



**Planned Community
Development Plan
& Supplemental Text**



86-655182

PORTOLA HILLS*
PLANNED COMMUNITY
ORANGE COUNTY, CALIFORNIA

EXEMPT
C10

The accompanying text constitutes the land use regulations under which development will be governed for the area hereinafter to be referred to as the Portola Hills Planned Community which was adopted by Ordinance Number 3613 by the Orange County Board of Supervisors on December 17, 1986.

The Development Plan (Map) and those District Regulations were also considered and made a part of all public hearings on this matter and were subsequently adopted as part of the above noted Ordinance.

I hereby certify that this text material consisting of 115 pages will regulate the development of those properties shown on the Development Plan, which was approved by the Orange County Planning Commission on November 25, 1986 (P.C. Resolution No. 86-54) and adopted by Ordinance Number 3613 by the Orange County Board of Supervisors on December 17, 1986.

Orange County Planning Commission
C. Douglas Leavenworth, Chairman

By:

Robert G. Fisher
Robert G. Fisher
Director of Planning, EMA

Linda D. Roberts
Linda D. Roberts
Clerk of the Board of Supervisors
County of Orange

DEC. 30 1986

* Formerly Glenn Ranch Planned Community, Third Revised

RECORDED IN OFFICIAL RECORDS
OF ORANGE COUNTY, CALIFORNIA

-8 20 AM DEC 31 '86

Lee A. Branch COUNTY RECORDER

PL: flh
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Portola Hills Planned Community

PORTOLA HILLS*
PLANNED COMMUNITY
DEVELOPMENT PLAN
AND
SUPPLEMENTAL TEXT

Adopted by:

The Orange County Board of Supervisors
On December 17, 1986
By Ordinance Number 3613

Approved by:

The Orange County Planning Commission
On November 25, 1986

Amended by:

The City of Lake Forest City Council
Ordinance 142 on 4/20/2004
Ordinance 189 on 7/1/2008
Ordinance 195 8/5/2008

*Formerly Glenn Ranch Planned Community

86-655182

**PORTOLA HILLS PLANNED COMMUNITY
DEVELOPMENT PLAN
AND
SUPPLEMENTAL TEXT**

**PREPARED FOR
THE BALDWIN COMPANY**

**PREPARED BY
CULBERTSON, ADAMS AND ASSOCIATES, INC.**

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SECTION I
PURPOSE AND OBJECTIVES

The purpose of these regulations is to provide for the development of the Portola Hills Planned Community as a coordinated, comprehensive project in order to take advantage of the superior human environment which results from large scale urban planning.

These regulations were developed to ensure compliance with the PC "Planned Community" District Regulations, Section 7-9-103 of the Orange County Zoning Code.

These regulations combine provisions for the opportunity to propose innovative community design concepts and site planning, consistent with orderly development and protection of sensitive and natural resources, with provisions for a logical and timely sequence of community and governmental review and input.

These regulations provide for a "mixed use concept." Provisions are made for the submittal and review of projects which may contain a mix of residential, commercial, industrial, recreational and open space uses in new and creative spacial relationships.

The objective of providing maximum opportunity for creative community design and site planning is accommodated by using the maximum number of dwelling units in each residential Planning Area as the primary control factor for residential development within the planned community. A diversity of uses, relationships, building heights, building masses, and open spaces is provided for. Consistency with the provisions and intent of the Orange County General Plan and Zoning Code is ensured through the review process contained in the Area Plan and Site Plan procedures.

This document is designed to implement the goals, policies and guidelines of the Orange County General Plan and Community Profile.

The Area Plan and Site Plan review procedure is used to accomplish the objective of providing a logical and timely sequence of community and governmental review and input.

SECTION II
GENERAL REGULATIONS

1. Definition of Terms

Terms used in this Development Plan and Supplemental Text shall have the same definitions as given in the Orange County Zoning Code unless otherwise defined herein. (See Section XIX, Definitions.)

2. General Plan Consistency

The Portola Hills Planned Community Development Plan and Supplemental Text has been found consistent with all elements of the Orange County General Plan by the approval and adoption process of the Orange County Planning Commission and Board of Supervisors.

3. Affordable Housing

A minimum of 370 dwelling units in the project shall be affordable to households earning 120 percent or less of the County median household income. Affordable housing for the Portola Hills Planned Community shall be provided in accordance with the policies contained in the adopted County of Orange Housing Element in effect at the time of recordation of any final map containing residential building sites. Affordable housing requirements for areas and development under Zone Change 2008-02 are subject to the Development Agreement between the City of Lake Forest and USA Portola Properties LLC (July 1, 2008) and associated Affordable Housing Implementation Plan.

4. Zoning Code Consistency

This Development Plan and Supplemental Text is adopted pursuant to the regulations contained in Section 7-9-103 of the Orange County Zoning Code. It is specifically intended by such adoption that the development standards herein shall regulate all development within the Portola Hills Planned Community. Any details or issues not specifically covered by this Development Plan and Supplemental Text shall be subject to the regulations of the adopted Orange County Zoning Code. In cases of differences between this text and the County Zoning Code, this Planned Community Text shall prevail.

5. Grading Code Consistency

Grading plans submitted for all projects in the Portola Hills Planned Community shall be based on the County Grading Code and shall be accompanied by geological and soils engineers' reports which shall incorporate all pertinent recommendations. The soils engineer and engineering geologist must certify the suitability of a graded site prior to issuance of a building permit.

6. Grading

Grading will be permitted within the Portola Hills Planned Community inside and outside of the area of immediate development when it is consistent with the approved Area Plan. The Area Plan or Site Plan shall show the entire extent of grading both inside and outside the area of immediate development.

7. Master Plan of Drainage

All development proposals within the Planned Community shall conform to the provisions of the Los Alisos Area Master Plan of Drainage.

8. Flood Control

The property owner/builder shall fund and construct all on-site flood control facilities in a manner meeting the approval of the Director of EMA.

9. Other Codes

Construction shall comply with applicable provisions of the Uniform Building Code and various other mechanical, electrical and plumbing codes related thereto.

10. Interim Land Uses

The following uses are permitted in the undeveloped Open Space land use Planning Areas of the Portola Hills Planned Community:

- a. Grazing.
- b. Riding, bicycle, and hiking trails.
- c. Riding clubs, stables, show rings, etc.
- d. Rest stops.
- e. Nature study areas.
- f. Regional and local parks.

- g. Archeological and paleontological study sites.
- h. Infrastructure facilities necessary for the development of adjacent urban areas, e.g., highways, utility lines, water reservoirs, flood control facilities, utility access roads, erosion control devices and basins. All new utility lines of 12 KV or less shall be undergrounded.
- i. Other similar private, public or quasi-public uses approved by the Planning Commission.

The following interim uses are permitted in all undeveloped Planning Areas, other than the Open Space Planning Area, within the Portola Hills Planned Community:

All uses permitted by the A1 “General Agricultural” District Regulations, Sections 7-9-55 through 7-9-55.7 of the County of Orange Zoning Code.

11. Maximum Dwelling Units

A maximum dwelling units, as specified in the Statistical Summary and Area Plan, inclusive of all density bonuses, may be built in the Portola Hills Planned Community. All Planning Areas which allow for residential uses shall be developed consistent with the maximum number of dwelling units indicated for the Planning Area in the Statistical Summary.

12. Density/Area per Unit

- a. The dwelling unit density permitted in any residential area/Planning Area, as designated on the Area Plan and the Development Plan and Statistical Summary of the Portola Hills Planned Community, shall apply to the overall residential Area/Planning Area and shall not be literal to any division thereof.
- b. Individual residential projects within a Planning Area or Planning Unit may exceed the midpoint of the range for the Community profile land use designation provided that the following dwelling unit totals are not exceeded:
 - (1) The total number of dwelling units in an entire Planning Area as indicated on the Planned Community Development Plan Statistical Summary.

- (2) The total number of dwelling units for the entire Planned Community shall not exceed the number of dwelling units, as specified in the Statistical Summary and Area Plan, inclusive of any density bonus for any purpose or reason.
 - (3) The total number of dwelling units permitted in each Planning Unit as indicated on the Statistical Analysis incorporated in the approved Area Plan or any amendment thereto.
- c. Computation of acreage for determining density shall be based on gross area.

13. Planning Area Boundaries

- a. Except as otherwise indicated, dimensions are measured from centerlines of streets.
- b. Adjustments to the Planning Area boundaries resulting from final road alignments, geo-technical or engineering refinements to the Area Plan, Site Plan, Tentative and/or Final Tract Map, except for open space planning areas, shall not require amendment of the Development Plan and Supplemental Text when such adjustments do not exceed a total of 10% of the acreage shown on the Statistical Summary of the Planned Community Development Plan, and they are consistent with the intent of the County General Plan and the Portola Hills Planned Community Development Plan.
- c. Boundaries not dimensioned on the Development Plan shall be established by the Area Plan and may be refined by Site Plan, tentative or final subdivision map approvals.
- d. Commercial and other nonresidential as well as residential uses and areas, which are indicated as being located at intersections of streets or

highways, shall be altered in location to conform with final road alignments without requiring an amendment of the Development Plan and Supplemental Text when such alterations are consistent with the approved Area Plan, provided that no changes of use are proposed and the acreage and configuration of the use in relation to the intersection remains consistent.

14. Annual Monitoring Report

An Annual Monitoring Report (AMR) shall be prepared and submitted in the fall of each year to the County Administrative Office and the Environmental Management Agency. The submittal of an AMR is required for conformance with the Growth Management Program of the Land Use Element of the Orange County General Plan and the County's Annual Development Monitoring Program.

The Board of Supervisors, in the annual adoption of the Development Monitoring Program, may identify a significant imbalance between development projections and planned infrastructure or in the proportionate development of residential, commercial and employment land uses. The Board of Supervisors may then defer subdivision approval until approaches which are capable of resolving the imbalances are proposed to and approved by the Board of Supervisors. The AMR will be the project proponent's opportunity to demonstrate mitigation measures and implementation strategies which will ensure adequate infrastructure for the community.

15. Foothill Corridor

The property owner/subdivider shall participate in any Board of Supervisors adopted fee program for implementation of the Foothill Transportation Corridor.

16. Schools

Prior to any recordation of any final map, the proponent shall demonstrate to the satisfaction of the Director, EMA, that the developer has pursued in good faith an equitable school development program in conjunction with Saddleback Valley Unified School District to achieve sufficient short-term and long-term student capacity. Continued compliance will be evaluated through the AMR. The

program shall be as outlined in the School Implementation Plan contained in the Area Plan.

17. Local Parks

Local park sites will be provided in accordance with the provisions of the Orange County Local Park Code as outlined in the Park Implementation Plan contained in the Area Plan.

18. Open Space, Private/Public

Certain areas within the Planned Community, although privately owned and fenced, may be designated as open space. These areas through the use of deed or other restrictive techniques will have development limited so as to preserve the open space character.

19. Annexation

In the event of application for annexation to a city or incorporation of all or part of the project, a revised Fiscal Impact Report shall be prepared by petitioners to assess the cost-revenue impact of such annexation or incorporation on the County and the special districts serving the property to be annexed or incorporated.

20. Board Declaration/Severability

If any portion of these regulations is, for any reason, declared by a court of competent jurisdiction to be invalid or ineffective in whole or in part, such decision shall not affect the validity of the remaining portions thereof. The Board of Supervisors hereby declares that they would have enacted these regulations and each portion thereof irrespective of the fact that any one or more portions be declared invalid or ineffective.

The following general regulations are retained from the Glenn Ranch Planned Community per EMA staff:

21. Prior to recordation of a final tract or parcel map approved after the effective date of these regulations, except maps filed for financing purposes only, landowner shall obtain approval by SAMCWD and Director, EMA of a plan of

works for on-site and off-site water facilities, including domestic and fire protection necessary for the project, to provide adequate short-term and long-term capacity.

22. Prior to recordation of a final tract or parcel maps approved after the effective date of these regulations, except maps filed for financing purposes only, landowner shall obtain approval by SAMCWD and Director, EMA of a plan of works for on-site and off-site wastewater treatment facilities necessary for the project, to provide adequate, short-term and long-term capacity.

23. Notwithstanding Sections XVII and XVIII of the Planned Community Regulations, Tentative Subdivision Maps, except those for financing purposes only, Area Plans, and Site Plans abutting an Open Space Planning Unit shall be adopted as precise plans and shall contain the following additional information, either on the map or on an appropriate supplemental graphic or text:
 - a. Urban Edge Treatment describing the interface treatment area between the urban and open space uses in a manner consistent with the General Plan and Area Plan.

 - b. Fire Protection Edge Treatment including any fuel breaks or fuel modification zones in a manner consistent with the General Plan, Area Plan, and the Fire Protection Planning Task Force Report.

 - c. Open Space Dedication in accordance with any offer of dedication required by conditions of approval of the Glenn Ranch Planned Community.

Note: The County reserves the right not to accept lands offered for dedication, in fee or easement, which have been or are required for grading, buttressing, fuel modification or other activity inconsistent with public use.

- d. Additional Information which the Director, EMA, deems necessary to assure consistency with the General Plan, Area Plan and any conditions of approval for the Glenn Ranch Planned Community. Any substantial

deviation from the approved maps or plans, as determined by the Director, EMA, shall require approval of revised maps or plans.

24. All new public utility electrical and telephone transmission lines, of 120 KV or less, shall be installed subsurface throughout the Planned Community.
25. Privately owned television and/or radio antennas in connection with residential dwelling units shall be contained entirely within an enclosed structure.
26. Prior to the recordation of any final subdivision map, except that for financing purposes only, approved after the effective date of these regulations, CC&R's or other method or procedure, including the establishment of a Homeowners' Association or other entity which will guarantee the provision of any necessary extended services and any other private services required, shall be submitted to and approved by the Director, EMA and the County Counsel, and then be recorded prior to issuance of any certificates of use and occupancy.
27. Should the Federal Aviation Administration determine that the only option for issuance of a declaration of "No Avigational Hazard" for any building subject for FAR Part 77 regulations is an alteration in avigational procedures (i.e., elevating the floor for circling aircraft) then no building permit shall be issued for the structure.

**SECTION III
RESIDENTIAL USE REGULATIONS**

PURPOSE AND OBJECTIVES

The purpose of these provisions is to regulate the planning and development of the Residential Planning Areas and residential uses in nonresidential Planning Areas of the Portola Hills Planned Community.

These regulations provide for a wide variety of residential uses, including but not limited to, rural estates, single-family detached, single-family attached, duplex and multiple-family housing types and uses. The residential regulations also allow for recreation uses, community facilities, community service facilities and other uses and structures accessory to the main residential uses.

It is an objective of these regulations to provide a Development Plan and Supplemental Text which will be responsive to changing community needs and goals and which will allow and encourage innovative community design and neighborhood mix in an effort to encourage housing types within price ranges commensurate with broad community needs and goals.

To be consistent with the Orange County General Plan, the ultimate control for residential development is the maximum number of dwelling units permitted in each land use category as indicated on the Statistical Summary of the Portola Hills Planned Community Development Plan. All Planning Areas shall be developed consistent with the total dwelling units indicated in the Statistical Summary on the Planned Community Development Plan.

Development standards for residential projects shall be as described in Section IV except that alternative development standards may be established by approval of an Area Plan or Site Plan as described in Sections XVII and XVIII.

After first occupancy of an individual dwelling unit, the site development standards contained in this text, and any applicable Area Plan or Site Plan, shall apply to that dwelling unit and shall only be modified subject to the variance procedure contained in the Orange County Zoning Code or by an amendment to the Area Plan or Site Plan, approved in the same manner and applying to the same areas as the originally approved Area Plan or Site Plan.

SECTION IV
RESIDENTIAL SITE DEVELOPMENT STANDARDS

A. USES PERMITTED SUBJECT TO APPROVAL OF AN AREA PLAN AS PROVIDED IN SECTION XVII

An approved Area Plan covering the entire Planned Community shall be approved prior to approval of any tentative subdivision map, Site Plan, or clearance for issuance of a grading permit or building permit within any residential Planning Area or Planning Unit.

The following uses are permitted in Planning Areas and Planning Units designated for residential and mixed use/commercial uses:

1. Detached single-family dwellings and rural estate subdivisions (one dwelling per building site).
2. Two or more attached single-family dwellings (one dwelling per building site) including, but not limited to, patio homes, cluster development, planned concept subdivisions, and planned developments.
3. Duplex dwellings.
4. Factory-built housing, manufactured housing.
5. Open space uses.
6. Accessory structures and uses, on the same building site as a main use, which are customarily incidental or necessary to the main building or use, and per Section 9.144.070 of the LFMC, Home occupations per Section 9.180.060 LFMC, and/or other uses and structures which the Director of Development Services finds consistent with the purpose and intent of this district.
7. Uses and structures customarily incidental or necessary to residential uses including, but not limited to, parks, trails, greenbelts, and common areas.

B. USES PERMITTED SUBJECT TO AN APPROVED AREA PLAN AND SITE PLAN AS PROVIDED IN SECTIONS XVII AND XVIII

Prior to clearance for issuance of grading or building permits or the approval of a tentative subdivision map, an Area Plan and Site Plan shall be approved to allow the establishment of the following uses:

1. Multiple family dwellings including, but not limited to, apartments, condominiums, stock cooperatives, and community apartment projects.

2. Mobile home parks, mobile home subdivisions, mobile home condominiums and stock cooperatives.
3. Community facilities (in accordance with Sections XIII and XIV).
4. Community service facilities (in accordance with Sections XIII and XIV).
5. Public and private recreation centers and facilities including, but not limited to swimming pools, tennis courts, lakes, clubhouses, stables and trails.
6. Public use and public utility buildings, structures, and facilities including, but not limited to electrical, water, sewage, telephone and telegraph, and their storage, distribution, treatment or production facilities in accordance with Section XIII and XIV.
7. Any other accessory use or structure, located on a separate building site, which is customarily incidental to, or necessary to the uses listed in Subsections A and B above.

C. SITE DEVELOPMENT STANDARDS

All residential development within the Portola Hills Planned Community shall be subject to the following site development standards except as otherwise established by an approved Area Plan, Site Plan or amendment thereof.

An Area Plan or Site Plan may be approved which establishes alternative site development standards for residential and permitted nonresidential projects in residential Planning Areas.

After first occupancy of an individual dwelling unit, the site development standards contained in this Section and any applicable Area Plan or Site Plan shall apply to that dwelling unit and shall only be modified subject to the variance procedure contained in the Orange County Zoning Code or by an amendment to the Area Plan or Site Plan, approved in the same manner and applying to the same areas as the originally approved Area Plan or Site Plan.

1. SINGLE-FAMILY DWELLINGS

The following development standards shall apply except as otherwise established by an approved Area Plan, Site Plan or amendment thereof.

- a. **Detached single-family dwelling - rural estate conventional sub-division.**
- (1) Building site area. One acre minimum.
 - (2) Building site width. No minimum.
 - (3) Building height. Thirty-five (35) foot maximum.
 - (4) Building site coverage. The total site less required setbacks and open space easements.
 - (5) Building setbacks.
 - (a) Front: Twenty (20) feet minimum from the back of curb.
 - (b) Side: Eight (8) feet minimum.
 - (c) Rear: Twenty-five (25) feet minimum.
 - (d) Patios: No attached or detached covered patio shall be located closer than three (3) feet to a property line except the street-side property line of a corner lot, in which case a minimum distance of eight (8) feet shall be maintained.
 - (e) Projections into required setbacks:
 - Eaves, cornices, chimneys, outside staircases, balconies and other similar architectural features may project a maximum of six (6) feet into any required front, rear or side setback within one (1) foot of the property line, whichever is the least projection into the required setback.
 - (f) Miscellaneous Provisions and Exceptions:
 - Attached accessory buildings shall be considered as a part of the main building.
 - Detached accessory buildings shall be located no closer than the setback permitted for the main building.
 - (6) Garage and carport placement. The point of vehicular entry to a garage or carport shall be a distance of twenty (20) feet minimum from the back of sidewalk or back of curb if there is no sidewalk.
 - (7) Private street standards. Private streets shall be established in accordance with the following minimum standards:

- (a) Streets with no parking permitted: Minimum paved width twenty (20) feet.
 - (b) Streets where on-street parking will be limited to one side only: Minimum paved width twenty-five (25) feet.
 - (c) Streets with on-street parking permitted on both sides: Minimum paved width thirty (30) feet.
 - (d) Sidewalks and curbs shall be deleted per Orange County, EMA, Standard Plans for Rural Local Streets.
- (8) Fences and walls, maximum height.
- (a) Within areas where main buildings may be placed--shall comply with height requirements for a main building.
 - (b) Within front setback area--three and one half (3½) feet maximum, except on key lots where the maximum height may be six (6) feet within that portion of the front setback area abutting the area where a six (6) foot high fence is permitted on the abutting lot, when such area is not adjacent to the garage driveway. Sound attenuation barriers may exceed six (6) feet as required by the Director, EMA.
 - (c) Within other setback areas--the maximum height shall be six (6) feet, except that this maximum may be exceeded when higher walls are required by the Director, EMA, for the purpose of noise mitigation or other health and safety measures.
- (9) Off-street parking. Off-street parking shall be provided as required by the provisions of Section XV.
- (10) Total number of units. As shown on the Statistical Summary of the Planned Community Development Plan and the Statistical Analysis of the approved Area Plan or amendment thereof.
- b. **Detached single-family dwelling** - conventional subdivision.
- (1) Building site area. Three thousand (3,000) square foot minimum.
 - (2) Building site width. No minimum.
 - (3) Building height. Thirty-five (35) foot maximum.
 - (4) Building site coverage. The total site less required setbacks.

