

## CHAPTER 20.258: MIXED-USE ZONING DISTRICTS

### Section

- 20.258.010 Mixed-use zoning districts
- 20.258.020 General development standards for the mixed-use zoning districts
- 20.258.030 Specific development standards for all mixed-use projects

### § 20.258.010 MIXED-USE ZONING DISTRICTS.

#### A. *Purpose and intent of Mixed-Use zoning districts.*

##### 1. *Mixed-Use I.*

- a. This zoning district provides areas for intense, mixed-use urban environments that offer opportunities for people to live, work, shop, and recreate without having to use their vehicles. This designation encourages vertical and horizontal integration of compatible residential and nonresidential uses, whereby the uses share the same structure or parcel. The Mixed-Use I designation applies to Downtown Brea, including the Birch Street Corridor, as well as other sites located throughout the community with ready access to major roadways and public transit. Land uses specifically prohibited within the Mixed-Use I designation include the manufacturing and processing of goods and materials, and any warehousing. Public and private walkways and related facilities may be established within the Mixed-Use I designation.
- b. The residential density range is 12.1 to 50 dwelling units per acre. The maximum allowed floor area ratio (FAR) is 3.00. Residential densities at the higher end of the range will only be allowed for developments that clearly incorporate a mix of uses.

##### 2. *Mixed-Use II.*

- a. This zoning district provides opportunities for the coordinated development of urban villages that offer a diverse range of complementary land uses in close proximity to one another. Either vertical or horizontal integration of uses is allowed, with an emphasis on tying together the uses with appropriate pedestrian linkages. Residential densities at the higher end of the scale will be allowed for developments that clearly integrate uses.
- b. The Mixed-Use II designation applies to larger properties that would benefit from a coordinated, integrated approach to development. Development densities and intensities at the upper end of the stated range will only be allowed for those projects that include public and/or private educational facilities, as well as functional and attractive public open space

amenities. Land uses specifically prohibited within the Mixed-Use II designation include the manufacturing and processing of goods and materials, and any warehousing. Public and private walkways and related facilities may be established within the Mixed-Use II designation.

- c. The residential density range is 6.1 to 40 dwelling units per acre. The maximum allowed floor area ratio (FAR) is 2.00. Residential densities at the higher end of the range will only be allowed for developments that clearly incorporate a mix of uses.

### 3. *Mixed-Use III.*

- a. This zoning district provides opportunities for the revitalization of deteriorated commercial corridors and centers located on arterials by allowing the development of neighborhood-serving commercial uses and vary intensity offices paired with residential uses. Either vertical or horizontal integration of uses is allowed, with an emphasis on tying together the uses through appropriate pedestrian linkages, parking, and public open space (e.g., linkage parks or small plazas). Because of the linear nature of this district, building forms would be less intense than those allowed in either Mixed-Use I or Mixed-Use II and site design will provide a transition from the arterial street frontage to residential properties located behind the Mixed-Use III property. In essence, the Mixed-Use III development will serve as a buffer between the street and the residential development.
  - b. The Mixed-Use III designation applies to properties that front Brea Boulevard and a portion of Imperial Highway. Land uses specifically prohibited within the Mixed-Use III designation include regional-serving retail uses, general industrial uses, and any warehousing. Additionally, nonresidential uses and access serving nonresidential developments (except for live/work developments) shall not be allowed on Walnut Avenue.
  - c. The residential density range is 6.1 to 18 dwelling units per acre. The maximum allowed floor area ratio (FAR) is 1.00. Residential densities at the higher end of the range will only be allowed for developments that clearly incorporate a mix of uses.
- B. *Allowable land uses.* Table 2-2 indicates the uses allowed within the MU-I, MU-II, and the MU-III zoning districts, and the land use permit required to establish each use, in compliance with Division 5 (Planning Permit Procedures).
- C. *Prohibited land uses.* Any table cell with a "--" means that the listed land use is prohibited in that specific Mixed-Use zoning district.
- D. *Land uses not listed.* For land uses not listed in Table 2-2, the provisions of § 20.408.010 (Administrative Interpretation) shall apply.
- E. *Plan or precise development review required.* Depending on the size of the construction activity (see Table 2-1), all construction activities (e.g., additions, alterations, construction, reconstruction, or remodeling) may require review and approval in compliance with §§ 20.260.050 (Special Provisions) and 20.408.040 (Plan Review).

- F. *Applicable sections.* Where the last column in the tables ("See Section") includes a section number, the regulations in the referenced section apply to the use; however, provisions in other sections of this zoning code may also apply.

(Ord. 1089, passed 3-7-06)

<b>TABLE 2-1 REVIEW AUTHORITY CHART</b>			
<b>TYPE OF CONSTRUCTION ACTIVITY</b>	<b>Role of Review Authority (1)</b>		
	<b>CITY PLANNER (Plan Check)</b>	<b>DIRECTOR (Plan Review)</b>	<b>PLANNING COMMISSION (Precise Development Review)</b>
Facade improvements, only when not visible from a public right-of-way	Decision		
Nonresidential construction, up to a maximum of 25% of the existing gross floor area	Decision		
Residential construction, up to a maximum of 25% of the existing gross floor area, but no additional dwelling units	Decision		
Tenant improvements	Decision		
Facade improvements, only when visible from a public right-of-way		Decision	
Nonresidential construction, up to a maximum of 10,000 square feet of gross floor area		Decision	
Residential construction, up to a maximum of four dwelling units		Decision	
Nonresidential construction, 10,000 square feet or more of gross floor area			Decision
Residential construction, five or more dwelling units			Decision
<b>NOTE:</b> (1) The review authority identified in the table above may defer action and refer the request to the next higher review authority for the final decision.			

