Building Pad	1,305 sq.ft. (63%)
Open Area	755 sq.ft. (37%)
Front Yard Area	200 sq.ft. (10%)
Rear/side yard area	555 sq.ft. (27%)

Density	14.4 units/acre
Parking	
Garages	2/units
Open Stalls	14
Total	46 spaces

Circulation

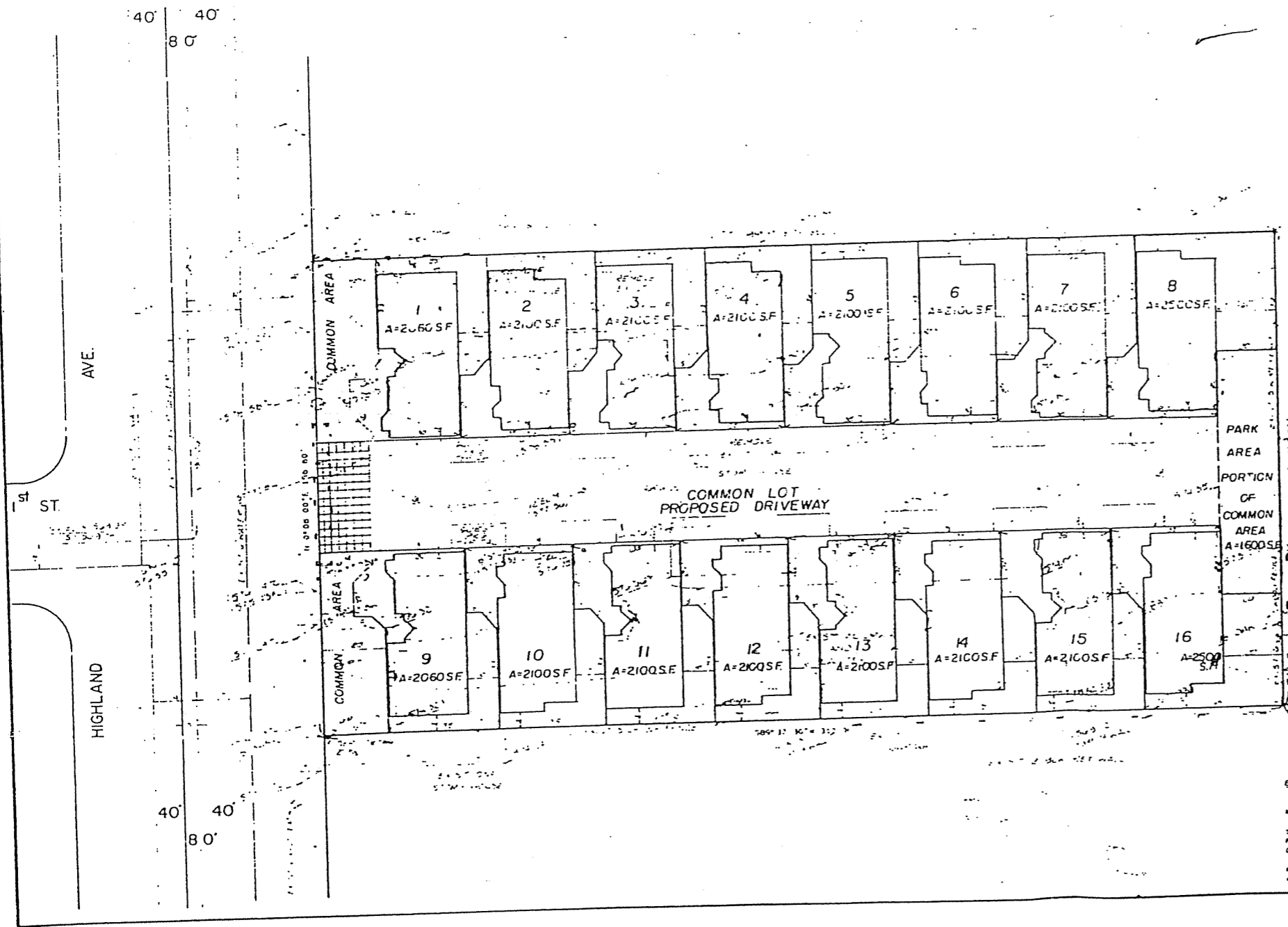
Regional access to the site is provided by Route 210 and 605 freeways (Foothill and San Gabriel River Freeway). From the 210 Freeway, the primary route to the study area would be via Huntington Drive and Highland Avenue. Local collector streets are also available but not as direct as the two previously mentioned collector and arterial streets. Access to the site will be via one 36 foot wide private drive with access from Highland Avenue. The 36 foot width of the drive is the minimum street width of the City of Duarte for a public access, therefore, sufficient turn-around movement should be provided within the site to accommodate the sixteen (16) single-family units.

TENTATIVE TRACT NO. 48057

IN THE CITY OF DUARTE, COUNTY
OF LOS ANGELES, CALIFORNIA.

FOR PLANNED DEVELOPMENT PURPOSES

ROYAL OAKS CR



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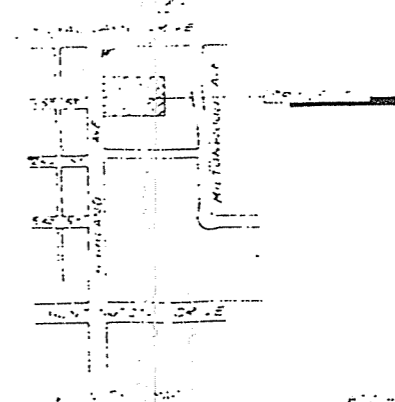
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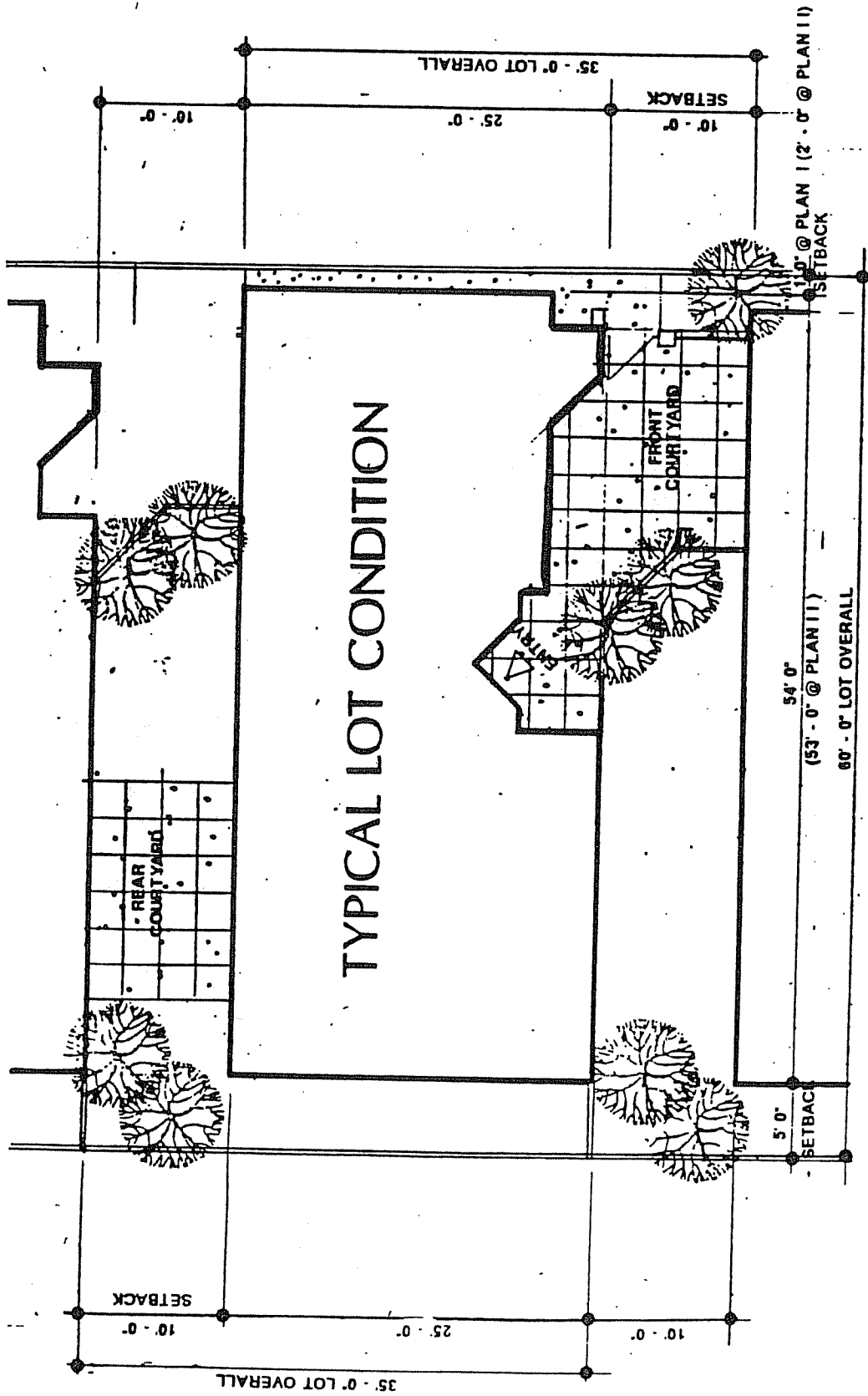
BY: [Signature]



EASEMENTS NOT PLOTTED
ALEXANDER WELLS OWNER OF A BLANKET EASEMENT FOR WATER DITCHES PER DEEDS 26-490, 0-9.
SEYMOUR H. AYRES OWNER OF A BLANKET EASEMENT FOR RIGHT OF ENTRY THEREON FOR THE PURPOSES OF MAINTAINING OR REPAIRING PIPE LINES, PER DEEDS 3363-63, 0-9.
MICHAEL WISTLER OWNER OF A BLANKET EASEMENT FOR WATER LINE PURPOSES PER DEED 3-437, 0-9.