- (5) Building setbacks.
 - (a) From any front or side property line abutting a street--ten (10) feet minimum.
 - (b) Side--ten (10) feet minimum for one side only, or ten (10) feet aggregate total for both sides.
 - (c) Rear--ten (10) feet minimum.
 - (d) Patios: No attached or detached covered patio shall be located closer than three (3) feet to a property line except the street-side property line of a corner lot, in which case a minimum distance of eight (8) feet shall be maintained.
 - (e) Projections into required setbacks:
 - Eaves, cornices, chimneys, outside staircases, balconies and other similar architectural features may project a maximum of four (4) feet into any required front, rear or side setback within one (1) foot of the property line, whichever is the least projection into the required setback. Porches may encroach up to 7 feet from an established front-yard setback, but in no case shall be located closer than 8 feet from the front property line.
 - (f) Miscellaneous Provisions and Exceptions:
 - Attached accessory buildings shall be considered as a part of the main building.
 - Detached accessory buildings shall be located no closer than the setback permitted for the main building.
 - (g) Between primary buildings – 10 feet.
- (6) Garage and carport placement. The point of vehicular entry to a garage or carport shall be a distance of five (5) feet or less, or twenty (20) feet or more from the back of sidewalk, or if there is no sidewalk, from back of curb. Garages set back five (5) feet or less to the point of vehicular entry shall be equipped with automatic door openers.
- (7) Fences and walls, maximum height.
 - (a) Within areas where main buildings may be placed—shall comply with height requirements for a main building.
 - (b) Within front setback area--three and one half (3 ½) feet maximum, except on key lots where the maximum height

may be six (6) feet within that portion of the front setback area abutting the area where a six (6) foot high fence is permitted on the abutting lot, when such area is not adjacent to the garage driveway. Sound attenuation barriers may exceed six (6) feet as required by the Director, EMA.

- (c) Within other setback areas--the maximum height shall be six (6) feet, except that this maximum may be exceeded when higher walls are required by the Director, EMA, for the purpose of noise mitigation or other health and safety measures.
- (8) Off-street parking. Off-street parking shall be provided as required by the provisions of Section XV.
- (9) Private street standards. Private streets shall be established in accordance with the following minimum standards:
 - (a) Streets where no parking is permitted: Minimum paved width twenty-four (24) feet.
 - (b) Streets where on-street parking will be limited to one side only: Minimum paved width twenty-eight (28) feet.
 - (c) Streets with on-street parking permitted on both sides: Minimum paved width thirty-six (36) feet.
- (10) Total number of units. As shown on the Statistical Summary of the Planned Community Development Plan and the Statistical Analysis of the approved Area Plan or amendment thereof.
- c. **Attached single-family dwellings - conventional subdivision.**
 - (1) Building site area. Two thousand (2,000) square foot minimum.
 - (2) Building site width. No minimum.
 - (3) Building height. Thirty-five (35) foot maximum.
 - (4) Building site coverage. The total site less required setbacks.
 - (5) Building setbacks.
 - (a) From any property line abutting a street--ten (10) feet minimum.
 - (b) From any side or rear property line not abutting a street--no minimum.

- (c) Patios: No attached or detached covered patio shall be located closer than zero (0) feet to a property line except the street-side property line of a corner lot, in which case a minimum distance of eight (8) feet shall be maintained. Covered patios may be completely screened, including all exterior walls and ceilings, with fully ventilating screen.
 - (d) Projections into required setbacks: Eaves, cornices, chimneys, outside staircases, balconies and other similar architectural features may project five (5) feet into any required front, rear or side setback or within zero (0) feet of the property line, whichever is the least projection into the required setback. Porches may encroach up to 7 feet from an established front-yard setback, but in no case shall be located closer than 8 feet from the front property line.
 - (e) Miscellaneous Provisions and Exceptions:
 - Attached accessory buildings shall be considered as a part of the main buildings.
 - Detached accessory buildings shall be located no closer than the setback permitted for the main building.
- (6) Garage and carport placement. The point of vehicular entry to a garage or carport shall be a distance of five (5) feet or less, or twenty (20) feet or more from the back of sidewalk, or if there is no sidewalk, from the back of curb. Automatic garage door openers are required for garages set back five (5) feet or less to the point of vehicular entry.
- (7) Fences and walls, maximum height.
- (a) Within areas where main buildings may be placed—same as the main building height limit.
 - (b) Within front setback area--three and one half (3½) feet maximum, except on key lots where the maximum height may be six (6) feet within that portion of the front setback area abutting the area where a six (6) foot high fence is permitted on the abutting lot, when such area is not adjacent to the garage driveway. Sound attenuation barriers may exceed six (6) feet as required by the Director, EMA.

- (c) Within other setback areas--the maximum height shall be six (6) feet, except that this maximum may be exceeded when higher walls are required by the Director, EMA, for the purpose of noise mitigation or other health and safety measures.
- (8) Off-street parking. Off-street parking shall be provided as required by the provisions of Section XV.
- (9) Private street standards. Private streets shall be established in accordance with the following minimum standards:
 - (a) Streets with no parking permitted: Minimum paved width twenty-four (24) feet.
 - (b) Streets where on-street parking will be limited to one side only: Minimum paved width twenty-eight (28) feet.
 - (c) Streets with on-street parking permitted on both sides: Minimum paved width thirty-six (36) feet.
- (10) Total number of units. As shown on the Statistical Summary of the Planned Community Development Plan and the Statistical Analysis of the approved Area Plan or amendment thereof.
- d. **Cluster Subdivision, Planned Concept Subdivisions, Planned Developments and other similar developments**
 - (1) Building site requirements. Subdivisions may be divided into development units by a tentative map. For purposes of complying with the requirements of Section 7-9-126, "Building Site Requirements" of the Zoning Code, each development unit, as specified on the approved tentative tract map, shall comply with the requirements of Section 7-9-126 of the Zoning Code, and shall be deemed to be a building site.
 - (2) Building site area. No minimum.
 - (3) Individual lots. No minimum size; however, each dwelling unit shall be located on an individual lot of record and there shall be no more than one dwelling unit on any lot.
 - (4) Access. Each residential lot need not necessarily abut a street; however, the ownership of any residential lot shall include a recorded right of access, which may be a shared right, to and

from a street for pedestrians and emergency vehicles for a minimum width of not less than twenty (20) feet.

- (5) Open space. A minimum of ten percent (10%) of the net area of the project is to be reserved as convenient, accessible and usable open space (as defined in Section XIX) adjacent to but outside the boundaries of the residential lots.
- (6) Lot width. No minimum.
- (7) Total number of units. As shown on the Statistical Summary of the Planned Community Development Plan and the Statistical Analysis of the approved Area Plan or amendment thereof.
- (8) Building height. Thirty-five (35) feet maximum.
- (9) Building site coverage. Seventy (70) percent maximum for each development unit and no maximum for individual lots.
- (10) Building setbacks.
 - (a) From any exterior boundary line of the project. Ten (10) feet minimum.
 - (b) From any individual building site's property line development unit or lot. None except as may be otherwise required to comply with the Orange County Building Code.
 - (c) Patios: No attached or detached covered patio shall be located closer than zero (0) feet to a property line except the street side property line of a corner lot, in which case a minimum distance of eight (8) feet shall be maintained. Covered patios may be completely screened, including all exterior walls and ceilings, with fully ventilating screen.
 - (d) Projections into required setbacks: Eaves, cornices, chimneys, outside staircases, balconies and other similar architectural features may project four (4) feet into any required front, rear or side setback.
 - (e) Miscellaneous Provisions and Exceptions:
 - Attached accessory buildings shall be considered as a part of the main buildings.

- Detached accessory buildings shall be located no closer than the setback required for the main building.
- (11) Private street and driveway standards. Private streets and driveways shall be established in accordance with the following standards:
- (a) Streets or driveways serving four (4) or less dwelling units, and having no parking within the travel way: Minimum paved width twelve (12) feet for one-way traffic or twenty (20) feet for two-way traffic.
 - (b) Streets or driveways used primarily for access to garages or carports for more than four (4) dwelling units and with no parking within the travel way: Minimum paved width twelve (12) feet for one-way traffic or twenty-four (24) feet for two-way traffic.
 - (c) Streets and driveways where on-street parking will be limited to one side only: Minimum paved width twenty-eight (28) feet.
 - (d) Streets and driveways with on-street parking permitted on both sides: Minimum paved width thirty-six (36) feet.
- (12) Garage and carport placement:
- (a) Where streets and driveways serve to provide access to garages or carports and do not serve as the primary method of access to dwelling units, garages and carports shall be set back a minimum distance of five (5) feet from the street or driveway.
 - (b) In all other instances, the point of vehicular entry to garages and carports shall be set back a distance of five (5) feet or less, or twenty (20) feet or more from the back edge of the sidewalk or curb where there is no sidewalk. Garages set back five (5) feet or less to the point of vehicular entry shall be equipped with automatic door openers.

(13) Fences, walls, maximum height.

- (a) Along the boundary of the project. Six (6) feet except within intersection areas where the maximum height is three and one half (3½) feet. Sound attenuation barriers may exceed six (6) feet as required by Director, EMA.
- (b) Within areas where main buildings may be placed—shall comply with the height requirement for the main building.

(14) Off-street parking. Off-street parking shall be provided as required by the provisions of Section XV.

2. MULTIPLE-FAMILY DWELLINGS, INCLUDING, BUT NOT LIMITED TO APARTMENTS, CONDOMINIUM PROJECTS--INCLUDING TIME SHARING CONDOMINIUMS, STOCK COOPERATIVES, AND COMMUNITY APARTMENT PROJECTS.

The following development standards shall apply unless otherwise established by an approved Area Plan, Site Plan or amendment thereof.

- a. Building site area: Five thousand (5,000) square feet minimum.
- b. Building site area per unit: One thousand (1,000) square feet minimum.
- c. Building site width: No minimum.
- d. Building height: Thirty-five (35) feet maximum. Forty-five (45) feet maximum in Sub-Planning Areas F1 and E2 of the Portola Hills Area Plan.
- e. Building site coverage: Sixty (60) percent maximum, not to include carports or garages,
- f. Building setbacks. Twenty (20) feet minimum from any exterior property line of the project. None from interior property lines.
- g. Patios: No attached or detached covered patio shall be located closer than zero (0) feet to a property line except the street-side property line of a corner lot, in which case a minimum distance of ten (10) feet shall be maintained.
- h. Projections into required setbacks: Eaves, cornices, chimneys, outside staircases, balconies and other similar architectural features may project four (4) feet into any required front, rear or side setback.

- i. Miscellaneous Provisions and Exceptions:
 - Attached accessory buildings shall be considered as a part of the main building.
 - Detached accessory buildings shall be located no closer than the setback required for the main building.
- j. Garage and carport placement:
 - (a) Where streets and driveways serve to provide access to garages or carports and do not serve as the primary method of access to dwelling units, garages and carports shall be set back a minimum distance of five (5) feet from the street or driveway.
 - (b) In all other instances, the point of vehicular entry to garages and carports shall be set back a distance of five (5) feet or less, or twenty (20) feet or more from the back edge of the sidewalk or curb where there is no sidewalk. Garages set back five (5) feet or less to the point of vehicular entry shall be equipped with automatic door openers.
- k. Off-street parking. Off-street parking shall be provided as required by the provisions of Section XV.
- l. Open space. A minimum of five percent (5%) of the net area of the project is to be reserved as convenient, accessible and Usable Open Space (as defined in Section XIX).
- m. Total number of units. As shown on the Statistical Summary of the Planned Community Development Plan and the Statistical Analysis of the approved Area Plan or any amendment thereof.
- n. Signs. Signs shall be permitted in accordance with the provisions of Section XVI.
- o. Trash and storage areas. All storage, including cartons, containers or trash shall be shielded from view within a building or area enclosed by a wall not less than six (6) feet in height.
- p. Screening.
 - (1) Abutting residential areas. A screen, as defined in subsection (4) below, shall be installed along all building site boundaries where the premises abut areas zoned for residential. Except as

otherwise provided below, the screening shall have a total height of not less than six (6) feet and not more than seven (7) feet.

- (2) Parking areas abutting highways. A screen shall be installed along all parking areas abutting highways. Except as otherwise provided below, the screening shall have a total height of not less than thirty-six (36) inches and not more than forty-two (42) inches.
 - (3) Notwithstanding the requirements listed above, where the finished elevation of the property at the boundary line, or within five (5) feet inside the boundary line is higher or lower than the abutting property elevation, such change in elevation may be used in lieu of, or in combination with, additional screening to satisfy the screening requirements of this section.
 - (4) A screen as referred to in (1), (2) and (3) above, shall consist of one or any combination of the following:
 - (a) Walls, including retaining walls: A wall shall consist of concrete, stone, brick, tile or similar type of solid masonry material a minimum of six (6) inches thick.
 - (b) Berms: A berm shall be constructed of earthen materials and it shall be landscaped.
 - (c) Fences, solid: A solid fence shall be constructed of wood or other materials a minimum nominal thickness of two (2) inches and it shall form a screen.
 - (d) Landscaping: Vegetation, consisting of evergreen or deciduous trees or shrubs.
 - (5) Mechanical equipment. Mechanical equipment placed on any roof such as, but not limited to, air conditioning, heating, ventilating ducts and exhaust, shall be screened from view from any abutting street or highway and any abutting area zoned for residential or open space uses within the Portola Hills Planned Community.
- q. Landscaping. Landscaping, consisting of evergreen or deciduous trees, shrubs, ground cover, or hardscape shall be installed and maintained subject to the following standards.

- (1) Boundary landscaping abutting arterial highways is required to an average depth of ten (10) feet with a minimum depth of five (5) feet.
- (2) Boundary landscaping abutting public streets, other than arterial highways, is required to an average depth of ten (10) feet with a minimum depth of five (5) feet.
- (3) Separation. Any landscaped area shall be separated from an adjacent vehicular area by a wall or curb at least four (4) inches higher than the adjacent vehicular area or in some manner shall be protected from vehicular damage.
- (4) Watering. Permanent automatic watering facilities shall be provided for all landscaped areas.
- (5) Maintenance. All landscaping shall be maintained in a neat, clean and healthy condition. This shall include proper pruning, mowing of lawns, weeding, removal of litter, fertilizing, replacement of plants when necessary, and the regular watering of all plantings as necessary.

SECTION V
OPEN SPACE USE REGULATIONS

PURPOSE AND OBJECTIVES

The purpose of the two major open space areas of the Portola Hills Planned Community is to provide links to the existing and proposed regional park systems in the area.

Aliso Creek Link

The open space area along the easterly boundary of the Community, adjacent to El Toro Road, is one of the most northerly links in the "Aliso Creek Corridor, From the Mountains to the Sea." This is a regional system of trails and parks which has been recognized and planned for more than fifteen years. Uses in this area include hiking and equestrian trails, equestrian center, open areas for rest stops, picnics and viewpoints, and other recreation uses of a passive, outdoor nature.

Westerly Link

The open space area along the westerly boundary of the Community will provide a link with the regional park in the Whiting Ranch Planned Community.

Permitted uses include open space, public and private recreation, and agricultural uses. A large recreation concourse is being considered in this area which may provide a staging area for the adjacent regional park.

Infrastructure systems are limited to those necessary for development of permitted uses and the adjacent urban areas.

All surface development of structures will require both Area Plan and Site Plan review prior to issuance of grading or building permits.

**SECTION VI
OPEN SPACE SITE DEVELOPMENT STANDARDS**

A. USES PERMITTED SUBJECT TO AN APPROVED AREA PLAN IN ACCORDANCE WITH SECTION XVII

Prior to clearance for a grading or building permit or the establishment of any of the following uses in any Open Space Planning Area, an Area Plan shall be approved covering the entire Portola Hills Planned Community. Site Plans, when required for individual projects, shall be approved in accordance with the approved Area Plan.

1. Infrastructure service facilities or extensions necessary for the development of the adjacent urban areas, including but not limited to the following:
 - a. Roads
 - b. Flood control works
 - c. Subterranean utility transmission lines
 - d. Water reclamation lakes and ponds
 - e. Water reservoirs
 - *f. Grading and fuel modification
 - g. Any other infrastructure service facility or extension necessary to serve the adjacent urban areas which is found to be consistent with Section V, by the Planning Commission.
- *Note: The County reserves the right not to accept lands offered for dedication in fee or easement which have been or are required for grading, buttressing, fuel modification or other activity inconsistent with public use.
2. Public or quasi-public uses including but not limited to the following:
 - a. Parks
 - b. Pedestrian, bicycle and equestrian trails
 - c. Rest stops
 - d. Nature study areas
 - e. Archeological and paleontological study sites

3. Grazing of cattle and sheep.
4. Other similar uses which are indicated on the approved Area Plan, and found to be consistent with Section V, by the Planning Commission.
5. Other uses and structures customarily incidental or necessary to the permitted uses.

B. USES PERMITTED SUBJECT TO AN APPROVED AREA PLAN AND SITE PLAN IN ACCORDANCE WITH SECTIONS XVII AND XVIII

Prior to clearance for issuance of a grading or building permit, or the establishment of any of the following uses, an Area Plan shall be approved covering the entire Portola Hills Planned Community. Site Plans for individual projects shall be approved in accordance with the approved Area Plan.

1. Commercial and non-profit recreational and recreation support uses, including but not limited to the following:
 - a. Stables and equestrian centers
 - b. Commercial recreation uses
 - c. Museums and nature study centers
 - d. Other similar open space and passive or active recreation uses which are found to be consistent with Section V, by the Planning Commission.
 - e. Other uses and structures customarily incidental or necessary to the main uses.
2. Water reservoirs and distribution facilities.
3. Water reclamation facilities.
4. Accessory structures and uses which are necessary or customarily incidental to the permitted uses.
5. Any other similar open space or recreation use which is found compatible with the purpose and objectives of Section V and which is indicated on an Area Plan or Site Plan approved by the Planning Commission.

C. SITE DEVELOPMENT STANDARDS

The following standards shall apply except as otherwise established by the approved Area Plan or Site Plan.

1. Building site area. No minimum.
2. Building height. Twenty-eight (28) feet maximum.

3. Building site coverage. Fifty (50) percent maximum.
4. Building setbacks. All buildings and structures shall be set back from all building site lines a distance equal to the height of the building or structure, but not less than twenty (20) feet minimum.
5. Off-street parking requirements. Off-street parking shall be provided as required by Section XV.
6. Signs. Signs shall be permitted in accordance with Section XVI.
7. Lighting. All lighting, exterior and interior, shall be designed and located to minimize power consumption and to confine direct rays to the premises.
8. Trash and storage area. All storage, including cartons, containers and trash shall be shielded from view within a building or area enclosed by a masonry wall not less than seven (7) feet in height. No such area shall be located within fifty (50) feet of any Residential Planning Areas unless it is fully enclosed.
9. Screening. Due to the open space character of many of the permitted uses, the following standards may not be appropriate in all cases, and alternative standards may be established by the approved Area Plan or Site Plan.
 - a. Abutting Residential Planning Areas. A screen shall be installed along all site boundaries where the premises abut Residential Planning Areas. Except as otherwise provided, the screening shall have a total height of not less than six (6) feet and not more than seven (7) feet. Where there is a difference in elevation on opposite sides of the screen, the height shall be measured from the highest elevation.
 - b. Streets and Intersections. Screening along all streets and intersections shall be a minimum of 36 inches and a maximum of 42 inches within twenty (20) feet of the intersection of:
 - (1) A vehicular accessway or driveway and a street.
 - (2) A vehicular accessway or driveway and a sidewalk, and
 - (3) Two or more vehicular accessways, driveways or streets.
 - c. Parking areas abutting highways. An opaque screen shall be installed along all parking areas abutting a highway. Except as otherwise provided, the screening shall have a total height of not less than thirty-six (36) inches and not more than forty-two (42) inches. Where

- there is a difference in elevation on opposite sides of the screen, the height shall be measured from the highest elevation.
- d. Notwithstanding the requirements listed above, where the finished elevation of the property at the boundary line, or within five (5) feet inside the boundary line, is lower than an abutting property elevation, such change in elevation may be used in lieu of, or in combination with, additional screening to satisfy the screening requirements of this section.
 - e. A screen as referred to above shall consist of one or any combination of the following:
 - (1) Walls: A wall shall consist of concrete or similar type of solid masonry material a minimum of four (4) inches thick.
 - (2) Berms: A berm shall be constructed of earthen materials and it shall be landscaped.
 - (3) Fences, solid: A solid fence shall be constructed of wood or other materials a minimum nominal thickness of two (2) inches and it shall form a screen.
 - (4) Landscaping: Vegetation, emphasizing native trees or shrubs.
 - f. Mechanical equipment. Mechanical equipment placed on any roof such as, but not limited to, air conditioning, heating, ventilating ducts and exhaust, shall be reasonably screened from view from any street or highway and any area zoned for residential uses within the Portola Hills Planned Community.
10. Landscaping. Due to the open space character of many of the permitted uses, the following standards may not be appropriate in all cases. Landscaping, consisting of trees, shrubs, and ground cover shall be installed and maintained subject to the following standards unless alternative standards are established by the approved Area Plan or Site Plan.
- a. Boundary landscaping is required for a minimum depth of fifteen (15) feet along all property lines abutting arterial highways except for the area required for street openings and the area within ten (10) feet on either side of street openings.
 - b. An additional amount, equal to at least ten (10) percent of the net area of the parcel, is required and a minimum of fifty percent (50%) of such landscaping shall be located in the area devoted to parking.