**TABLE 2-2  
ALLOWABLE USES AND PERMIT REQUIREMENTS FOR MIXED-USE ZONING DISTRICTS**

**Key to Table:**

- P Permitted Use
- C Conditional Use - Conditional Use Permit required (§ 20.408.030)
- "--" Use not allowed

<b>LAND USE</b>	<b>PERMIT REQUIREMENT</b>			
	<b>MU-I</b>	<b>MU-II</b>	<b>MU-III</b>	<b>See Section</b>
<b>COMMUNICATION, TRANSPORTATION AND UTILITY FACILITIES (1)</b>				
Alternative fuels and recharging facilities as an accessory use	P	P	P	
Motor vehicle parking lot/structure facilities	P	P	P	
Public utility services offices	P	P	P	
Major wireless communications facilities	C	C	C	
<b>EDUCATION, PUBLIC ASSEMBLY, AND RELIGIOUS FACILITIES (1)</b>				
Clubs or lodges	C	C	C	
Commercial trade schools	C	C	C	
Educational institutions, private	C	C	C	
Meeting halls, places of worship	C	C	C	
Studios: art, dance, martial arts, music, photography, etc.	P	P	P	
<b>ENTERTAINMENT AND RECREATIONAL FACILITIES (1)</b>				
Health/fitness centers	C	C	C	
Indoor amusement/arcade, entertainment/recreation centers	C	C	C	
Nightclubs with or without food service, bar	C	C	C	
Theaters, auditoriums, indoors	C	C	--	
Theaters, movie	C	C	--	
Theaters, outdoors	C	C	--	

**NOTE:**

(1) Nonresidential developments (e.g. education, public assembly, and religious facilities, entertainment and recreational facilities, public/semi-public facilities, retail trade and service facilities) and access serving nonresidential developments (except for live/work facilities) shall not be allowed on Walnut Avenue.

<b>TABLE 2-2 ALLOWABLE USES AND PERMIT REQUIREMENTS FOR MIXED-USE ZONING DISTRICTS</b>				
<b>Key to Table:</b>				
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C Conditional Use - Conditional Use Permit required (§ 20.408.030)				
"--" Use not allowed				
<b>LAND USE</b>	<b>PERMIT REQUIREMENT</b>			
	<b>MU-I</b>	<b>MU-II</b>	<b>MU-III</b>	<b>See Section</b>
<b>PUBLIC/SEMI-PUBLIC FACILITIES (1)</b>				
Community/recreational centers	P	P	P	
Government services (city, county, state or federal)	P	P	P	
Libraries	P	P	P	
Museums	P	P	P	
Post offices	P	P	P	
<b>RESIDENTIAL (Dwelling units not allowed as a stand-alone use on Brea Boulevard or Imperial Highway)</b>				
Accessory uses and structures	P	P	P	20.08.035.F and 20.xx.xxx
Assisted living facilities	C	C	C	
Boarding houses	C	C	C	
Caretaker/employee housing	P	P	P	
Home occupations	P	P	P	
Live/work facilities	P	P	P	
Mixed-use developments	P	P	P	20.158.010.E
Multi-family dwelling units	C	C	C	
Residential care facilities	C	C	C	
Single-family dwelling units (attached)	P	P	P	
Single-family dwelling units (detached)	P	P	P	
Townhouses (e.g. rowhouses)	P	P	P	
Two-family dwelling units	P	P	P	
<b>NOTE:</b>				
(1) Nonresidential developments (e.g. education, public assembly, and religious facilities, entertainment and recreational facilities, public/semi-public facilities, retail trade and service facilities) and access serving nonresidential developments (except for live/work facilities) shall not be allowed on Walnut Avenue.				

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<b>LAND USE</b>	<b>PERMIT REQUIREMENT</b>			
	<b>MU-I</b>	<b>MU-II</b>	<b>MU-III</b>	<b>See Section</b>
<b>RETAIL TRADE (1)</b>				
Accessory retail uses	P	P	P	
Department stores	P	P	--	
Furniture/furnishings, rentals, repair, sales and service stores	P	P	--	
Garden centers/nursery (indoors)	P	P	P	
Garden centers (outdoors)	C	C	C	
Liquor stores (off-site consumption only)	C	C	C	
Mini-markets	C	C	C	
Motor vehicle parts and supplies, no repair or outdoor storage	P	P	P	
Outdoor retail sales and activities (as a primary use) (Carts/kiosks)	C	C	C	20.72.040.C
Retail stores, general merchandise, up to 5,000 square feet of gross floor area	P	P	P	
Retail stores, general merchandise, 5,000 square feet or more, up to a maximum of 10,000 square feet or gross floor area	P	P	C	
Retail stores, general merchandise, over 10,000 square feet of gross floor area	P	P	--	
Shopping centers	P	P	--	
Temporary uses/activities	TUP	TUP	TUP	
Warehouse retail stores	--	P	--	

**NOTE:**  
 (1) Nonresidential developments (e.g. education, public assembly, and religious facilities, entertainment and recreational facilities, public/semi-public facilities, retail trade and service facilities) and access serving nonresidential developments (except for live/work facilities) shall not be allowed on Walnut Avenue.

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LAND USE	PERMIT REQUIREMENT			
	MU-I	MU-II	MU-III	See Section
<b>SERVICES (1)</b>				
Acupuncture clinics	P	P	P	
Automated teller machines (ATMs)	P	P	P	
Banks and financial services	P	P	P	
Barber, beauty, nail shops, massage	P	P	P	
Bars/liquor establishments (on-site consumption only)	C	C	C	
Business support services	P	P	P	
Catering services	P	P	P	
Check cashing services	P	P	P	
Child day care facilities	C	C	C	
Community care facilities	C	C	C	
Convalescent/rest homes and hospitals	C	C	--	
Cyber cafes	C	C	C	
Dry cleaning service, drop-off only	P	P	P	
Equipment rental establishments (indoor only)	P	P	P	
Hotels or motels	C	C	C	
Laundromats, self-service	P	P	C	
Locksmith shops	P	P	P	
Medial/dental offices or clinics	P	P	P	
Medical services, laboratories	--	P	P	

**NOTE:**  
 (1) Nonresidential developments (e.g. education, public assembly, and religious facilities, entertainment and recreational facilities, public/semi-public facilities, retail trade and service facilities) and access serving nonresidential developments (except for live/work facilities) shall not be allowed on Walnut Avenue.

