

“Article 46 Mixed-Use Overlay Zone (MU-O)

9-2.4601 Intent and Purpose (MU-O).

The Mixed-Use Overlay (MU-O) Zone is established to encourage and facilitate the development of new retail and commercial floor area, as well as infill development, within the city, and to support retail and commercial space with new residential development, including affordable multi-family housing, creating vibrant, vertical mixed-use areas.

9-2.4602 Underlying Zoning (MU-O).

(a) Properties within the MU-O Zone may, at the developer’s election, be developed either in accordance with (a) this article or (b) the standards of the underlying zoning district.

(b) Once the developer elects to develop a property under the MU-O Zone or the underlying zoning district, that choice governs all subsequent development and approvals.

9-2.4603 Sub-Zones

- a) *Purpose and Intent.* Sub-zones of the MU-O zone include specific standards depending on the neighborhood and corridor contexts of the area. The general intent of the sub-zones is to reinforce built form as described in the General Plan and create economically vibrant, mixed-use development throughout the City. The sub-zones are identified on Map A. The specific purpose of each sub-zone is described below.
- b) *Pioneer Boulevard Sub-Zone.* The purpose of the Pioneer Boulevard (P) sub-zone is to reinforce the commercial importance of this area and to promote a diverse mix of retail and restaurant uses with supporting residential development.
- c) *Downtown Sub-Zone.* The purpose of the Downtown (D) sub-zone is to provide a thriving mix of uses with a focus on ground-level, active building frontages facing the right-of-way. The Downtown sub-zone is pedestrian-friendly and is within half a mile of the Metro Light Rail Station.

9-2.4604 Applicability of MU-O Zone

(a) Upon application and approval, the Mixed Use Overlay Zone may be applied to a property identified on Map A. If a property is not identified on Map A, the MU-O Zone may not be applied to that property.

(b) The Mixed Use Overlay Zone allows for the construction of not more than 14,101 residential units total. The City of Artesia Planning Department maintains a record of the total number of units produced across the City. Any project proposing residential units that will

result in a total of more than 14,101 residential units across the city will require an independent CEQA analysis.

9-2.4605 Development Requiring Design Review

Any proposed development that meets the requirements of the MU-O Zone shall apply for and is subject to Design Review approval in accordance with Article 20 of this chapter.

9-2.4606 Principal Uses Permitted (MU-O)

The following uses are allowed as principally permitted uses where the MU-O Zone applies, if the project or proposed use complies with all development standards of 9-2.4609.:

- a) In-person retail sales establishments.
- b) Restaurants that do not both (1) serve alcohol and (2) provide outdoor dining.
- c) All Service and Professional Uses that are allowed as principal uses under section 9-2.3002 if the use is not located on the ground floor or at street level.
- d) Condominium development if not on the ground floor or street level.

9-2.4607 Conditionally Permitted Uses (MU-O)

The following uses are allowed as Conditionally Permitted uses where the MU-O Zone applies, if the project or proposed use complies with all development standards of 9-2.4609:

- a) Hotels and motels
- b) Bars and cocktail lounges
- c) Restaurants that serve alcohol and that provide outdoor dining.

9-2.4608 Temporary Uses

Under the MU-O Zone, the property may be used for the temporary uses as set forth in Section 9-2.4002 of Article 40 of this chapter subject to approval of a temporary use permit in accordance with Article 40 of this chapter.

9-2.4509 Development Standards (MU-O).

A project under this article is subject to the following development standards:

- (a) *Minimum Lot Size.* The minimum lot area is 8,000 square feet.
- (b) *Loss of Commercial Floor Space.* Where a project includes the demolition of an existing commercial building or is located on property where a commercial building

was demolished within the previous five years, the project must maintain at least the same amount of retail commercial floor space as has been or will be removed.

- (c) *Ground Floor Uses.* The ground floor shall include commercial floor space equivalent to at least 50% of the parcel site area.
- (d) *Condominium Requirements (where applicable):*

Note that the Condominium Development Standards contained in Article 36 of Chapter 2 of Title 9 of the Artesia Municipal Code do not apply to condominiums developed under the MU-O Zone.