- c. Separation. Any landscaped area shall be separated from an adjacent vehicular area by a wall or curb at least four (4) inches higher than the adjacent vehicular area or in some manner be protected from vehicular damage.
 - d. Watering. Permanent automatic watering facilities shall be provided for all landscaped areas.
 - e. Maintenance. All landscaping shall be maintained in a neat, clean and healthy condition. This shall include proper pruning, mowing of lawns, weeding, removal of litter, fertilizing, replacement of plants when necessary and the regular watering of all plantings.
11. Fences, walls, maximum height:
- a. Security fences may be the height shown on the approved Area Plan or Site Plan without any limit.
 - b. Perimeter fencing and walls shall be consistent with the requirements for the abutting Planning Areas.

SECTION VI.a
PARK ZONE REGULATIONS

PURPOSE AND OBJECTIVES

The purpose of the Park Zone is to create development standards and permit uses associated parks to ensure that they serve the immediate, as well as nearby, neighborhoods, in the best manner possible. The Park Zone differs from Open Space in that parks have a more developed nature and amenities to support organized activities and sports.

All parks established in conjunction with the Park Zone within the Portola Hills Planned Community shall be done so subject to Area Plan and Site Plan review as outlined in Sections XVII and XVIII.

Alternatives to site development standards for development in the Park Zone may be approved through the Site Development Permit process.

SECTION VI.B
PARK ZONE DEVELOPMENT STANDARDS

A. USES PERMITTED SUBJECT TO AN APPROVED AREA PLAN AND SITE PLAN AS PROVIDED IN SECTION XVIII

The following park uses are permitted in any Park Zone of the Portola Hills Planned Community, except Open Space Planning Areas, subject to an approved Area Plan and Site Plan in accordance with Sections XVII and XVIII.

1. Public and private parks
2. Playground structures
3. Ballfields, lighted or unlighted
4. Restroom Facilities
5. Maintenance Facilities and Structures
6. Pedestrian (walking and hiking) and bicycle trails
7. Nature study areas
8. Public Utility Buildings, structures, and facilities, including, but not limited to, electrical, water, seware, telephone and telegraph, cavble TV, and other similar services, and their storage, distribution, treatment, or production facilities.
9. Any other similar park-related use found by the Planning Commission to be consistent with this Section, which is indicated on an approved Site Plan.

B. SITE DEVELOPMENT STANDARDS

The following standards shall apply and are subject to an approved Area Plan and Site Plan as provided in Section XVII.

1. Building site area. No minimum
2. Building site width and depth. No minimum.
3. Building height limit. 18 feet maximum.
4. Building setbacks. As approved on the site plan.
5. Off-street parking requirements. In accordance with Zoning Ordinance Section 9.168.010

6. Signs. To be approved through a Planned Sign Program and in accordance with Section XVI of this text.
7. Lighting. All lighting, exterior and interior, shall be designed and located to confine direct rays to the premises.
8. Trash and storage areas. All storage, including cartons, containers or trash, shall be shielded from view within a building or area enclosed by a wall of not less than six (6) feet in height. Areas shall be integrated into a building whenever possible. No such area shall be located within fifty (50) feet of any residential planning unit unless it is fully enclosed.
9. Screening.
 - a. Abutting Residential Planning Areas. A screen, as defined in subsection e. below, shall be installed along site boundaries where the premises abut residential uses. Screening shall be in accordance with subsection e.
 - b. Streets and Intersections. Screening along all streets shall be a minimum of 36 inches and a maximum of 42 inches in height within twenty (20) feet of the point of intersection of:
 - i. A vehicular accessway or driveway and a street.
 - ii. A vehicular accessway or driveway and a sidewalk.
 - iii. Two or more vehicular accessways, driveways or streets.
 - c. Parking areas abutting streets and highways. A screen shall be installed along all parking areas abutting a street or highway. Except as otherwise provided, the screening shall have a total height of not less than thirty-six (36) inches and more than forty-two (42) inches.
 - d. Notwithstanding the requirements listed above, where the finished elevation of the property at the boundary line, or within five (5) feet inside the boundary line, is higher or lower than an abutting property elevation, such change in elevation may be used in lieu of, or in combination with, additional screening to satisfy the screening requirements for this section.
 - e. A screen as referred to in a., b., and c., above, shall consist of one or any combination of the following types:
 - i. Walls including retaining walls: A wall shall consist of concrete, stone, brick, tile or similar type of solid masonry material a minimum of six (6) inches thick.
 - ii. Berms: A berm shall be constructed of earthen materials and it shall be landscaped.
 - iii. Fences, solids: A solid fence shall be constructed of wood or other materials a minimum nominal thickness of two (2) inches and it shall form an opaque screen.

- iv. Fences, open: An open fence shall be constructed of metal pickets, glass, or wood pickets that allow views and light to pass through, but create an adequate separation between two areas.
- f. Mechanical equipment. Mechanical equipment placed on any roof, such as but not limited to, air condition, heating, ventilating ducts and exhaust, shall be screened from view from any abutting street or highway and any abutting areas zoned for residential or open space within the Planned Community.
- g. Landscaping. Landscaping, consisting of evergreen or deciduous trees, shrubs, and ground cover shall be installed and maintained subject to the following standards:
 - i. Boundary landscaping should be consistent with existing public landscaping.
 - ii. An additional amount of landscaping, equal to at least five (5) percent of the net area of the parcel, is required, and a minimum of twenty-five (25) percent of such landscaping shall be located in the area devoted to parking.
 - iii. Separation. Any landscaped area shall be separated from an adjacent vehicular area by a wall or curb at least four (4) inches higher than the adjacent vehicular area or shall in some other manner be protected from vehicular damage.
 - iv. Watering. Permanent automatic watering facilities shall be provided for all landscaped areas.
 - v. Maintenance. All landscaping shall be maintained in a neat, clean and healthy condition. This shall include proper pruning, mowing of lawns, weeding, removal of litter, fertilizing, replacement of plants when necessary and the regular watering of all plantings.

**SECTION VII
COMMERCIAL USE REGULATIONS**

PURPOSE AND OBJECTIVES

The purpose of these provisions is to regulate the design and development of commercial projects in the Portola Hills Planned Community. It is an objective of this section to permit a variety of compatible uses and facilities supportive of the general community and consistent with the mixed use concept. These regulations permit retail and service commercial uses of a community commercial variety. The size of the site effectively controls the compatibility of uses.

Consistent with the mixed-use concept, the regulations permit the following uses in addition to conventional retail uses: business, professional and administrative offices; public administration and governmental offices and facilities; commercial recreation; and community facilities and community service facilities.

All commercial uses covered by this section and Section VIII, Commercial Site Development Standards, are to be located in Planning Area 5. The size of Planning Area 5 may be reduced and the area may be added to adjacent Business Park Planning Areas only if at least an entire Planning Unit is changed from the Commercial designation to the Business Park designation on the Area Plan-Planning Area/Planning Unit Map.

The transition from Commercial to Business Park may only take place if no uses which are inconsistent with the Business Park Site Development Standards in Section X have been approved or established in the Commercial Planning Unit.

All commercial development in the Portola Hills Planned Community is subject to Area Plan and Site Plan review as outlined in Sections XVII and XVIII.

The initial Area Plan shall cover the entire Planned Community. After the initial Area Plan covering the entire Planned Community is approved, subsequent amend-

ments shall cover at least an entire Planning Unit. Review of amendments to the initial Area Plan shall be limited to the Planning Units which are being proposed for change.

Area Plans and Site Plans may be approved which establish alternative development standards and uses.

**SECTION VIII
COMMERCIAL SITE DEVELOPMENT STANDARDS**

A. USES PERMITTED SUBJECT TO AN APPROVED AREA PLAN AND SITE PLAN AS PROVIDED IN SECTIONS XVII AND XVIII

Prior to approval of any tentative subdivision map or clearance for issuance of a building or grading permit, an Area Plan shall be approved covering the entire Planned Community. Site Plans for individual uses shall be approved in accordance with the approved Area Plan or amendment thereof, prior to clearance for building or grading permits.

The following uses are permitted in Commercial Planning Areas:

1. Retail commercial businesses.
2. Service commercial businesses.
3. Administrative, professional and business offices.
4. Cultural facilities.
5. Cafes, restaurants, bars and cocktail lounges.
6. Commercial recreation.
7. Hotels and motels, subject to County noise standards.
8. Research and development.
9. Community facilities as provided in Sections XIII and XIV.
10. Accessory structures or uses which are customarily incidental or necessary to the permitted main uses.
11. Massage Establishments with approval of a Use Permit and in accordance with Chapter 5.07 (Massage Establishments) of the Lake Forest Municipal Code. (Ordinance 195)
12. Any other similar use which is found compatible with the purpose and objectives of Section VII and which is indicated on an approved Area Plan, Site Plan or amendment thereof, approved by the Planning Commission.
13. Adult Businesses- subject to adult business license required by Chapter 5.10 of the Lake Forest Municipal Code and also the locational standards found in Chapter 9.08.012 of the Lake Forest Municipal Code. (Ordinance 142)

B. SITE DEVELOPMENT STANDARDS

The following standards shall apply except as otherwise established by the approved Area Plan, Site Plan or amendment thereof.

1. Building site area. No minimum. The maximum is the net usable area as indicated on the Statistical Summary on the Development Plan.
2. Building site width and depth. No minimum.
3. Building height limit. Thirty-five (35) feet maximum for commercial uses. Fifty (50) feet maximum for commercial/residential mixed uses in the same building.
4. Building setbacks. Twenty (20) feet minimum from all property lines abutting Residential Planning Areas. No minimum from business park or commercial uses or building sites. Ten (10) feet minimum from all property lines abutting a street.
5. Off-street parking requirements. Off-street parking shall be provided as required by provisions of Section XV.
6. Signs. Signs shall be permitted in accordance with Section XVI.
7. Lighting. All lighting, exterior and interior, shall be designed and located to confine direct rays to the premises.
8. Loading. All loading shall be performed on the site. Loading platforms and areas shall be screened from view from adjacent streets, highways and Residential Planning Areas.
9. Trash and storage areas. All storage, including cartons, containers or trash, shall be shielded from view within a building or area enclosed by a wall of not less than six (6) feet in height. No such area shall be located within fifty (50) feet of any Residential Planning Area unless it is fully enclosed.
10. Enclosed uses. All uses permitted together with their resulting products shall be contained entirely within a completely enclosed structure, except for off-street parking and loading areas, areas for sale of nursery stock, automobile washing areas, outdoor dining areas, outdoor recreation uses, or other similar uses indicated on the approved Area Plan or Site Plan.
11. Screening. (Required screening is not counted as part of Net Usable Acres.)
 - a. Abutting Residential Planning Areas. An opaque screen as defined in subsection e. below shall be installed along the site boundaries where the premises abut Residential Planning Areas. Except as otherwise provided below, the screening shall have a total height of not less

- than six (6) feet nor more than seven (7) feet, except for landscaping, which may be higher.
- b. Streets and intersections. Screening along all streets shall have a height of not less than thirty-six (36) inches nor more than forty-two (42) inches within twenty (20) feet of the point of intersection of:
 - (1) A vehicular accessway or driveway and a street.
 - (2) A vehicular accessway or driveway and a sidewalk.
 - (3) Two or more vehicular accessways, driveways or streets.
 - c. Parking areas abutting highways. A screen shall be installed along all parking areas abutting highways. Except as otherwise provided below, the screening shall have a total height of not less than thirty-six (36) inches and not more than forty-two (42) inches.
 - d. Notwithstanding the requirements listed above, where the finished elevation of the property at the boundary line, or within five (5) feet inside the boundary line, is higher or lower than an abutting property elevation, such change in elevation may be used in lieu of, or in combination with additional screening to satisfy the screening requirements of this section.
 - e. A screen as referred to in a., b. and c. above shall consist of one or any combination of the following:
 - (1) Walls including retaining walls: A wall shall consist of concrete, stone, brick, tile or similar type of solid masonry material a minimum of six (6) inches thick.
 - (2) Berms: A berm shall be constructed of earthen materials and it shall be landscaped.
 - (3) Fences, solid: A solid fence shall be constructed of wood or other materials a minimum nominal thickness of two (2) inches and it shall form a solid screen.
 - (4) Landscaping: Vegetation, consisting of evergreen or deciduous trees or shrubs.
 - f. Mechanical equipment. Mechanical equipment placed on any roof such as, but not limited to, air conditioning, heating, ventilating ducts and exhaust shall be screened from view from any abutting street or highway and any abutting area zoned for residential uses within the Portola Hills Planned Community.

12. Landscaping. Landscaping, consisting of a combination of evergreen or deciduous trees, shrubs, ground cover, or hardscape shall be installed and maintained subject to the following standards (required landscaping is not counted as a part of Net Usable Acres):
- a. Boundary landscaping abutting arterial highways is required to an average depth of fifteen (15) feet with a minimum depth of five (5) feet.
 - b. Boundary landscaping abutting public streets, other than arterial highways, is required to an average depth of ten (10) feet with a minimum depth of five (5) feet.
 - c. An additional amount of landscaping area, equal to at least five (5) percent of the net usable area of the parcel, is required and a minimum of fifty percent (50%) of such landscaping shall be located in the area devoted to parking.
 - d. Separation. Any landscaped area shall be separated from an adjacent vehicular area by a wall or curb at least four (4) inches higher than the adjacent vehicular area or shall in some manner be protected from vehicular damage.
 - e. Watering. Permanent or temporary automatic watering facilities shall be provided for all landscaped areas.
 - f. Maintenance. Required landscaping shall be maintained in a neat, clean and healthy condition. This shall include proper pruning, mowing of lawns, weeding, removal of litter, fertilizing, replacement of plants when necessary and the regular watering of all plantings.

**SECTION IX
BUSINESS PARK USE REGULATIONS**

PURPOSE AND OBJECTIVES

The purpose of these provisions is to regulate the design and development of the Portola Hills Planned Community Business Park. The industrial and business districts are designed to help provide a balanced economic and employment base for the community.

The Business Park is located in proximity to surrounding residential areas to minimize commuter work trips and vehicle miles traveled, thus helping to mitigate air quality and traffic impacts.

It is the intent of this section to permit the location of businesses and industries engaged primarily in compatible light manufacturing; business, professional and administrative offices; general manufacturing; service industries; contractor and construction industries; and, in certain areas, subject to stringent performance standards, indoor or outdoor manufacture or storage of heavy equipment or materials. Also permitted are limited service commercial uses, exclusively accessory and/or supplementary to the Business Park uses. Heavy commercial activities not accommodated in the commercial areas are also permitted in the Business Park.

The Business Park district regulations are designed to ensure compatibility with adjacent land uses and the overall character of the community. The regulations provide for high standards of developmental quality.

An Area Plan is required to cover the entire Planned Community, and subsequent Site Plans are required to be consistent.

An Area Plan or Site Plan may be approved which establishes alternative site development standards in the Business Park. Site Plans are required for all

development within the Business Park, prior to clearance for issuance of building or grading permits.

**SECTION X
BUSINESS PARK SITE DEVELOPMENT STANDARDS**

**A. USES PERMITTED SUBJECT TO AN APPROVED AREA PLAN AND SITE PLAN
AS PROVIDED IN SECTIONS XVII AND XVIII**

Prior to clearance for issuance of a building or grading permit, an Area Plan shall be approved covering the entire Planned Community. Site Plans for individual uses shall be approved in accordance with the approved Area Plan, prior to clearance for issuance of building or grading permits.

The following uses are permitted in Business Park Planning Areas:

1. Manufacturing plants and facilities.
2. Assembly plants and facilities.
3. Research laboratories and facilities.
4. Product development facilities.
5. Testing laboratories and facilities.
6. Service industries including but not limited to the following:
 - a. Repair, maintenance or servicing of appliance, component parts, etc.
 - b. Tooling and small machine shops.
 - c. Testing shops.
 - d. Photofinishing and photographic processing facilities.
 - e. Blueprinting, reproduction and copying services, photo-engraving, printing, publishing and bookbinding.
 - f. Drycleaning and laundry plants.
 - g. Any other similar use which is found compatible with the purpose and objectives of Section IX and which is indicated on an Area Plan or Site Plan approved by the Planning Commission.
7. Industries engaged in distribution, storage and warehousing.
8. Wholesale businesses.
9. Construction industries such as general contractors and specialty contractors, etc., together with their accessory and incidental office uses.

10. Caretakers' quarters (one per building site), subject to County noise standards.
11. Storage facilities, including but not limited to the following:
 - a. Boat storage.
 - b. Recreation vehicle storage.
 - c. Mini-warehouse storage facilities.
 - d. New automobile storage.
12. Motion picture, video, television and recording studios.
13. Administrative, professional and business offices.
14. Service commercial, as support for the permitted industrial uses, including, but not limited to the following:
 - a. Banks and other financial institutions.
 - b. Barber shops.
 - c. Beauty salons, excluding Massage Establishments, which are prohibited.
 - d. Restaurants, food service facilities and cocktail lounges.
 - e. Health and athletic facilities.
 - f. Travel agencies.
 - g. Office furniture, equipment and supplies.
 - h. Employment and temporary help agencies.
 - i. Advertising services.
 - j. Blueprinting, reproduction and copying services, photo-engraving, printing, publishing and bookbinding.
 - k. Janitorial services.
 - l. Hotels and motels, subject to County noise standards.
 - m. Any other similar use which is found compatible with the purpose and objectives of Section IX and which is indicated on an Area Plan or Site Plan approved by the Planning Commission.
15. Heavy retail and heavy service commercial, including but not limited to the following:
 - a. Rental and sales agencies for automobiles, recreational vehicles, trucks, trailers, boats and motorcycles and service in connection therewith.
 - b. Automobile repair garages, fender and body repair and paint shops.
 - c. Tire recapping facilities.
 - d. Rental and sales agencies for garden and home equipment.

- e. Rental and sales agencies for agricultural, industrial and construction equipment, and service in connection therewith.
 - f. Wholesale and/or retail lumber yards, plumbing supplies and general home improvement centers.
 - g. Wholesale and/or retail nurseries and garden shops.
 - h. Warehouse and sales outlets for furniture, carpets, appliances, etc.
 - i. Any other similar use which is found compatible with the purpose and objectives of Section IX and which is indicated on an Area Plan or Site Plan approved by the Planning Commission.
16. Commercial recreation uses.
 17. Historical, religious and charitable organizations and structures.
 18. Public utilities buildings, structures, and facilities including the following:
 - a. Communication facilities and offices.
 - b. Electrical distribution facilities and offices.
 - c. Wastewater treatment plants and facilities.
 - d. Sewage and solid waste treatment plants and disposal or resource recovery facilities.
 - e. Water reclamation facilities.
 - f. Production, distribution, storage or treatment facilities for electricity, water, sewage, telephone or telegraph.
 - g. Any other similar use which is found compatible with the purpose and objectives of Section IX and which is indicated on an Area Plan or Site Plan approved by the Planning Commission.
 19. Executive apartment accessory to an office or business use.
 20. Heliports or helistops.
 21. Community facilities as provided in Sections XIII and XIV.
 22. Accessory uses customarily incidental or ancillary to the main uses.
 23. Any other industrial or commercial use which is found to be consistent with the purpose and objectives of Section IX, and, which is indicated on an approved Area Plan or Site Plan approved by the Planning Commission.
 24. Adult Businesses- subject to adult business license required by Chapter 5.10 of the Lake Forest Municipal Code and also the locational standards found in Chapter 9.08.012 of the Lake Forest Municipal Code. (Ordinance 142)

B. SITE DEVELOPMENT AND PERFORMANCE STANDARDS

The following standards shall apply except as otherwise established by the approved Area Plan or Site Plan.