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<b>Key to Table:</b>				
P Permitted Use				
C Conditional Use - Conditional Use Permit required (§ 20.408.030)				
"--" Use not allowed				
<b>LAND USE</b>	<b>PERMIT REQUIREMENT</b>			
	MU-I	MU-II	MU-III	See Section
<b>SERVICES (1) (Cont'd)</b>				
Motor vehicle leasing/rental (office only; no vehicles on-site)	P	P	P	
Offices	P	P	P	
Personal services, general (does not include uses defined under personal services, limited)	P	P	P	
Photocopy/desktop facilities	P	P	P	
Photography studios/supply shops	P	P	P	
Printing and publishing (under 5,000 square feet)	P	P	P	
Repair/maintenance, consumer products	--	P	P	
Restaurants, fast food, with or without outdoor seating. No drive-thru facilities allowed.	P	P	P	
Restaurants, sit-down	P	P	P	
Restaurants, specialty foods	P	P	P	
Restaurants with alcohol sales	C	C	C	20.408.030
Restaurants with drive-thru facilities	--	C	C	
Reverse vending machine(s) recycling facilities	P	P	P	
Ticket agencies	P	P	P	
Travel agencies	P	P	P	
Veterinarian clinic/services and small animal hospitals (overnight stays allowed)	C	C	C	
<b>NOTE:</b>				
(1) Nonresidential developments (e.g. education, public assembly, and religious facilities, entertainment and recreational facilities, public/semi-public facilities, retail trade and service facilities) and access serving nonresidential developments (except for live/work facilities) shall not be allowed on Walnut Avenue.				

(Ord. 1089, passed 3-7-06)

**§ 20.258.020 GENERAL DEVELOPMENT STANDARDS FOR THE MIXED-USE ZONING DISTRICTS.**

New land uses and structures, and alterations to existing uses or structures, shall be designed, constructed and/or established in compliance with the following:

- A. *Compliance with Tables 2-3 through 2-8 required.* Requirements in Tables 2-3 through 2-8 below.
- B. *General development standards.* General development standards (e.g., landscaping, parking and loading, signs, etc.) in Division 3 (Site Planning and General Development and Operational Standards).
- C. *Design guidelines.* Applicable design guidelines in Chapter 20.xx (Design Guidelines).
- D. *Plan reviews.* Design review process in § 20.408.040.
- E. *Minimum parcel sizes and dimensions.* In Tables 2-3 through 2-8, below, the standards for minimum project size, parcel width, and parcel depth are intended to regulate sites for development purposes only and are not intended to establish minimum dimensions for ownership or leasehold (e.g., condominium) purposes.
- F. *Live/work development projects.* Live/work development projects shall be treated as nonresidential projects and regulated by Tables 2-3 through 2-5, below.

(Ord. 1089, passed 3-7-06)

<b>TABLE 2-3 DEVELOPMENT STANDARDS FOR MIXED-USE AND NONRESIDENTIAL PROJECTS IN MIXED-USE I ZONING DISTRICT</b>		
<b>DEVELOPMENT STANDARDS</b>	<b>MU-I</b>	<b>NOTES</b>
Minimum project size (1)	7,000 square feet	(1) The standards for minimum project size, parcel width and parcel depth are intended to regulate sites for development purposes only and are not intended to establish minimum dimensions for ownership or leasehold (e.g. condominium) purposes.
Minimum parcel width (1)	50 feet	
Minimum parcel depth (1)	120 feet	
Minimum/maximum allowable density range for residential uses	12.1 to 50 du/acre	
Maximum floor area ratio (FAR) for nonresidential uses	3.00	
Minimum setbacks		
Front and street side along Ash Street, Birch Street, Brea Boulevard and Imperial Highway	None permitted (A), except for allowable plazas and outdoor dining areas/uses	
Front	None	
Side (interior, each)		
Single-story	None (B)	
Second-story and above, if residential	10 feet (B)	
Side, street	None	
Side, adjoining, residential uses	10 feet (C)	
Rear, if nonresidential adjoining nonresidential	None (D)	
Rear, if residential or if nonresidential adjoining residential uses	10 feet (D)	
Parking area setbacks (front and street side). (No parking adjacent to Brea Boulevard or Imperial Highway allowed, except in the upper floors of a parking structure.)	5 feet	
Minimum distance between structures located on the same parcel	None	
Maximum structure height	100 feet	
Minimum common residential open space for multi-family dwellings. (The minimum dimension shall be 15 feet.)	75 square feet/ dwelling unit	
Minimum private residential open space for multi-family dwellings.(The minimum dimension shall be 5 feet.)	50 square feet/ dwelling unit	
<b>NOTE:</b> The letters (A), (B), (C) and (D) refer to the graphics following this Table.		

**TABLE 2-3  
DEVELOPMENT STANDARDS FOR MIXED-USE AND NONRESIDENTIAL PROJECTS IN  
MIXED-USE I ZONING DISTRICT**

<b>DEVELOPMENT STANDARDS</b>	<b>MU-I</b>
Accessory structures	Section 20.08.035.F and Section 20.xx.xxx
Landscaping	Section 20.236.040.M
Lighting	Section 20.08.040.C.5 and Section 20.220.040.L
Parking and loading	Section 20.08.040
Signs	Section 20.28
Walls and fences	Section 20.236.040.E and Section 20.220.040.F