- 1) *Density.* Maximum residential density is:
 - a) Where maximum allowable building height is 7 stories, maximum density is 95 dwelling units per acre
 - b) Where maximum allowable building height is 5 stories, maximum density is 60 dwelling units per acre
 - c) Where maximum allowable building height is 3 stories, maximum density is 40 dwellings per acre

Note: See Map A for height and density designations.

- 2) *Private outdoor living space.* Each condominium must have private outdoor living space of at least 100 square feet. The outdoor living space may include rooftop decks, balconies, or patios and must have a minimum dimension of 5 feet in every direction.
 - 3) *Communal open space and recreation facilities.* Communal open space, for exclusive use by condominium residents and their guests, must be provided in an amount of at least 50 square feet per condominium, with a total minimum area of 600 square feet. This requirement may be satisfied by various facilities in separate locations within the condominium building (for example:, gym, garden, rooftop deck, plaza, forecourt); however, no single facility may be less than 500 square feet. Communal open space may be provided in the setback area.
- (e) *Setbacks.* The following yard requirements apply:

- 1) *Front.* Each lot must comply with the front setback standards that are set forth in Table 1. If the developer elects to have a front setback that is greater than zero feet, in accordance with Table 1, the resulting front setback area must be maintained accessible to the public at all times or used for outdoor seating for ground floor businesses. The front setback requirements in Table 1 do not preclude the development of a publicly accessible plaza or forecourt with the approval of the planning manager, at the manager's discretion.

- 2) *Side.*
 - a) Except where sub-section (g)(1)(b) applies, each lot shall have a side setback as set forth in Table 1.
 - b) Where a side setback abuts a property not within the MU-O Zone, the minimum setback for the first and second stories is ten feet; the minimum setback for the third and fourth stories is 15 feet; and the minimum setback for the fifth through seventh stories is 20 feet. Buildings may be stepped to achieve these setback requirements, or the developer may choose to set back the entire building to meet the largest setback requirement.
- 3) *Side Street:* The setback on the street side of a corner or reversed corner lot must comply with the side setback that is set forth in Table 1. The side yard must be publicly accessible at all times, be used for outdoor seating for ground floor businesses, and/or be landscaped.
- 4) *Rear:*
 - a. Each lot must have a rear yard of at least ten feet in depth. Ancillary structures abutting an alley, including, but not limited to, garages, carports, and parking areas, must be located at least five feet from the property line that abuts the alley.
 - b. Where a rear setback abuts a property not within the MU-O Zone, the minimum setback for the first and second stories is ten feet; the minimum setback for the third and fourth stories is 15 feet; and the minimum setback for the fifth through seventh stories is 20 feet. Buildings may be stepped to achieve these setback requirements, or the developer may choose to set back the entire building to meet the largest setback requirement.
- 5) *Significant Corners:* Where a property is a corner parcel at any of the intersections listed below, the building will be truncated at the parcel's corner closest to the intersection by not less than 5 feet on each property line.
 - a) Pioneer Boulevard and South Street
 - b) Pioneer Boulevard and 183rd Street
 - c) Pioneer Boulevard and Artesia Boulevard
 - d) South Street and Norwalk Boulevard
- (f) *Privacy.* Where a property abuts a residentially zoned property that is not within the MU-O Zone:
 - a. Private open spaces and communal open spaces that face the residentially zoned property must include screening that is at least six feet above floor

level. Screening is not to be considered part of the building for the purposes of measuring building height.

