

SOUTHPARK SPECIFIC PLAN

Amended:

April 4, 1995 - Resolution No. 8638

August 16, 2005 - Resolution No. 9054

August 21, 2007 - Resolution No. 9130

February 4, 2025 - Ordinance No. 1619

SOUTHPARK: A PLANNED MIXED-USE COMMUNITY

Southpark is a mixed-use community which will optimally meet the needs of the City of Fountain Valley, the business community and of the surrounding area. SOUTHPARK by the intent and design, will meet the goals and objectives of a quality, balanced and community-sensitive area for living, shopping, and working. This constitutes a Development Plan for property as is provided in Chapter 21.33 of the Fountain Valley Municipal Code.

The objectives of the SOUTHPARK mixed-use community include the following:

1. A mixed-use development sensitive to the needs of the surrounding community and environment.
2. A long-term development that is of the highest quality for the sites.
3. A variety of employment opportunities for local residents.
4. Implementation of a development under a comprehensive planning effort.
5. A development plan that is within the holding capacity established by the circulation system.
6. Phasing of development in an orderly manner.
7. Landscaping that is appropriate to the level of development and sensitive to the surrounding community.
8. A visually harmonious development as viewed both internally and externally.
9. Improvements to the existing flood control systems and other infrastructures in the vicinity of the business community.
10. A mixture of development to serve the needs of the local community.
11. An integrated sign program that visually enhances the business community and is harmonious with the adjacent environs.
12. A circulation system that is responsive to the needs of both vehicular and pedestrian travel; particularly pedestrian safety across major arterials serving the subject site.
13. Safe access for the young, elderly and the handicapped.
14. Building heights that are not obtrusive to the surrounding community.
15. Development that protects the environment from noxious fumes, toxic or hazardous materials.
16. Flexibility in development while achieving overall City and Community goals.
17. Plan for the residential capacity of 1,100 residential units as stand-alone uses or as part of mixed-use development.

GENERAL NOTES

1. The SOUTHPARK Project (“Project”) is a Planned Mixed-Use Community. The Project is most appropriate for office, commercial and light industrial use because of its central location, ideal topography, proximity to freeways and its relationship to other business centers in Orange County and the Orange County Airport. Attached drawings indicate land use, grading and circulation patterns, storm drains, water and sewer and topography.
2. Water service to and within the Project shall be furnished by the City of Fountain Valley and the Metropolitan Water District.
3. Sewage Disposal facilities to and within the Project shall be provided by City of Fountain Valley and the Orange County Sanitation District.
4. Subdivision of property within the Project shall be in accordance with the State Subdivision Map Act and the Fountain Valley Municipal Code.
5. All development within the Project shall comply with the provisions of this development plan text. To the extent that the Development Plan text does not specifically apply, then the general requirements of City of Fountain Valley Municipal Code shall apply.
6. Permissible land uses are those prescribed by the provisions of the Development Plan.
7. Development Floor-Area-Ratio is controlled through a formula and review process by the Planning Commission.
8. All entities potentially generating noxious fumes, toxic substances, flammable materials, or radioactive processes/materials will comply with all federal, state, and local regulations, standards and any plan dealing with hazardous materials that may hereafter be adopted by the City of Fountain Valley. Major users of hazardous materials will be subject to the Conditional Use Permit process.
9. When any ambiguity occurs between this Development Plan and the Fountain Valley Municipal Code that this Development Plan shall control unless specially provided otherwise.
10. All commercial sales and display shall be conducted wholly within a building unless the Planning Commission specifies otherwise.

DEFINITIONS

Advertising Surface:

The total area of the face of the sign structure, excluding supports.

Area of Elevation:

Total height and length of a building as projected to a vertical plane.

Building Height:

Unless noted to the contrary elsewhere in this plan, building height shall be measured from the ground to the ceiling of the top story.

Building Line:

An imaginary line parallel to the street right-of-way line specifying the closest point from the street right-of-way line that a building structure may be located (except for unsupported roofs and sunscreens and awnings which may project a maximum of 3 feet into the setback area).

Right-of-Way Line:

When reference is made to the right-of-way line it shall mean the line which is then established on either the adopted Master Plan of Street and Highways of the filed Tract Map as the ultimate right-of-way line for roads or streets.

Side and Front of Corner Lots:

The narrowest frontage of a lot facing the street is the front, and the longest frontage facing the intersecting street is the side, irrespective of the direction in which structures face.

Sign:

Any structure, device, or contrivance, electric or non-electric and all parts thereof which are erected or used for advertising purposes upon or within which any poster, bill, bulletin, printing, lettering, painting, device or other advertising of any kind whatsoever is used, placed, posted, tacked, nailed, pasted or otherwise fastened or affixed.

Special Landscaped Streets:

Special landscaped streets are Euclid Street, Talbert Avenue, and Slater Avenue.

Streets – Dedicated and Private:

Reference to all streets or right-of-way shall mean dedicated vehicular rights-of-way.

Setbacks:

Specific setbacks per street are detailed in Exhibit B. Except for sidewalks or access drives, this area shall be landscaped according to the setback area standards from dedicated streets contained herein. The minimum building setback on all streets is 30 feet.* The minimum landscaped setback to a parking area shall be as follows:

30' along Euclid Street, Talbert Avenue, and Slater Avenue

20' along Newhope Street

15' along all other streets

*Required and/or provided bus bays can be placed within the 30-foot building setback.

FLOOR AREA RATIO AND TRANSFER OF DEVELOPMENT RIGHTS

Authorized Change in Scope of Development

The proposed commercial/office/research and development/industrial uses represent an average level of development intensity (Floor Area Ratio of 0.43) which can be adequately supported by the vicinity's existing circulation system. The project is based upon what can be reasonably foreseen as the traffic conditions and traveler characteristics likely to be prevalent during the next several years. Since traffic conditions and traveler characteristics may change in the future, this Development Plan will allow for increased levels of development in the Project, at the Planning Commission's discretion, if environmental considerations do warrant such increase.

Maximum Floor Area for Any One Block Without Conditional Use Permit

The aggregate floor area ratio for non-residential building square footage in any one block shall not exceed .67 without a Conditional Use Permit. This limit shall not consider or apply to any square footage of a residential building or structured parking associated with a mixed-use residential project.

Potential for Reduction of Floor Area Ratio

The Planning Commission at its discretion may reduce the floor area ratio in conjunction with future phases of development (at 75 acres of development and 105 acres of development) below .43 if it finds that the project-generated traffic exceeds that projected for average daily trips in the 2023 General Plan EIR. The amount of floor area reduction shall not exceed that necessary to bring the traffic generation into line with that projected in the General Plan EIR. Notwithstanding the forgoing, in no event shall the floor area ratio be reduced to the point where a lot has no reasonable economic value.

Transfer of Development Rights – Higher Maximum Floor Area Ratios Through Transfer of Floor Area Ratios

- A. Floor Area Ratios within a given block may exceed the maximum Floor Area Ratios set for a given block through the transfer of Floor Area Ratios between blocks as set forth herein below. Any transfer of Floor Area Ratios shall be consistent with the following criteria:
1. The resulting higher Floor Area Ratio shall be consistent with:
 - The existing circulation system.
 - Compatibility with other existing and proposed development.
 - Consistency with the purposes and objectives of the Planned Community District and this Development Plan.
 2. The block of blocks to and from which Floor Area Ratios are transferred must be located within the SOUTHPARK Development.
 3. The Floor Area Ratios of the combined lots shall not exceed the maximum Floor Area Ratio set forth in the SOUTHPARK Development Plan text.
 4. The transfer of Floor Area Ratio from a block to another block will require the party initiating the transfer to provide written verification from the property owner transferring Floor Area Ratio as well as the owner receiving Floor Area Ratio that the transferred density is with consent of the property owner.
 5. The City may require that any transfer be memorialized in a recorded document evidencing such fact.

B. The following procedure shall control the transfer of Floor Area Ratios within the SOUTHPARK Development Plan.

1. Authority of the Planning Commission

The Planning Commission shall recommend approval of the development of a parcel or parcels with a Floor Area Ratio in excess of the applicable Floor Area Ratios set forth in the Statistical Summary (Table 1) through permitting the transfer of Floor Area Ratios for that purpose if it finds that the transfer of Floor Area Ratios complies with the criteria set forth in Section A herein above, and the proposed development will be in harmony with the various elements and objectives of the General Plan.