**GRAPHICS FOR TABLE 2-3  
MIXED USE AND NONRESIDENTIAL PROJECTS IN MU-I ZONING DISTRICT**

<b>TABLE 2-4 DEVELOPMENT STANDARDS FOR MIXED-USE AND NONRESIDENTIAL PROJECTS IN MIXED-USE II ZONING DISTRICT</b>		
<b>DEVELOPMENT STANDARDS</b>	<b>MU-II</b>	<b>NOTES</b>
Minimum project size (1)	10,000 square feet	(1) The standards for minimum project size, parcel width and parcel depth are intended to regulate sites for development purposes only and are not intended to establish minimum dimensions for ownership or leasehold (e.g. condominium) purposes.
Minimum parcel width (1)	100 feet	
Minimum parcel depth (1)	200 feet	
Minimum/maximum allowable density range for residential uses	6.1 to 40 du/acre	
Maximum floor area ratio (FAR) for nonresidential uses	2.00	
Minimum setbacks		
Front	None	
Side (interior, each)		
Single-story	None (E)	
Second-story and above, if residential	10 feet (E)	
Side, street	None	
Side, adjoining, residential uses	10 feet (F)	
Rear, if nonresidential adjoining nonresidential	None (G)	
Rear, if residential or if nonresidential adjoining residential uses	10 feet (G)	
Parking area setbacks (front and street side)	15 feet	
Minimum distance between structures located on the same parcel	None	
Maximum structure height	60 feet	
Minimum common residential open space for multi-family dwellings. (The minimum dimension shall be 15 feet.)	75 square feet/ dwelling unit	
Minimum private residential open space for multi-family dwellings.(The minimum dimension shall be 5 feet.)	50 square feet/ dwelling unit	
<b>NOTE:</b> The letters (E), (F), and (G) refer to the graphics following this Table.		

**TABLE 2-4  
DEVELOPMENT STANDARDS FOR MIXED-USE AND NONRESIDENTIAL PROJECTS IN  
MIXED-USE II ZONING DISTRICT**

<b>DEVELOPMENT STANDARDS</b>	<b>MU-II</b>
Accessory structures	Section 20.08.035.F and Section 20.xx.xxx
Landscaping	Section 20.236.040.M
Lighting	Section 20.08.040.C.5 and Section 20.220.040.L
Parking and loading	Section 20.08.040
Signs	Section 20.28
Walls and fences	Section 20.236.040.E and Section 20.220.040.F

**GRAPHICS FOR TABLE 2-4  
MIXED-USE PROJECTS IN MU-II ZONING DISTRICT**

<b>TABLE 2-5 DEVELOPMENT STANDARDS FOR MIXED-USE AND NONRESIDENTIAL PROJECTS IN MIXED-USE III ZONING DISTRICT</b>		
<b>DEVELOPMENT STANDARDS</b>	<b>MU-III</b>	<b>NOTES</b>
Minimum project size (1)	7,000 square feet	(1) The standards for minimum project size, parcel width and parcel depth are intended to regulate sites for development purposes only and are not intended to establish minimum dimensions for ownership or leasehold (e.g. condominium) purposes.
Minimum parcel width (1)	50 feet	
Minimum parcel depth (1)	120 feet	
Minimum/maximum allowable density range for residential uses	6.1 to 18 du/acre	
Maximum floor area ratio (FAR) for nonresidential uses	1.00	
Minimum setbacks Front and street side along Brea Boulevard and Imperial Highway		
Parcels of less than one acre	None permitted (H), except for allowable plazas and outdoor dining areas/uses	
Parcels of one acre or greater		
At least 50% of the parcel frontage	None permitted (I)	
Up to 50% of the parcel frontage. (No parking within setback allowed.)	May maintain an average setback of 10 feet (I)	
Front, other than Brea Boulevard or Imperial Highway	None	
Side (interior, each)		
Single-story	None (J)	
Second-story and above, if residential	10 feet (J)	
Side, street, other than Brea Boulevard or Imperial Highway	None	
Side, adjoining, residential uses	5 feet, average (K)	
Rear, if nonresidential adjoining nonresidential	None (L)	
Rear, if residential or if nonresidential adjoining residential uses	10 feet (L)	
Parking area setbacks (front and street side). (No parking adjacent to Brea Boulevard or Imperial Highway allowed, except in the upper floors of a parking structure.)	5 feet	
<b>NOTE:</b> The letters (H), (I), (J), (K) and (L) refer to the graphics following this Table.		

**TABLE 2-5  
DEVELOPMENT STANDARDS FOR MIXED-USE AND NONRESIDENTIAL PROJECTS IN  
MIXED-USE III ZONING DISTRICT**

<b>DEVELOPMENT STANDARDS</b>	<b>MU-III</b>	<b>NOTES</b>
Minimum distance between structures located on the same parcel	None	
Maximum structure height	35 feet	
Minimum common residential open space for multi-family dwellings.(The minimum dimension shall be 15 feet.)	75 square feet/ dwelling unit	
Minimum private residential open space for multi-family dwellings. (The minimum dimension shall be 5 feet.)	50 square feet/ dwelling unit	
Maximum parcel coverage	65%	
Accessory structures	Section 20.08.035.F and Section 20.xx.xxx	
Landscaping	Section 20.236.040.M	
Lighting	Section 20.08.040.C.5 and Section 20.220.040.L	
Parking and Loading	Section 20.08.040	
Signs	Section 20.28	
Walls and fences	Section 20.236.040.E and Section 20.220.040.F	