1. Land use mix. The following uses shall be limited to the percentage of developable area indicated.

| Land Use | Minimum Percentage of Developable Area | Maximum Percentage of Developable Area |
|--------------------|---|---|
| Service Commercial | - | 20% |
| Heavy Commercial | - | 30% |
| Office | 10% | 40% |
| Business Park | 20% | 80% |

For purposes of assessing compliance of mixed use developments with the maximum and minimum percentages specified above, mixed use developments may be counted as any one of the land uses at the discretion of the developer.

2. Building site area. No minimum.
3. Building height limit. As established by the Area and Site Plan process.
4. Building line regulations. All setbacks shall be measured from the ultimate right-of-way line and interior property lines.
 - a. Adjacent to a residential street. Buildings shall be located at least forty (40) feet from the curb line along any street abutting a residential area with the exception that structures of less than twenty (20) feet in height may encroach into the required setback area no more than twenty (20) feet and may cover no more than fifty (50) percent of the required setback area.
 - b. Adjacent to a nonresidential arterial highway. Along any highway abutting a nonresidential planning area, buildings shall be setback a minimum of thirty (30) feet from the curb line, except that unsupported roofs, sun-screens, or architectural element serving energy or aesthetic needs may project six (6) feet into the required setback area.
 - c. Adjacent to local nonresidential street. Along any local street abutting a nonresidential planning area, buildings shall be setback a minimum of fifteen (15) feet from the curb line, except that unsupported roofs or sun-screens may project six (6) feet into the required setback area.
 - d. Adjacent to an industrial parcel. Along property lines that separate industrial uses there shall be no required minimum setback.

- e. Adjacent to a residential parcel. Abutting a Residential Planning Area there shall be a setback minimum of forty (40) feet or a distance equal to the height of the building, whichever is greater.
5. Site coverage. No minimum.
6. Signs. Signs shall be permitted in accordance with Section XVI.
7. Off-street parking. Off-street parking shall be provided in accordance with Section XV.
8. Lighting. All lighting, interior and exterior, shall be designed and located to minimize power consumption and to confine direct rays to the premises.
9. Loading. All loading shall be performed on the site. Loading platforms and areas shall be screened from view from adjacent streets, highways and Residential Planning Areas.
10. Trash and storage areas. All storage, including cartons, containers, materials, products or trash, shall be shielded from view within a building or area enclosed by a solid masonry wall not less than six (6) feet in height. No such area shall be located within fifty (50) feet of any Residential Planning Area unless it is fully enclosed.
11. Enclosed uses. All uses permitted together with their resulting products shall be contained entirely within a completely enclosed structure, except for off-street parking, loading, and nursery stock sale areas, outdoor dining, automobile washing areas, or other similar uses indicated on an approved Site Plan.
12. Screening. (Required screening is not counted as part of Net Usable Acres.)
 - a. Abutting Residential Planning Areas. An opaque screen shall be installed along all site boundaries where the premises abut Residential Planning Areas. Except as otherwise provided, the screening shall have a total height of not less than six (6) feet nor more than seven (7) feet. Where there is a difference in elevation on opposite sides of the screen, the height shall be measured from the highest elevation.
 - b. Streets and intersections. Screening along all streets shall have a height of not less than thirty-six (36) inches nor more than forty-two (42) inches within twenty (20) feet of the point of intersection of:
 - (1) A vehicular accessway or driveway and a street.

- (2) A vehicular accessway or driveway and a sidewalk.
- (3) Two or more vehicular accessways, driveways or streets.
- c. Parking areas abutting highways. An opaque screen shall be installed along all parking areas abutting a highway. Except as otherwise provided, the screening shall have a total height of not less than thirty-six (36) inches and not more than forty-two (42) inches. Where there is a difference in elevation on opposite sides of the screen, the height shall be measured from the highest elevation.
- d. Notwithstanding the requirements listed above, where the finished elevation of the property at the boundary line, or within five (5) feet inside the boundary line is lower than an abutting property elevation, such change in elevation may be used in lieu of, or in combination with, additional screening to satisfy the screening requirements for this section.
- e. Outdoor storage. All outdoor storage of materials and products shall be screened from view from adjacent streets and highways and Residential Planning Areas in the Portola Hills Planned Community.
- f. A screen as referred to in a., b. and c. above shall consist of one or any combination of the following:
 - (1) Walls including retaining walls: A wall shall consist of concrete, stone, brick, tile or similar type of solid masonry material a minimum of six (6) inches thick.
 - (2) Berms: A berm shall be constructed of earthen materials and it shall be landscaped.
 - (3) Fences, solid: A solid fence shall be constructed of wood or other materials a minimum nominal thickness of two (2) inches and it shall form a solid screen.
 - (4) Landscaping: Vegetation, consisting of evergreen or deciduous trees or shrubs.
- g. Mechanical equipment. Mechanical equipment placed on any roof such as, but not limited to, air conditioning, heating, ventilating ducts and exhaust shall be screened from view from any abutting street or highway and any abutting area zoned for residential uses within the Portola Hills Planned Community.

13. Landscaping. Landscaping, consisting of a combination of evergreen or deciduous trees, shrubs, ground cover, or hardscape shall be installed and maintained subject to the following standards (required landscaping is not counted as a part of Net Usable Acres):
 - a. Boundary landscaping abutting arterial highways is required to an average depth of fifteen (15) feet and a minimum depth of five (5) feet.
 - b. Boundary landscaping along public streets, other than arterial highways, is required to an average depth of ten (10) feet and a minimum depth of five (5) feet.
 - c. Side and rear setback areas. All unpaved, non-work areas not utilized for parking or storage shall be landscaped.
 - d. An additional amount of landscaping area, equal to at least five (5) percent of the net usable area of the parcel, is required and a minimum of fifty percent (50%) of such landscaping shall be located in the area devoted to parking.
 - d. Separation. Any landscaped area shall be separated from an adjacent vehicular area by a wall or curb at least four (4) inches higher than the adjacent vehicular area or shall in some manner be protected from vehicular damage.
 - e. Watering. Permanent automatic watering facilities shall be provided for all landscaped areas.
 - f. Maintenance. All landscaping shall be maintained in a neat, clean and healthy condition. This shall include proper pruning, mowing of lawns, weeding, removal of litter, fertilizing, replacement of plants when necessary and the regular watering of all plantings.
14. Environmental pollution control. Any permitted business or industrial use shall be performed or carried out entirely within a building that is designed and constructed so that the enclosed operations and uses do not cause or produce a nuisance to adjacent sites, such as but not limited to the following: radio frequency interference; sound, vibration, electro-mechanical disturbance, electromagnetic disturbance, radiation, air pollution, dust, emission of toxic or nontoxic odors, or toxic or nontoxic matter or liquids.

15. Residential developments (executive apartments) on separate building sites shall be developed in accordance with the appropriate residential development standards contained in Section IV.
16. Residential developments (executive apartments) combined with other permitted uses on the same building site shall be developed in accordance with the Business Park Site Development Standards.

SECTION XI
NEIGHBORHOOD MIXED-USE REGULATIONS

PURPOSE AND OBJECTIVES

Commercial uses are concentrated in the mixed-use area, which is intended to function as the social, commercial and activity center for the project. In order to serve this function, a mixture of commercial and residential uses within the same building(s) is permitted in the Mixed-Use District (“MU”).

The Mixed-Use District strives to achieve the following:

- To foster a sense of community and provide a social gathering spot for the neighborhood.
- To provide areas for office uses, retail stores and service establishments offering commodities and services required by residents of the project and adjacent neighborhoods.
- To encourage commercial and residential uses concentrated for the convenience of the public and for a more mutually beneficial relationship to each other.
- To promote sustainability and walkability within the project by reducing dependency on automobiles.
- To promote high standards of site planning, architectural and landscape design for mixed-use developments within the City of Lake Forest.

SECTION XII
NEIGHBORHOOD MIXED-USE DEVELOPMENT STANDARDS

- A. Uses permitted subject to the approval of an area plan and site plan as provided in Section XVII

The following uses are permitted in the Mixed Use Planning Areas:

| Use | Application Required |
|---|-------------------------|
| Neighborhood-serving retail businesses Apparel and Shoe Stores Antique Shops Art galleries Bicycle Shops Food and Grocery Stores Food- or drink-related uses (8 or fewer seats) Gift Shops Hardware Stores Health and Beauty Aid Stores Home Furnishing and Decorations Jewelry and Watch Stores Photography shops and portrait studios Stationary Shops | Site Development Permit |
| Neighborhood-serving service businesses Beauty, Hair, and Nail Salons Day Spas Dry Cleaners Financial Institutions Health Clubs Jewelry and Watch Repair Laundromats Mailing and shipping services Printing and duplicating services Real estate offices Tax preparation services | Site Development Permit |

| | |
|---|--|
| Offices (Administrative, professional, medical or business) | Site Development Permit |
| Cafes, restaurants, and food- or drink-related uses (over 8 seats) | Use Permit |
| Residential uses, on upper floors only | Site Development Permit |
| Senior housing, on upper floors only | Site Development Permit |
| Community care facilities serving six or fewer persons, per State law | Permitted in existing residential unit |
| Congregate care facilities serving more than twelve persons | Use Permit |
| Large family day care homes, per State law | Permitted in existing residential unit |
| Alcohol Sales (on- or off-site consumption), as an ancillary use only | Use Permit |
| Other uses deemed by the Planning Commission as meeting the purpose and intent of this district | Use Permit |

B. Site Development Standards

The following standards shall apply except as otherwise established by the approved Site Plan or amendment thereof.

1. Building site area. No minimum.
2. Building site width and depth. No minimum.
3. Building height limit. 35 feet maximum for commercial use only. 45 feet maximum for buildings with a residential component on an upper floor.
4. Building setbacks. As approved on a tract map or site plan.
5. Mixture of Uses. Nonresidential uses are permitted on the ground floor only. Residential uses are permitted only on upper floors. The placement of residential and nonresidential uses on the same floor is not permitted.
6. Off-street parking requirements. In accordance with Zoning Ordinance Section 9.168.010
7. Signs. To be approved through a Planned Sign Program and in accordance with Section XVI of this text.

8. Lighting. All lighting, exterior and interior, shall be designed and located to confine direct rays to the premises.
9. Loading. All loading shall be performed on the site. Any loading platforms and areas shall be screened from view from adjacent streets, highways and residential uses.
10. Trash and storage areas. All storage, including cartons, containers or trash, shall be shielded from view within a building or area enclosed by a wall of not less than six (6) feet in height. Areas shall be integrated into a building whenever possible. No such area shall be located within fifty (50) feet of any residential planning unit unless it is fully enclosed.
11. Residential Uses. In accordance with Section IV.C.2 of this text (multi-family development standards) and multi-family standards in Zoning Ordinance Section 9.146.070
12. Enclosed uses. All uses permitted together with their resulting products shall be contained entirely within a completely enclosed structure, except for off-street parking and loading areas, outdoor dining areas, or other similar uses indicated on the approved Area Plan or Site Plan.
13. Total number of units. As shown on the Statistical Summary of the Planned Community Development Plan and the Statistical Analysis of the approved Area Plan or amendment thereof.

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**SECTION XIII
COMMUNITY FACILITY USE REGULATIONS**

PURPOSE AND OBJECTIVES

The purpose of these regulations is to provide for those support uses which are customarily established within a community but which must be closely monitored to ensure compatibility with surrounding uses.

All community facility uses established in the Portola Hills Planned Community shall be done so subject to Area Plan and Site Plan review as outlined in Sections XVII and XVIII.

A Site Plan may be approved which establishes alternative site development standards for Community Facilities.

**SECTION XIV
COMMUNITY FACILITY SITE DEVELOPMENT STANDARDS**

**A. USES PERMITTED SUBJECT TO AN APPROVED AREA PLAN AND SITE PLAN
AS PROVIDED IN SECTION XVIII**

The following community facilities and uses are permitted in any Planning Area of the Portola Hills Planned Community, except Open Space Planning Areas, subject to an approved Area Plan and Site Plan in accordance with Sections XVII and XVIII.

1. Community facilities including but not limited to the following:
 - a. Community centers.
 - b. Civic and cultural facilities.
 - c. Intra-community directional signs.
 - d. Security facilities and structures.
 - e. Maintenance facilities and structures.
2. Community service and community service commercial facilities such as, but not limited to the following:
 - a. Churches.
 - b. Fire stations.
 - c. Schools.
 - d. Day nursery.
 - e. Nursery schools.
 - f. Community information centers.
 - g. Congregate care facilities.
3. Model homes and/or sales offices, including signs and mobile coaches, for the first sale of new homes, with signs in connection therewith.
4. Any other similar community facility use found by the Planning Commission to be consistent with Section XIII and which is indicated on an approved Site Plan.

The following community facilities and uses are permitted in any Planning Area of the Portola Hills Planned Community, including Open Space Planning Areas, subject

to an approved Area Plan and Site Plan in accordance with Sections XVII and XVIII:

1. Public and private parks.
2. Riding, hiking and bicycle trails.
3. Riding clubs, stables and show rings.
4. Ranger stations.
5. Public utility buildings, structures, and facilities, including, but not limited to, electrical, water, sewage, telephone and telegraph, cable TV, and other similar services, and their storage, distribution, treatment, or production facilities.
6. Any other similar community facility use found by the Planning Commission to be consistent with Section XIII and which is indicated on an approved Site Plan.

B. SITE DEVELOPMENT STANDARDS

The following standards shall apply except as otherwise established by the approved Site Plan.

1. Building site area. Same as the district in which the use is established.
2. Building height limit. Thirty-five (35) feet maximum.
3. Building setbacks. Community facilities shall have the same setback requirements as the land use category in which such facilities are being established.
4. Off-street parking. Off-street parking shall be provided in accordance with the requirements of Section XV.
5. Signs. Signs shall be permitted in accordance with Section XVI.
6. Trash and storage area. All storage, including cartons, containers and trash shall be shielded from view within a building or area enclosed by a masonry wall not less than six (6) feet in height. No such area shall be located within fifty (50) feet of any Residential Planning Area unless it is fully enclosed.
7. Screening.
 - a. Abutting Residential Planning Areas. A screen, as defined in subsection e. below, shall be installed along all site boundaries where the premises abut areas zoned for residential uses. Except as

- otherwise provided, the screening shall have a total height of not less than six (6) feet nor more than seven (7) feet.
- b. **Streets and Intersections.** Screening along all streets shall be a minimum of 36 inches and a maximum of 42 inches in height within twenty (20) feet of the point of intersection of:
- (1) A vehicular accessway or driveway and a street.
 - (2) A vehicular accessway or driveway and a sidewalk.
 - (3) Two or more vehicular accessways, driveways or streets.
- c. **Parking areas abutting streets and highways.** A screen shall be installed along all parking areas abutting a street or highway. Except as otherwise provided, the screening shall have a total height of not less than thirty-six (36) inches and not more than forty-two (42) inches.
- d. Notwithstanding the requirements listed above, where the finished elevation of the property at the boundary line, or within five (5) feet inside the boundary line, is higher or lower than an abutting property elevation, such change in elevation may be used in lieu of, or in combination with, additional screening to satisfy the screening requirements for this section.
- e. A screen as referred to in a., b. and c. above, shall consist of one or any combination of the following types:
- (1) **Walls including retaining walls:** A wall shall consist of concrete, stone, brick, tile or similar type of solid masonry material a minimum of six (6) inches thick.
 - (2) **Berms:** A berm shall be constructed of earthen materials and it shall be landscaped.
 - (3) **Fences, solid:** A solid fence shall be constructed of wood or other materials a minimum nominal thickness of two (2) inches and it shall form an opaque screen.
- f. **Mechanical equipment.** Mechanical equipment placed on any roof, such as, but not limited to, air conditioning, heating, ventilating ducts and exhaust, shall be screened from view from any abutting street or highway and any abutting areas zoned for residential or open space within the Portola Hills Planned Community.

8. Landscaping. Landscaping, consisting of evergreen or deciduous trees, shrubs, and ground cover shall be installed and maintained subject to the following standards:
- a. Boundary landscaping is required to be consistent with the underlying zoning.
 - b. An additional amount of landscaping, equal to at least five (5) percent of the net area of the parcel, is required, and a minimum of twenty-five (25) percent of such landscaping shall be located in the area devoted to parking.
 - c. Separation. Any landscaped area shall be separated from an adjacent vehicular area by a wall or curb at least four (4) inches higher than the adjacent vehicular area or shall in some other manner be protected from vehicular damage.
 - d. Watering. Permanent automatic watering facilities shall be provided for all landscaped areas.
 - e. Maintenance. All landscaping shall be maintained in a neat, clean and healthy condition. This shall include proper pruning, mowing of lawns, weeding, removal of litter, fertilizing, replacement of plants when necessary and the regular watering of all plantings.

**SECTION XV
OFF-STREET PARKING REGULATIONS**

Parking standards shall be in accordance with Section 7-9-145 "Off-Street Parking Regulations" of the Zoning Code.

**SECTION XVI
SIGN REGULATIONS**

A. PURPOSE AND INTENT

The purpose of this section is to establish standards for the uniform regulation of signs throughout the Portola Hills Planned Community.

The intent of this section is to permit adequate signing for those uses which need them and to prevent unnecessary and unsightly signs which may mar the beauty and disrupt the function of the community.

The following regulations shall apply to all residential and nonresidential uses in the Portola Hills Planned Community.

B. USES PERMITTED

Signs shall be established as part of an approved Area Plan, Site Plan, or a Sign Program.

The following standards shall apply except as otherwise established by an approved Area Plan, Site Plan or Sign Program.

1. Freestanding signs.

- a. In addition to the requirements of Section XVIII, applications for free standing ground signs shall be accompanied by scale drawings indicating the size, sign copy, colors, method and intensity of illumination, height, sign area, and general location of all signs on the building site. One (1) identification free standing ground sign may be permitted as accessory to a main use for each building site with a street frontage in excess of ninety-nine (99) feet. Where the building site abuts more than one (1) street, one (1) additional such identification sign is permitted on each additional street frontage that is in excess of ninety-nine (99) feet in length. In no case shall there be

- more than one (1) such sign on each street frontage for each building site.
- b. Temporary signs advertising the sale, lease or rental of the property upon which the sign is located. Such signs shall not exceed a vertical height of eight (8) feet, a horizontal length of ten (10) feet, nor a total area of thirty-two (32) square feet.
 - c. Temporary signs denoting the architect, engineer or contractor placed on the premises where construction, repair or renovation is in progress. Such signs shall not exceed a vertical height of eight (8) feet, a horizontal length of eight (8) feet, nor a total area of thirty-two (32) square feet.
 - d. Signs or bulletin boards customarily incidental to places of worship, libraries, museums, social clubs or societies, cemeteries and other public or nonprofit institutions. Such signs shall not be erected in the public safety area nor exceed a total area of twenty-four (24) square feet.
 - e. Temporary signs advising of future construction on the site upon which the sign is located. Such signs shall not exceed a vertical height of eight (8) feet, a horizontal length of eight (8) feet, nor a total area of twenty-four (24) square feet.
 - f. Planned community travel direction signs. Such signs shall not exceed a vertical height of twenty-two (22) feet.
 - g. Planned community reassurance signs. Such signs shall not exceed a vertical height of sixteen (16) feet, nor a total area of one hundred (100) square feet.
 - h. Temporary onsite and offsite signs in connection with model homes and/or model home sales offices, including commercial coaches as indicated on the approved Site Plan.
- (1) In addition to the requirements of Section XVIII, applications for such signs shall be accompanied by drawings drawn to scale indicating the type, size, sign copy, colors, method and intensity of illumination, height, sign area, and location of all signs proposed.

- (2) Such signs shall not exceed a vertical height of sixteen (16) feet, a horizontal length of eight (8) feet, nor a total area of one hundred (100) square feet.
- i. Temporary onsite and offsite signs in connection with temporary sales offices established for the first sale of lots as indicated on the approved Site Plan. In addition to the requirements of Section XVIII, applications for such signs shall be accompanied by drawings drawn to scale indicating the type, size, sign copy, colors, method and intensity of illumination, height, sign area and location of all signs proposed.
 - j. Community facility identification signs. Such signs shall not exceed a vertical height of six (6) feet, nor a total area of one hundred (100) square feet.
 - k. Community identification signs. Such signs shall not exceed a vertical height of six (6) feet, nor a total area of one hundred (100) square feet.
 - l. Community event bulletin board. Such signs shall not exceed a vertical height of six (6) feet, nor a total area of one hundred (100) square feet.
 - m. Intra-community directional signs. Such signs shall not exceed a vertical height of sixteen (16) feet, nor a maximum area of one hundred (100) square feet and may be located in the highway right-of-way subject to approval of a sign program.
2. Wall signs. Business or identification wall signs shall be permitted for each business (multiple dealerships do not constitute a separate business for purposes of applying this section), industrial or nonresidential use and shall not exceed one (1) square foot of sign area for each linear foot of frontage of the building, or portion thereof. The total aggregate sign area for such signs shall not exceed one hundred fifty (150) square feet for each such use. If the building frontage of any such use is less than twenty-five (25) feet, only one sign, having a maximum area of twenty-five (25) square feet, shall be permitted for each such use.
3. Automobile service station signs. Signs for automobile service station sites are permitted subject to the following limitations as indicated on the approved Site Plan:

- a. The total area of all signs shall not exceed an aggregate of two hundred (200) square feet on the premises. Notwithstanding the provisions of Subsection 1 and 2 above, only the following signs are permitted.
- (1) One monument sign, not to exceed four (4) feet in height and thirty-five (35) square feet in area, may be located along each street frontage abutting the site.
 - (2) Two (2) freestanding, permanently affixed, price signs not to exceed six (6) square feet in area each, provided that on corner sites such signs may be located no closer than one hundred (100) feet from the point of intersection of the abutting streets.
 - (3) The maximum size of any sign shall not exceed one hundred (100) square feet in area.
 - (4) Any additional signs shall be placed on or affixed to a structure.
 - (5) Advertising devices and advertising displays are prohibited on any service station building site.
4. Signs located within malls, courts, arcades or other enclosed areas, where such signs are not visible from any point on the boundary of the premises, are permitted without limitation to size and number.
5. Community facility identification signs. In addition to the requirements of Section XVIII, applications for such signs shall be accompanied by drawings drawn to scale, indicating the type, size, sign copy, colors, method and intensity of illumination (if appropriate), height, sign area, and location.
6. Community identification signs. In addition to the requirements of Section XVIII, applications for such signs shall be accompanied by drawings drawn to scale, indicating the type, size, sign copy, colors, method and intensity of illumination (if appropriate), height, sign area and location.