2. Conditions of Approval

In approving such higher Floor Area Ratio through the transfer of Floor Area Ratio, the Planning Commission may recommend such conditions as it deems necessary to accomplish the purposes and objectives of the SOUTHPARK Development Plan.

3. Procedure

- a. Application Form and Contents – An application to permit the transfer of FAR shall be filed with the Planning, Building and Safety Director upon a form and accompanied by such data and information as may be prescribed for that purpose by the Planning, Building and Safety Director. The City Planning Department may charge and collect an appropriate fee therefor.
- b. The Planning Commission – The Planning Commission shall make its recommendation within 60 days from the date of the filing of a completed application and shall forthwith transmit a copy of said recommendation to the applicant. This time limit may be extended by mutual consent of the applicant and the Planning, Building and Safety Director for an additional period, not more than 60 days. The Planning Commission's recommendation will be forwarded to the City Council for final action. The determination shall be reflected in an amendment to Table 1 of the Southpark Plan.
- c. Hearing and Determination by City Council – The City Council, by resolution, may affirm, reverse or modify, in whole or in part, any recommendation of the Planning Commission. Such action shall be by resolution adopted by a majority vote of the Council.

TABLE 1
STATISTICAL ANALYSIS

AREA ¹	ACREAGE	PERMITTED NON-RESIDENTIAL		PERMITTED RESIDENTIAL
		SQUARE FEET	FAR ²	
A	20.30	464,887	0.53	1,100 units (shared / combined maximum)
B	24.50	516,247	0.48	
C	10.10	163,350	0.37	
D	30.20	290,000	0.22	-
E	11.30	239,580	0.49	-
F	29.60	707,850	0.55	-
	126.00	2,381,914	0.43	1,100

1. Exhibit "A" Planned Community Development Plan indicates location at each area.
2. Floor Area Ratio (FAR) applies only to non-residential building square footage. This actual FAR of built development may vary consistent with the provisions stated in the discussion on Floor Area Ratio and Transfer of Development Rights.

PART I. AREAS A, B, C, E, F, – Refer to Map Exhibit A

SECTION I. MINIMUM SITE AREA

A. Thirty Thousand (30,000) Square Feet

B. Exception

The Planning Commission may authorize an exception to the minimum site area. Application for any such exception shall be made by the applicant at the time of the filing of a tentative map by the applicant. In order for an exception to be granted, the Planning Commission shall find the following facts with respect thereto:

1. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the vicinity.
2. That the development considerations and intent of this Development Plan are substantially met.

SECTION II. PERMITTED USES

A. Professional and Business Offices

The purpose of these areas is to allow the location of business and professional activities and services relating to and supporting the Development Plan.

1. Professional Offices

- a. Accountants
- b. Attorneys
- c. Doctors, dentists, optometrists, oculists, chiropractors, and others licensed by the State of California to practice the healing arts.
- d. Engineers, architects, surveyors, and planners
- e. Research and Development

2. Business Offices

- a. Advertising agencies
- b. Banks (financial institutions)
- c. Economic consultants
- d. Employment agencies
- e. Escrow offices
- f. Insurance agencies and companies
- g. Laboratories:
 - (1) Dental
 - (2) Medical
 - (3) X-Ray
 - (4) Biochemical

- (5) Film, wholesale only
- (6) Optometrical
- (7) Electrical and electronic
- (8) Research and developmental
- h. Stock Brockers
- i. Studios for interior decorators, photographers, artists, and draftsmen
- j. Telephone answering services
- k. Tourist information and travel agencies and ticket reservation services

B. Government Facilities

C. Retail Use Control

There shall be a Conditional Use Permit for any retail commercial center in excess of two acres. In no event shall the aggregate of retail commercial for Blocks A, B, C, E, and F exceed 108,900 sq. ft. of floor area (equivalent to approximately ten acres). This limit does not apply to retail or restaurant uses incorporated into mixed-use residential projects, whether such uses are part of a horizontally- or vertically-mixed use project. Nonresidential uses that are part of a horizontally- or vertically-mixed use project shall be permitted in accordance with the provisions of the R5 and MU-2 Zoning Districts, except for the maximum density standards. The required "Non-Residential Floor Area" identified in Table 2-11 of the Fountain Valley Municipal Code may be provided within the same building, in a separate building, or anywhere on Blocks A, B, or C.

D. Commercial

The following uses engaged in the sale of products or services relating to and supporting the Development Plan are permitted provided that such activities are situated within a shopping center or office building.

1. Commercial Uses

- a. Barber shop and beauty parlor
- b. Book and stationary store
- c. Blueprinting and photostatics
- d. Camera shop
- e. Delicatessen store
- f. Florist
- g. Shoe store or repair shop
- h. Tailor
- i. Tobacco store
- j. Office equipment rental and repair
- k. Pharmacies
- l. Hobby, Arts and Crafts, including:

- (1) Sporting goods store
- (2) Camera store
- (3) Art gallery
- (4) Craft store
- (5) Bicycle store
- m. Book and Office Support Stores, including:
 - (1) Book store
 - (2) Office supplies
- n. Retail stores and professional service establishments including:
 - (1) Pharmacies and drug stores
 - (2) Fabric shops
 - (3) Jewelry shops
 - (4) Furrier
 - (5) Formal wear
 - (6) Barber and hair styling
 - (7) Clothing store
 - (8) Services
- o. Home and Office Furnishings, including:
 - (1) Home furniture store
 - (2) Office furniture store
 - (3) Interior decorators
 - (4) Home appliances
 - (5) Antique store
- p. Home Improvement Stores, including:
 - (1) Hardware store
 - (2) Paint store
 - (3) Wallcovering store
- q. Other uses of similar nature

E. Uses Permitted Subject to a Conditional Use Permit

- 1. Liquor stores
- 2. Restaurants
- 3. Outdoor take-out or drive-thru restaurants
- 4. Athletic clubs, including:

- a. Health club
- b. Recreation facility
- c. Other uses of similar nature
- 5. Automobile sales. New car dealers only. The used car business must be an accessory part of the new car agency.
- 6. Tire shop
- 7. Automobile repair
- 8. Automobile laundry or wash rack
- 9. Commercial uses not within a shopping center or office building

F. Industrial – Manufacturing

This area is intended for the establishment of industrial and business users in an area in proximity to commercial uses. Standards are provided to control the intensity and development of uses and to prohibit objectionable or obnoxious influences such as smoke, noise, fumes, vibration, radiation, odor, light or glare that might adversely affect the environs.

1. Industrial – Manufacturing Uses

- a. Industries; construction (headquarters/offices – no outside storage)
- b. Industries; service
- c. Manufacturing; light
- d. Warehousing, storage, and distribution
- e. Child Day Care Centers

2. Uses Permitted Subject to a Conditional Use Permit

- a. Movie theaters
- b. Service stations
- c. Schools; private

G. Residential Uses

Residential and mixed-use projects that include residential uses shall be permitted in Areas A, B, and C, in accordance with and subject to the standards for the R5 and MU-2 Zoning Districts, except for the maximum density standards (respectively), as contained in the Fountain Valley Municipal Code.

H. Other Uses Similar to the Above as determined by the Community Development Director

The Community Development Director shall determine the appropriate placement of similar uses in the categories above.

PART II. AREA "D" – REFER TO MAP EXHIBIT A

SECTION I. MINIMUM SITE AREA

A. Thirty Thousand (30,000) Square Feet

B. Exception

The Planning Commission may authorize an exception to the minimum site area. Application for any such exception shall be made by the applicant at the time of the filing of a tentative map by the applicant in order for an exception to be granted. The Planning Commission shall find the following facts with respect thereto:

3. That the granting of the exception will not be detrimental to the public welfare of injurious to other property in the vicinity.
4. That the development considerations and intent of this Development Plan are substantially met.