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DRAWN BY		SHEET 1 OF 1

FIGURE 3



Each residential unit will be provided a two-car garage. In addition, fourteen (14) open parking spaces have been provided for the guests of the tenants which are provide within the 36 foot wide private driveway. Each guest parking stall is 8' x 17' and are situated inbetween the garages along the private drive. A stop sign will be placed at the intersection of the private street at its exit onto Highland Avenue.

On-street parking of recreational vehicles will not be permitted and shall be prohibited in the Covenants, Conditions and Restrictions (CC and R's). Enforcement of the CC and R's will be by the Homeowner's Association. The private street within the project site will be maintained by the Homeowner's Association.

Landscaping

A detailed landscape plan will be provided at the time of development of the proposed project. The project will make extensive use of street trees and other landscaping to create a park-like atmosphere. Large scale trees (40 to 60 feet in height) will be used along the site boundary on Highland Avenue and will be used to provide an entry statement to the project. Medium scale trees (25 to 40 feet in height) and canopy trees will be used throughout the site along the street and adjacent property lines. Accent trees will be used at the intersection and common spaces to provide these areas with identification. Table 2 identifies various types of vegetations that can be used as part of the project.

TABLE 2
PROPOSED VEGETATION

<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>
TREES	
Cinnamomum camphora	Camphor Tree
Tristania conferta	Brisbane Box
Pinus canariensis	Canary Island Pine
Prunus blireiana	Purple Leaf Plum
Platanus racemosa	California Sycamore
Schinus molle	California Pepper
Liquidambar styracifius 'Festival'	Sweetgum
Lagerstroemia indica 'Rubra'	Crape Myrtle
SHRUBS	
Acer palmatum 'Bloodgood'	Dwarf Japanese Maple
Agapanthus africanus 'Peter Pan'	Dwarf Lily-of-the-Nile
Azalea indica 'Formosa'	Sun Azalea
Fatsia japonica	Japanese Aralia
Hemerocallis hybrid	Day Lily
Nandina domestica	Heavenly Bamboo
Photinia fraseri	Fraser's Photinia
Raphiolepis indica 'Ballerina'	India Hawthorne
Viburnum suspensum	Sandankwa Viburnum
Abelia grandiflora 'Edward Goucher'	Glossy Abelia
Cotoneaster microphyllus	Rockspray Cotoneaster
Trachelospermum jasminoides	Star Jasmine
Mahonia aquafolium	Oregon Grape
Bougainvillea 'La Jolla'	Bougainvillea
Xylosma congestum compacta	Dwarf Xylosma
VINES	
Bougainvillea 'Crimson Jewel'	Espalier Bougainvillea
Gelsemium sempervirens	Carolina Jessamine
Parthea ocissus quinquefolia	Virginia Creeper
Hibbertia scandens	Guinea Gold Vine
GROUND COVER	
Gazania Uniflora Leucoleana	Trailing African Gazania
Hedera Helix	English Ivy
Lampranthus (Species)	Ice Plant

Common open space landscaped areas, as identified on the site plan, will be maintained by the Homeowner's Association. All landscaping of the proposed project site will be provided with automatic irrigation systems designed to conserve water. Drought tolerant plants shall be used where appropriate, especially in the transition areas between units and the common area.

Architectural Concepts

Given the environmental setting of the site, it is important that the proposed project be commensurate with the surrounding single-family residential uses. The architectural style should enhance the views as observed by the others of the proposed homes, as well as the other adjacent properties. The theme or style of the homes take on the flavor of a neo-Mediterranean design.

The proposed design of the dwellings will incorporate a number of features in it with the intent to emphasize the design theme. Exterior walls shall feature such window projections as dormers and wing walls to avoid stark, plain, flat surfaces. Projections and features will be commensurate with the project setting. Figures 4 and 5 illustrates various exterior design concepts and floor plans.

Materials and colors used in this proposed project should be in keeping with the theme of the neo-Mediterranean design. Exposed wood trim should be kept to a minimum. Emphasis should be placed on colors commensurate with the environment (earth tones) and contrasting trims. In addition, the material of the roof should be a tile, in keeping with the proposed design theme. Roofs will be combined with gable and hip forms to provide a variety of design and appearance.

With respect to architectural amenities not part of the dwelling, fencing should be constructed of material similar with the dwelling. Furthermore, all fencing should be of solid construction so as to provide privacy of the open space area within the development.

The Specific Plan proposed two floor plans. Plan I is approximately 1,885 square feet and Plan II is 1,800 square feet. The units feature a kitchen, dining, living, and family room on the first floor, and four bedrooms and two bathrooms of the second floor. Each unit will have an attached two car garage (see Figures 4 and 5).



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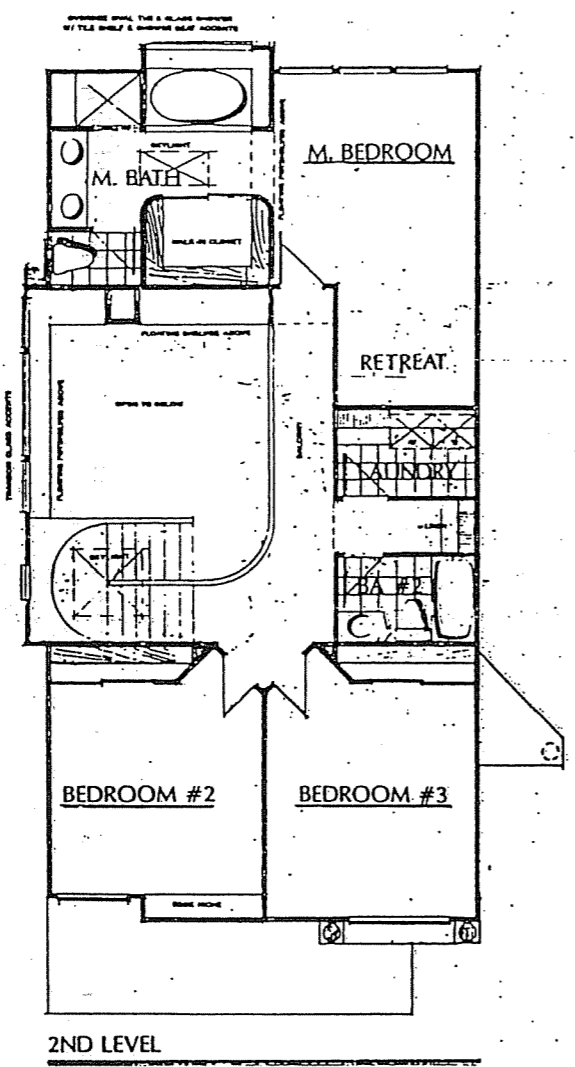
CITY OF
DUARTE
16 UNITS
PROPOSED P.U.D.

SCHEMATIC
FLOOR PLAN
& EXT. ELEV.