NOTE: Adequate assurance that a method or procedure shall be provided which guarantees the continued maintenance of the sign or signs and the removal of such sign or signs upon expiration or revocation of the sign permit shall be required as a condition of approval of a Site Plan in connection with community identification signs.

7. Sign Programs. Sign Programs for shopping centers, commercial centers and other uses required to comply with the Site Plan review procedures of Section XVIII shall comply with Section 1-6 above except as otherwise specified by the approved Sign Program. A Sign Program may be approved which establishes alternative development standards.
 - a. A Sign Program is intended to encourage incentive and latitude in order to achieve uniformity in design, location and materials within a project to promote an appealing design.
 - b. In addition to the requirements of Section XVIII, the application for a Sign Program shall be accompanied by the following documents:
 - (1) Coverage area: A map, drawn to scale, delineating the site proposed to be included within the Sign Program.
 - (2) Building elevations: Drawings and/or sketches indicating the exterior surface details of all structures on the site.
 - (3) Signing: Drawings of a uniform scale shall be used to indicate the sign copy size, method and intensity of illumination, height, sign area and general location of all signs.

C. USES PROHIBITED

1. Outdoor advertising signs.
2. Outdoor advertising structures.
3. Roof signs, except as provided in this text.
4. Freestanding signs, except as provided in this text.
5. Advertising devices and advertising displays, except as shown on an approved Area Plan or Site Plan (e.g., flags, etc.).
6. Rotating, revolving, flashing or moving signs.
7. Vehicles or other signs or devices in the public right-of-way when used as advertising devices or displays.
8. Vehicles or other signs or devices not permitted by this section when used as advertising devices or displays.
9. Advertising signs on bus benches, within or outside of the public right-of-way.
10. Portable signs.

D. GENERAL REQUIREMENTS

1. No freestanding sign or structure shall be permitted closer than five (5) feet of the ultimate street or highway right-of-way line.
2. All illuminated signs or lighting devices shall employ only lights emitting a light of constant intensity, and no sign shall be illuminated by or contain flashing, intermittent, rotating or moving lighting or lights. In no event shall an illuminated sign or lighting device be so placed or so directed as to permit the beams and illumination therefrom to be directed or beamed upon a public street, highway, sidewalk or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance.
3. Intra-community directional signs may be placed in the street or highway right-of-way, subject to approval of a sign program by the Director, EMA, or upon his referral, by the Planning Commission.
4. Signs not to constitute traffic hazard: No person shall erect or maintain or cause to be erected or maintained any sign which simulates or imitates in size, color, lettering or design any traffic sign or signal, or which makes use of the words "STOP," "LOOK," "DANGER" or any other words, phrases, symbols or characters in a manner to interfere with, mislead or confuse traffic.

SECTION XVII
AREA PLAN REGULATIONS AND PROCEDURES

A. PURPOSE AND INTENT

Prior to or concurrent with the approval of the first tentative tract map, site plan, or clearance for the issuance grading or building permit (whichever occurs first within the Planning Area), the landowner shall obtain approval of an Area Plan as required in the following:

The initial Area Plan shall cover the entire Portola Hills Planned Community.

The initial Area Plan or any amendment thereof may establish subdivisions of a Planning Area(s) for the purpose of allocating dwelling units or establishing the location of nonresidential land uses. A subdivision of a Planning Area shall be called a Planning Unit.

No reallocation of dwelling units or relocation of nonresidential land uses from one Planning Unit to another Planning Unit shall be approved without the consent of all property owners of the undeveloped portions of the Planning Units from which and to which the dwelling units and/or nonresidential land use(s) are proposed to be reallocated or relocated.

After the initial Area Plan covering the entire Planned Community is approved, subsequent amendments shall cover at least an entire Planning Unit. Review of amendments to the initial Area Plan shall be limited to the Planning Unit(s) which is being proposed for change.

The purpose of requiring an Area Plan is to provide opportunity for public review of the project proposal. The Area Plan provides a method for review and input from the community and governmental agencies on the relationships of uses and design within at least an entire Planning Area or Planning Unit.

An Area Plan may be approved which establishes alternative site development standards or uses for residential and nonresidential projects.

After first occupancy of an individual dwelling unit, the site development standards contained in the governing subsection of the Residential Site Development Standards of this text and those established by any applicable Area Plan or Site Plan shall apply to that dwelling unit and shall only be modified subject to the variance procedure contained in the Orange County Zoning Code or by an amendment or revision to the Area Plan or Site Plan approved in the same manner and applying to the same area as the originally approved Area Plan or Site Plan.

B. CONTENT

The initial Area Plan and any amendments thereof shall contain the following information, when applicable to the project proposals:

- a. Location, acreage, and type of land use for each Planning Unit.
- b. Number of dwelling units to be developed on each Planning Unit, with identification of any candidate affordable housing sites.
- c. General street/corridor layout and width.
- d. General location and acreage of landscape, natural open space, and recreation areas.
- e. Park location, acreage and implementation plan.
- f. The boundaries of approved subdivision maps.
- g. Identification of open space areas which have been dedicated or offered for dedication to the County of Orange.
- h. Candidate school site(s).
- i. Location and land use of all nonresidential areas.
- j. Topography: existing and proposed (i.e., concept grading plan).
- k. Existing structures and development on adjacent parcels, to a minimum of one hundred (100) feet from the Area Plan boundary.
- l. General location of bicycle, pedestrian and equestrian trails.
- m. General location and treatment of any significant cultural/scientific resources.
- n. General location of any significant vegetation and wildlife resource and an indication of the resources to be altered and the resources to be preserved.

- o. General location and treatment of scenic highways.
- p. General location of extensions of offsite roads or utilities through a Planning Area to serve adjacent area.
- q. Designation of Planning Units, with a Statistical Analysis allocating dwelling unit maximums to each Planning Unit that permits residential uses.
- r. Area Plans abutting an Open Space Planning Area shall contain the following additional information, either on the map or on an appropriate graphic or text:
 - (1) Urban Edge Treatment describing the interface treatment area between the urban and open space uses in a manner consistent with the General Plan and Planned Community Text.
 - (2) Fire Protection Edge Treatment including any fuel breaks **or** fuel modification zones in a manner consistent with the General Plan and the Fire Protection Planning Task Force Report.
 - (3) Open Space Dedication in accordance with any offer of dedication required by provision of the Portola Hills Planned Community Development Plan and Supplemental Text or by conditions of approval for the Portola Hills Planned Community. Note: The County reserves the right not to accept lands offered for dedication in fee or easement which have been or are required for grading, buttressing, fuel modification or other activity inconsistent with public use.
- s. Any additional background and supporting information that the project proponent, Director, EMA, or Planning Commission deems necessary for a clear presentation of the proposal, which may include, but is not limited to, the following:
 - Master Land Use Plan
 - Design Plan
 - Public Facilities Phasing and Financing Plan
 - Grading Concept Plan
 - Landscape Concept Plan
 - Circulation Plan
 - Public and Private Recreational Facilities Plan
 - Recreation Phasing Plan
 - Affordable Housing Implementation Plan
 - Open Space Plan
 - Drainage Master Plan
 - Sewer Master Plan
 - Water Distribution Master Plan
 - Dry Utilities Plan
 - Fuel Modification Plan
 - Wall Plan
 - Maintenance Responsibilities Plan
 - Preliminary Geotechnical Study
 - Phase I
 - Traffic Study
 - Hydrology Study
 - Soils Report

- Water Quality Management Plan (WQMP)
- Noise Analysis
- Cultural Resource Study
- Biological Resource Survey
- Title Report
- Tentative A Map (Master Tentative Tract Map)
- Environmental Checklist form and consultant deposit for project-level CEQA analysis”

C. PROCEDURES

1. The initial Area Plan covering the entire Planned Community shall be approved concurrent with or prior to approval of a tentative subdivision map, Site Plan, or, clearance for issuance of building or grading permits for any portion of the Planned Community. Any Area Plan or amendment thereof shall be submitted to and approved by the Planning Commission. Area Plans may be approved which establish alternative development standards for both residential and nonresidential projects.
2. The initial Area Plan or any amendment thereof may establish subdivisions of a Planning Area(s) for the purpose of allocating dwelling units or establishing the location of nonresidential land uses. A subdivision of a Planning Area shall be called a Planning Unit. No reallocation of dwelling units or relocation of nonresidential land uses from one Planning Unit to another Planning Unit shall be approved without the consent of all property owners of the undeveloped portions of the Planning Units from which and to which the dwelling units and/or nonresidential land use(s) are proposed to be reallocated or relocated.
3. After the initial Area Plan covering the entire Planned Community is approved, subsequent amendments shall cover at least an entire Planning Unit. Review of amendments to the initial Area Plan shall be limited to the Planning Unit(s) which is being proposed for change.
4. The following activities do not require the approval of a revision or amendment to the Area Plan prior to clearance for issuance of building or grading permits.
 - a. Extension of an offsite road or utility through a Planning Area or Planning Unit to serve adjacent areas being developed, when the extension is consistent with the Orange County General Plan.
 - b. Temporary uses such as, but not limited to, construction offices, relocatable buildings for sales offices, etc.
 - c. Minor structural additions to existing uses.
 - d. Directional signs and identification signs.
 - e. Similar uses and activities of a minor nature, as determined by the Director, EMA.
5. An Area Plan may be processed concurrently with the Planned Community Development Plan and Supplemental Text, a Site Plan(s) or tentative map(s). Final approval of any tentative map(s) affected shall be concurrent with or follow approval of an Area Plan or amendment thereof.
6. Any proposal to reallocate the number of dwelling units assigned to a Planning Unit from one Planning Unit to another Planning Unit by more than ten percent (10%) shall require an amended Area Plan and may require an amended Community Profile to be approved by the Planning

Commission. Changes of less than ten percent (10%) may be approved administratively by the Planning Director, EMA.

Any proposal to reallocate the number of dwelling units from one Planning Unit to another shall require submittal of the following information:

- a. A table and map showing all proposed changes to the Area Plan Map and Statistical Analysis;
 - b. A statement, diagram, or analysis explaining the effects of the proposed changes on the Planning Units proposed to be revised;
 - c. An analysis of the consistency of the proposed changes with the Planned Community Development Plan and Supplemental Text;
 - d. Identification on the Statistical Analysis of the number of units approved on tentative tract maps or on recorded tract maps and those units under construction at the time of the proposed Statistical Analysis revision;
 - e. Identification of the ownership of parcels to be affected by the proposed Statistical Analysis revision.
7. An Area Plan may be filed which proposes a reduction of acreage in Planning Area 4 and a corresponding increase in the size of adjacent Business Park Planning Areas. The size of Planning Area 4 may be reduced and the area may be added to adjacent Business Park Planning Areas only if at least an entire Planning Unit is changed from the Commercial designation to the Business Park designation on the Area Plan-Planning Area/Planning Unit Map. The transition from Commercial to Business Park may only take place if no uses which are inconsistent with the Business Park Site Development Standards in Section X have been approved or established in the Commercial Planning Unit.
8. The above listed material shall be submitted in the form and number prescribed by the Director, EMA. The Area Plan or amendment thereof shall be accepted for filing when all the materials listed above have been submitted in the prescribed form and number. Public notice shall be placed in a newspaper of circulation in the area of the proposal at least ten (10) days prior to the Planning Commission public meeting. The Planning Commission shall review and act upon the plans in a timely manner after their acceptance.

9. When an Area Plan proposes to establish alternative development standards, the Area Plan shall provide, through the submittal of a plan and text, a description of the proposed alternative development standards and how they differ from the baseline standards. In addition, the Planning Commission shall consider the following criteria prior to final action on the Area Plan.
 - a. **General Character.** Harmony in scale, bulk, coverage, and density with surrounding land uses.
 - b. **Facilities.** The availability of infrastructure facilities to serve the project.
 - c. **Harmful Effects.** The harmful effects, if any, upon desirable neighborhood environments.
 - d. **Traffic.** The generation of traffic and its effect on the capacity and character of surrounding streets.
 - e. **Noise.** The existing and predictable future level and quality of noise the property is subject to and the noise which will be generated by the proposed use.
 - f. **Suitability.** The physical suitability of the site for the proposed project.
 - g. **Burden of Proof.** When an Area Plan or Site Plan proposes to establish alternative development standards, the burden of proof shall be on the project proponent to show how the project will result in the same (or less) physical impact by the establishment of the proposed alternative development standards. Failure by the project proponent to prove that granting of the establishment of alternative development standards will result in the same or less impact shall result in denial of the Area Plan.

If, after deliberation, the approving authority is not convinced that the impact of the project will be the same or less as a result of the alternative development standards proposed, the Area Plan shall be denied.
10. The Planning Commission shall approve, conditionally approve, or deny an Area Plan or amendment thereof.
11. Each approved Area Plan or amendment thereof will have the force and effect of an Orange County Precise Plan, and the appropriate County agencies shall enforce any conditions of approval and ensure that develop-

ment is substantially in accordance with the approved plan. However, detailed information shown on the Area Plan, such as local street alignments, architectural features, type and location of buildings, lot lines, and similar specific information, shall be for information purposes only unless the approving authority specifically approves such details. Subsequent subdivision maps and Site Plans which contain detailed information different from the approved Area Plan may be approved without amending the approved Area Plan. Any substantial deviation from the approved plan, as determined by the Director, EMA, shall require approval of an amendment to the Area Plan.

12. Action on an Area Plan or amendment thereof may be appealed by any interested person within fifteen (15) days following the date of final termination. An appeal must be in writing and must set forth the reason(s) for the appeal and evidence why the Board of Supervisors should hear the appeal. Appeals without merit will not be accepted. The Planning Commission or the Board shall determine the merit of an appeal. An appropriate fee shall be charged for appeals.
13. An Area Plan may be amended or revised using the same procedure listed above.
14. It is the intent of these procedures that any subsequent development proposal, or addition to existing development which is in substantial compliance with the approved Area Plan, shall not be required to process an amendment or revision to the Area Plan.

SECTION XVIII
SITE PLAN REGULATIONS AND PROCEDURES

A. PURPOSE AND INTENT

The purpose of a Site Plan is to provide community and governmental representatives with an opportunity to review detailed plans of all multiple family residential projects and nonresidential projects within a community and also to provide a method for establishing alternative site development standards for single family and duplex residential uses.

A Site Plan may be approved which establishes alternative site development standards and uses for residential and nonresidential projects. Such Site Plans shall be heard by the Planning Commission in a public hearing.

All Site Plans must be consistent with the approved Area Plan or the latest approved amendment thereof.

B. CONTENT

Site Plans shall contain the following data, when applicable to the project proposal:

1. Plot Plans--drawn to scale, fully dimensioned and easily readable, containing the following:
 - a. Title block (applicant's name and date drawn).
 - b. Scale and north arrow.
 - c. Property lines or building sites, dimensioned.
 - d. Existing use of property.
 - e. Location, acreage, and proposed type of land use for each building site.
 - f. Buildings; existing and proposed, use, location and size.
 - g. Number of dwelling units to be developed on each building site.
 - h. Streets/corridor; location and width.
 - i. Easements; location purpose and width.

- j. Access (driveways, etc.) existing and proposed.
- k. Parking areas.
- l. Signs; location, height, dimensions, and copy if available.
- m. Fencing (walls); type, location and height.
- n. Location, acreage, and ownership of landscape, natural open space, and recreation uses.
- o. Landscape and screening areas.
- p. Topography, existing and proposed (i.e., concept grading plan).
- q. Existing structures within one hundred (100) feet, location, height, uses.
- r. Location, width and treatment of bicycle, pedestrian, and equestrian trails.
- s. Location and treatment of cultural/scientific resources.
- t. Location of significant vegetation and wildlife resources and an indication of the resources to be altered and the resources to be reserved.
- u. Location and treatment of scenic highways.
- v. A description of the way in which the Site Plan implements the approved Area Plan or latest amendment thereto.
- w. Site Plans abutting an Open Space Planning Area shall contain the following additional information, either on the map or on an appropriate graphic or text:
 - (1) Urban Edge Treatment describing the interface treatment area between the urban and open space uses in a manner consistent with the General Plan and Area Plan.
 - (2) Fire Protection Edge Treatments including any fuel breaks or fuel modification zones in a manner consistent with the General Plan and the Fire Protection Planning Task Force Report.
 - (3) Open Space Dedication in accordance with any offer of dedication required by conditions of approval for the Portola Hills Planned Community.
- x. Any additional background and supporting information that the project proponent, Director, EMA, or Planning Commission deems necessary for a clear presentation of the proposal.

2. Elevations--of all structures (including walls and signs), including but not limited to the following:
 - a. All exterior materials.
 - b. All exterior colors.
 - c. Building height.
 - d. If the Site Plan is for a residential development, typical elevations may be provided.
3. Preliminary Landscape Plans - including the following information:
 - a. General location of all plant materials, by common and botanical names.
 - b. Size of plant materials, where applicable.

C. PROCEDURES

1. When required or, at the option of the property owner, when used to establish alternative residential development standard in accordance with these regulations, a Site Plan shall be submitted to and approved by the Director, EMA, or to the Planning Commission as required below, prior to clearance for issuance of any building or grading permit. At the discretion of the Director, EMA, minor projects which are accessory to or an expansion of an existing use may be exempted from the requirement for Site Plan review.
2. Site Plans shall be approved as precise plans for the location of the uses and structures shown on the approved plot plan. Any relocation, alteration or addition of any structure or use not specifically approved will nullify the approving action for a Site Plan. If any changes are proposed regarding the location or alteration of any use of structure, a changed plan may be submitted to the Director of Planning, EMA for approval. If the Director of Planning, EMA determines that the proposed change complies with the provisions and the spirit and intent of this approval action, and that the action would have been the same for the changed plan as for the approved plot plan, he may approve the changed plan without requiring a new public hearing.
3. A Site Plan may be processed concurrently with an Area Plan or tentative map(s).

4. When a project requiring approval of a Site Plan is to be developed in phases, a conceptual Site Plan may be submitted and processed in accordance with the procedures contained in this Section. A conceptual Site Plan may contain both specific and general data for the project. Building permits will only be cleared for issuance on those uses within the conceptual Site Plan which have complied with the requirements of subsection B.4. An amendment to the conceptual Site Plan may be necessary in order to provide the detailed information outlined in subsection B.4. for subsequent phases of the project.
5. The above listed materials shall be submitted in the form and number required by the Director, EMA. The Site Plan shall be accepted for filing when the above described materials have been submitted in the required form and number. The Director, EMA, or the Planning Commission, as required, shall review and take formal action on the proposal in a timely manner after acceptance.
6. When a Site Plan proposes to establish alternative development standards, the Site Plan shall provide, through the submittal of a plan and text, a description of the proposed alternative development standards and how they differ from the baseline standards. In addition, the Planning Commission shall consider the following criteria prior to final action on the Site Plan.
 - a. **General Character.** Harmony in scale, bulk, coverage, and density with surrounding land uses.
 - b. **Facilities.** The availability of infrastructure facilities to serve the project.
 - c. **Harmful Effects.** The harmful effects, if any, upon desirable neighborhood environments.
 - d. **Traffic.** The generation of traffic and its effect on the capacity and character of surrounding streets.
 - e. **Noise.** The existing and predictable future level and quality of noise the property is subject to and the noise which will be generated by the proposed use.
 - f. **Suitability.** The physical suitability of the site for the proposed project.

- g. Burden of Proof. When a Site Plan proposes to establish alternative development standards, the burden of proof shall be on the project proponent to show how the project will result in the same (or less) physical impact by the establishment of the proposed alternative development standards. Failure by the project proponent to prove that granting of the establishment of alternative development standards will result in the same or less impact shall result in denial of the Site Plan.