SECTION II. PERMITTED USES

A. Commercial Uses

1. Membership stores
2. Discount stores
3. Wholesale outlets
4. Home and office furnishings
5. Home improvements
6. Sporting goods
7. Hardware stores
8. Automotive parts
9. Tire shops
10. Financial institutions
11. Retail nursery
12. Hobby, Arts and Crafts, including:
 - a. Camera store
 - b. Art gallery
 - c. Craft store
 - d. Pet store
 - e. Bicycle store
13. Book and Office Support stores, including:
 - a. Book store
 - b. Office supplies
 - c. Stationary store

- d. Blueprinting and photostatics
- 14. Retail stores and professional service establishments, including:
 - a. Pharmacies and drug stores
 - b. Grocery stores
 - c. Specialty food store or delicatessen
 - d. Gift and cards shops
 - e. Fabric shops
 - f. Jewelry shops
 - g. Shoe stores
 - h. Clothing stores
 - i. Tobacco store
 - j. Barber and hair styling
 - k. Drycleaning shop
 - l. Tourist information and travel agencies and ticket reservation services
- B. Uses Permitted Subject to a Conditional Use Permit
 - 1. Sales of alcoholic beverages
 - 2. Restaurants
 - 3. Outdoor, take-out or drive-thru restaurants
- C. Other Uses as Permitted Similar to the Above List as Determined by the Planning, Building and Safety Director

PART III. GENERAL DEVELOPMENT STANDARDS

A. Building Height

No building shall exceed 55 feet in height as measured from the ground to the floor of the top story for the entire site.

B. Setbacks

All setbacks shall be measured from the property line. For the purpose of this development plan, a side property line fronting a street is that line created by the ultimate right-of-way line of the frontage street.

1. Front Yard Setback

Front yard setbacks shall be as shown on Exhibit B, except that unsupported roofs or sun-screens may project three (3) feet into the setback area.

2. Side Yard Setback

Ten (10) feet, except that unsupported roof and sun-screens may project three (3) feet into the setback area. Corner lots must adhere to building and parking setback line on street sides.

3. Rear Yard Setbacks

No rear yard setbacks is required except on a through-lot in which case the required front yard setback shall be observed.

Where a parking area is adjacent to the Santa Ana River, a 5 foot setback shall be provided.

C. Site Coverage

Maximum building coverage of fifty (50) percent is allowed. Parking structures shall not be calculated as building area.

D. Allocation of Unused Permitted Development – Block D

The unused portion of the ‘Permitted Development’ for Area “D” (as shown on Table 1) shall be allocated among and assigned to the properties within Area “D” based upon the following formula:

$$\frac{\text{Amount of Acreage Owned}}{30.20 \text{ Total Area 'D' Acres}} \times 25,560 \text{ sq. ft. remaining permitted development per Table 1, Condition 1}$$

E. Parking

1. Adequate off-street parking shall be provided to accommodate all parking needs for the site. The intent is to eliminate the need for on-site parking.
2. Required off-street parking shall be provided on the site of the use served or on a contiguous site or within five hundred (500) feet of the subject site. Where parking is provided on other than the site concerned, a recorded document shall be in a form approved by the City Attorney and the Planning/Building Director and signed by the owners of the alternative site stipulating to the permanent reservation of use of the site for said parking.
3. Parking stalls and aisles shall be in accordance with the design criteria set forth in the Municipal Code.

4. The following standards shall be used to determine parking requirements:
- a. Manufacture, Research, Development and Assembly
 - (1) Manufacturing - Two (2) parking spaces for each three (3) employees, but in no event less than two (2) spaces for each one thousand (1,000) square feet of gross floor area.
 - (2) Research, Development and Assembly – Two (2) spaces for each three (3) employees, but in no event less than three (3) spaces for each one thousand (1,000) square feet of gross floor area.
 - b. Medical and Dental

Five (5) spaces for each doctor or one (1) space for each 143 square feet of gross floor area whichever is greater.
 - c. Professional and Business Offices

One (1) space for each 250 square feet of net floor area. The parking requirement for major projects may be modified in accordance with the following schedule.

 - 1. For the first 125,000 sq. ft., parking shall be provided at one space per 250 sq. ft. of net floor area.
 - 2. For the next 300,000 sq. ft., parking shall be provided at one space per 300 sq. ft. of net floor area.
 - 3. Any additional floor area, parking shall be provided at one space per 350 sq. ft. of net floor area.

For pooled parking based on more that 425,000 sq. ft. of net floor area in a single building, the Planning Commission may modify the parking formula by Conditional Use Permit based on a demonstrated formula.
 - d. Warehouse

One (1) parking space for each one thousand (1,000) square feet of gross floor area. The gross floor area may include incidental office space comprising of the total gross floor area.
 - e. Commercial

Five (5) parking spaces for each one thousand (1,000) square feet of gross floor area.
 - f. Restaurants, Outdoor, Drive-in and Take-out Restaurants

Restaurant parking shall be in accordance with the Fountain Valley Municipal Code.

F. Loading Areas

- 1. On other than special landscaped streets, street side loading shall be allowed provided the loading area is set back a minimum of seventy (70) feet from the street right-of-way line of one hundred ten (110) feet from the street centerline, whichever is greater. Said loading area must be screen from view from adjacent properties and streets.

G. Storage Areas

1. All outdoor storage shall be visually screened from adjacent streets, freeways, and adjacent property. Said screening shall form a complete opaque screen up to a point eight (8) feet in vertical height but need not be opaque above that point.
2. Outdoor storage shall be meant to include all company owned and operated motor vehicles, with the exception of passenger vehicles.
3. No storage shall be permitted between a frontage street and the building line.

H. Refuse Collection Area

5. All outdoor refuse collection areas shall be visually screened from access streets, freeways, and adjacent property by a complete opaque screen.
6. No refuse collection areas shall be permitted between a frontage street and the building line.

I. Telephone and Electrical Service

All "on-site" electrical lines and telephone lines shall be placed underground. Transformers or terminal equipment shall be visually screened from view from streets and development properties.

J. Hazardous Materials Management

1. A Conditional Use Permit shall be required for uses involving hazardous materials. The nature of the hazardous material and threshold amount of hazardous materials for application of this requirements is described hereinafter:
 - a. Flammable liquid in excess of 180 gallons.
 - b. Combustible liquid in excess of 500 gallons.
 - c. Corrosive, oxidizers, and/or flammable solids or gases in excess of 55 liquid gallons 500 solid lbs., or 3,000 gas cubic feet.
 - d. Explosives, unstable materials, and/or class 3 or 4 toxics will not be permitted
 - e. Any quantity of any material that is determined by the Fire Chief to be potentially exceptionally hazardous to the area or environment.
2. All entities potentially generating noxious fumes, toxic substances, flammable materials, or radioactive processes/materials will comply with all federal, state, and local regulations, standards and any plan dealing with hazardous materials that may hereafter be adopted by the City of Fountain Valley.
3. Noxious odors, fumes and emissions shall be controlled on site.

K. Covenants, Conditions and Restrictions

CC&R's (Covenants, Conditions and Restrictions) shall be developed for the property. CC&R's shall be subject to the joint review and approval by the City Attorney, Public Works Director, and Planning/Building Director. Such CC&R's shall not be modified without City concurrence. They shall make appropriate reference to transfer of development rights and will include a traffic management plan for Southpark project. CC&R's shall comply with Chapter 20.54 of the Fountain Valley Municipal Code.

L. Drainage Management

Drainage facilities shall be developed so that the peak run-off flows from the developed property will be reduced so that the maximum run-off flows from the developed property will be less than the peak flows from the undeveloped property.

M. Residential and Mixed-use Residential Uses

With the exception of maximum density, residential and mixed-use projects that include residential uses permitted in Areas A, B, and C (including future modifications to these projects (e.g. commercial change of use)), shall be subject to the standards for the R5 and MU-2 Zoning Districts (respectively) as contained in the Fountain Valley Municipal Code. Maximum density shall not be limited by the R5 and MU-2 density thresholds, but shall instead be determined by compliance with other applicable standards and the overall number of permitted units in the specific plan.