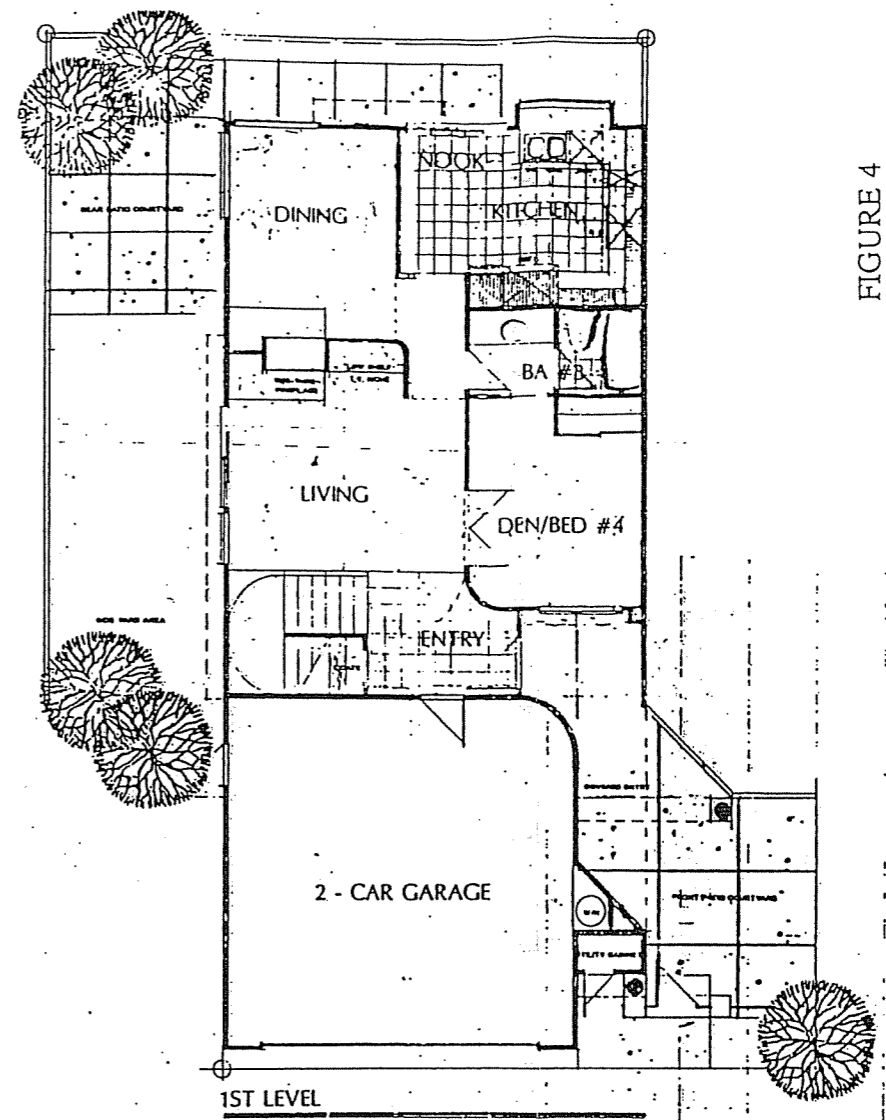
PLAN I
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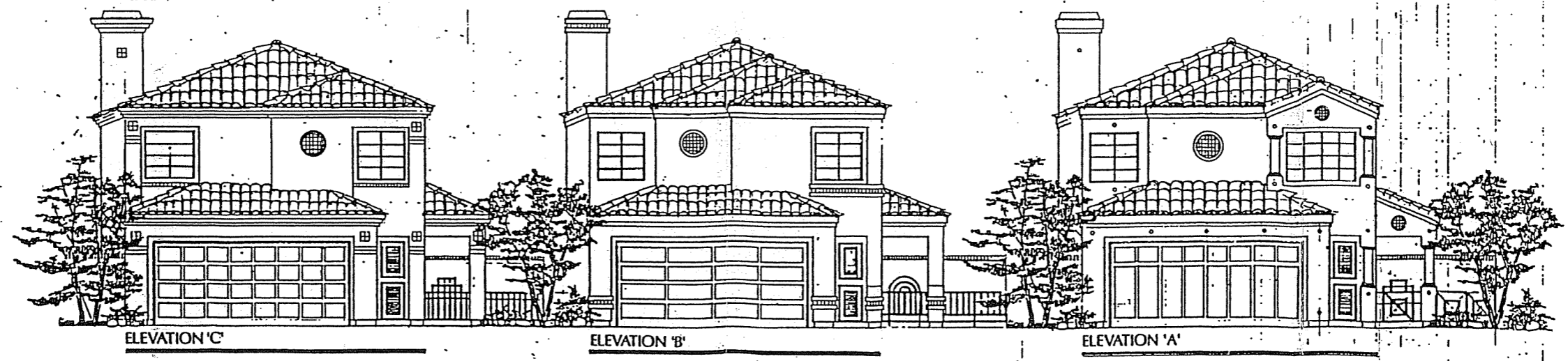
FIGURE 4
ELEVATIONS AND FLOOR PLAN
PLAN I



2ND LEVEL



1ST LEVEL



ELEVATION 'C'

ELEVATION 'B'

ELEVATION 'A'



THE
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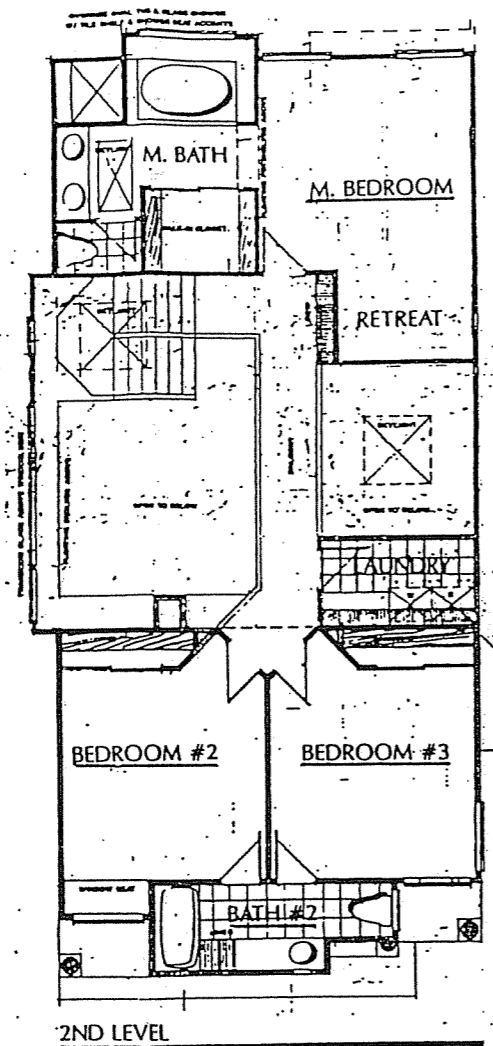
CITY OF
DUARTE
16 UNITS
PROPOSED P.U.D.

SCHEMATIC
FLOOR PLAN
& EXT. ELEV.