If, after deliberation, the approving authority is not convinced that the impact of the project will be the same or less as a result of the alternative development standards proposed, the Site Plan shall be denied.

7. The Director, EMA, or, upon referral, the Planning Commission, may approve, conditionally approve, or deny a Site Plan. However, when a Site Plan proposes the establishment of alternative development standards, the Planning Commission shall approve, conditionally approve, or deny the Site Plan. All Site Plans reviewed by the Planning Commission shall be advertised by a public notice in a newspaper of general circulation in the area of the project at least ten (10) days prior to the public meeting.
8. The appropriate county agencies shall insure that the actual development is consistent with the approved Site Plan. Minor deviation from the approved Site Plan, as determined by the Director, EMA, shall be permitted without an amendment to the Site Plan.
9. Action on a Site Plan may be appealed by any interested party within fifteen (15) days following the date of final determination. Appeals of a decision of the Director, EMA, shall be to the Planning Commission, and appeals of a decision of the Planning Commission shall be to the Board of Supervisors. An appeal must be in writing and must set forth the reason(s) for the appeal and evidence why the Planning Commission or Board of Supervisors should hear the appeal. Appeals without merit will not be accepted. The Planning Commission or the Board shall determine the merit of an appeal. An appropriate fee shall be charged for appeals.
10. A Site Plan may be amended or revised by the same procedure listed above.

**SECTION XIX
DEFINITIONS**

NOTE: Definitions preceded by an asterisk (*) are either different from, or in addition to, the definitions contained in the Orange County Zoning Code.

For the purposes of carrying out the intent of this Planned Community, words, phrases, and terms shall be deemed to have the meaning ascribed to them in the following sections covering definition.

The purpose of these provisions is to promote consistency and precision in the interpretation of this Planned Community. The meaning and construction of words and phrases as set forth shall apply throughout this Text, except where the context of such words or phrases clearly indicates a different meaning or construction.

GENERAL RULES FOR CONSTRUCTION OF LANGUAGE

The following general rules of construction shall apply:

1. The specific shall supersede the general.
2. In the case of any difference of meaning or implication between the text of the provision and any caption or illustration, the text shall control.
3. "Shall" is mandatory. "May" is discretionary.
4. Words used in the present tense include the future, and words used in the singular include the plural, and the plural the singular, unless the context clearly indicates the contrary.
5. Unless the context clearly indicates the contrary, the following conjunctions shall be interpreted as follows:
 - a. "And" indicates that all connected items or provisions shall apply.
 - b. "Or" indicates that the connected items or provisions may apply singly or in any combination.
 - c. "Either...or" indicates that the connected items or provisions shall apply but not in combination.

6. All public officials, bodies, and agencies to which reference is made are those of the County of Orange unless otherwise indicated.

GENERAL TERMS

1. The words "approved by the Director" refer to the Director of the Environmental Management Agency, County of Orange, or to his authorized agent or representative.
2. "Board" or "Board of Supervisors" have the same meaning.
3. "City" means any City in the County of Orange.
4. "Code" means the Comprehensive Zoning Code of the County of Orange, unless otherwise indicated.
5. "Commission" or "Planning Commission" have the same meaning.
6. "County" means the County of Orange.
7. "Days" included within a specific time period do not include the day action was taken but include all subsequent days unless the last day falls upon a Saturday, Sunday, or upon a legal County holiday, in which case the next business day shall be the last day of the time period.
8. The word "Director" or "Director, EMA" means the Director of the Environmental Management Agency, County of Orange, or his authorized agent or representative.
9. "Federal" means the Government of the United States of America.
10. "General Plan" means the Orange County General Plan.
11. "Government Code" means the California Government Code.
12. "Land Use Element" means the Land Use Element of the Orange County General Plan.
13. "Permitted" means permitted without the requirement for a discretionary permit but subject to all other applicable regulations.
14. "State" means the State of California.
15. "Used" includes "arranged for," "designed for," "occupied," or "intended to be occupied for."
16. "Zoning Code" means the Comprehensive Zoning Code of the County of Orange, including zoning district maps and planned community development plan maps and texts adopted pursuant to or as an amendment to section 7-9-48, and of which this Planned Community is a part.

NOTE: Definitions preceded by an asterisk (*) are either different than, or in addition to, the definitions contained in the Orange County Zoning Code.

DEFINITIONS (A)

Abutting land: Having a common boundary except that parcels having no common boundary other than a common corner shall not be considered abutting.

Accessory building: A subordinate building located on a building site, the use of which is customarily ancillary to that of a main building or to the use of the land.

Accessory use: A use ancillary and accessory to the principal use of the land or building site, or to a building or other structure located on the same building site as the principal use.

Actual construction: The actual placing of construction materials in their permanent position fastened in a permanent manner, except that where a basement is being excavated, such excavation shall be deemed to be actual construction, or where demolition or removal of existing building or structure has been started preparatory to rebuilding, such demolition or removal shall be deemed to be actual construction, providing, in all cases, that actual construction work be diligently carried on until the completion of the building or structure involved.

Administrative office: A place of business for the rendering of service or general administration, but excluding retail sales.

Adult entertainment business: See section 7-9-146 of the Zoning Code.

Agricultural mineral: Any mineral substance, mixture of mineral substances or mixtures of mineral and organic substances produced, labeled and sold as a soil additive, which does not require licensing by the State of California as a fertilizer pursuant to the California Agricultural Code, Title 3, Agriculture.

***Alley:** A public or private way permanently reserved as a means of access to abutting property and labeled as an alley on an approved tentative map. An alley shall not be considered a street.

Animal clinic: A place where animals no larger than the largest breed of dogs are given medical and surgical treatment. A facility primarily for treatment of outpatients, where only short-time critical patients are kept longer than twenty-four (24) hours. No boarding of animals shall be permitted.

Animal hospital, livestock: A place where livestock (horse, cows, etc.) and small animals are given medical or surgical treatment. Boarding of animals shall be incidental to such hospital use.

***Apartment complex:** Two (2) or more apartment houses constructed and operated as one multi-family residential entity.

***Apartment hotel:** An apartment house or apartment complex which provides centralized or common kitchen and dining facilities and domestic services.

***Apartment/apartment house:** Any building or portion thereof which is designed, built, rented, let or hired out to be occupied, or which is occupied as the home of residence of three (3) or more families living independently of each other and doing their cooking in said building.

***Area per units:**

- a. **Actual:** The area of a building site, in square feet, divided by the number of dwelling units on the building site.
- b. **Community Profile/Area Plan:** Gross area of the project site divided by the number of units in the project site.
- c. **Required:** The minimum square feet of land area required by a residential district for each dwelling unit within the building site.

***Area Plan:** A plan, consisting of maps and text, identifying development concepts for a planning area or planning unit.

Attached buildings and structures: Two (2) or more buildings or structures which are physically connected with a wall, roof, deck, floor, bearing or support structures, trellises, architectural features, or any other structure, fixture or device that exceeds thirty (30) inches in height above the finished grade.

Automobile repair specialty shop: A retail and service place of business engaged primarily in light repair and sale of goods and services for automotive vehicles including brake, muffler and tire shops and their accessory uses. Heavier automobile repair such as transmission and engine repair are not included herein.

***Automobile, trailer and mobile home sales lots:** An open area used for the display, sales or rental of new or used automobiles or trailer coaches; but where no repair, repainting or remodeling is done.

***Automobile service station:** A retail place of business engaged primarily in the sale of motor fuels and supplying only those incidental goods and services which are required in the day-to-day operation of automotive vehicles and the fulfilling of motorists' needs. Major repairs are not allowed in an automobile service station..

***Automobile wrecking business:** The dismantling or wrecking of used motor vehicles or trailers, or the storage or sale of dismantled or damaged vehicles or their parts.

DEFINITIONS (B)

Basement: A story partly underground and having more than one-half of its height above the ground-level grade.

***Bedroom:** Any habitable room other than the bathroom, kitchen, dining room, den, playroom, or living room.

***Bed and breakfast (B and B):** Any building or portion thereof with access provided through a common entrance to guest rooms having no cooking facilities and which are rented on a weekly basis or less. Meals may or may not be provided.

Boarding house: Any building or portion thereof with access provided through a common entrance to guest rooms having no cooking facilities and which are rented on a monthly basis or longer. Meals may or may not be provided.

Borrow site: An area used for the extraction of material in an amount in excess of five thousand (5,000) cubic yards.

Building: A structure having a roof supported by columns or walls.

***Building height:** The vertical distance measured from the ground-level grade to the top of the building. On a sloping site, height shall be measured from the highest point of the finished ground-level grade to the top of the roof line directly above that point. Flagpoles, chimneys, elevator sheds, mechanical equipment enclosures, and other similar architectural and mechanical features are not considered as part of the structure or building, for purposes of determining building height.

Building line: An imaginary line on a building site specifying the closest point from the ultimate right-of-way line or a property line where a main building may be located.

It may be a line shown as such on a map entitled "precise Plan of Highway Alignment" or any other officially adopted precise plan, and any amendments thereto. If no such precise plan has been adopted, the building line shall be a line as specified on the chart entitled "Building Lines" in Section 7-9-127.1 of the County of Orange Zoning Code.

When computed from the Building Lines Chart, the building line shall be at the required distance from, and measured at right angles to, the ultimate right-of-way line or property line.

Building site: A parcel or contiguous parcels of land which was established in compliance with the building site requirements of this code.

Building site area:

- (1) The total area of the land within the boundaries of a building site not including any street right-of-ways, pedestrian or vehicular easements or other easements that prohibit the surface use of the property; and not

including any portion which does not meet applicable district regulations when a building site is divided by such a right-of-way or easement.

- (2) That portion of a panhandle or flag lot building site that is used for access purposes and which is over twenty (20) feet in width may be used in calculating the area of a building site.
- (3) A building site of less than required area when calculated per (1) or (2) above, may be established if it is a part of a subdivision map and the Subdivision Committee had determined that the proposed building site will be able to provide a building pad or envelope comparable to similar building sites in the area.

***Building site coverage:** The area of the land within the perimeter of all structures located on the building site (not including the area under unenclosed eaves and unenclosed post-supported overhangs, patios, courts, malls, swimming pools and off-street parking facilities) divided by the building site area.

Building site, panhandle or flag: A building site wherein the only vehicular access to the site is by way of a corridor or vehicular access way which serves no other property, is less than forty (40) feet wide and is more than forty (40) feet long.

Building site through: A building having frontage on two (2) parallel or approximately parallel streets.

***Business or commerce:** The purchase, sale or other transaction involving the handling or disposition of any article, substance or commodity for profit or livelihood; the ownership or management of office buildings; recreational or amusement enterprises; maintenance and use of offices by professions and trades-rendering services.

***Business park:** An area zones for mixed industrial and related uses (including residential) which is planned and maintained as a unit, wherein the development of any property and the conducting of any permitted use is subject to stringent performance and site development standards which include setback regulations and the installation and maintenance of common areas, parking, lighting, landscaping and screening, and where on-street parking is discouraged.

DEFINITIONS (C)

***Caretaker:** A person who lives on the premises for the necessary purposes of managing, operating, maintaining, or guarding the primary use or uses permitted on the premises. The term includes but is not limited to a gardener, maid, butler, guard or other domestic or industrial/commercial custodian of the premises. The term includes the family of the caretaker who live in the same dwelling unit.

***Caretaker quarters:** Living quarters for the housing of a caretaker(s) and the family of the caretaker who live in the same premises.

***Carport:** A roofed structure, or a portion of a building, open on two (2) or more sides used for the parking of automobiles.

Cellar: A portion of a building partly or wholly underground and having more than one-half of its height below the ground-level grade. A cellar shall not be considered a story.

***Cemetery:** A place of interment permitting related additional uses such as but not limited to churches and mausoleums, subject to the Community Facility Site Development Standards.

Centerline: A line described in the first situation that applies in the following instances:

- a. A section line, half-section line or quarter-section line whenever a mapped highway is plotted on the "Master Plan of Arterial Highways" along a section, half-section or quarter-section line.
- b. A line shown as a centerline on a map entitled "Precise Plan of Highway Alignment," and any amendments thereto.
- c. A line shown as a centerline on a recorded tract map, an approved record of survey map or a parcel map.

- d. A line in the center of the ultimate street right-of-way.

Clinic, medical: An organization of doctors providing physical or mental health service and medical or surgical care of the sick or injured but not including inpatient or overnight accommodations.

Club: An association of persons for some common purpose but not including groups organized primarily to render services which are customarily carried on as businesses.

***Cluster development:** Refers to a residential subdivision consisting of a combination of residential lots and privately owned common recreation and open space areas arranged in accordance with a unified comprehensive site plan with adequate provisions for permanent maintenance of the common ownership facilities.

The entire development or specified portions of the development may be designated as a development unit. Each development unit may be considered a building site so that each residential lot does not have to comply with the requirements for a building site, and accessory structures including garages may be separated from the living unit. Each residential lot that does not comply with the building site requirements must abut the common area and have a guaranteed right of vehicular and pedestrian access to a public street for a minimum continuous width of twenty (20) feet.

***Commercial:** A business operated or carried on primarily for financial gain.

***Commercial coach:** A vehicle, with or without motive power, designed and equipped for occupancy for industrial, professional or commercial purposes, including temporary offices for the first sale of homes.

Commercial extraction: The removal or displacement of sand, gravel, rock, aggregate, earth, clay or similar materials conducted for financial gain. The exporting of more than five thousand (5,000) cubic yards of these materials from any property during each of two (2) consecutive years shall be prima facie evidence of a commercial extraction operation.

An extraction carried out as a necessary but supplemental part of a project leading to the impending development of the site is not a commercial extraction.

***Commercial recreation:** Any use or development, either public or private, providing amusement, pleasure or sport, which is operated or carried on primarily for financial gain including establishments where food and beverages are sold as a secondary or ancillary use.

***Common area - commercial (areas used in common):** The total area within a unified shopping center, town center, or business park that is not designed for rental to tenants and which is available for common use by all tenants or groups of tenants and their invitees; examples: parking and its appurtenances, malls, sidewalks, landscaped areas, public toilets, and service facilities.

***Common area - parking:** A parking plan whereby tenants of a commercial or industrial site, or a shopping center or business center, share use of a parking area even though lot lines may bisect the parking area. Some or all of the required parking for a given use may be located on a separate and non-abutting lot or building site.

***Common area - residential:** The area within a residential building site which is owned in common by homeowners in the development and which is available for common use or enjoyment by all property owners in the development and their invitees; example: common parking facilities, recreation areas, landscaped areas, open space areas, and natural areas.

***Communication equipment building:** A building housing operating mechanical or electronic switching and microwave equipment of a telephone or similar communication system and personnel necessary for operation of such equipment.

Community apartment project: A project in which an undivided interest in the land is coupled with the right of exclusive occupancy of an apartment located thereon.

Community facility: A noncommercial use established primarily for the benefit and enjoyment of the population of the community in which it is located.

***Community information center:** A temporary or permanent structure principally used as an information pavilion and/or temporary real estate sales office for the first sale of homes in a Planned Community, including parking and related facilities.

***Community service facility:** A community service commercial, or nonprofit, noncommercial use established primarily to service the immediate population of the community in which it is located.

***Community service commercial facility:** A service commercial use established primarily to serve the needs of the immediate population of the community in which it is located, including but not limited to daycare centers, nursery schools, commercial or community recreation centers and facilities.

***Condominium:** An estate in real property consisting of an undivided interest in common in a portion of a parcel of real property together with a separate interest in space in a residential, industrial or commercial building on such real property. A condominium may include, in addition, a separate interest in other portions of such real property.

***Condominium project:** An entire parcel of real property divided into condominiums, including all structures thereon.

***Congregate care facility:** A facility for the care and housing of persons over age 65, or other adult persons who are unable to care for themselves, with communal eating facilities available on-site, medical services available on-site or on-call, on a twenty-four (24) hour basis, and with other resident services available. Congregate care facilities are not considered residential uses for purposes of allocating dwelling units within this Planned Community.

***Conservation areas:** Lands which require preservation in a natural state, together with those other compatible uses such as passive recreation (such as viewpoints); limited active recreation (such as hiking and equestrian trails); area required for scientific study and interpretation; and those public service facilities and utilities required for public safety, health and welfare.

Convalescent home: A facility licensed by the State Department of Public Health, the State Department of Social Welfare or the County of Orange, which provides bed and ambulatory care for more than six (6) patients with postoperative convalescent, chronically ill or dietary problems and persons unable to care for themselves; including persons undergoing psychiatric care and treatment both as inpatients and outpatients but not including persons with contagious diseases or afflictions. A.k.a. nursing home, rest home, and home for the aged.

Conversion project: An apartment house, multiple or group dwelling existing, under construction or for which building permits have been issued, which is proposed for conversion to a residential condominium, community apartment, residential stock cooperative or planned development; or an existing mobile home park which is proposed to be converted to a mobile home condominium project, a mobile home stock cooperative project, a mobile home planned development or a conventional mobile home subdivision.

Conventional subdivision: Refers to a subdivision consisting primarily of streets and lots. Commonly owned or special use areas may be included but are secondary and supplementary to the subdivision's design.

***Country club:** A club organized and operated primarily for social and outdoor recreation purposes, including incidental accessory uses and structures.

DEFINITIONS (D)

***Day nursery (including preschool, day care centers and nursery schools):** Any group of buildings, building or portion thereof used primarily for the daytime care of six (6) or more children at any location other than their normal places of residence, excluding any children who normally reside on the premises.

***Density:** The number of dwelling units per gross acre.

Detached buildings and structures: Two (2) or more buildings or structures that are each structurally independent and freestanding and not connected by walls, roofs,

floors, deck, supports, trellises, architectural features or any other structure, fixture or device that exceeds thirty (30) inches in height above the finished grade.

Drive-in: Designed and operated so as to enable persons to receive a service or purchase or consume goods while remaining within a motor vehicle.

Development: Residential, commercial, industrial, community facility or other construction, including necessary grading, together with the land upon which the buildings or structures are constructed.

***Development unit:** A portion of a development plan or tentative tract map within which all lots and amenities are constructed or developed at one time as a unit of the overall proposed development and which complies with the requirements for a building site.

***Driveway:** A vehicular passageway for the exclusive use of the occupants of a project or property and their guests. A driveway shall not be considered a street.

Driveway approach: A designated area between the curb or travelled way of a street and the street right-of-way that provides vehicular access to abutting properties. When vehicular access to a building site is provided by way of a common driveway, the driveway approach is the line of intersection where the individual driveway abuts the common driveway.

***Dry cleaning and laundry agency:** A service business which provides for the deposit of laundry and dry cleaning on a walk-in or drive-in basis only, for processing either on premises or at a dry cleaning or laundry plant.

Dry cleaning plant: A central processing facility for cleaning of clothing and fabrics collected from and returned to patrons and to dry cleaning and laundry facilities.

Duplex dwelling: A permanent building containing two (2) dwelling units per building site.

***Dwelling, multiple-family:** A permanent building containing three (3) or more dwelling units per building site.

***Dwelling, single-family:** A building containing one (1) dwelling unit per building site.

Dwelling unit: One or more rooms in a structure, including a kitchen, designed for occupancy by one family for living and sleeping purposes, and including a mobile home when such mobile home bears an insignia of approval issued by the California Department of Housing and Community Development or a housing seal number from the Federal Department of Housing and Urban Development (HUD).

DEFINITIONS (E)

Easement: A recorded right or interest in the land of another which entitles the holder thereof to some use, privilege or benefit in, on, over or under said land.

***Educational institution:** Private or public schools, colleges or universities qualified to give general academic instruction.

Employee's quarters: Quarters for the housing of agricultural and domestic employees when such quarters are located upon the same land occupied by their employer.

Enclosed: Roofed and contained on all sides by walls which are pierced only by windows, vents, or customary entrances and exits.

***Exterior property line:** A property line abutting a public or private street right-of-way.

DEFINITIONS (F)

***Factory-built housing:** A single or multi-sectional dwelling unit whose modules are manufactured in a factory, transported to the building site, and affixed to a permanent foundation. Factory built housing does not include mobile homes.

Family: One or more persons occupying one dwelling unit. Family includes the occupants of community care facilities serving six (6) or fewer persons which are permitted or licensed by the State. Family does not include occupants of a fraternity, sorority, boarding house, lodging house, club, or hotel.

Family day care home: A home at which the resident of the home provides regular care, protection, and supervision of one to twelve children for periods of less than 24 hours per day. The provider shall be licensed per the State Health and Safety Code.

Family day care home, large: A family day care home which provides family day care for 7 to 12 children, including children who reside at the home.

***Feature Plan:** A plan including the significant natural and man-made features of the Community, with guidelines for their preservation, enhancement, development or removal.

Fertilizer: Chemical or organic products, produced, labeled and sold as fertilizer under licensing procedures of the State of California pursuant to the California Agricultural Code, Title 3, Agriculture.