**GRAPHICS FOR TABLE 2-5  
MIXED-USE PROJECTS IN MU-III ZONING DISTRICT**



<b>TABLE 2-6 DEVELOPMENT STANDARDS FOR "STAND ALONE" RESIDENTIAL PROJECTS IN MIXED-USE I ZONING DISTRICT</b>		
<b>DEVELOPMENT STANDARDS</b>	<b>MU-I</b>	<b>NOTES</b>
Minimum project size (1)	2,500 square feet	(1) The standards for minimum project size, parcel width and parcel depth are intended to regulate sites for development purposes only and are not intended to establish minimum dimensions for ownership or leasehold (e.g. condominium) purposes. (2) For structures located on Ash Street, Birch Street, or Brea Boulevard, north of Imperial Highway, there is no minimum setback requirement. All other setbacks shall be measured from the structure face to the nearest property line. (3) Low level patio walls may encroach into the required front or street side setback up to a maximum of 5 feet. (4) In projects with subterranean parking, structure heights shall be measured from the top of the parking deck. For structures located on Ash Street, Birch Street, or Brea Boulevard, the maximum structure height shall be 55 feet.
Minimum parcel width (1)	None	
Minimum parcel depth (1)	None	
Minimum/maximum allowable density range for residential uses	12.1 to 50 du/acre	
Maximum floor area ratio (FAR) for nonresidential uses	3.00	
Minimum setbacks (2) front and street side along Ash Street, Birch Street, Brea Boulevard and Imperial Highway		
Single-story	5 feet (M)	
Second-story and above	10 feet (M)	
Front (3)	15 feet (N)	
Side (interior, each)	5 feet (O)	
Side, street (3)	15 feet (O)	
Side, adjoining, residential uses	10 feet (O)	
Rear	5 feet (P)	
Rear, adjoining nonresidential uses	10 feet (P)	
Parking area setbacks (front and street side). (No parking adjacent to Brea Boulevard or Imperial Highway allowed, except in the upper floors of a parking structure.)	5 feet	
Minimum distance between structures located on the same parcel	None	
Maximum structure height (4)	100 feet	
Minimum common open space for multi-family dwellings.(The minimum dimension shall be 15 feet.)	100 square feet/ dwelling unit	
Minimum private open space for multi-family dwellings. (The minimum dimension shall be 8 feet.)	75 square feet/ dwelling unit	
<b>NOTE:</b> The letters (M), (N), (O), and (P) refer to the graphics following this Table.		

<b>TABLE 2-6 DEVELOPMENT STANDARDS FOR "STAND ALONE" RESIDENTIAL PROJECTS IN MIXED-USE I ZONING DISTRICT</b>	
<b>DEVELOPMENT STANDARDS</b>	<b>MU-I</b>
Accessory structures	Section 20.08.035.F and Section 20.xx.xxx
Landscaping	Section 20.236.040.M
Lighting	Section 20.08.040.C.5 and Section 20.220.040.L
Parking and loading	Section 20.08.040
Signs	Section 20.28
Walls and fences	Section 20.236.040.E and Section 20.220.040.F

**GRAPHICS FOR TABLE 2-6  
"STAND ALONE" RESIDENTIAL PROJECTS IN MU-I ZONING DISTRICT**

<b>TABLE 2-7 DEVELOPMENT STANDARDS FOR "STAND ALONE" RESIDENTIAL PROJECTS IN MIXED-USE II ZONING DISTRICT</b>		
<b>DEVELOPMENT STANDARDS</b>	<b>MU-II</b>	<b>NOTES</b>
Minimum project size (1)	2,500 square feet	(1) The standards for minimum project size, parcel width and parcel depth are intended to regulate sites for development purposes only and are not intended to establish minimum dimensions for ownership or leasehold (e.g. condominium) purposes. (2) Low level patio walls may encroach into the required front or street side setback up to a maximum of 5 feet. (3) In projects with subterranean parking, structure heights shall be measured from the top of the parking deck.
Minimum parcel width (1)	None	
Minimum parcel depth (1)	None	
Minimum/maximum allowable density range for residential uses	6.1 to 40 du/acre	
Maximum floor area ratio (FAR) for nonresidential uses	2.00	
Minimum setbacks		
Front (2)	15 feet (Q)	
Side (interior, each)	5 feet (R)	
Side, street (2)	15 feet (R)	
Side, adjoining, nonresidential uses	10 feet (R)	
Rear	15 feet (S)	
Rear, adjoining nonresidential uses	20 feet (S)	
Parking area setbacks (front and street side)	15 feet	
Minimum distance between structures located on the same parcel	None	
Maximum structure height (3)	60 feet	
Minimum common open space for multi-family units. (The minimum dimension shall be 15 feet.)	100 square feet/ dwelling unit	
Minimum private open space for multi-family units. (The minimum dimension shall be 8 feet.)	75 square feet/ dwelling unit	
Accessory structures	Section 20.08.035.F and Section 20.xx.xxx	
Landscaping	Section 20.236.040.M	
Lighting	Section 20.08.040.C.5 and Section 20.220.040.L	
Parking and loading	Section 20.08.040	
Signs	Section 20.28	
Walls and fences	Section 20.236.040.E and Section 20.220.040.F	
<b>NOTE:</b> The letters (Q), (R), and (S) refer to the graphics following this Table.		

**GRAPHICS FOR TABLE 2-7**

**"STAND ALONE" RESIDENTIAL PROJECTS IN MU-II ZONING DISTRICT**

<b>TABLE 2-8 DEVELOPMENT STANDARDS FOR "STAND ALONE" RESIDENTIAL PROJECTS IN MIXED-USE III ZONING DISTRICT</b>		
<b>DEVELOPMENT STANDARDS</b>	<b>MU-III</b>	<b>NOTES</b>
Minimum project size (1)	7,000 square feet	(1) The standards for minimum project size, parcel width and parcel depth are intended to regulate sites for development purposes only and are not intended to establish minimum dimensions for ownership or leasehold (e.g. condominium) purposes. (2) Low level patio walls may encroach into the required front or street side setback up to a maximum of 5 feet. (3) In projects with subterranean parking, structure heights shall be measured from the top of the parking deck.
Minimum parcel width (1)	50 feet	
Minimum parcel depth (1)	120 feet	
Minimum/maximum allowable density range for residential uses	6.1 to 14 du/acre (See Section 20.258.030.A.4)	
Maximum floor area ratio (FAR) for nonresidential uses	1.00	
Minimum setbacks. Front and street side along Brea Boulevard and Imperial Highway	Stand alone residential not allowed on Brea Boulevard or Imperial Highway	
Front, other than Brea Boulevard or Imperial Highway (2)	15 feet (T)	
Side (interior, each)	5 feet (U)	
Side, street other than Brea Boulevard or Imperial Highway (2)	15 feet (U)	
Side, adjoining, nonresidential uses	10 feet (U)	
Rear	15 feet (V)	
Rear, adjoining nonresidential uses	20 feet (V)	
Parking area setbacks (front and street side). No parking adjacent to Brea Boulevard or Imperial Highway allowed, except in the upper floors of a parking structure.)	5 feet	
Minimum distance between structures located on the same parcel	None	
Maximum structure height (3)	35 feet	
Minimum common open space for multi-family dwellings.(The minimum dimension shall be 15 feet.)	100 square feet/ dwelling unit	
Minimum private open space for multi-family dwellings. (The minimum dimension shall be 8 feet.)	75 square feet/ dwelling unit	
Maximum parcel coverage (not including parking decks)	65%	
<b>NOTE:</b> The letters (T), (U), and (V) refer to the graphics following this Table.		