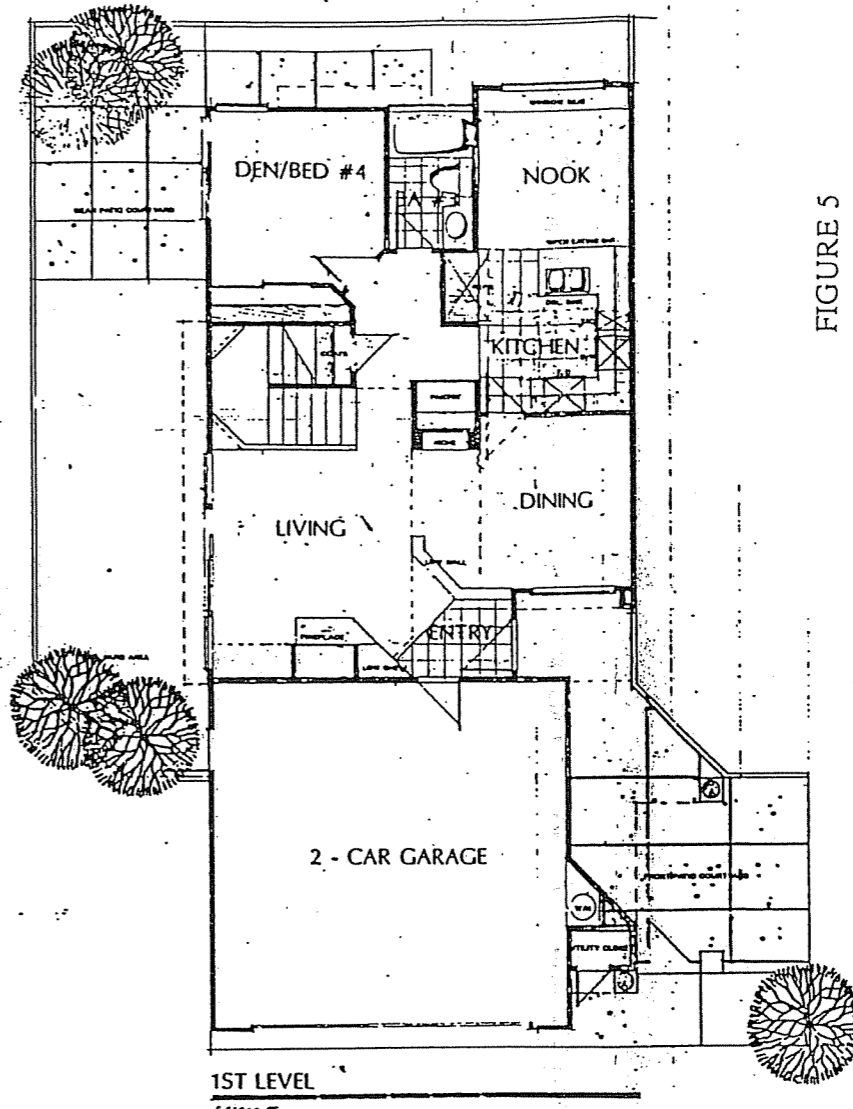
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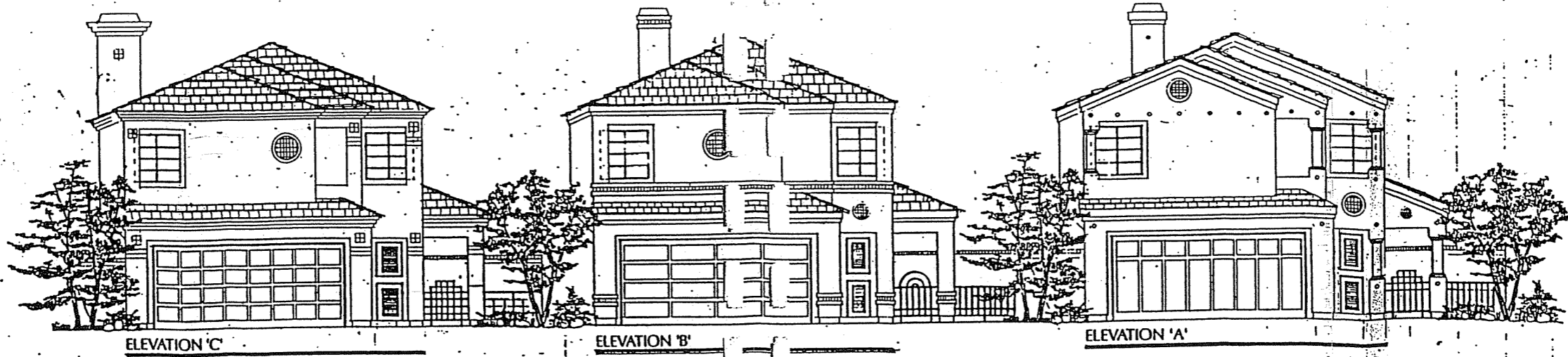
FIGURE 5
ELEVATIONS AND FLOOR PLAN
PLAN II



2ND LEVEL



1ST LEVEL



ELEVATION 'C'

ELEVATION 'B'

ELEVATION 'A'

INFRASTRUCTURE/SERVICES

The Highland Avenue Specific Plan will require the installation of various elements to serve the proposed development. The elements are discussed throughout this document and summarized as follows:

Drainage: Existing water runoff is in a southeasterly direction. It is the intent of the development to continue drainage pattern in the same manner as it currently exists, however, not to allow additional and concentrated water to cause erosion and damage to adjacent property owners. Therefore, a detailed drainage plan will be prepared identifying a point on the site that would allow the site to be divided and allow a percentage of the water to continue to run to the rear, while the balance of the site will drained to Highland Avenue. The property owner will pursue a drainage easement across a property to the rear to further mitigate the impact of flooding. Furthermore, a sump pump system will be reviewed to provide a backup system in the event other drainage mechanisms fail to meet the criteria of the City of Duarte.

Energy Systems: The proposed project will require the extension of utilities to the lots for the sixteen (16) units. The development of on-site utilities will be relatively minor in scale. No expansion of off-site systems will be necessary to serve the site.

Roadways: As discussed in the Circulation Section, the proposed project will require the construction of a private drive.

Sewage: The proposed project will require the installation of a sewer line. No expansion of treatment plant capacity will be required to serve the proposed homes.

Solid Waste Disposal: The proposed project will require the expansion of an existing waste removal service route to include the proposed project. No off-site landfill construction will be required as a result of the proposed project.

Public Transportation: Residents of the City of Duarte have available to them, a variety of means of public transportation. The Southern California Rapid Transit District (RTD), operates a number of lines throughout the City. RTD line No. 177 runs

directly in front of the project on Highland Avenue. Said line allows an individual to utilize the RTD line 177 to other lines within the City of Duarte as well as to other lines that service other portions of the City and the surrounding region. Regional transit is also provided by Foothill Transit, a private enterprise under contract with the County of Los Angeles. The transit system, in some areas, has replaced the lines served by RTD.

The City currently operates a transit system on a fixed route basis. This fixed route system also travels on Highland Avenue, directly in front of the project. Between the two, a resident of the proposed project could move about the community for goods and services. Therefore, the proposed project will not require to add or expand the present services.

GENERAL PLAN CONSISTENCY

The Highland Avenue Specific Plan addresses each of the Elements of the Duarte General Plan and presents the details of compliance of the proposed development with the intent of each Element as required by State Planning and Zoning Laws. The compliance of the Specific Plan to Duarte General Plan is as follows:

Land Use Element

The City of Duarte Land Use Element is currently being revised, as previously stated. The Land Use Element, as it currently exists, allows for administrative-professional land uses. The proposed General Plan designation, being considered by the City, of Medium Density Residential, also would allow the proposed Specific Plan and its proposed development.

Noise Element

According to the Noise Element of the Duarte General Plan, its purpose is identify, measure, and propose solutions for the sources of intrusive noise. The proposed project is outside of existing and future noise contours, which would expose the residents of the project to unacceptable levels of noise. Mitigating measures have not been proposed since the project itself will not generate a significant amount of noise that would be offensive to

surrounding property owners. Therefore, the proposed Highland Avenue Specific Plan is in conformance with the policy set forth in the City's Noise Element.

Circulation Element

The Circulation Element of the City's General Plan is directly related to the Land Use Element and its policies. The Circulation Element incorporates the planned growth of the City's system and identifies potential problems. Highland Avenue is a primary access route linking the City in a northerly and southerly direction. The proposed Highland Avenue Specific Plan has direct access to a fully improved public right-of-way on Highland Avenue. No changes or additions to the City's street system will result with the development of the proposed Specific Plan.

Housing Element

Through various land use and development control mechanism, the City of Duarte can manage its growth and maintain the intent of the Housing Element. In recognition of this philosophy, the Specific Plan proposes a single-family development project with a density level of 14 units to the acre. The provision of this type of development in this area of Duarte is consistent with the City's Housing Element.

DEVELOPMENT REGULATIONS

A. Purpose and Intent

The following development standards are applicable to all residential dwellings constructed within the Highland Avenue Specific Plan. The purpose of these standards are to provide for a residential environment sensitive to the area in which it is intended to be developed.

B. General Development Standards

1. Each residential structure or dwelling unit, including associated accessory structures, shall be located on an individual parcel. There shall be no more than one dwelling per parcel.
2. Each parcel of land permitted to be developed with a dwelling unit shall have vehicular access from a private street.

3. The private street shall have the appropriate easements for rights-of-entry and maintenance agreements recorded and included in the Conditions, Covenants, and Restrictions (CC & R's) for the project which will guarantee in perpetuity the availability of adequate and safe access to the site.
4. The private street and common open spaces shall be owned and maintained by the Homeowner's Association. The Articles of Incorporation of the Association shall be in a form approved by the City Attorney of the City of Duarte.
5. The CC & R's shall prohibit the outdoor storage of recreational vehicles, boats, etc., except for temporary loading and unloading within the private street area.
6. All utilities shall be placed underground.
7. Any development standard not provided for within this Specific Plan shall be in accordance with the PUD, Planned Unit Development Zone.
8. Homeowner's landscaping. As each individual home is built, the developer will be responsible for the landscaping of the grounds immediately in front of the dwelling. The balance of the site will be improved and maintained by the homeowner. This landscaping will take the form of normal custom home landscaping and will include both soft scape and hard scape materials.

C. Permitted Uses

1. Single-family dwelling units, subject to the provisions of the development standards of this Specific Plan.
2. Swimming pools, spas, water fountains or related improvements.
3. Patio structures, storage sheds, where incidental to the primary residential use.
4. Signs shall be permitted for the identification of the development only, and subject to City approval. Other types of signs shall be prohibited.

D. Permitted Temporary Uses

1. Temporary parking for contractor's equipment during construction. The parking shall be oriented away from adjacent residential areas.
2. Temporary tract sales office within a commercial mobile home only until such model homes become available for use as the sales office.
3. Real estate signs relating to the sale, lease, or other disposition of real property on which the sign is located are permitted as set forth in the Duarte Municipal Code. The location of such signs shall be subject to the review and approval by the City of Duarte Planning Department.