Flood: Any temporary rise in stream flow or water surface level that results in adverse effects within the floodplain, including, but not limited to, damages from overflow of land, temporary backwater in local drainage channels, storm drains or sewers, bank erosion or channel diversions, unsanitary conditions or other conditions of nuisance resulting from deposition of materials within or adjacent to watercourses, rise of groundwater coincident with the rise in stream flow and the disruption of traffic circulation resulting from stream or watercourse overflow.

***Design flood:** The size of the flood for which natural waterways are to be left or modified or for which channelization is to be provided or for which flood proofing is required all to achieve specified flood protection levels.

***Flood plain:** The land area adjacent to a watercourse which is subject to overflow of floodwaters.

***Flood protection levels:** Flood protection levels are to be those specified in the Orange County Flood Control District's Hydrology Manual or those required to achieve the goals of the Federal Flood Insurance Administration.

***Floodway:** The channel of a stream or other watercourse and that part of the flood plain reasonably required for passage of a flood of given magnitude.

***Standard project flood:** The largest flood that can be expected from the most severe combination of meteorological and hydrological conditions considered reasonably characteristic of the geographical region involved. Such a flood provides a reasonable upper limit to be considered in designing flood control works and in delineating flood plain limits.

***One-hundred-year flood:** The highest level of flooding that has an average frequency of occurrence in the order of once in one hundred (100) years at a designated location, considering regional meteorological and hydrological conditions characteristic of the geographical region involved. This also means the level of flooding having a one percent probability of occurrence in any year. The one-hundred-year flood represents a major flood, although it is less severe than is the standard project flood.

***Floodproofing:** Any combination of structural and nonstructural additions, changes or adjustments to properties and structures which reduce or eliminate flood damage to lands, water and sanitary facilities, structures and contents of buildings.

***Floor area, gross:** The total horizontal floor area of all floors of a building, including the exterior walls thereof, measured in square feet; excepting that for commercial, professional and administrative office or industrial buildings or building complexes, areas used in common such as, but not limited to, covered malls, covered walkways, hallways, mechanical equipment areas, stairwells, elevators, lobbies, roofed patio areas, covered entries, covered parking, covered driveways, and covered loading areas shall not be included when calculating off-street parking requirements.

***Floor area ratio:** The numerical value obtained by dividing the gross floor area of a building or buildings located upon a lot or parcel of land by the total area of such lot or parcel of land.

Fraternity house or sorority house: A building, or portion of a building, occupied by a chapter of a regularly organized fraternity or sorority officially recognized by an educational institution.

DEFINITIONS (G)

***Garage:** A building, or a portion of a building, used primarily for the parking of wheeled motor vehicles.

***Garage, private:** A building, or portion of a building, used primarily for the parking of automobiles belonging to the occupants of the property.

***Garage, public:** A building other than a private garage used for the temporary storage of wheeled vehicles.

***General Plan:** Refers to the County of Orange General Plan and all elements thereof.

Grade, ground level: The average elevation, determined by averaging the elevations of four (4) or more points as necessary, at the building site boundary line where it is less than five (5) feet from the building or at five (5) feet outside the perimeter of the bearing or foundation line of building.

Grazing: The act of pasturing livestock on growing grass or other growing herbage, or on dead grass or other dead herbage existing in the place where grown, as the principal sustenance of the livestock so grazed.

***Gross area:** The entire land area within the boundary of a project, measured to the centerline of any abutting arterial highways.

***Gross residential density:** The density of a residential project computed by dividing the total number of dwelling units in the project by the gross area of the project. These calculations are used to measure compliance with the General Plan, Land Use Element and any Community Profile.

***Guest cottage (guest house):** A detached building which is used primarily for sleeping purposes for members of the family occupying the main dwelling or their nonpaying guests.

***Guest ranch:** Any property operated as a ranch which offers guest accommodations and shall include outdoor recreational facilities and accessory uses.

DEFINITIONS (H)

***Habitable room:** Any room meeting the requirements of the Uniform Building Code, as adopted by the County of Orange, for sleeping, living, cooking or dining purposes, excluding such enclosed spaces as closets, pantries, bath or toilet rooms, service rooms, connecting corridors, laundries, unfinished attics, foyers, storage spaces, cellars, utility rooms and similar spaces.

***Highway commercial center:** A commercial area, planned as a unit, adjacent to or near an arterial highway or freeway, providing goods and services to the motoring public as well as sites for businesses which ordinarily generate their own clientele and thereby do not rely upon proximity to other nearby business establishments.

Home for the aged: See Convalescent home.

Home occupation: An occupation conducted as an accessory use within a dwelling unit. See Section 7-9-146.6 of the Zoning Code.

Hospital: A facility licensed by the State Department of Public Health providing clinical, temporary or emergency service of a medical, obstetrical or surgical nature to human patients.

***Hotel:** Any building or portion thereof with access provided through a common entrance, lobby or hallway to guest rooms, with or without cooking facilities or retail commercial and other ancillary facilities, and which rooms are designed, intended to be used or are used, rented or hired out as temporary or overnight accommodations for guests.

DEFINITIONS (I)

***Institution:** A social, educational, governmental, health or religious organization.

***Interior property line:** A property line which does not abut a private or public street right-of-way.

DEFINITIONS (J)

***Joint use of parking:** The shared use of off-street parking facilities by more than one type of land use. The same parking spaces are counted to satisfy the off-street parking requirements of more than one land use, e.g., use of the same parking facility to satisfy the off-street parking requirements of a church and an office building.

DEFINITIONS (K)

***Kennel:** Any property where four (4) or more dogs or cats, or any combination thereof, over the age of four (4) months, are kept or maintained for any purpose. Kennels are prohibited in residential areas of the Portola Hills Planned Community.

***Key lot:** Any parcel shown on a recorded tract map, record of survey recorded pursuant to an approved division of land, parcel map, lot line adjustment or recorded Certificate of Compliance, having side property line(s) abutting the rear property line(s) of adjacent parcels.

***Land Use Element (LUE):** Refers to the Land Use Element of the Orange County General Plan.

***Local agency:** An agency for the local performance of governmental or proprietary function within limited boundaries. "Local Agency" does not include the state, a city, or a county. "Local Agency" does include but is not limited to school districts, sanitary and sanitation districts, and water districts.

Laundry plant: A central processing facility for laundering of clothing and fabrics collected from and returned to patrons and dry cleaning agencies.

Lot: Any area identified as a lot or parcel on a recorded final map, parcel map, record of survey recorded pursuant to an approved division of land, certificate of compliance or lot line adjustment. A lot is not necessarily a building site.

DEFINITIONS (M)

Main building(s): The building(s) containing the main or principal use(s) of the premises, or occupied for the purpose of operating or administering the main or principal use(s).

***Manufactured housing:** A dwelling unit produced in a factory which is a factory-built/modular home built to meet the Uniform Building Code in accordance with applicable factory-built regulations.

Master Plan of Arterial Highways: A component of the Transportation Element of the Orange County General Plan designating adopted and proposed routes for all commuter, secondary, primary, and major highways and transportation corridors within the County of Orange.

***Master Plan of County-Wide Bike Ways:** A component of the Transportation Element of the Orange County General Plan designating adopted and proposed integrated networks of bikeways.

Master Plan of Drainage: Refers to an engineering report outlining the drainage facilities needed for the proper development of a specific increment of the unincorporated area, and duly adopted by the Board of Supervisors.

***Microwave repeater stations:** A building housing equipment necessary for the receiving, amplifying or transmitting of microwave signals, including necessary antenna systems, along a communications route or system which employs microwave frequencies assigned by the Federal Communications Commission.

***Mining:** The process of obtaining sand, gravel, rock, aggregate, earth, clay or similar materials from an open excavation in the earth for financial gain, but not including removal of minerals extracted by underground methods. The exporting of more than

five thousand (5,000) cubic yards of these materials from any property during each of two (2) consecutive years shall be prima facie evidence of mining. Grading for purposes of approved development shall not constitute mining.

Mini-storage facility: A building or buildings containing various size storage compartments and wherein each compartment is offered for rent or lease to the general public for the private storage of materials excluding materials sold at the facility or delivered directly to customers.

Mobile Home:

- a. A structure transportable in one or more sections, designed and equipped to contain not more than two dwelling units to be used with or without a foundation system. Mobile home does not include recreational vehicle, commercial coach, non-commercial coach or factory-built housing.
- b. A trailer coach designed and equipped to contain one or more dwelling units to be used without a permanent foundation and which is in excess of eight (8) feet in width and in excess of forty (40) feet in length.

***Mobile Home Park:** Any area or tract of land where one or more mobile home lots are rented, leased or sold or held out for rent, lease or sale to accommodate mobile homes used for human habitation, and includes mobile home accommodation structures.

Mobile Home Lot: Any space or tract of land or portion of a mobile home park designed or used for the occupancy of one mobile home. A mobile home lot is not a building site.

Mobile home subdivision: A conventional lot subdivision, a planned development, a condominium or stock cooperative project designed and used for mobile homes and support facilities. See Section 7-9-149.1 of the Zoning Code.

***Motel:** A building or group of buildings containing six or more guest rooms or dwelling units designed, intended to be used primarily for the accommodation of transient travelers, including but not limited to buildings or building groups designated as auto cabins, motor courts, motor inns or motor hotels.

DEFINITIONS (N)

***Net residential area:** The area of land remaining in a project, measured in acres or square feet, after deduction of the area contained in streets (both public and private), schools, parks, flood control works and any other use, easement or encumbrance which prevents the surface use of the property.

***Net usable area, nonresidential:** The area of land remaining in a project, measured in acres or square feet, after deduction of the area contained in slopes required to level the site, required screening and landscaping, public and private street and highway right-of-way, schools, parks, flood control works and any other use, easement or encumbrance which limits the surface use of the property. The area needed to satisfy the off-street parking requirements is included within the net usable acres.

Noncommercial coach: A vehicle, with or without motive power, designed and equipped for human occupancy for classrooms and other nonresidential and non-commercial uses.

Nonconforming use/structure/site: A use/structure/site that was lawfully established in compliance with the zoning regulations that were applicable to the property at the time the use/structure/site was established, but which does not presently comply with the existing regulations of the zoning district within which it is located. See Section 7-9-151 of the Zoning Code.

Nursing home: See Convalescent home.

DEFINITIONS (O)

***Open space:** Any parcel or area of land or water, public or private, which is reserved for the purpose of (1) preserving natural resources, (2) protection of valuable environmental features, or (3) providing outdoor recreation or educational uses. For purposes of measuring the amount of open space, it does not include public/private Open space may include structures and impervious surfaces as identified in "open space, usable."

***Open space, other:** Lands within the urban planning areas consisting of greenbelts, open space corridors, landscape areas, recreation facilities, parks, schools, landscaped slopes, trails, edge treatment areas and other similar open space necessary to enhance the development form and pattern. Other open space within the urban areas is intended to:

1. Emphasize the relationship of open space to the immediate area.
2. Establish a direct relationship between open space and adjacent urban development.
3. Encourage strong public and/or private commitment to the preservation of open space.

***Open space, usable:** Open space without any slopes in excess of twenty (20) percent. Such open space may include structures and impervious surfaces such as tot lots, swimming pools, basketball courts, tennis courts, picnic facilities, greenbelts with walkways or bicycle trails, gymnasiums, saunas, handball courts, meeting rooms, etc.

***Outdoor advertising structure and sign:** A sign placed for the purpose of advertising products or services that are not produced, stored or sold on the property upon which the sign is located.

DEFINITIONS (P)

Parking accessway: A vehicular passageway that provides access and circulation from a street access point into and through a parking lot to parking aisles and between parking areas.

***Parking area, private:** An area, other than a street, designed or used primarily for the parking of private vehicles and not open to general public use.

***Parking area, public:** An area, other than a private parking area or street, used for the parking of vehicles and available for general public use, either free or for remuneration.

***Parking area, restricted:** An area used for parking vehicles on a semi-permanent basis and not available to the general public for hourly or day-to-day parking.

Parking structure: An area or structure which is open or closed and is used for the hourly or day-to-day parking of motor vehicles.

***Planned concept subdivision:** A residential project consisting of a combination of residential lots and privately-owned common recreation and open space areas arranged in accordance with a unified comprehensive site plan with an identifiable theme or concept and with adequate provisions for permanent maintenance of the common ownership facilities.

Planned unit development: A subdivision of separately owned lots, parcels or areas, other than a community apartment, a condominium, or a stock cooperative project, having either or both of the following features:

- (1) Lots, parcels, or areas owned in common by the owners of the separately owned lots, parcels or areas.
- (2) Power to enforce any obligation in connection with membership in the owners association or any obligation pertaining to the beneficial use and enjoyment of any portion of, or interest in, either the separately or commonly owned lots, parcels or areas.

***Planning Area:** An area of land which is depicted and numbered on the Planned Community Development Plan and Statistical Summary and on the Area Plan Map.

***Planning Unit:** A subdivision of a Planning Area which is depicted on the Area Plan or any amendment thereof. Planning Units are described by the base number of the Planning Area, followed by a letter, i.e., Planning Unit 1-a, 1-b, 2-a, 2-b, etc.

***Precise plan of highway alignment:** A plan, supplementary to the Master Plan of Arterial Highways, which establishes the highway centerline and the ultimate right-of-way lines, and may establish building setback lines.

***Project:** A land development readily recognizable as a unit, e.g., a residential neighborhood, condominium, apartment, shopping center, office or business park development, recreation lake, golf course or similar land developments.

***Preliminary landscaping plan:** A plan indicating the general location, size, type of plant materials and ground cover to be located in the yards and other open areas of a development.

***Premises:** A lot or a building site, or a specified portion of a lot or building site, that contains the structures and the open spaces needed for the location, maintenance and operation of the use of the property.

***Private:** Belonging to, or restricted for the use or enjoyment of, particular persons rather than the general public.

***Professional office:** A place where facilities are maintained primarily for the purpose of consulting with and maintaining records for clients and visitors and where office and research services are performed for clients. Professional office includes banks and other financial institutions.

Project Net Area: All of the land area included within a plan for a development project excepting those areas designated for public and private streets right-of-way, schools, parks, and other uses or easements which would preclude the use of the land therein as part of the development project.

***Public:** Belonging and open to, and enjoyed, controlled, used and maintained by and for, the public generally.

***Public agency:** The United States, the State of California, the County of Orange, any city within said County, the special districts set forth below, and any other governmental entity authorized by law to perform functions for the public or segment thereof.

Districts Governed by the Board of Supervisors

County Maintenance District
 Fire Protection District
 Flood Control District
 Harbors, Beaches and Parks District
 Lighting District
 Sanitary District
 Waterworks District

Districts Governed by Local Boards

Cemetery District
 Community Services District
 Drainage District
 Library District
 Municipal Water District
 Orange County Transit District
 Recreation and Parks District
 Resource Conservation
 Sanitary District
 Sanitation District
 Storm Water Protection District
 Vector Control
 Vehicle Parking District
 Water Districts

Districts Governed by Boards of Trustees

Elementary School District
 High School District
 Unified School District
 Community College District

Public safety area: A strip of land twenty (20) feet in width adjacent and parallel to a street right-of-way.

***Public utility:** A business organization, such as a public service corporation, performing some public service and subject to special governmental regulations-- usually a protected monopoly.

***Public utility booster station:** A structure and the equipment needed for boosting current or pressure along public utility service or supply lines.

***Public utility service center:** Any buildings or premises used for the administration of public utility repair, maintenance and installation crews, including parking for vehicles, not to exceed one and one-half (1½) tons (rated capacity), but not including warehouses or storage yards.

***Public utility service yard:** Any buildings or premises used for the office, warehouse, storage yard or maintenance of a public utility including microwave repeater or receiving stations when incorporated as part of the service yard use.

DEFINITIONS (Q)

***Quarrying:** The process of removing or extracting stone, rock, aggregate, sand, gravel, earth, clay or similar materials from an open excavation but not including extraction by underground methods. A.k.a. surface mining. Grading for purposes of an approved development shall not constitute a quarry.

DEFINITIONS (R)

***Recreational vehicle:** A motor home, travel trailer, boat, truck or van camper, camper trailer, or similar vehicles with or without motive power, designed for temporary human habitation for recreational, travel or emergency purposes.

***Recreational vehicle park:** Any area where two or more spaces designed for temporary parking and use of recreational vehicles which are rented or held out for rent to users of recreational vehicles.

***Recreational vehicle storage area:** Any area or property where space for parking of two or more recreational vehicles when not in use is rented or held out for rent.

***Residential multiple-family:** Refers to any residential zoning district or residential development wherein the number of permitted dwelling units on one building site is three (3) or more. Multiple-family residential includes multiple-family dwellings,

apartments, condominiums, and stock cooperative projects, and may include planned developments and conventional subdivisions.

***Residential single-family:** Refers to any residential zoning district or residential development wherein each dwelling unit is situated on a residential lot of record and no lot contains more than one dwelling unit. Single-family residential includes either attached or detached single-family dwellings, planned concept subdivisions, cluster developments, and may include conventional subdivisions and planned developments.

Rest homes: See Convalescent homes.

Retail: The selling of goods, wares or merchandise directly to the ultimate consumer.

***Riding and hiking trails:** Any trail or way designed for and used by equestrians or pedestrians.

Right-of-way: An area or strip of land either public or private, on which an irrevocable right of passage has been recorded for the use of vehicles or pedestrians or both.

DEFINITIONS (S)

***Salvage:** Any article or material which is to be or intended to be reclaimed, reused, or saved from destruction.

Sanitarium, health: An institution where patients, other than mental or drug addict patients, are housed and where medical or post-surgical treatment is provided.

Sanitarium, mental: A health retreat, an institution for the recuperation and treatment of victims of mental disorders or drug addiction.

Scenic highway: Any highway designated a scenic highway by an agency of the county, state or federal government.

Service: An act, or any result of useful labor, which does not in itself produce a tangible commodity. Facility supplying services in response to public demand or one providing maintenance and repair.

***Service, commercial:** A commercial use which charges for a service, rather than a commodity, and which is carried on primarily for financial gain or profit.

Setback area/distance: The area/distance between the building line and the property line, or when abutting a street, the ultimate right-of-way line.

***Shopping/office center:** A commercial/office center, or a group of commercial establishments, planned and maintained as a unit, with common off-street parking provided to serve all uses on the property.

***Sign:** Any visual communication used to advertise, promote, command, or inform, including but not limited to words, symbols, and illustrations, together with all parts, materials, frame and background.

"Sign" and "advertising device" shall not include the following for purposes of this Planned Community:

- a. Official notices issued by any court or public body or officer.
- b. Notices posted by any public officer in performance of a public duty or by any person in giving any legal notice.
- c. Intra-community directional signs, warning or information signs or structures required or authorized by Federal, State or County authority.
- d. The flag of the State of California or of the United States of America, or any official flag of any other state, country, county or community.

Sign area: The entire area within which a single continuous perimeter of not more than eight (8) straight lines encloses the extreme limits of writing, representation, emblem or any figure of similar character, together with any material or color forming any integral part of the display or used to differentiate such sign from the background against which it is placed, provided that in the case of a sign design with more than one (1) exterior surface, the area shall be computed as including only the maximum single display surface which is visible from any ground position at one (1)

time. The supports, uprights or structures on which any such sign is supported shall not be included in determining the sign area unless such supports, uprights or structure are or is designed in such a manner as to form an integral background of the display.

***Sign class:** A classification of signs by their use and purpose. The following sign classes are used in this code:

- a. **Advertising device:** Any balloon, flag, pennant, propeller, oscillating, rotating, pulsating light or other contrivance used to attract attention for the purpose of promoting (either directly or indirectly) the use of products of any person.
- b. **Advertising display:** Any device, contrivance, statue or structure other than a sign used as a display, regardless of size and shape, for the purpose of attracting attention or making anything known, the origin or place of sale of which is on the property with such advertising display.
- c. **Agricultural products sign:** A sign advertising only the sale of agricultural or farming products grown or produced on the premises.
- d. **Business sign:** A sign displaying information pertaining to goods or services offered or produced by the business location on the property, but not including advertising devices or advertising displays.
- e. **Civic activity sign:** A sign or bulletin board customarily incident to places of worship, libraries, museums, social clubs or societies, cemeteries and other public institutions.
- f. **Community facility identification sign:** A ground or wall sign located within the boundaries of a planned community, or within the boundaries of a clearly identifiable residential development or subdivision containing only the name of the facility and (if desired) identifying symbol.
- g. **Community identification sign:** A ground or wall sign located within the boundaries for a planned community, or within the boundaries of a clearly identifiable residential development or subdivision containing only the name and identifying symbol of the planned community, residential development or subdivision.
- h. **Construction sign.** A temporary sign stating the names of those individuals or firms directly connected with the construction or development project, their addresses and their telephone numbers.