<b>TABLE 2-8 DEVELOPMENT STANDARDS FOR "STAND ALONE" RESIDENTIAL PROJECTS IN MIXED-USE III ZONING DISTRICT</b>	
<b>DEVELOPMENT STANDARDS</b>	<b>MU-III</b>
Accessory structures	Section 20.08.035.F and Section 20.xx.xxx
Landscaping	Section 20.236.040.M
Lighting	Section 20.08.040.C.5 and Section 20.220.040.L
Parking and loading	Section 20.08.040
Signs	Section 20.28
Walls and fences	Section 20.236.040.E and Section 20.220.040.F

**GRAPHICS FOR TABLE 2-8  
"STAND ALONE" RESIDENTIAL PROJECTS IN MU-III ZONING DISTRICT**

**§ 20.258.030 SPECIFIC DEVELOPMENT STANDARDS FOR ALL MIXED-USE PROJECTS.**

This section provides standards for the development of mixed-use projects. The primary intent of these development standards is to balance the needs of nonresidential uses for access, visibility, parking, loading, safety, and possibly extended hours of operation with the needs of residential uses for privacy, security, and relative quiet.

A. *Integration of uses.*

1. *Integration defined.* Potential ways to integrate the uses allowed in MU-I (Mixed Use I), MU-II (Mixed-Use II), and MU-III (Mixed-Use III) zoning districts include:
  - a. *Vertical integration.* A mix of nonresidential uses (i.e., commercial, retail, and/or office) located on the ground floor with residential dwelling units located above.
  - b. *Horizontal integration.* A mix of nonresidential uses located on the primary street frontage of a parcel and residential uses located at the rear of a parcel.
  - c. *Combined approach.* A combination of vertical and horizontal integration of nonresidential and residential uses.
2. *MU-I zoning districts.* In MU-I (Mixed-Use I) zoning districts, nonresidential and residential uses shall be vertically integrated whenever possible; however, stand-alone residential projects and stand-alone nonresidential projects are allowed when planned and designed as an integrated element of a larger mixed-use development area.
3. *MU-II zoning districts.* In MU-II (Mixed-Use II) zoning districts, both vertical and/or horizontal integration of nonresidential and residential uses shall be allowed; however, stand-alone residential projects and stand-alone nonresidential projects are allowed when planned and designed as an integrated element of a larger mixed-use development area.
4. *MU-III zoning districts.* In MU-III (Mixed-Use III) zoning districts, both vertical and/or horizontal integration of nonresidential and residential uses shall be allowed subject to the following:
  - a. *Parcels of one (1) acre or greater.* Parcels of one (1) acre or greater in total net area shall provide a vertical and/or horizontal mix of nonresidential and residential uses.
  - b. *Parcels of less than one (1) acre.* Parcels of less than one (1) acre in total net area may either:
    - (1) Provide a mix of nonresidential and residential uses; or

- (2) Incorporate stand-alone residential projects at a maximum density of fourteen (14) du/acre or stand-alone nonresidential projects. For parcels fronting Brea Boulevard or Imperial Highway, no stand-alone residential projects shall be allowed. Nonresidential projects and access serving nonresidential projects (except for live/work facilities) shall not be allowed on Walnut Avenue.
  
- B. *Parcel Consolidation Incentive Program.* In order to encourage the assemblage of smaller existing parcels into larger parcels that can be more efficiently developed into a mixed-use project, the following incentives are offered:
  1. *Allowable incentives for parcel consolidation:*
    - a. Reduction in required parking for a mixed-use project.
    - b. Increase in maximum total sign area, up to a maximum of twenty percent (20%).
    - c. Increase in maximum parcel coverage, up to a maximum of ten percent (10%).
    - d. Reduction in common and/or private open space requirements, up to a maximum of ten percent (10%).
    - e. Priority (e.g., fast-track) permit processing.
    - f. City participation in provision of infrastructure (e.g., installation of curb, gutter, and sidewalk, installation of streetscape, undergrounding of utilities, upgrading of utilities, etc.)
  2. *Parcel consolidation thresholds:*
    - a. Consolidation of existing small parcels into a development project site of one (1) acre or greater up to two (2) acres: Any two (2) of the allowable incentives identified above, except for items e. and f.
    - b. Consolidation of existing small parcels into a development project site of two (2) acres or greater: Any four (4) of the allowable incentives identified above.
  
- C. *Development standards generally.* Mixed-use projects shall comply with the development standards in this paragraph in addition to the standards in paragraphs D through O, below.
  1. *Uses located in a single structure.* For a mixed-use project where nonresidential and residential uses are located in a single structure, the density, floor area ratio (FAR), height of structures, parcel depth, parcel size, parcel width, and setbacks identified in Tables 2-3 through 2-8 shall apply.
  2. *Uses located in separate structures.* For a mixed-use project where nonresidential uses and residential uses are located in separate structure(s), the following shall apply:

- a. Nonresidential development.
  - (1) Tables 2-3, 2-4, and 2-5 (development standards for mixed use and nonresidential projects in the Mixed-Use I, Mixed Use II, and Mixed Use III zoning districts, respectively) shall apply.
  - (2) Sections on specific nonresidential uses, if any, in Article xx (Standards for Specific Land Uses) may apply depending upon the type of nonresidential development being proposed.
- b. Multi-family residential development.
  - (1) Tables 2-6, 2-7, and 2-8 (development standards for "stand-alone" residential projects in the Mixed-Use I, Mixed Use II, and Mixed Use III zoning districts, respectively) shall apply.
  - (2) Section 20.xx.xxx (Standards for Specific Land Uses - Multi-Family Residential Development) shall apply.