N. Inclusionary Housing

Residential development is subject to all provisions of the City's Inclusionary Housing Program. As an alternative means of compliance, due to amount of land under common ownership in the Southpark Specific Plan, a developer of a Residential Development Project may dedicate land in lieu of providing onsite Inclusionary Units.

1. *Dedication.* The land shall be dedicated at no cost to the City. Land donations consistent with California Government Code Section 65915 may also be donated to an affordable housing developer approved by the City.

2. *Location.* The land shall be located entirely within the City of Fountain Valley.

3. *Physical Characteristics and Quality.*

a. *Size and capacity.* The land shall be at least one acre and suitable in terms of property dimensions and configuration to accommodate a housing project.

b. *Land use designation and zoning.* The land shall be appropriately designated to permit high density multifamily residential development under the City's General Plan and zoning regulations. If the land is not already appropriately designated, the applicant shall be required to secure the appropriate designation and zoning at its own cost, including environmental clearance, prior to obtaining approval of its market-rate units.

c. *Infrastructure.* The land shall be served by existing utilities, streets, and other infrastructure improvements necessary to allow for the affordable units to be constructed.

d. *Suitability.* The applicant shall, at their own cost, provide property related report(s) to demonstrate the suitability and value of the land to be dedicated including but not limited to title report, appraisal report from a City-approved appraiser with MAI designation, and environmental site assessment(s). The City shall, in its sole discretion, make the determination as to whether the site is suitable for affordable housing development, and may reject a site offered as a means of alternative compliance.

4. *Value.* The value of the land shall be at least equivalent to the in-lieu fee that would be applicable to the Residential Development Project. If the value of the land is below the equivalent in-lieu fee, a combination of land dedication and in-lieu fee is allowed, provided that the land to be dedicated still satisfies all other requirements in this section.

5. *Density Bonus.* Any inclusionary units satisfied through the dedication of land shall not be used as the basis for a density bonus except as provided by state law.

6. *Issuance of certificate of occupancy.* Certificates of occupancy shall only be issued for Market Rate Units, in the case of compliance through land dedication, once all land to be dedicated has been legally transferred to the City.

PART IV. LANDSCAPING

All areas not used for buildings, parking or storage shall be landscaped using the following guidelines. All landscaped areas shall be irrigated using an automatic irrigation system.

The design guidelines outlined herein form an integral element in achieving a distinctive development character for the project area. This character is reinforced through the coordinated design and selection of landscape and paving materials, and emphasis on special features. Required guidelines are specified for the following categories:

- Front Yard Setback Areas
- Side and Rear Yard Setback Areas
- Parking Areas
- Sloped Banks

These guidelines establish a framework for consistency of design between the ultimate development pattern and phased increments. As phases are implemented, landscape plans shall be approved which are consistent with and implement these concepts. Detailed landscaping and irrigation plans prepared by licensed landscape architect, landscape contractor or architect shall be submitted to and approved by the City of Fountain Valley Public Works Director and Planning/Building Director prior to approval of grading plan and installed prior to issuance of Certificate of Use and Occupancy.

Plan views and cross sections of street edges and project edges are provided in Exhibits A through E.

A. Front Yard Setback Area

1. To create a unifying element surrounding the project area, a landscaped edge will be maintained adjacent to Slater Avenue, Euclid Street, Talbert Avenue, Newhope Street and interior streets. This edge will contain informal tree plantings with turf below on undulating berms. Minimum widths from curb to parking lot or building setback lines are illustrated in Exhibits B through D.
2. Slater Avenue, Euclid Street, and Talbert Avenue
 - a. Landscape Berm – Berms shall be continuous and undulating both vertically and horizontally with 3:1 slopes. Height of berms shall be minimum of 36”.
 - b. Turf Type – All berms shall be planted with a tall fescue blend consisting of the following varieties:
 - 52% Marathon Fescue
 - 21% Mustang Fescue
 - 15% Olympic Fescue
 - c. 12% Rebel Fescue
Seed is to be broadcast at the rate of 15 lbs. per 1,000 sq. ft.
 - d. Trees – trees shall be planted in accordance with the following requirements:
 - (1) Quantity – Plant a minimum of one (1) tree for every twenty five (25) linear feet of street frontage not including drives.

- (2) Pacing – Plant trees in informal groupings of not less than 3 trees of like species per group.
- (3) Mix – 60% of required total shall be evergreen; 40% shall be deciduous.
- (4) Species – Plant materials for these areas are as follows:
 - (a) Deciduous: *Liriodendron tulipifera* – Tulip Tree
 - (b) Evergreen: *Pinus canariensis* – Canary Island Pine
- (5) Size – Required sizes for plant material shall be as follows, expressed as relative percentages of the total:
 - (a) 15 gal. – 50%
 - (b) 24" box – 30%
 - (c) 36" box – 20%

7. Newhope Street

- a. Landscape Berm – Berms shall be continuous and undulating both vertically and horizontally with 3:1 slopes.
- b. Turf Type – see paragraph b.(2) of this section.
- c. Trees – see paragraph b.(3) of this section.

8. Other Streets

- a. Landscape Berm – see paragraph c.(1) of this section.
- b. Turf Type – see paragraph b.(2) of this section.
- c. Trees – see paragraph b.(3) of this section.

5. Temporary Landscape Edge Adjacent to Undeveloped Parcels

- a. Setback – The width of the landscaped edge of undeveloped parcels proposed for expansion of completed buildings is 10 feet from back of curb where no sidewalk exists and 10 feet from back of walk where sidewalk exists. For an illustration of this condition see Exhibit E.
- b. Landscape Berm – none required.
- c. Turf Type – see paragraph b.(2) of this section.
- d. Trees – Trees shall be planted in accordance with previously described guidelines except that all required trees shall be a minimum 15 gallon size.
- e. When the expansion parcel is developed, the landscaped setback area must be developed in accordance with appropriate standards.

6. Entrances to Parking Lots

Accent tree – Entries to the various parking lots on the project site shall be special accent points which announce entry and set a theme for the project. A minimum of 1-36" box tree on each side of the driveway shall be planted with an underplanting of annual color or flowering ground cover. Plant materials for these areas are as follows:

Trees: *Cinnamomum camphora* – Camphor tree, multi-trunked.

7. Foundation Planting at Building

- a. Shrubs/Ground Cover – Shrubs and ground cover shall be used for screening of parking areas and for special effects at entries and around buildings. Shrubs and ground cover of like species should be used in large masses to avoid a spotty, disconnected ground plane. Shrubs utilized for planting in these areas shall be a minimum 5 gallon size.
- b. Setback Encroachment – Foundation plantings may encroach a maximum of 5 feet into the 30 foot building setback area.

B. Side and Rear Yard Setback Area

All building setback areas shall be landscaped utilizing ground cover, lawn, and/or shrub and tree materials. For setback areas at parking lots, see below.

C. Parking Areas

1. Setback – the width of the landscaped edge adjacent to parking areas shall be a minimum of 5 feet from the interior rear and interior side yard property lines. Front yards are described elsewhere in this text.
2. Screening – Areas used for parking shall be landscaped in such a manner as to interrupt or screen these areas from view from streets and adjacent properties. Plant materials used for this purpose shall consist of lineal masses of shrubs and trees.
3. Where a parking lot contains ten (10) or more parking spaces and is visible from a street, not less than five percent (5%) of the total area excluding any perimeter landscaping, shall be landscaped. Such landscaping shall not be concentrated in any one area. Provide a minimum of one (1) 5' wide landscaped finger for every ten (10) lineal parking stalls.
4. Trees – Trees equal in number to one (1) per each three (3) parking stalls at parking lot edges or one (1) per each six (6) parking stalls when stalls face each other are required – see Exhibit F. Parking lot trees shall be a minimum 15 gallon size. Trees of like species shall be utilized for each respective parking lot. Select one from the following list:
 - a. *Cupaniopsis anacardioides* – Carrotwood
 - b. *Magnolia grandiflora* 'Samuel Sommer' – Magnolia
 - c. *Podocarpus gracilior* – Fern Pine
 - d. *Platanus acerifolia* – London Plane Tree
 - e. *Pyrus calleryana* 'Aristocrat' – Ornamental Pear
5. Shrubs – Shrubs shall be used for screening parking areas. Shrubs of like species shall be used in large masses for each respective parking area, spaced in linear fashion at 3'-0" o.c. maximum. The center line of the shrub mass shall occur a minimum of 3'-6" from parking lot curb face – see Exhibit F. Select one from the following list:
 - a. *Escallonia* 'Terri' – Escallonia
 - b. *Hibiscus rosa-sinensis* – Chinese Hibiscus
 - c. *Photinia fraseri* – Fraser's Photinia
 - d. *Pittosporum tobira* "Variegata" – Variegated Mock Orange

D. Sloped Banks

All sloped banks shall be stabilized, planted, and irrigated in accordance with plans submitted and approved by the Planning Department.