4. Model Homes. The proposed dwelling units shall be permitted to use as a model home. Any model home may also be used, on a temporary basis, as a real estate office, subject to the following conditions:
 - a. The model home real estate office must be located on a lot established and depicted within an approved tentative tract map encompassing the property in question. The location of model homes shall be subject to review and approval by the City of Duarte's Planning Department.
 - b. The model home real estate office must meet all applicable provisions of the Specific Plan document and all applicable provisions of the City of Duarte zoning code, which are not specifically amended herein.
 - c. A building permit and certificate of occupancy for the model home real estate office for sales purposes only, may be issued prior to the recordation of the final map encompassing the property in question.
 - d. Subsequent to the recordation of the final tract map encompassing the area of the model home real estate office, the property upon which it is located may be sold and occupied as a residence provided that all applicable Specific Plan and City of Duarte requirements have been met.
 - e. The project sponsor shall post a certificate of deposit to ensure a timely conversion of model home for sale as residential units following the purchase of all for-sale units.

E. Site Development Standards

1. Minimum Lot Size - 2,060 square feet
2. Lot dimensions
 - a. Minimum width - 35 feet along the front property line of the unit.
 - b. Minimum depth - 60 feet
3. Maximum building height
 - a. Two-stories as defined in the Uniform Building Code, or 30 feet, whichever is less.
 - b. Roof structures (i.e. ventilating fans, chimneys, domestic radio and television masts) shall conform to the requirements of the City of Duarte zoning ordinances.
4. Minimum building setbacks (measure to property lines)
 - a. Front yard minimum - one foot
 - b. Side yards - no minimum side yard setbacks along the lot lines shall be required, however, a separation between buildings of ten feet shall be

maintained. All side yard setbacks shall be sufficient to provide access for fire department personnel and equipment.

- c. Rear yard - five feet.
 - d. Public street. The proposed lots fronting on Highland Avenue shall be allowed to use a portion of the front twenty foot setback for private recreation area. Said private area shall be properly screened with vegetation and not inhibit or obscure drivers leaving the site.
 - e. Eaves, cornices, and other architectural features. Architectural features such as eaves, cornices, canopies, cantilevered roofs and chimneys and wing walls may project into the required side and rear yard setback areas a maximum distance of half the required setback. Projection in the front yard setback shall be limited to eaves, cornices, canopies and wing walls.
5. Lot Coverage shall not exceed seventy (70%) percent on each lot for the dwelling unit.
 6. Accessory structures.
 - a. No accessory structures, air conditioners, or pool or spa equipment shall be located to occupy any portion of the front or rear setback area.
 - b. All accessory structures and building additions shall be fifteen feet in height or less.
 - c. Accessory structures, including open patios, shall be setback a minimum of three feet from the side property lines.
 - d. All additions, including enclosed patios, shall meet the minimum rear and side yard setbacks required for the primary residence.
 7. Parking
 - a. Each dwelling unit shall have and maintain, a two-car garage.
 - b. All garage doors shall have automatic openers and each unit shall be provided with two transmitters.

IMPLEMENTATION

The following documents have been prepared for approval by the City of Duarte to ensure that development of the site proceeds in an orderly fashion:

Environmental Review

Based on the specific plan and the tentative tract map, the City of Duarte will prepare an environmental review of the proposed project as required by the California Environmental Quality Act (CEQA) to determine the potential environmental effects and the need for measures to mitigate these effects or for additional study.

Specific Plan

This Specific Plan will be reviewed and approved by the City of Duarte to provide land use, design, and other controls on the proposed project in conformance with the City's General Plan.

Tentative Tract Map

A tentative tract map (County of Los Angeles Tentative Tract No. 48057) will be recorded pursuant to applicable requirements of the Subdivision Map Act and City of Duarte rules and procedures.

Architectural Review Board

All architectural plans and landscape plan shall be implemented through the Precise Plan of Design and approved by the City's Architectural Review Board. The Plan shall conform to all regulations of the Highland Avenue Specific Plan.

MODIFICATIONS

Major Changes

The developer may initiate an amendment to the provisions if substantial changes are required in the project during the development process. An amendment to the Highland Avenue Specific Plan shall be in conformance with California Government Code (Section 65450 through 65457). Revisions to the map shall be in accordance with the California Subdivision Map Act and City of Duarte's procedures for implementation of the Map Act.

Minor Changes

Minor revisions or modifications to approved component plans, may be approved by the Planning Director. Minor revisions and modifications shall be defined as and shall include the following:

- a. Parking and circulation configurations which do not change the basic parking areas or circulation concept;
- b. Building placements which do not change the general location and layout of the site;
- c. Grading alternatives which do not change the basic concept, increase slopes, or change course of drainage which could adversely affect adjacent or surrounding properties;
- d. Architectural or landscape architectural modifications which do not alter the overall design concept or significantly reduce the effect originally intended.

APPENDICES

19.54.060 Site plan review. Before any building or structure is submitted for plan check, the applicant shall have received site plan approval from the architectural review board as required by Section 19.70.210. (Ord. 490 §34, 1980; Ord. 140 §2, 1964; Ord. 95 §97.6, 1962).

Chapter 19.56

C-1 Neighborhood Commercial Zone

Sections:

- 19.56.010 Intent and purpose.
- 19.56.020 Uses permitted.
- 19.56.021 Outside displays.
- 19.56.030 Conditional uses.
- 19.56.031 Conditional use--Electronic and pinball games--Administrative approval.
- 19.56.040 Uses expressly prohibited.
- 19.56.050 Property development standards
- 19.56.060 Site plan review.

19.56.010 Intent and purpose. The C-1 neighborhood commercial zone is intended to be a very limited commercial area to serve the needs of the immediate neighborhood for convenience goods only, especially where no other convenient shopping facilities exist or are indicated on the general plan. The applicant shall give evidence of the need. This zone is not intended to expand into a larger scale shopping center.

The stores in this zone are intended to fit into the residential pattern without creating either architectural or traffic conflicts. The regulations provided in this chapter are intended to protect the residential environment. (Ord. 95 §98, 1962).

19.56.020 Uses permitted. Buildings, structures, and land shall be used and buildings and structures shall hereafter be erected, structurally altered or enlarged only for the following uses, plus such other uses as the commission and council may deem (pursuant to Chapter 19.70) to be similar and not more obnoxious or detrimental to the public health, safety, and welfare. All uses shall be subject to the property development standards in Section 19.56.050. All uses and storage shall be conducted within a totally enclosed building with the exception of public utility substations, nursery stock and incidental goods or outdoor merchandise displays specifically permitted by the planning director.

(a) General Nonresidential. Those uses permitted in the C-P zone, Section 19.52.020, subsection (b), only.

(b) Retail Stores.

Art gallery.
Art supplies.
Bakery sales.
Delicatessen.
Drive-in dairy.
Drug store or pharmacy.
Florist.

Food stores, including dressed poultry or rabbits, eggs, bakery, ice cream, confectionery. All products must be sold on the premises, and there shall be no slaughtering or dressing of poultry on premises.

Gift shop.
Grocery, fruit or vegetable store.
Hardware.
Hobby supply.
Jewelry.
Meat or fish market.
Music, musical instruments, records.
Paint supplies.
Photographic supplies.
Plant nursery.

Restaurant, tea room, cafe, provided no dancing shall be permitted, and no on-sale consumption of alcoholic beverages.

Variety.
Bicycle shop.
Confectionery shop.
Cosmetic shop.
Craft shop.
Discount house.
Fruit store.
Garden supply and related masonry and patio furniture.
Health food store.
Ice cream parlor.
Linoleum store.
Maternity shop.
Novelty shop.
Piano sales and service.
Redemption center.
Soda fountain.
Stationery store.
Toy store.
Video tape sales and rental.
Wallpaper materials and supplies.
Yarn shop.

(c) Services.

Appliance, radio-television store and repair.
 Barber shop or beauty shop.
 Bill paying office.
 Dance studio.
 Day nursery.
 Dry-cleaning and/or laundry agency.
 Laundromat.
 Library.
 Music studio.
 Off-street parking lots.
 Post office.
 Public utility customer service office.
 Tailor.
 Taxicab office.
 Catering service, food.
 Gunsmith.
 Landscape service.
 Mimeographing.
 Picture framing.
 Sewing machine sales and service.
 Vacuum sales and service.
 Wedding chapel.

(d) Miscellaneous.

Botanical gardens.
 Public utility substation.
 Horticulture.

(e) Residential condominiums, which shall comply with the procedures and the property development standards of the PUD zone, Chapter 19.43. (Ord. 562 §1, 1982; Ord. 489 §6, 1980; Ord. 297 §1, 1971; Ord. 95 §99, 1962).