- i. Future facility sign. A community facility identification sign pertaining to a community facility proposed for construction or under construction.
- j. Identification sign. A sign limited to the identifying name, symbol or insignia, or any combination thereof, of a building, use or person occupying the premises on which the sign is located.
- k. Intra-community directional sign: A sign established to direct motorists or pedestrians to communities, neighborhoods, events, or facilities within the Portola Hills Planned Community.
- l. Model home sign. A sign pertaining only to matters related to a model home within a recorded subdivision within which the sign is located.
- m. Nameplate sign: A sign not exceeding one (1) foot by three (3) feet signifying only the name of the occupant and his occupation or specialty.
- n. Outdoor advertising sign. A sign placed for the purpose of advertising products or services that are not produced, stored or sold on the property upon which the sign is located.
- o. Planned community travel direction: Planned community reassurance sign: A sign which informs the viewer as to route or direction of travel in order to arrive at the planned community to which it pertains. It shall state or represent only the geographic area within the unincorporated area of the County of Orange in which the planned community is located, the name and type of the planned community, travel directions and mileage information.
- p. Price sign. A sign limited to the name or identification of items or products offered for sale on the premises, and the price of said items or products.
- q. Real estate sign. A temporary sign advertising the sale, lease or rent of the property upon which it is located, and the identification of the person or firm handling such sale, lease or rent.
- r. Real estate sales office sign. A sign pertaining only to matters related to a real estate sales office located within a recorded subdivision within which the sign is located.

***Sign face:** The surface, or that portion of a sign that is visible from a single point as a flat surface or a plane and considered as such, together with the frame and the background.

***Sign height:** The greatest vertical distance measured from the ground level directly beneath the sign to the top of the sign.

***Sign, illuminated:** A sign which has characters, letters, figures, designs or outline illuminated by electric lights or luminous tubes as part of the sign proper.

***Sign, lighted:** A sign that is lighted or illuminated from a light source that is not an integral part of the sign itself but causes light rays to shine on it.

***Sign, off-premises:** Any sign as herein defined other than an on-premises sign.

***Sign, on-premises:** A sign which pertains and is accessory to a business or industrial use located on the same premises or which offers a premises or portion thereof for sale, lease or rent.

***Sign, portable:** A parked or stationary outdoor advertising sign, or a sign that is not a structure, or a sign located upon a vehicle or trailer for the basic purpose of providing advertisement of products or directing people to a business or activity located in the same or nearby property, placed or parked so as to be visible from the public right-of-way, but not including signs on business or commercial vehicles, the primary purpose of which is the transporting of people and goods on the public right-of-way.

Sign type: A classification of signs by their structural characteristics. The following sign types are used in this code:

- a. **Freestanding sign:** An independent sign permanently affixed in or upon the ground, and which is neither attached to nor a part of a building.
 1. **Monument/ground sign:** A sign mounted on a fence, or a freestanding wall, or a low profile solid base as distinguished from support by a pole or poles.
 2. **Pole sign:** A sign directly supported by a pole or poles with air space between the grade level and the sign face.
- b. **Projecting sign:** A sign other than a wall sign suspended from or supported by a building or structure and projecting outward therefrom.
- c. **Roof sign:** A sign erected wholly upon or above the roof of a building or structure, or upon or above canopies, marquees and similar overhangs.

- d. **Wall sign:** A sign attached to, erected on, painted on or otherwise affixed to the exterior wall of a building or structure in such a manner that the face of the sign is approximately parallel to the exterior wall of the building and exposed to the exterior side of the building.

Site coverage: Refer to definition of "Building site coverage."

***Site plan:** A plan showing the details of building locations, structures, parking, vehicular access, landscaping and architectural design for a project or building site.

***Soil amendments:** Wood charcoal, pumice, perlite, expanded vermiculite, sintered shale, diatomite and clay, if sold with no claim from chemical constituents and intended for use solely because of their physical nature, are soil amendments.

Mixtures intended for use as a potting media are soil amendments.

***Soil amendments fortified:** Organic products such as bark, wood chips, wood sawdust and peat or peat moss claimed to be nitrogen fortified, nitrogen stabilized or with other terms to inform that the product contains nitrogen added to compensate for nitrogen likely to be taken from the soil due to the amendments' decomposition therein are soil amendments fortified when such addition in nitrogen is 0.5 percent or less.

***Specialty community event:** A limited temporary commercial or noncommercial event sponsored by a service group, homeowners association, property owners association, or other community organization, including but not limited to the following: parades, swim meets, community picnics, athletic contests, vehicle races, pageants, outdoor programs, and other similar uses.

Stable, private: A building or portion of a building or site used to shelter and feed equines which are used exclusively by the occupants of the property on which the stable is situated.

Stable, public: A stable other than a private stable.

***Stand, temporary:** A structure which is readily movable and used or intended to be used for the display or sale of seasonal agricultural or farming products grown or produced on the premises.

Stock cooperative: A corporation which is formed or availed of primarily for the purpose of holding title to, either in fee simple or for a term of years, improved real property, if all or substantially all of the shareholders of such corporation receive a right of exclusive occupancy in a portion of the real property, title to which is held by the corporation, which right of occupancy is transferable only concurrently with the transfer of the share or shares of stock or membership certificate in the corporation held by the person having such right of occupancy. The term "stock cooperative" does not include a limited-equity housing cooperative as defined in Section 11003.4 of the Business and Professions Code.

***Story:** That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above.

Streets: A public or private vehicular right-of-way other than an alley or driveway, including both local streets and arterial highways.

***Street opening:** A curb break, or a means, place, or way provided for vehicular access between a street and abutting property.

***Structure:** That which is erected or constructed having a fixed location and is more than seventy-two (72) inches above the finished grade. An edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner. A mobile home, except when used as a temporary use with its weight resting at least partially upon its tires, is a structure for the purposes of this definition. Business signs, tennis court fences, and other fences around unenclosed outdoor recreation facilities, shall not be considered as a structure for purposes of the Planned Community.

***Structural alterations:** Any change in the supporting members of a building or structure.

Swimming pool: An artificial body of water having a depth in excess of eighteen (18) inches, designed, constructed and used for swimming, dipping or immersion purposes by men, women and children.

DEFINITIONS (T)

***Tot lot:** An improved and equipped play area which is intended for children up to seven (7) years of age. Tot lots include such facilities as play apparatus, paved area for wheeled toys, benches, sand areas, small wading pools, and turf area.

Travel trailer: A vehicle designed for temporary human habitation, for carrying persons and property on its own structure and used for travel or recreational purposes.

Travel trailer park: Any area where spaces are rented or held for rent for one or more travel trailers for a period of thirty (30) days or less.

DEFINITIONS (U)

Ultimate right-of-way: The right-of-way shown as ultimate on an adopted precise plan of highway alignment, or the street rights-of-way shown within the boundary of a recorded tract map, a recorded parcel map or a recorded PC development plan. The latest adopted or recorded document in the above case shall take precedence. If none of these exist, the ultimate right-of-way shall be considered the right-of-way required by the highway classification as shown on the Master Plan of Arterial Highways. In all other instances, the ultimate right-of-way shall be considered to be the existing right-of-way in the case of a private street, and the existing right-of-way, but not less than sixty (60) feet, in the case of a public street.

Use: The purpose for which land or a building is occupied, arranged, designed or intended, or for which either land or building is or may be occupied or maintained.

***Usable Open Space:** Usable open space intended for common use by occupants of a development, either privately owned and maintained or dedicated to a public agency, normally including tot lots, swimming pools, basketball courts, tennis courts, picnic facilities, open landscaped areas, and greenbelts with pedestrian walkways and equestrian and bicycle trails. Usable open space areas do not contain the following: buildings, structures, or impervious surfaces (e.g., public/private streets, common driveways, and off-street parking facilities) devoted to nonrecreational uses; surface utility facilities, slopes in excess of twenty (20) percent; building setback areas; median strips for roads or parking lots; road embankments; any property not reserved for the sole use and enjoyment of the occupants of the entire development and their guests.

DEFINITIONS (V)

Vehicular accessway: A private, nonexclusive vehicular easement affording access to abutting properties.

DEFINITIONS (W)

***Water reclamation facility:** A facility for the treatment of sewage and wastewaters for beneficial reuse, established and operated by a local agency.

Wing wall: An architectural feature in excess of six (6) feet in height which is a continuation of a building wall projecting beyond the exterior walls of a building.

DEFINITIONS (Y)

***Yard:** The open space within a building site that is unoccupied and unobstructed by any structure or portion of a structure from 30 inches above the finished grade upward; except that eaves, fences, walls used as fences, poles, posts and other customary yard ornaments, accessories and furniture may be permitted in any yard subject to the regulations for the district in which it is located.

NOTE: Definitions preceded by an asterisk (*) are either different from, or in addition to, the definitions contained in the Orange County Zoning Code.

**SECTION XX
LEGAL DESCRIPTION**

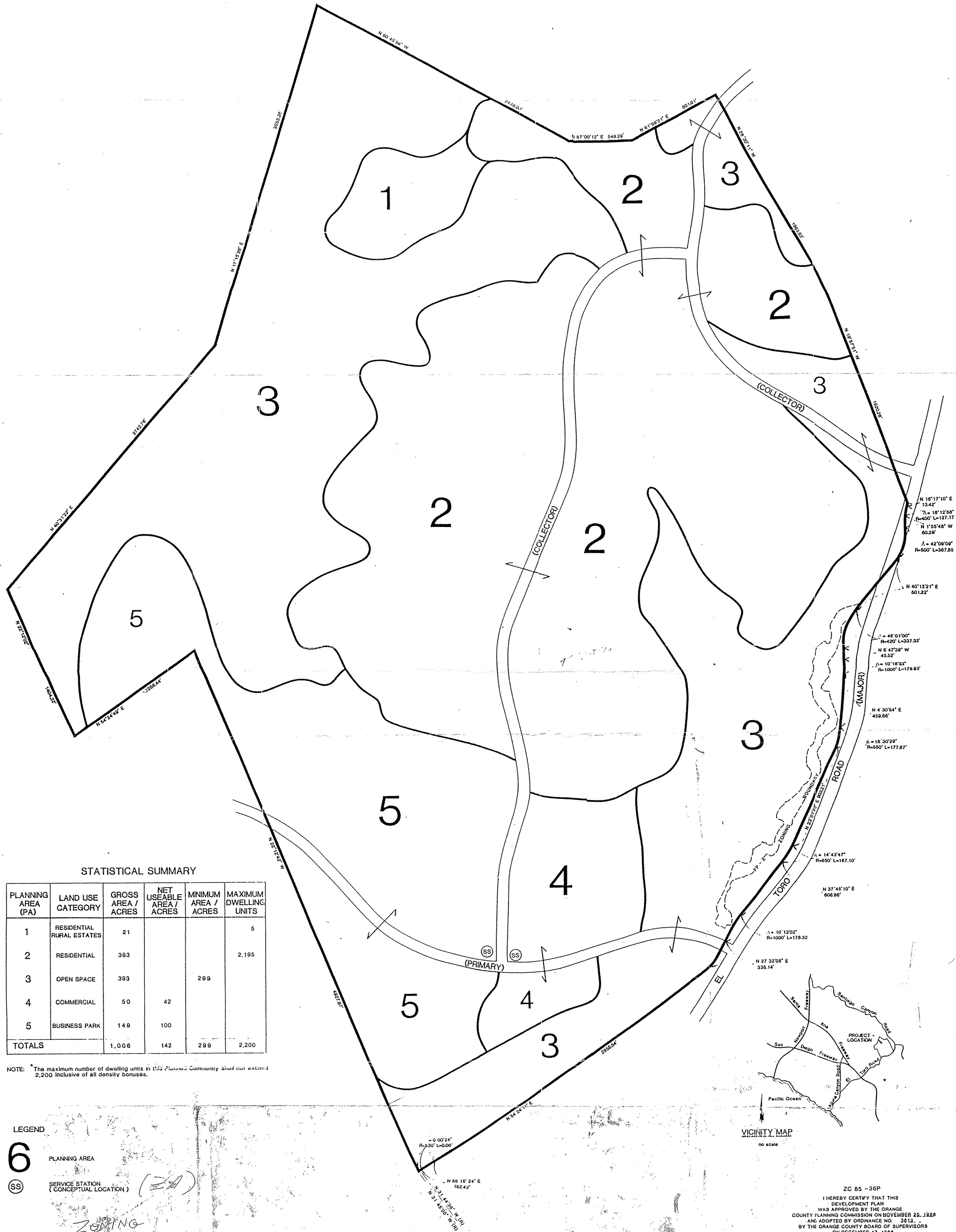
All that certain land situated in the State of California, County of Orange, described as follows:

being a subdivision of the following:

Parcels 1, 2, 3 and 4 of Parcel Map No. 81-120, as shown on a map recorded in Book 160, Pages 31 through 34 of Parcel Maps, records of Orange County, California.

86-655182

**SECTION XXI
DEVELOPMENT PLAN**



STATISTICAL SUMMARY

| PLANNING AREA (PA) | LAND USE CATEGORY | GROSS AREA / ACRES | NET USEABLE AREA / ACRES | MINIMUM AREA / ACRES | MAXIMUM DWELLING UNITS |
|--------------------|---------------------------|--------------------|--------------------------|----------------------|------------------------|
| 1 | RESIDENTIAL RURAL ESTATES | 21 | | | 5 |
| 2 | RESIDENTIAL | 393 | | | 2,195 |
| 3 | OPEN SPACE | 393 | | 299 | |
| 4 | COMMERCIAL | 50 | 42 | | |
| 5 | BUSINESS PARK | 149 | 100 | | |
| TOTALS | | 1,006 | 142 | 299 | 2,200 |

NOTE: *The maximum number of dwelling units in this Planned Community shall not exceed 2,200 inclusive of all density bonuses.

LEGEND

- 6 PLANNING AREA
- (SS) SERVICE STATION (CONCEPTUAL LOCATION)

ZONING COPY
Jan 89

VICINITY MAP

no scale

ZC 85-36P
I HEREBY CERTIFY THAT THIS DEVELOPMENT PLAN WAS APPROVED BY THE ORANGE COUNTY PLANNING COMMISSION ON NOVEMBER 25, 1986 AND ADOPTED BY ORDINANCE NO. 3513 BY THE ORANGE COUNTY BOARD OF SUPERVISORS ON DECEMBER 17, 1986.

Robert G. Fisher
ORANGE COUNTY PLANNING COMMISSION
BY ROBERT G. FISHER
DIRECTOR OF PLANNING
ENVIRONMENTAL MANAGEMENT AGENCY

LINDA D. ROBERTS
CLERK OF THE BOARD OF SUPERVISORS

RECORDED: DATE: DECEMBER 31, 1986
TIME: 8:30 AM
DOCUMENT NO. 86-45182

PORTOLA HILLS PLANNED COMMUNITY DEVELOPMENT PLAN

(Formerly Glenn Ranch Planned Community)



Cullbertson, Adams & Associates
Planners

NOVEMBER 25 1986



ZC 2008-02 Portola Center

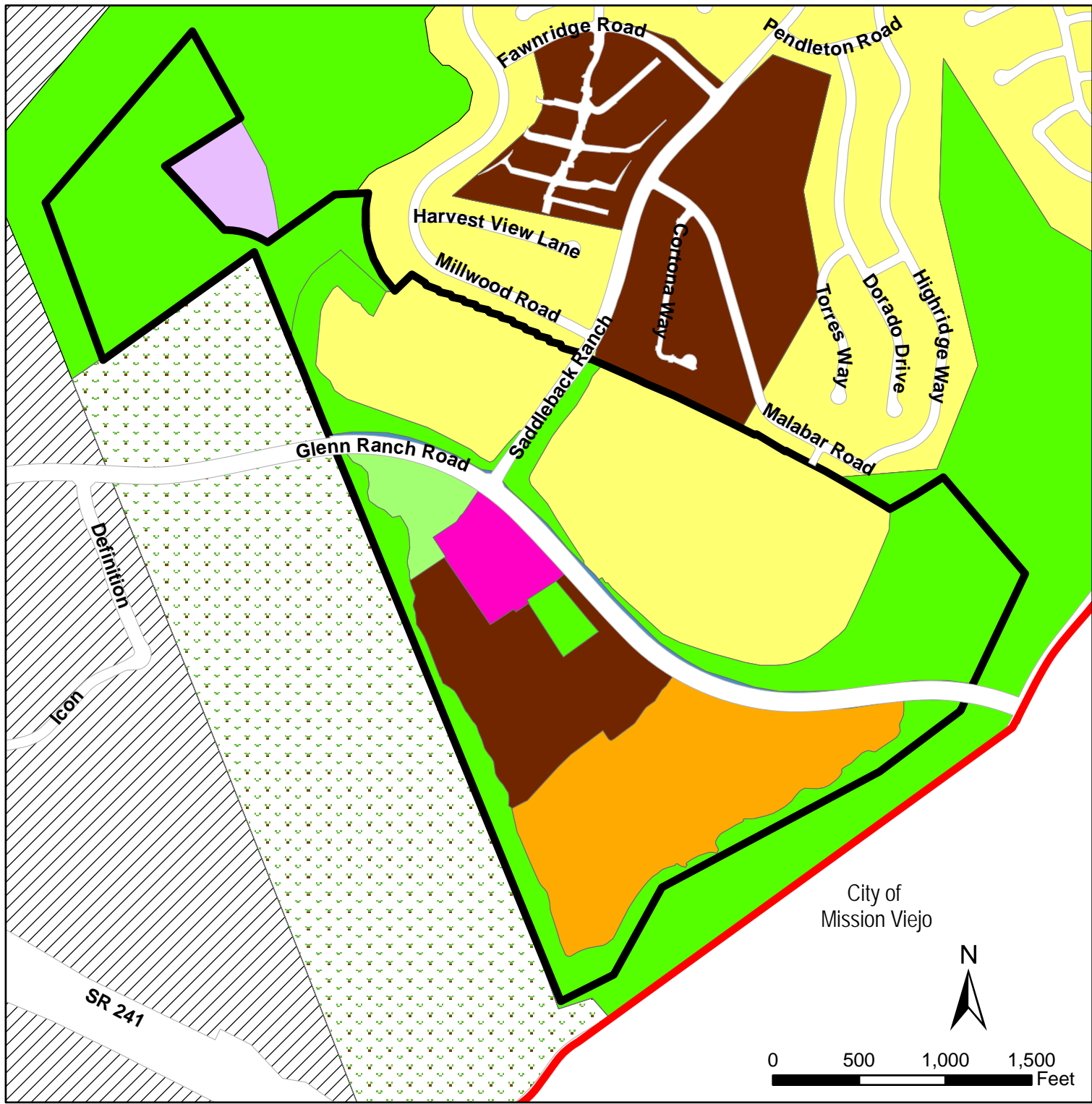
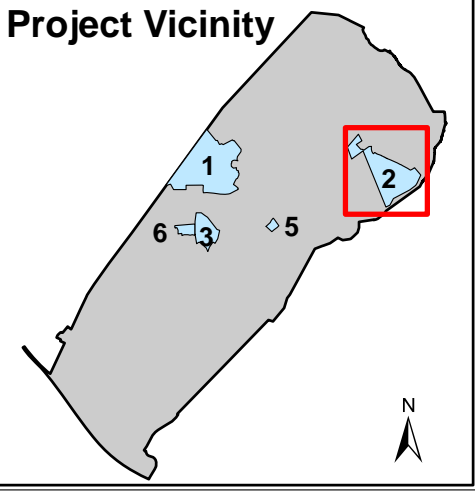
Property Information for Opportunities Study Site #2

Site Size: 243 acres
Existing Zoning: Business Park and Commercial
Planned Community: Portola Hills
Property Owner: USA Portola Properties LLC

Legend

- Site Location
 - City Boundary
 - Foothill Ranch Planned Community
 - Edison Easement
- Portola Hills Planned Community Zoning
- Single Family
 - Cluster
 - Multi-Family
 - Park
 - Business Park
 - Mixed Use
 - Open Space

Project Vicinity



Statistical Summary for Portola Hills

| Land Use | Current Acreage | Acres to be added | Acres to be subtracted | Resulting Acreage |
|-------------------|-----------------|---|-------------------------------------|-------------------|
| Rural Residential | 21 | --- | --- | 21 |
| Residential | 393 | 60 (F2/F3) 33 (E1) 17 (E2) 52.3 (F1) | --- | 555.3 |
| Commercial | 50 | --- | 33 (E1) 17 (E2) | 0 |
| Mixed Use | 0 | 4.9 (F1) | --- | 4.9 |
| Open Space | 393 | 20.37 (F4) | --- | 413.37 |
| Parks^ | 0 | 5.8 (F1) | | 5.8 |
| Business Park | 149 | --- | 20.37 (F4) 60 (F2/F3) 63 (F1) | 5.63 |
| Totals | 1006 | 193.37 | 193.37 | 1006 |

Maximum Dwelling Units Permitted

| Land Use | Units Currently Allowed | Units to be added | Acres to be subtracted | Proposed Maximum Units |
|-------------------|-------------------------|-------------------|------------------------|------------------------|
| Rural Residential | 5 | --- | --- | 5 |
| Residential | 2195 | 848 | --- | 3043 |
| Mixed Use | 0 | 82 | --- | 82 |
| Totals | 2200 | 930 | 0 | 3130 |

^ Does not preclude park sites within residential zones.