E. Perimeter Landscaping

The north side of Talbert Avenue, the east side of Euclid Street, the south side of Slater Avenue, and both sides of "C" Street shall be properly landscaped in conjunction with the first phase of development unless the area is being farmed in which case the landscaping may be postponed until the farming ceases.

F. Residential and Mixed-use Residential Uses

Residential and mixed-use projects that include residential uses permitted in Areas A, B, and C shall be subject to the standards for the R5 and MU-2 Zoning Districts, except for the maximum density standards (respectively), as contained in the Fountain Valley Municipal Code.

PART V. SIGNS

A. INTENT

Intent and Purpose. The purpose of this section is to describe permitted sign types and provide minimum standards for signs within the SOUTHPARK Development Plan. In addition to the regulations of this section, the provisions of Chapter 21.56 of the Zoning Code at the time of adoption of the SOUTHPARK Development Plan, or these standards, whichever is more stringent, shall apply. Components of the SOUTHPARK Identity Signage, including but not limited to, the major entry signage, block signage, and center wide directional signage, which may occur within or adjacent to the SOUTHPARK Development Plan are not regulated by this section.

B. SIGN TYPES

1. Project/Building Identification Signs

Project/Building identification signs identify the development of major buildings. These signs are to be sited at locations along major street frontages and/or at entrance drive locations related to the project area.

2. Building Address Signs

Building address signs identify the building address. These signs will be located on or adjacent to each building at areas visible to vehicular and pedestrian traffic. Building address numerals shall be of a form consistent with surrounding identification signing. Address numbers must have at least 1" of thickness and no numbers will be allowed to be painted on the surface of building.

3. Tenant Identification Signs

Tenant identification signs are divided into three (3) categories which are:

- a. Primary Tenant - The major use tenant in a multi-tenant type building. For purposes of building signing, the status of the tenant can be established by the building owner.
- b. Secondary Tenant - Smaller use tenant in a multi-tenant type building. For purposes of building signing, the status of the tenant can be established by the building owner.
- c. Single Tenant - Tenant in a building designed for single tenant occupancy, or sole tenant in multi-tenant type building.

Tenant signs are located or adjacent to the building, near the tenant space and/or entry when applicable. These signs are to be of standard legibility scale for pedestrian and vehicle recognition.

4. Vehicular/Pedestrian Directional Signs

Vehicular/directional signs are to be located as to direct vehicular and pedestrian traffic within the project.

C. SIGN STANDARDS

1. General Standards – Multi-story Tenant Identification Signs

- a. Signs shall be restricted to tenant identification only, either wall mounted or free standing.
- b. All signs attached to the building shall be individual letters surface mounted.

- c. No rooftop signs shall be permitted.
- d. Signs visible from the exterior of any building, if illuminated, shall be internally illuminated without a halo, but no signs or any other contrivance shall be devised or constructed so as to rotate, gyrate, blink, move, or appear to move in any fashion.
- e. Public service devices such as clocks and temperature indicators shall be devoid of advertising.
- f. No sign shall be attached to exterior vision glass.
- g. SOUTHPARK Business Community project typeface shall be Helvetica light and bold.
- h. Primary tenant identification sign (individual letters) shall occupy one position on a horizontal fascia per street frontage with two (2) fascia signs per building maximum.
- i. Primary tenant will be allowed the use of his own logo/logotype for his tenant identification. When tenant logo and logotype are used together, then both logo and logotype shall not exceed three (3) feet in height. If logo is used alone, then maximum height of logo can be increased to five (5) feet in height.

Maximum area shall not exceed one and one half (1 ½) square feet per each lineal foot of building frontage and shall not exceed 70% of said frontage. These signs shall be fabricated as individual letters and, if illuminated, shall be internally illuminated without a halo. Color of sign shall be at discretion of building owner as approved by City of Fountain Valley. The area of a wall sign shall be measured by a rectangle around the outside of logo and or logotype.

- j. Secondary tenant (ground level) identification signs shall occupy not more than two locations at the eyebrow level of the building, fascia area between the first and second floor. No secondary tenant shall be allowed more than one sign at each location. The sign shall be placed on the building to allow maximum visual separation between them. All secondary tenant signs shall be the same color which is established in approved sign program for that building. All signs on a single building shall either be illuminated or not illuminated and shall be switched together. Secondary tenant shall be allowed the use of his own logo/logotype for this tenant identification. If no logo/logotype exists, then identification sign shall be SOUTHPARK Business Community, project typeface, upper and lower twelve (12) inches capital height. The area of a wall sign shall be measured by a rectangle around the outside of logo and or logotype. Maximum sign area shall not exceed fifteen (15) square feet.
- k. Remaining tenant identification shall be restricted to interior tenant directory.
- l. All other signs necessary for the effective operation of each facility shall be in SOUTHPARK Business Community typeface.

2. General Standards – Single Story Office/Industrial Tenant Identification Signs

- a. Signs shall be restricted to tenant identification only, either wall mounted or free standing.
- b. All signs attached to the building shall be individual letters surface mounted.
- c. No rooftop signs shall be permitted.

- d. Signs visible from the exterior of any building, if illuminated, shall be internally illuminated without a halo, but no signs or any other contrivance shall be devised or constructed so as to rotate, gyrate, blink, move, or appear to move in any fashion.
 - e. Public service devices such as clocks and temperature indicators shall be devoid of advertising.
 - f. No sign shall be attached to exterior vision glass.
 - g. SOUTHPARK Business Community project typeface shall be Helvetica light and bold.
 - h. Primary tenant identification sign (individual letters) shall occupy one position on a building top horizontal fascia per street frontage with two (2) fascia signs per building maximum.
 - i. Single tenants will be allowed the use of his own logo/logotype for his tenant identification. When tenant logo and logotype are used together, then logo and logotype shall not exceed two (2) feet in height. If logo is used alone, then maximum height of logo can be increased to three (3) feet in height. Maximum sign area shall not exceed one and one half (1 ½) square feet per each lineal foot of building frontage and shall not exceed 70% of said frontage. These signs shall be fabricated as individual letters and, if illuminated, shall be internally illuminated without halo. Color of sign shall be at discretion of building owner as approved by City of Fountain Valley. The area of a wall sign shall be measured by a rectangle around the outside of logo and or logotype.
 - j. Multi-tenant identification sign shall occupy one (1) position adjacent to individual tenant building entrances. The sign can be located above or to the side of the entry depending on the building configuration, however, all signs on a single building must be located at a consistent location in relation to the entrance. All multi-tenant signs shall be the same color which is established in an approved sign program for that building. All signs on a single building shall either be illuminated or not illuminated and shall be switched together. Multi-tenant will be allowed the use of his own logo/logotype for his business identification. If no logo/logotype exists, then identification sign shall be in SOUTHPARK project typeface, upper and lower case with twelve (12") inch capital height if only a single line of copy is used. If double line of copy is used, each line of copy shall not exceed a capital height of six inches (6") with a two inch (2") space between copy lines. Maximum height of logo in both conditions is fourteen inches (14"). Maximum area shall not exceed eighty percent (80%) of lease space frontage. Maximum sign length shall not exceed twenty (20) feet in length. All other signs necessary for the effective operation of each facility shall be in SOUTHPARK project typeface.
 - k. All other signs necessary for the effective operation of each facility shall be in SOUTHPARK project typeface.
3. General Standards – Single Story Retail/ Commercial Tenant Identification Signs
- A. Wall Signs
- a. All signs attached to the building shall be individual letters surface mounted.
 - b. No rooftop signs shall be permitted.
 - c. Signs visible from the exterior of any building, if illuminated, shall be internally illuminated, pan channel type construction without halo, but no sign or any other

contrivance shall be devised or constructed so as to rotate, gyrate, blink, move or appear to move in any fashion.