- b. Windows on a story above ground level that face the residentially zoned property must be at least six feet above the floor level in that story.
- (g) *Height Limits.* Height limits are established as shown on Map A.
- (h) *Lot Area Building Coverage.* Minimum lot area building coverage are set forth in Table 1.
- (i) *Design Standards.*
 - a. *Facade articulation.* The façade of any building must not have a single, unarticulated plane of more than 30 linear feet. Articulation of the façade must be of a depth not less than 3 feet.
 - b. *Building entrance.* The building entrance or entrances must be set back or projected forward from the main façade of the building by not less than 6 feet.
 - c. *Roof.* Roofs may be flat. Wherever possible, flat roofs should be used for private open space, communal open space, or entertainment purposes such as a rooftop bar.
 - d. *Additional design criteria.* Except where detailed in (h)a through (h)c, above, development must meet the objective design criteria applicable to the underlying zoning except where the underlying zoning is a residential zone. If the underlying zoning is a residential zone, then the design standards applicable to the Commercial General (C-G) Zone apply.
- (j) *Off-Street Parking.* Each lot or parcel of land must comply with the following parking requirements:
 - a. *Location of parking facilities.* The required parking facilities set forth in Subsection (l)(c) of this section must be located entirely behind or within the building. Vehicle parking may not be located along any street frontage of the property. For the purposes of subsection (i)(a) an alley is not a street.
 - b. *Additional requirements for above-grade parking*
 - i. Where a property has a depth of 120 feet, or greater, the development must include a liner building.
 - ii. Where a property has a depth of less than 120 feet, the development must include a liner building, decorative screening elements, window displays, or a combination of these.
 - c. *Parking spaces required.*

- i. If the property has an underlying Specific Plan that establishes parking requirements within the Specific Plan, then the parking requirements as outlined in the specific plan applies.
 - ii. If (i) is not applicable, the following parking requirements apply:
 1. Every condominium unit must have two parking spaces except that a studio may have only one parking space;
 2. For every condominium unit, a quarter space is required for visitor parking. Condominium guest parking must be identified as such and kept separate from retail and commercial parking areas;
 3. For all commercial uses, including restaurants, retail, and service uses, parking requirements are one space per 250 square feet of floor area.
 4. Hotels are subject to the parking requirements in Article 11.
 - iii. Where a development is wholly located within sub-zone D, the applicable parking requirements in section (c)(ii), above (except subsection 4) are to be reduced by 20 percent, rounded up to the nearest whole number. However, if any other reduction of parking applies, the total reduction in required parking is not to exceed 20 percent, except as required by state law.
 - iv. One bicycle space for every four condominium units, or a minimum of four total spaces, whichever is greater, is to be provided in a secured location for exclusive use by condominium residents and their guests.
 - v. Bicycle parking in an amount of one space per 1,000 square feet of retail or service use floor space must be provided in a location accessible to the public.
- (k) *Signs.* All signage must comply with Article 12 of the Artesia Municipal Code.
- (l) *Landscaping.* Except as modified by this Article, landscaping must comply with Article 15 of this chapter.
- a. Landscaping must be provided as set forth in Table 1.
 - b. Landscaping may be provided in any manner suitable to the development, including, but limited to, gardens, lawns and planters. Landscaping can be included in side and rear setback areas.
- (m) *Trash Containers.* Trash enclosures must comply with the trash enclosure standards applicable to the underlying zone or Specific Plan.

- (n) *Air Conditioning Units.* Air conditioning units must comply with the Air Conditioning Unit standards applicable to the underlying zone or Specific Plan .
- (o) *Lighting.* All outdoor parking lot and security lighting, except for ornamental landscape lighting, must be shielded and directed downwards, and shielded so that illumination from such lighting does not exceed 0.5 foot-candle at any property boundary.
- (p) *Affordability.* At least ten percent of the residential units, or one unit, whichever is greater, in each project developed under this article must be reserved for households earning no more than 80 percent of Los Angeles County area median income adjusted for family size appropriate to the unit. The units must be sold at an affordable housing cost, as defined in Sections 50052.5 and 50053 of the California Health and Safety Code. The units must be sold in accordance with California Government Code Section 65915.
- (q) *Regulatory Agreement.* A legally binding agreement, in a form approved by the City Attorney, must be executed and recorded against the property to ensure that the property complies with all of the requirements of this article, including, but not limited to, the requirement that affordable units be deed-restricted for a period of not less than 55 years. The property owner must record the regulatory agreement prior to recording any final map for the property, or prior to the issuance of any building permit for the project, whichever comes first. The regulatory agreement must bind all future owners and successors of interests of the project.