D. *Design standards.*

- 1. *Generally.* A mixed-use development project shall be designed and constructed to:
  - a. Be pedestrian in its focus.
  - b. Allow for vehicles to park once.
  - c. Be compatible with and complement adjacent land uses.
  - d. Maintain the scale and character of development along Birch Street, Brea Boulevard, and Imperial Highway, and provide a transition to the adjacent residential uses in the surrounding area
- 2. *Consistent use of architectural details and materials.* Architectural style and use of quality materials shall be consistent throughout an entire mixed-use project. However, differences in architectural details and/or materials may occur to differentiate between the nonresidential and residential portions of the project. Dwelling units shall exhibit a residential character. Loading areas and recycling and refuse storage facilities shall be compatible in architectural design and details with the overall project.
- 3. *Features.*
  - a. *Street level features.* Long expanses of blank walls or an unbroken series of garage doors shall be prohibited.
  - b. *Pedestrian-oriented features.* At least seventy-five percent (75%) of the building frontage facing a public street or pedestrian way shall be devoted to pedestrian-oriented features (e.g., pedestrian entrances; landscaping; transparent display windows; windows affording views into retail, office, or lobby spaces, etc). The review authority may reduce this percentage on a case-by-case basis.



- c. *Upper level features.* Upper floor balconies, bays, and windows that overlook the street shall be provided whenever opportunities exist for such features.
  - d. *Rooflines and setbacks.* Projects shall provide a variety of roof designs as determined to be suitable by the Director.
  - e. *Storefronts.* The design of ground floor storefronts shall be consistent with the design guidelines for development in § 20.xx.xxx (General Commercial Design Guidelines).
  - f. *Residential dwelling units.* The design of a residential portion of a mixed-use project shall be consistent with the design guidelines for multi-family residential development in § 20.xx.xxx (Multi-Family Residential Design Guidelines).
  - g. *Live/work units.* The design of a live/work unit as a portion of a mixed-use project shall be consistent with the design guidelines for live/work units in § 20.xx.xxx (Live/Work Design Guidelines).
  - h. *Entrances.* When nonresidential and residential uses are located in the same structure, separate pedestrian entrances shall be provided for each use. The entrances for nonresidential uses shall be designed to visually distinct from the entrances for residential uses.
  - i. *Visual relationship between multiple structures.* Multiple structures on a single site shall be designed to create a strong visual relationship between and among the structures. Architectural treatment of structures shall be consistent on all sides.
  - j. *Preservation of neighborhood character.* The design of new infill development shall respect, complement, and be compatible with the scale, style, theme, and design of established structures and neighborhoods.
- E. *Landscaping standards.*
- 1. *Consistent with landscaping design guidelines.* The landscaping of a mixed-use project shall be consistent with the design guidelines for landscaping in § 20.xx.xxx (General Commercial Design Guidelines) and in § 20.xx.xxx (Multi-Family Residential Design Guidelines).
  - 2. *Open space.* Common open space areas above the ground level shall be landscaped using containerized plant materials that are irrigated by an automatic irrigation system and adequately drained.
  - 3. *Street trees.* Street trees shall be required in compliance with the city's Master Street Tree Plan.
- F. *Lighting standards.* Lighting for nonresidential uses shall be appropriately designed, located, and shielded to ensure that they do not negatively impact the residential uses in compliance with § 20.08.040.C.5 (Light and Glare).
- G. *Open space standards.* The common and private open spaces required for residential dwelling units shall be designed to limit intrusion by nonresidents. In the case of an infill development project, the Review Authority may approve a reduction in the required open space (common and/or private) for the residential component of mixed-use development projects when it finds that all reasonable attempts to fulfill the requirements have been exhausted and the open space is not able

to be accommodated due to the urban infill characteristic of the development site.

H. *Operational standards.*

1. *Hours of operation.* Outdoor nonresidential uses in mixed-use projects shall be prohibited from operating between the hours of 10:00 p.m. and 7:00 a.m. A conditional use permit granted in compliance with § 20.408.030 (Conditional Use Permit) may modify these hours.
2. *Joint tenants and owners association.*
  - a. A joint tenants and owners association shall be formed to ensure the well being of each tenant and owner in a mixed-use project.
  - b. The association bylaws, including voting rights, shall be subject to review by the City Attorney and approval by the Director. The association's bylaws shall include the following:
    - (1) Assignment of parking spaces per each use.
    - (2) Identification of maintenance responsibilities for landscaping, parking facilities, and recycling and refuse storage facilities.
    - (3) Noise notification procedures.
    - (4) Relationship between uses regarding association representation.
    - (5) Voting procedures.
    - (6) Procedures for solving problems that may arise between the different types of uses or residents.
3. *Loading and unloading activities.* Where applicable, the covenants, conditions, and restrictions of a mixed-use project shall indicate the times when the loading and unloading of goods may occur on the street, provided that in no event shall loading or unloading take place after 10:00 p.m. or before 7:00 a.m. on any day of the week.
4. *Noise notification.*
  - a. Residents, whether owners or tenants, of a mixed-use development project shall be notified in writing before taking up residence that they will be living in an urban type of environment and that the noise levels may be higher than a typical residential area.
  - b. The covenants, conditions, and restrictions of a mixed-use project shall require that the residents acknowledge their receipt of the written noise notification. Their signatures shall confirm receipt and understanding of this information.
5. *Nuisance mitigation.* The location and design of recycling and refuse storage facilities shall mitigate nuisances from odors when residential uses might be impacted.
6. *Sound mitigation.* Residential dwelling units shall be designed to be sound attenuated against

present and future project noise. New projects or new nonresidential uses in existing projects shall provide an acoustical analysis report, by an acoustical engineer, describing the acoustical design features of the structure required to satisfy the exterior and interior noise standards.