- d. Public service devices such as clocks and temperature indicators shall be devoid of advertising.
- e. No sign shall be attached to exterior vision glass.
- f. SOUTHPARK Business Community project typeface shall be Helvetica light and bold.
- g. Each tenant, in a multi-tenant type retail facility, will be allowed the use of his own logo/logotype for his tenant identification. When tenant logo and logotype are used together, then logo and type shall not exceed two (2) feet in height. Maximum area shall not exceed one and one half (1 ½) square feet per each lineal foot of building frontage and shall not exceed 70% of said frontage. These signs shall be fabricated as individual letters and if illuminated shall be internally illuminated without halo. The area of a wall sign shall be measured by a rectangle around the outside of logo and/or logotype. Color of tenant sign shall be selected from a field of four (4) colors established in a sign program submitted by the building owner to the City of Fountain Valley for approval. All signs on a single building shall either be illuminated or not illuminated and shall be switched together.

B. Tenant Identification Signs Freestanding

- a. Ground tenant identification signs may be permitted, subject to Planning Commission Sign Committee approval in project areas of a minimum 30,000 square feet of building area subject to the standards of this Section.
- b. Ground signs shall not exceed four (4) feet above grade in height. No sign shall exceed sixty-four (64) square feet in area, thirty-two (32) square feet per face, and two face maximum.
- c. Every lot shall be restricted to one (1) ground sign.
- d. All ground signs shall have a minimum setback of twelve (12) feet from the property line.
- e. Color of sign is the discretion of building owner as approved by the City of Fountain Valley Planning Department.
- f. Tenants in a multi-tenant building, except as specified in Section f of this section shall not be allowed their own ground sign; however, a building name ground sign may be allowed.
- g. Tenants which are required by other government agencies to provide special sign identification such as gas stations, shall be permitted one (1) free standing monument sign subject to the standards of this Section.

4. Miscellaneous Signs – Temporary Identification Signs

- a. Sale or Lease Sign. One sign not to exceed twenty four (24) square feet in area advertising the sale, lease, or hire of the site will be allowed.
- b. Construction Sign. One sign not to exceed thirty two (32) feet in area denoting the architects, engineers, contractor, and other related subjects will be allowed at commencement of construction. Said sign will be removed at the time the building is fit for occupancy.

D. LIGHTING GUIDELINES

1. Objectives

- a. To contribute to the safe and efficient use of a development site.
- b. To contribute to the site security.
- c. To complement and reinforce the architecture and site design character.
- d. To have lighting fixtures and illumination levels for on-site parking consistent throughout SOUTHPARK Business Community.
- e. To prevent casting glare onto adjacent lots.
- f. To prevent casting glare onto adjacent streets in such a manner as to decrease the safety of vehicular movement.
- g. To encourage lighting design that is in conformance with energy saving guidelines.

2. Guidelines

- a. All lighting potentially visible from an adjacent street except bollard lighting less than forty-two (42) inches high, shall be indirect or shall incorporate a full cut off shield type fixture.
- b. Parking areas, access drives, and internal vehicular circulation area lighting fixtures shall be a zero cutoff. The parking lot illumination level shall achieve a uniformity ratio of 3 to 1 (average to minimum) with a maintained average of 1 foot candle and a minimum of .3 foot candle.
- c. Service area lighting shall be contained within the service yard boundaries and enclosure walls. No light spillover should occur outside the service area. The light source should not be visible from the street.
- d. Building illumination and architectural lighting shall be indirect in character (no light source visible). Indirect wall lighting or "wall washing" overhead down lighting, or interior illumination which spills outside is encouraged. Architectural lighting should articulate and animate the particular building design as well as provide the required functional lighting for safety and clarity of pedestrian movement.
- e. Pedestrian walk lighting is divided into two types of areas:
 - (1) Primary areas – Outdoor pedestrian use areas such as courtyard, entry way, etc. Pedestrian area lighting should achieve a uniformity ratio of .35 to 1 average to minimum, with an average illumination of .60 foot candles and a minimum of .18 foot candles.
 - (2) Secondary areas – Walk lighting where point to point lighting is acceptable with no specific illumination levels required. The main emphasis in this area should be to clearly identify the pedestrian walkway and direction of travel.

PART VI. BUILDING COLOR AND TEXTURE CONTROL

The building color and texture shall be subject to review and approval by the Planning Commission to insure architectural compatibility. Findings and procedure are set forth in Chapter 21 of the Fountain Valley Municipal Code under Development Review.