19.56.021 Outside displays. (a) The planning director shall follow the standards set forth in this section in determining whether or not to issue a permit for an outdoor merchandising display as provided hereinabove. The planning director may permit, or conditionally permit, outdoor display of merchandise if he finds specifically:

(1) That the merchandise to be displayed is customarily offered for sale outdoors; and

(2) That the outdoor display will not interfere with the use, possession or enjoyment of surrounding properties; and

(3) That the outdoor display will not be maintained in the public right-of-way or designated parking spaces or areas required for ingress and egress to the parking area; and

(4) That the outdoor display will not violate any of the provisions of the city's sign regulations; and

(5) That the outdoor display will not interfere with the goals and policies of the city's general plan.

(b) Notwithstanding the foregoing, special temporary outdoor promotional display permits may be issued by the planning director if he finds specifically:

(1) That the outdoor display will not interfere with the use, possession or enjoyment of surrounding properties; and

(2) That the outdoor display will not be maintained in the public right-of-way or designated parking spaces or areas required for ingress and egress to the parking area.

(c) Application for such temporary permits must be filed at least ten days prior to the first date of the proposed display, and shall be issued without fee. However, the applicant shall file a one hundred dollar deposit with the city, which shall be refunded to the applicant when the outdoor display has been removed and the affected property has been restored to a clear, safe and sanitary condition. No individual special permit shall be issued for more than a three-day consecutive period nor shall more than three such permits be issued for the same property within any calendar year. (Ord. 426 §1(part), 1977).

19.56.030 Conditional uses. The following uses may be permitted subject to a conditional use permit as provided for in Chapter 19.70:

- (a) Automobile repair garage.
- (b) Caretaker's dwelling, and necessary accessory buildings.
- (c) Drive-in restaurant.
- (d) Frozen food locker.
- (e) Liquor off-sale only.
- (f) Churches compatible in appearance with the surrounding neighborhood, on a minimum lot size of two acres.
- (g) Multiple dwellings, which shall comply with the property development standards of Section 19.42.050.
- (h) Three or more coin- or token-operated electronic and/or pinball machines, as an incidental use to a permitted or conditionally permitted commercial use; provided, however, that there shall be no more than four such machines if the permitted or conditionally permitted use to which the machines are incidental is not a recreational use.
- (i) Child care facilities and day nurseries. (Ord. 560 §3, 1982; Ord. 549 §1, 1982; Ord. 459 §1, 1979; Ord. 324 §9, 1972; Ord. 95 §100, 1962).

19.56.031 Conditional use--Electronic and pinball games--Administrative approval. As an incidental use to a permitted or conditionally permitted use, two or less coin- or token-operated electronic and/or pinball games may be

permitted by a permit obtained from the director of community development as provided in this section. An application for two or less such machines shall be processed in the same manner as an administrative variance pursuant to the provisions of Sections 19.87.020 through and including 19.87.070. In considering such application, the director of community development shall utilize the standards for a conditional use permit as set forth in Chapter 19.70, and shall have the same authority to impose conditions upon such permit as are provided in Chapter 19.70 for a conditional use permit. (Ord. 549 §2, 1982).

19.56.040 Uses expressly prohibited. The following uses are expressly prohibited in the C-1 zone:

- (a) Residential uses, except as otherwise provided in this chapter.
- (c) Trailer parks.
- (d) Industrial uses.
- (e) On-sale consumption of alcoholic beverages.
- (f) Card parlors and games of chance.
- (g) Commercial uses other than those specifically listed or provided for in Sections 19.56.020 and 19.56.030. (Ord. 490 §35, 1980; Ord. 489 §7, 1980; Ord. 95 §101, 1962).

19.56.050 Property development standards. The following property development standards shall apply to all land and buildings in the C-1 zone, except that any lot held under separate ownership or of record on the effective date of Ordinance 95, codified in this title, which is substandard in dimensions may be used subject to all other standards.

(a) Lot Area. No provisions.

(b) Lot Dimensions. All lots hereafter created shall comply with the following minimum standards and lots now held under separate ownership or of record may not be reduced below these standards:

permitted by a permit obtained from the director of community development as provided in this section. An application for two or less such machines shall be processed in the same manner as an administrative variance pursuant to the provisions of Sections 19.87.020 through and including 19.87.070. In considering such application, the director of community development shall utilize the standards for a conditional use permit as set forth in Chapter 19.70, and shall have the same authority to impose conditions upon such permit as are provided in Chapter 19.70 for a conditional use permit. (Ord. 549 §2, 1982).

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- (a) Residential uses, except as otherwise provided in this chapter.
- (c) Trailer parks.
- (d) Industrial uses.
- (e) On-sale consumption of alcoholic beverages.
- (f) Card parlors and games of chance.
- (g) Commercial uses other than those specifically listed or provided for in Sections 19.56.020 and 19.56.030. (Ord. 490 §35, 1980; Ord. 489 §7, 1980; Ord. 95 §101, 1962).

19.56.050 Property development standards. The following property development standards shall apply to all land and buildings in the C-1 zone, except that any lot held under separate ownership or of record on the effective date of Ordinance 95, codified in this title, which is substandard in dimensions may be used subject to all other standards.

(a) Lot Area. No provisions.

(b) Lot Dimensions. All lots hereafter created shall comply with the following minimum standards and lots now held under separate ownership or of record may not be reduced below these standards:

1. Width: No provisions.
2. Depth: Each lot shall have a minimum depth of one hundred feet.

(c) Population Density. No provisions.

(d) Buildings. All structures or additions erected shall, with the exception of trim and minor architectural features, be constructed of ceramics, masonry, concrete, stucco, or other materials being similar in nature, or metal panels approved by the architectural review board.

(e) Building Height.

1. No building or structure erected in this zone shall have a height greater than twenty feet or one story, whichever is less, except by conditional use permit.

2. Exceptions; permitted projections above building height limit: The provisions of the C-P zone, Section 19.52.050, subsection (d)2, shall apply.

(f) Distance Between Buildings. There shall be no provisions for commercial buildings. For permitted residential buildings the provisions of Section 19.38.050(f) shall apply.

(g) Yards. Yard requirements are intended to assure the harmony of the C-1 zone with the residential zones surrounding. Yards shall be measured perpendicular to the property line, or, when established by the general plan in Chapter 19.70, from a future highway right-of-way line.

1. When the C-1 zone fronts, sides or rears on a street, there shall be a yard abutting the street of not less than ten feet. The required yard shall have an area which, in square feet, is at least equal to two times the linear footage of any portion of any building which fronts, sides or rears on such street. The area shall be developed and properly maintained with architectural features. The term "architectural features", as used in this section, includes landscaping, statuary, water display, decorative concrete paving and similar types of development.

2. On all required yards, if across a local street from a residential zone, a wall not less than five nor more than six feet in height shall be erected in the setback line where there is no building on the line and where there is parking or loading to the rear of the line.

3. When the C-1 zone abuts a residential zone, there shall be a yard of not less than twenty feet abutting the zone boundary. The required yard may be used for parking or access. A solid masonry wall not less than five nor more than six feet in height shall be erected on the zone boundary line.

(h) Fences, Hedges and Walls.

1. Required walls: Walls shall be erected as required in subsection (g) above in connection with yards, when this zone adjoins a residential zone. Walls shall be reduced to not more than forty-two inches in height in any required yard abutting a street, in the area defined by a line which is the prolongation of the front yard required in the abutting residential zone, and shall conform to corner cutback provisions in the C-P zone, Section 19.52.050, subsection (h)2 and 3.

2. Hazardous areas: A fence or wall adequate in height may be required along the perimeter of all areas which by reason of the conditions on the property or physical hazards, such as frequent inundation, erosion, excavation or grade separation, are considered by the commission to be dangerous to the health and safety.

(i) Off-Street Parking. The provisions of Chapter 19.78 shall apply.

(j) Access. There shall be adequate vehicular access to off-street parking facilities from a dedicated and improved street, service road or alley. The design of the access shall conform to all standards and specifications of the city.

(k) Signs: Signs, where permitted, shall comply with the provisions of Chapter 19.80.

(l) Loading. The provisions of Chapter 19.78 shall apply.

(m) Waste Disposal. All outdoor facilities for waste materials or trash shall be enclosed by a decorative block wall and view obscuring gate adequate to conceal such facilities from adjacent property or street.

(n) Size of New Zone. The minimum and maximum amounts of land that may be zoned C-1 in any neighborhood shall be:

1. Minimum area: One-half acre.
2. Maximum area: Seven acres.
3. Minimum width: One hundred feet.
4. Minimum depth: One hundred feet.

(o) Satellite Receiving Antenna.

1. Shall be located within the side or rear yard areas;
2. Shall be ground mounted. Roof mounting is prohibited;
3. The architectural review board shall review all site plans for the location and screening of satellite receiving antennae. Approval is required prior to the issuance of a building permit. (Ord. 597 §3(part), 1984; Ord. 490 §§36--41, 1980; Ord. 254, 1969; Ord. 244, 1969; Ord. 95 §102, 1962).