I. *Parking facilities standards.*

1. *Number of parking spaces.* The total number of parking spaces shall comply with the requirements in § 20.08.040 (Off-Street Parking and Loading). Guest parking shall be provided for the residential dwelling units. Applicants for a mixed-use project shall prepare and submit a parking study (including any request for a parking reduction) for review and decision by the applicable review authority and a parking management plan for review and decision by the Director.
2. *Separate or shared parking facilities.* Parking facilities may be separate or shared for nonresidential uses and residential uses. The parking layout of a mixed-use project shall be consistent with the design guidelines for parking in § 20.xx.xxx (General Commercial Design Guidelines) and in § 20.xx.xxx (Multi-Family Residential Design Guidelines).
3. *Loading areas.* Loading areas for nonresidential uses shall be located as far as possible from residential units and shall be completely screened from view from the residential portion of the project and streets in compliance with subsections 20.236.040. E (Walls and Fences) and 20.220.040. F (Fences, Walls, and Hedges) and subparagraph K. (Screening and buffering standards), below. Loading areas shall be compatible in architectural design and details with the overall project. The location and design of loading areas shall mitigate nuisances from odors when residential uses might be impacted.
4. *Site access driveways.* Separate site access driveways shall be provided, whenever possible, for nonresidential and residential uses. Site access driveways shall incorporate distinctive architectural elements, landscape features, and signs to help differentiate access to nonresidential parking areas from access to residential parking areas.
5. *Enclosed parking.* If enclosed parking is provided for the entire mixed-use complex, separate areas/levels shall be provided for nonresidential and residential uses with separate building entrances, whenever possible, subject to confirmation and approval by the applicable review authority.
6. *Ingress and egress.* Vehicular circulation shall be designed to direct traffic away from residential streets to the greatest extent feasible.

- J. *Recycling and refuse storage facilities standards.* Recycling and refuse storage facilities for nonresidential uses shall be located as far as possible from residential units and shall be completely screened from view from the residential portion of the project and streets in compliance with §§ 20.236.040.E (Walls and Fences) and 20.220.040.F (Fences, Walls, and Hedges) and subparagraph K (Screening and buffering standards) below. Recycling and refuse storage facilities for nonresidential uses should be compatible in architectural design and details with the overall project. The location and design of trash enclosures shall mitigate nuisances from odors when residential uses might be impacted.

K. *Screening and buffering standards.*

1. *Loading areas and recycling and refuse storage facilities.* Loading areas and recycling and refuse storage facilities for nonresidential uses shall be completely screened from view from adjacent residential portions of the project or other adjacent residential uses.
2. *Roof-mounted equipment.* Roof-mounted equipment shall be completely screened from public views from the ground elevation.
3. *Noise-generating equipment.* Noise-generating equipment (e.g., refrigeration units, air conditioning, exhaust fans, etc.) shall require special consideration in their location and screening in order to avoid creating a nuisance.

L. *Security standards.* Structures shall be designed to minimize the personal security risks of uses and to minimize the opportunities for vandalism and theft.

M. *Sign standards.* The design of signs shall comply with Chapter 20.28 (Signs).

N. *Site organization standards.*

1. *Limitations on location of residential uses in the Mixed-Use III zone.* In horizontal mixed-use projects along Brea Boulevard and Imperial Highway, residential uses shall not occupy ground floor space within the first fifty (50) feet of a parcel measured from the front property line. In the Mixed-Use III zone, within vertical mixed-use projects along Brea Boulevard or Imperial Highway, residential uses shall not occupy any ground floor space, along the major street frontage, except for entry lobbies. Residential uses may occupy street frontages along secondary/side streets as determined by the Director.
2. *Location of nonresidential uses along street frontages.*
  - a. Nonresidential uses shall be located along street frontages and shall have a minimum depth of fifty (50) feet. The Director may reduce the depth requirements for nonresidential uses located on a secondary street.
  - b. On corner parcels, the nonresidential space shall turn (wrap around) the corner for a distance of at least thirty (30) feet along secondary/side streets.
  - c. A minimum of seventy-five percent (75%) of the street frontage along major or primary streets shall be occupied by nonresidential uses. The remaining twenty-five percent (25%) may be occupied by lobby entrances to residential uses and pedestrian amenities (e.g., plaza, courtyard) The Director may reduce/adjust the percentage frontage requirements.
3. *Entrances.* Primary building entrances shall be oriented to the major street on which the structure has frontage, street corner, courtyard, plaza, park, or other structures on the site but not to interior blocks or parking lots/structures. A structure may have other entrances as long as direct, barrier-free pedestrian access is provided to all entrances.
4. *Sharing of common open space.* Mixed-use structures shall be arranged to create opportunities for

common open space for the residential uses. In general, common open space areas for residential uses shall be separated from nonresidential uses on the site. However, the sharing of common open space may be allowed by the applicable review authority when it is clear that the open space will provide direct benefit to residents of the project and subject to the following limitations.

- a. Up to thirty percent (30%) of the required common open space for residential uses in a horizontal mixed-use project may be provided within the nonresidential component of the project.
  - b. Up to sixty percent (60%) of the required common open space for residential uses in a vertical mixed-use project may be provided within the nonresidential component of the project.
5. *Pedestrian environment.* Site planning shall integrate the street pedestrian environment with the nonresidential uses through the use of courtyards, plazas, street furniture, and walkways. Public and private walkways, passages, paseos, and related facilities shall be provided, whenever possible. Pedestrian access to mixed-use structures shall be from the sidewalk. Enhanced pedestrian amenities (i.e., courtyard, plaza, paseo) shall be required for mixed-use projects located along Brea Boulevard and Imperial Highway in the MU-III (Mixed-Use III) zoning district.
- O. *Historic structures.* The standards in this section may not apply where they conflict with the design or character of the architecture of existing structures listed on the National Register of Historic Places, Buildings, or Structures; the California State Inventory of Historical Sites and Buildings; the Orange County Historic Register; or the Brea Historic Resources Register. Refer to Chapter 20.60. (Historic Preservation) for design guidelines for renovating or rehabilitating historic structures.

(Ord. 1089, passed 3-7-06)

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