EXHIBIT A



EXHIBIT B



EXHIBIT C

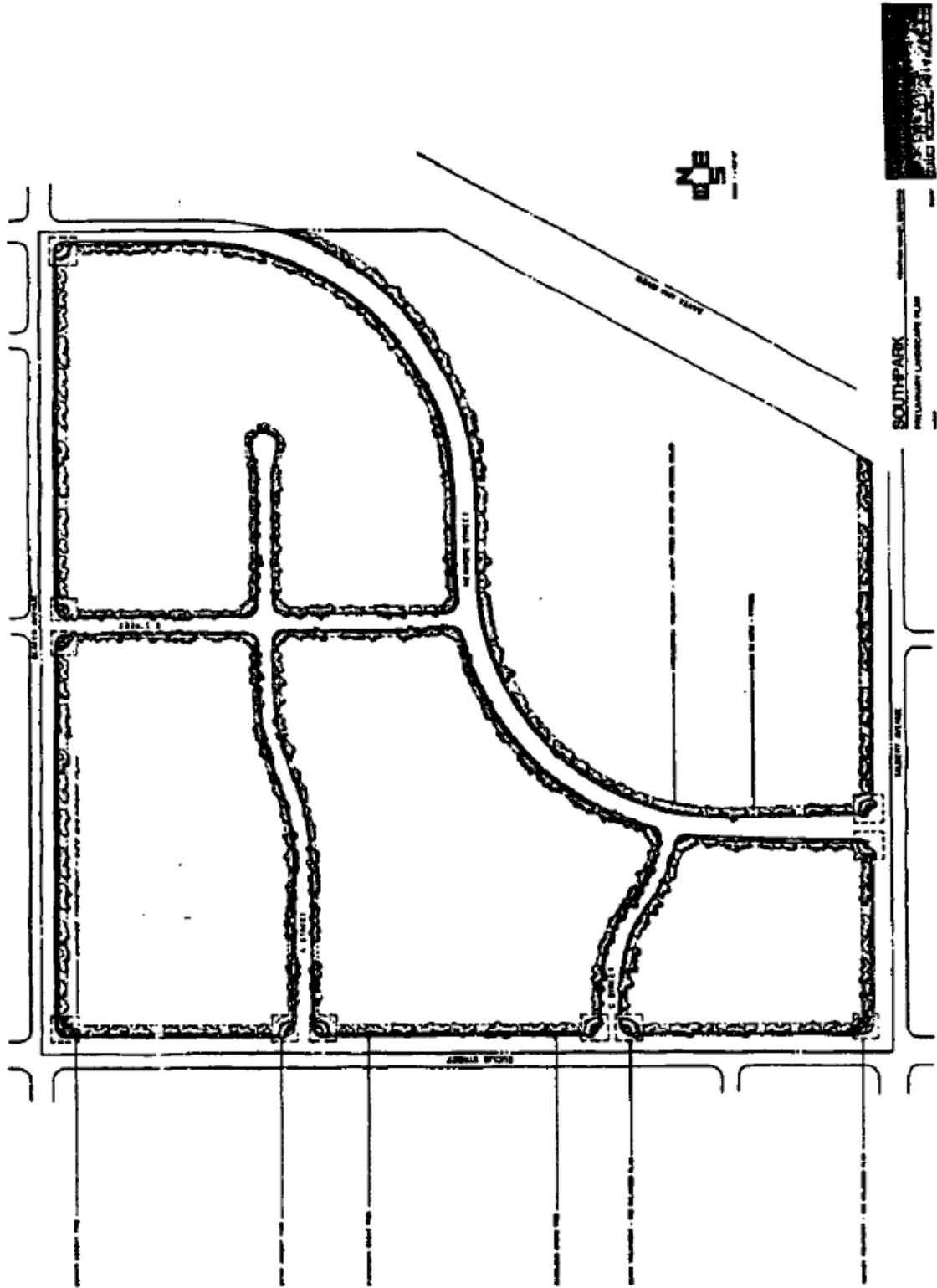
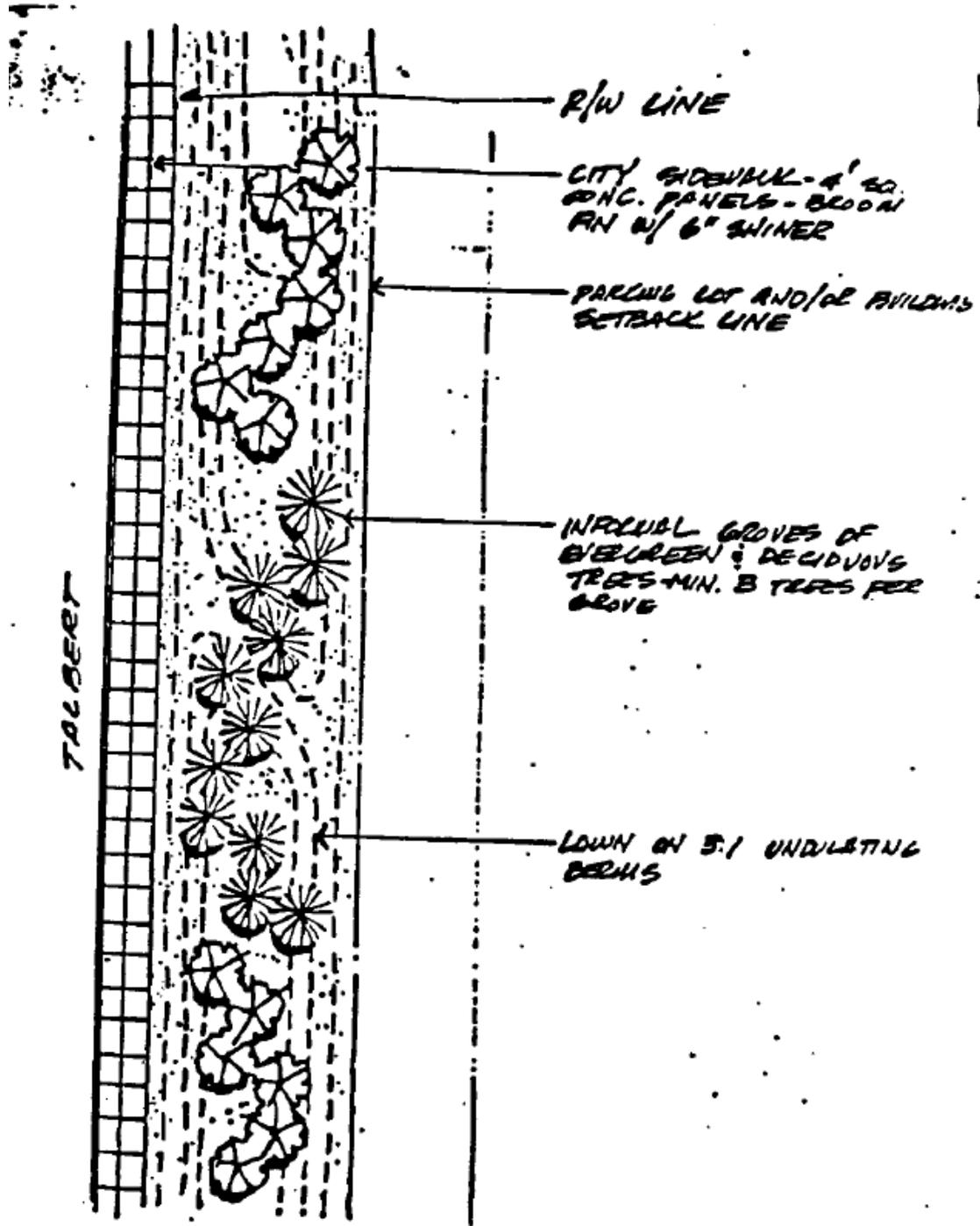


EXHIBIT "C" Page 1 of 7
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PLAN © TALBERT AVENUE