19.56.060 Site plan review. Before any building or structure is submitted for plan check the applicant shall have received site plan approval from the architectural review board as required by Section 19.70.210. (Ord. 490 §42, 1980; Ord. 95 §103, 1962).

1. There shall be not less than one hundred square feet of outdoor recreation area per dwelling unit. This provision shall not be applicable to three or less dwelling units.

2. Landscaping shall be provided and maintained to adequately preserve the residential quality of the development, retain dust and dirt and provide open areas conducive to recreational uses and shall be used to screen unsightly areas or structures when practicable.

3. A tree removal plan shall be submitted and approved by the architectural review board before any site clearance or ground preparation may begin. The plan shall include the location of all trees on site by size and by species, showing those proposed for removal and those to be saved.

(r) Length of Residential Buildings. Maximum length of buildings for residential purposes shall not exceed one hundred feet unless otherwise approved by the architectural review board. (Ord. 490 §§20--22, 1980: Ord. 254 (part), 1969: Ord. 95 §72, 1962).

19.42.060 Site plan review. Before any building or structure is submitted for plan check, the applicant shall have received site plan approval from the architectural review board as required by Section 19.70.210. (Ord. 490 §23, 1980: Ord. 95 §73, 1962).

Chapter 19.43

PUD (Planned Unit Development) Zone*

Sections:

- 19.43.010 Intent and purpose.
- 19.43.020 Use of the planned unit development zone.
- 19.43.030 Criteria.
- 19.43.040 Precise plan.
- 19.43.050 Development plan.
- 19.43.060 Development standards.

19.43.010 Intent and purpose. The objectives of this zone are to:

- (a) Provide the developer with greater flexibility in site design, density and development options in order to stimulate variety and innovation within the framework of a quality environment;
- (b) Direct new community growth and development in the process of implementing the general plan;
- (c) Achieve more interest, individuality and character within the city;

* Prior ordinance history: Ord. 348.

(d) Provide criteria for the inclusion of compatible uses designed to service various developments within the community;

(e) Encourage residential development and promote innovative design, variety and flexibility in the pattern of residential development in the city, to ensure the provisions of usable open space for visual enjoyment and recreational use in planned unit development;

(f) To ensure that these objectives are carried out and that, in the process, the minimum gross population density and building coverage requirements of any area within a given zone remain in conformity with the requirements of this title and the general plan. (Ord. 525 (part), 1981).

19.43.020 Use of the planned unit development zone. The following regulations are designed and intended to ensure the orderly development of land in conformance with the comprehensive general plan of the city by permitting the enforcement of restrictions other than those imposed within the basic zones as specified where justified by one or more of the following circumstances:

(a) Where the intended development is proposed in advance of a necessity indicated by the adopted general plan;

(b) Where there is proximity to public parks, public buildings or similar areas calling for special handling of land use relationships;

(c) Where there is a disparity between adjacent zones warranting special conditions to protect the more restricted zone;

(d) Where clusters of multiple family developments in appropriate locations and to appropriate standards adjacent to single-family zones are requested;

(e) Protecting the appearance of development adjacent to areas of public interest such as locations of natural beauty, of exceptional natural resource, including hillsides, timber, public parks and other areas of particular significance by including architectural controls.

These regulations are further designed and intended to ensure that development occurs substantially in conformance with developers' plans when submitted as a basis for a proposed rezoning and to avoid the possibility of providing excessive "areas" of land zoned for the same uses by specifying the use to occur, and to minimize the use of rezoning as a method of appreciating the value of a specific parcel of land for purely speculative purposes;

(f) To encourage well-planned neighborhoods through creative and imaginative planning as a unit, and to provide for appropriate use of land which is sufficiently unique in its physical characteristics or other circumstances to warrant special methods of development. In implementing

planned development, it is further declared the purpose of this section to reduce development problems in hillside areas and to preserve areas of natural scenic beauty through the encouragement of integrated planning and design and unified control of development. This zone encourages the preservation of natural features in open space through innovative design and land planning. (Ord. 525 (part), 1981).

19.43.030 Criteria. The following general criteria are established for use in the classification or reclassification of land to the planned unit development zone:

(a) General Plan. Compliance with the general plan shall be established.

(b) Utilities. The existing utility systems (water, sewer, drainage, electrical, gas and communications facilities) shall be adequate, or new systems shall be constructed to adequately serve the proposed uses.

(c) All land in a proposed planned unit development zone shall be held in one ownership or under unified control or have the written consent or agreement of all owners of property proposed for inclusion in the development. (Ord. -525 (part), 1981).

19.43.040 Precise plan. Application for a planned unit development zone shall be accompanied by a precise plan (maps and explanatory text) for the entire area and such other material as specified herein.

The precise plan shall set forth the following:

- Location and boundaries for the area proposed for the planned unit development;
- Present and approximate proposed topography of the area including natural features that are to be retained (i.e., stands of trees, rock outcroppings, canyons, etc.);
- Proposed uses of all land including (but not limited to) residential, commercial and professional centers, school sites, public and private recreational facilities; industrial facilities and all common open space;
- Proposed densities of all areas scheduled for residential development;
- Proposed site development standards for all residential commercial and industrial uses;
- The approximate location and width of public and private streets;
- Site data, including acreage in total development, total acreage in each density classification, school sites, church sites, commercial sites, industrial sites and total acreage devoted to common open space.

(a) APPLICATION PROCEDURE. The owner, his authorized agent, or the purchaser with the consent of the owner, may submit an application for a planned unit development precise

plan to the director of community development for submission to the architectural review board and planning commission. The planning commission shall then hold a public hearing on such project precise plan and may approve or conditionally approve the project precise plan if it finds the criteria set forth herein have been satisfied.

The architectural review board and/or the planning commission may deny the application if it finds any of the criteria has not been satisfied or that such project precise plan would be detrimental to the public peace, health, safety or welfare. The determination of the planning commission may be appealed to the city council, upon written request specifying the items appealed from and the reasons for the appeal, filed with the director of community development within twenty days after such determination. The city council shall hold a public hearing and either grant the appeal in whole or in part or may deny the appeal. The decision of the city council shall be final.

(b) PUBLIC HEARING. Public hearing procedures shall be governed by Sections 19.90.130 through 19.90.160 of this code.

(c) APPLICATION FEE. There shall be no fee permit. (Ord. 525 (part), 1981).

19.43.050 Development plan. After the establishment of a PUD zone, a development plan which is in substantial conformance with the approved project precise plan shall be filed with the director of community development for submission to the architectural review board and the planning commission. A development plan may cover all or a portion of the area included in the project master plan. No building permit shall be issued for any new building or structure unless a development plan has been approved as specified herein.

The developer shall have six months from the date of final approval of the project precise plan in which to file a development plan. An extension of time (not to exceed six months) may be granted by the planning commission when extenuating circumstances can clearly be shown by the applicant. The request for an extension of time shall be submitted to the planning commission in writing prior to the expiration date, and shall clearly state the reasons why the development plan has not been submitted and the planned unit development zoning has not been utilized. If no development plan is submitted, the PUD zone shall revert to the previous zone.

(a) THE DEVELOPMENT PLAN SHALL SET FORTH THE FOLLOWING:

- (1) The exact boundaries and legal description of the property to be developed;
- (2) All proposed improvements that are to be constructed on the land and their precise locations including (but not limited to) all residential and nonresidential structures, recreational facilities and typical plans showing walls, fences, trash areas, streets, and walk areas;

- (3) Common open space showing size, grades and function upon completion;
- (4) The location and dimension of all off-street parking facilities, public and private;
- (5) Location and size of all public and quasi-public sites if applicable (i.e., schools, churches, parks etc.);
- (6) A tabulation of the percentage of total building coverage of the development;
- (7) A tabulation of densities within each project area or sector;
- (8) Building elevations of typical architectural styles to be constructed;
- (9) A schematic landscaping plan indicating the type and size of plant material to be used, and method of providing permanent maintenance to all planted areas and open space;
- (10) Floor plans of typical dwelling units and buildings, the unit size in square feet, and the amount of private open space in square feet;
- (11) If applicable, a subdivision map showing land divisions. The tentative and final subdivision map shall comply with the city subdivision ordinance (Title 18 of this code) and the State Subdivision Map Act;
- (12) A proposed construction schedule from ground breaking to occupancy.

(b) COMMON OPEN SPACE. All common open space shall be preserved for that purpose as shown in the development plan.

The developer shall choose one or a combination of the following two methods of administering common open space:

- (1) Dedication of open space to the city, which is subject to formal acceptance;
- (2) Establishment of an association or nonprofit corporation of all property owners or corporations within the project area to ensure perpetual maintenance of all common open space.

All privately-owned common open space shall continue to conform to its intended use and remain as expressed in the development plan through the inclusion in all deeds of appropriate restrictions to ensure that the common open space is permanently preserved according to the development plan. The deed restrictions shall run with the land and be for the benefit of present as well as future property owners and shall contain a prohibition against partition.

All common open space, as well as public and recreational facilities, shall be specifically included in the development schedule and be constructed and fully improved by the developer at an equivalent or greater rate than the construction of the proposed overall development.

(c) DESIGN CRITERIA. The following design criteria are established:

(1) The overall plan shall achieve and integrate land and building relationship;

(2) Open spaces, pedestrian and vehicular circulation facilities, parking facilities and other pertinent amenities shall be an integral part of the landscape and particular attention shall be given to the retention of natural landscape features of the site;

(3) The layout of structures and other facilities shall effect a conservation in street and utility improvements;

(4) Recreational areas (active and passive) shall be easily accessible from all structural units;

(5) Architectural unity and environmental harmony within the development and with the surrounding properties shall be attained.

(d) PROCEDURE FOR DEVELOPMENT PLAN PERMIT APPLICATION.

The owner, his authorized agent, or the purchaser with the consent of the owner, may submit an application for development plan approval to the planning commission. The planning commission shall hold a public hearing on such application and may approve, or conditionally approve, the development plan if it finds the criteria set forth herein have been satisfied.

The architectural review board and/or planning commission may deny the application if it finds that any of the criteria are not satisfied or that the plan would be detrimental to the public peace, health, safety or welfare. The decision of the planning commission shall be final unless appealed to the city council.

(e) PUBLIC HEARING AND APPEAL. Public hearing and appeal procedure shall be governed by Section 19.43.040 and Sections 19.70.100 through 19.70.180 of this code.

(f) APPLICATION FEE. There shall be no fee permit. (Ord. 525 (part), 1981).

19.43.060 Development standards. (a) All development within the planned unit development shall meet the following minimum requirements:

(1) Density. All densities shall conform to the approved general plan.

(2) Building Coverage. In the area covered by the development plan, exclusive of all dedicated public rights-of-way the maximum building coverage shall not exceed sixty percent of the gross area. (FOR LOT)

In determining the coverage (ground area of each dwelling) required, garages shall be included.

(3) Off-street Parking. Off-street parking shall conform to the current city standards as specified in Chapter 19.78 of this code. Parking facilities for visitors in the amount of one space for three units shall be distributed

throughout the development in appropriate locations, plus one additional space for each six condominium units for tenant parking stalls as the architectural review committee may deem necessary.

(4) Private Open Space. A minimum of two hundred square feet of private open space shall be provided for each ground level dwelling unit, and a minimum of one hundred square feet of private open space shall be provided for each above ground level dwelling unit.

(5) Utilities. All utilities shall be underground.

a. A complete utility plan shall be submitted to and approved by the community development department prior to the issuance of any building permits.

A grading and drainage plan, also, shall be submitted and approved by the community development department.

b. All meters, utility service connections and major roof chimneys, pipes, or structures over four feet in diameter shall be integrated with the design of the building and screened architecturally and/or by landscaping.

(6) Signs. Sign provisions contained in the most restrictive zone classification for each use allowed shall apply.

(7) Other. All other standards as specified by the architectural review board and/or the planning commission shall be strictly adhered to.

(8) Lot Regulations Pertaining to Open Space. Each lot or unit shall abut a usable open space or recreational area not less than three hundred square feet and not having a dimension less than fifteen feet.

(9) Size of Buildings. No horizontal dimension of a dwelling structure shall exceed one hundred eight feet overall. A building, structure or portion thereof shall not exceed the following heights:

a. Single-family dwellings, two and one-half stories or thirty-five feet, whichever is less;

b. Exceptions: On slopes, single-family dwellings may be three stories in height on the downhill side providing they do not exceed two stories on the uphill side. If a cantilever foundation structure is used on a hillside, the height shall be measured from the lowest point at which the foundation beams enter the hill.

(10) Landscaping. A landscaping and sprinkler plan shall be submitted to the architectural review board for review and approval. Irrigation system shall be fully automatic. Landscaping shall be maintained in a weed and disease-free manner at all times prior to final occupancy. The landscaping/irrigation shall be installed and functional.

In addition to other requirements, a bond or other acceptable financial security shall be posted guaranteeing the

installation of improvements on all lots in the subdivision designated for open space or recreational use to the satisfaction of the director of community development.

(11) Nonpublic Roadways and Parking Areas. Sidewalks, walkways, roadways and parking areas which are not dedicated to public use shall be improved to the city's then-established residential street and sidewalk construction standards.

(12) Parking Lot Lighting. All open areas, parking lots and driveways shall be adequately lighted for safety as approved by the director of community development. Lighting shall not be installed so as to be a nuisance to properties outside of the boundaries of the proposed unit development.

(13) Public Address System. Public address or loudspeakers shall not be permitted if audible outside of the boundaries of the proposed unit development.

(14) Storage Area. There shall be a common area for parking boats on trailers, utility trailers, housetrailer recreational vehicles, or camper shells equal to one ten-foot by twenty-foot storage space for each ten units for projects in excess of thirty units. Adequate access and maneuverability shall be provided. Said area shall be enclosed with a six-foot high, decorative masonry wall with perimeter screening landscaping. Said area shall be adequately lighted, provided with yard drains for adequate drainage and shall have electrical outlets and hose bibbs.

(15) Yards.

a. The front yard setback shall be not less than required for a front yard by the regulations for a zone in which the site is located, for the zone that it adjoins, or for the zone that it faces across a public street, or shall be twenty feet, whichever is greater.

b. The minimum side yards and rear yard shall be not less than required by the regulations for the district in which the site is located, or the district that the site adjoins, or shall be ten feet, whichever is greater.

(16) Fences and Walls. Type and size of fences and walls shall be shown on the approved development plan.

(17) Vehicular Access. There shall be vehicular access from a dedicated street or alley to off-street parking facilities on the property for which off-street parking is provided.

Vehicular access to lots fronting on a major or secondary highway shall be via an alley, service road or other local street.

(18) Pedestrian Access. There shall be pedestrian access from a private or dedicated street to property used for residential purposes. Driveways shall be considered pedestrian access.

(19) Open Space. The usable open space shall be distributed throughout the development and no space shall

have an area of less than three hundred square feet or a dimension of less than fifteen feet. Open space areas may contain landscaping, swimming pools, open recreation facilities, walkways and paths, paved terraces and other similar features. The usable open space shall be designed to be contiguous with the dwelling units or buildings and not be less than twenty percent of the gross site area. All required setbacks adjacent to a dedicated street shall not be used in calculating the usable open space.

Usable open space shall be that portion of the total land area developed for recreational purposes and designated for use and enjoyment of all the occupants within the development but shall not include streets, highways and required front yard setbacks.

(20) Covenants, Conditions and Restrictions. A declaration of covenants, conditions and restrictions relating to the management of the common areas and facilities, signed and acknowledged by those parties having any record title to the land to be developed, enforceable by the city shall be recorded.

(21) Minimum Floor Area. Minimum floor area for all dwelling units shall meet the standards set forth in Section 19.38.050(1), regardless of whether such dwelling units are single-family detached units or are included in multiple dwellings.

(22) Enclosed Storage. There shall be provided for each dwelling unit a storage area within the garage in the form of a loft or other usable area specifically set aside for storage purposes. A minimum of one hundred fifty cubic feet in addition to utility use areas.

(b) REGULATIONS CONTAINED HEREIN ARE MINIMUM AND NOT ALL INCLUSIVE. The regulations contained in this chapter for the establishment of a planned unit development are set forth to be the minimum. Upon reviewing an application for establishing a planned unit development, the architectural review board and/or the planning commission may establish conditions or requirements in addition to, or in excess of, those minimum requirements set forth in this chapter when such additional requirements are deemed to be in the public welfare and interest.

(c) DEVIATION FROM MINIMUM REQUIREMENTS. A variance may be permitted to minimum requirements set forth in this section providing the procedure set forth in Chapter 19.86 of this code is followed and may be conducted concurrently with the development plan permit procedure.

(d) BUILDING PERMIT APPROVAL. No building permit shall be issued for any use whatsoever until and unless the development plan for the intended use has been approved by the planning commission.

(e) APPEAL. The determination of the planning commission may be appealed to the city council, upon written request,

specifying the items appealed from and the reasons for the appeal, filed with the director of community development within twenty days after such determination. The city council shall hold a public hearing and either grant the appeal in whole or in part or may deny the appeal. The decision of the city council shall be final. (Ord. 542 §5, 1982; Ord. 525 (part), 1981).