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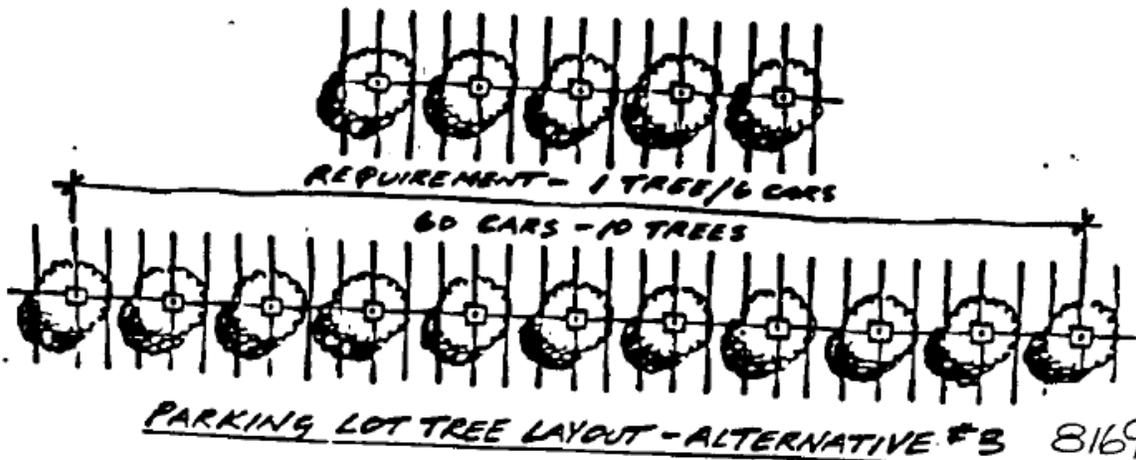
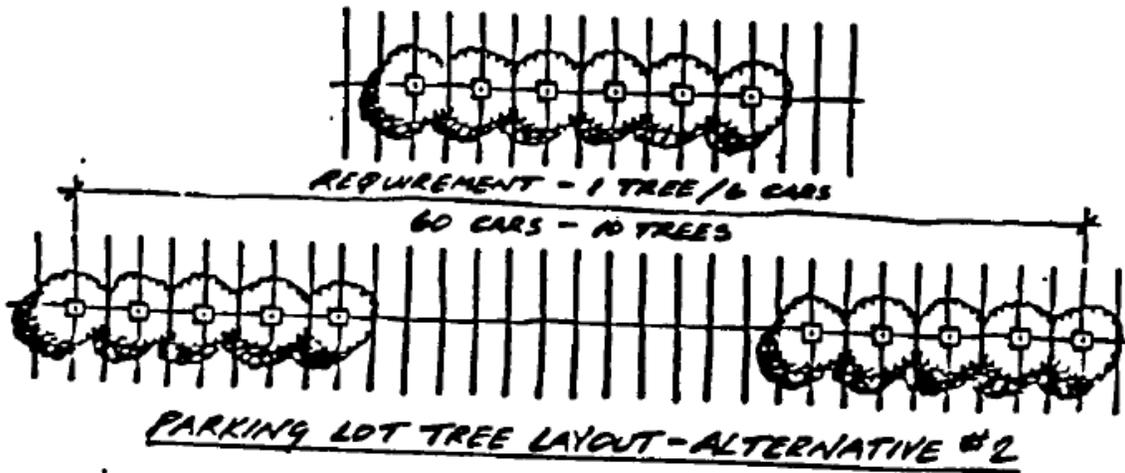
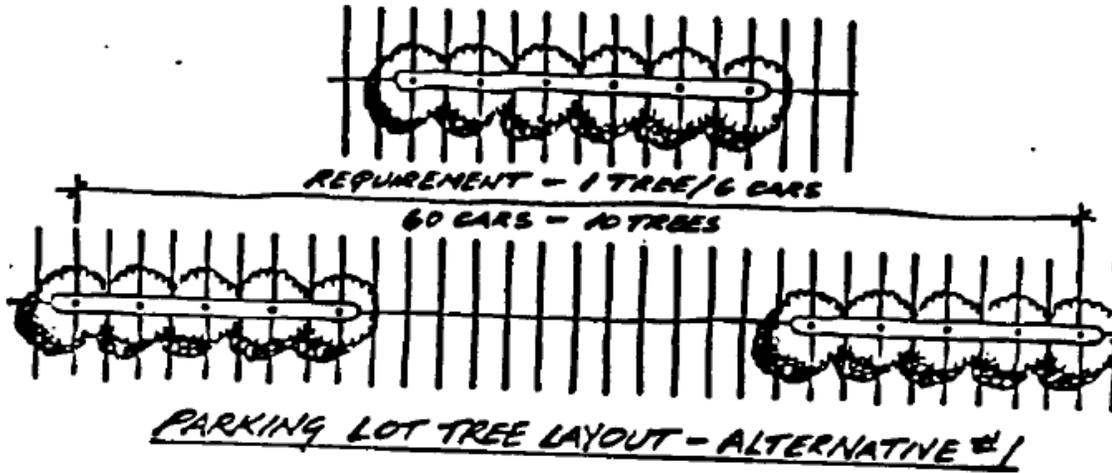
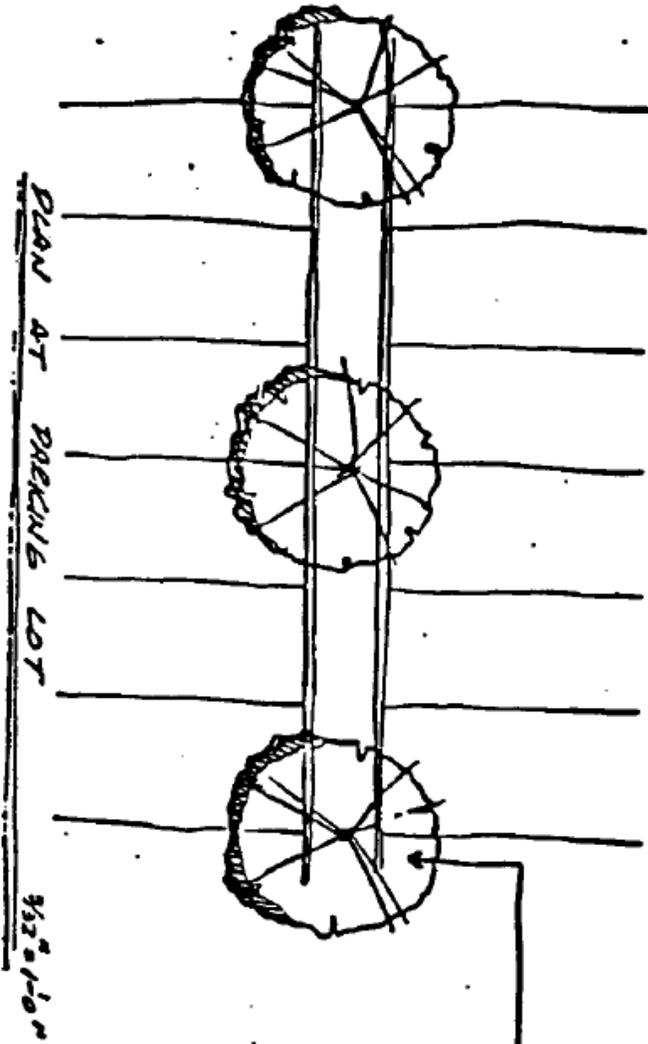
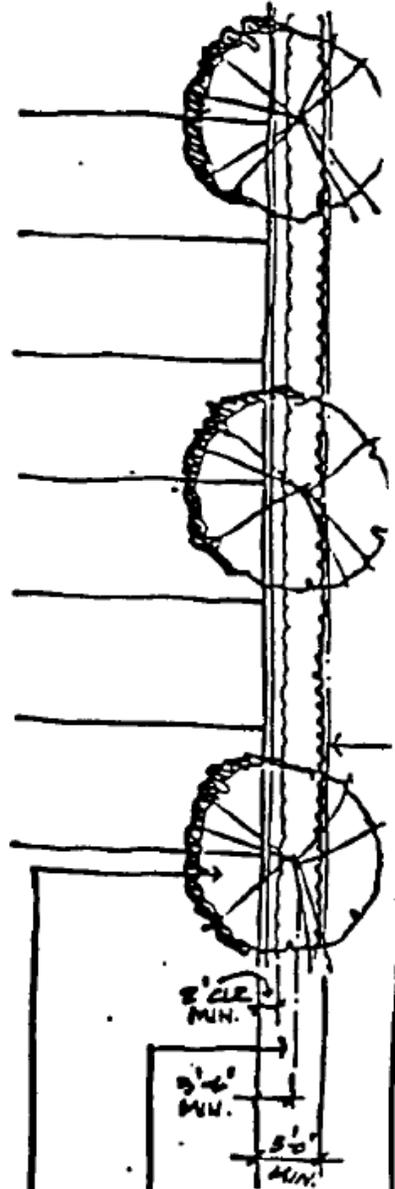


EXHIBIT C



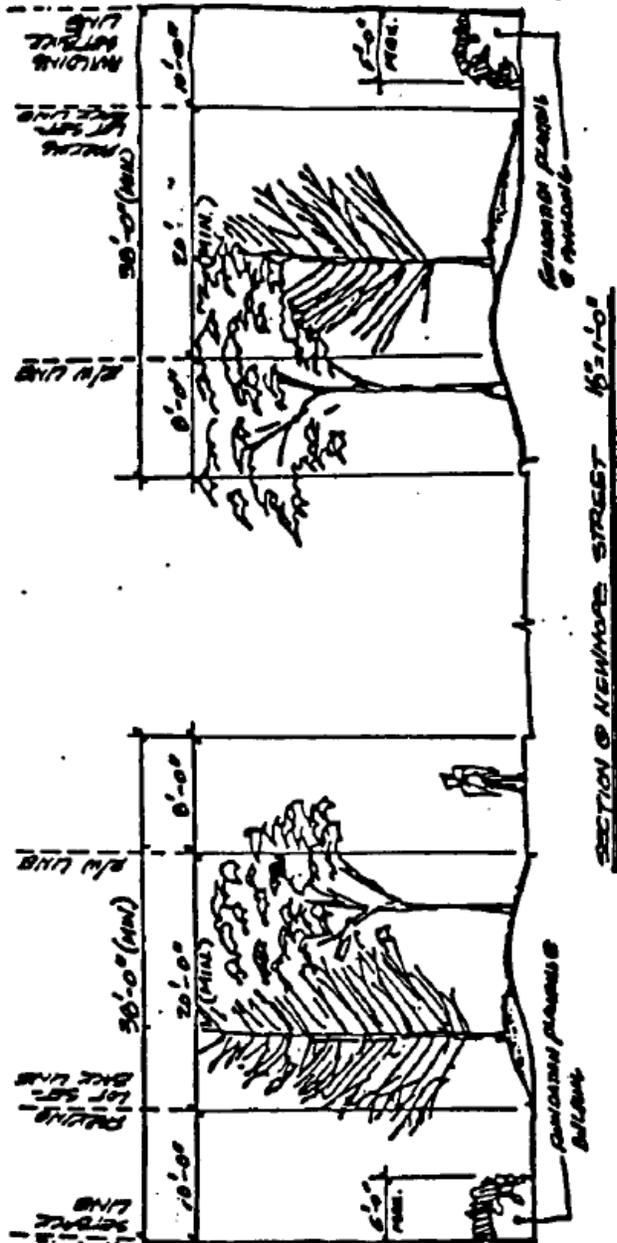
1 TREE FOR EVERY 5
PARKING SPACES. ALL
SPACES MUST BE EQUAL

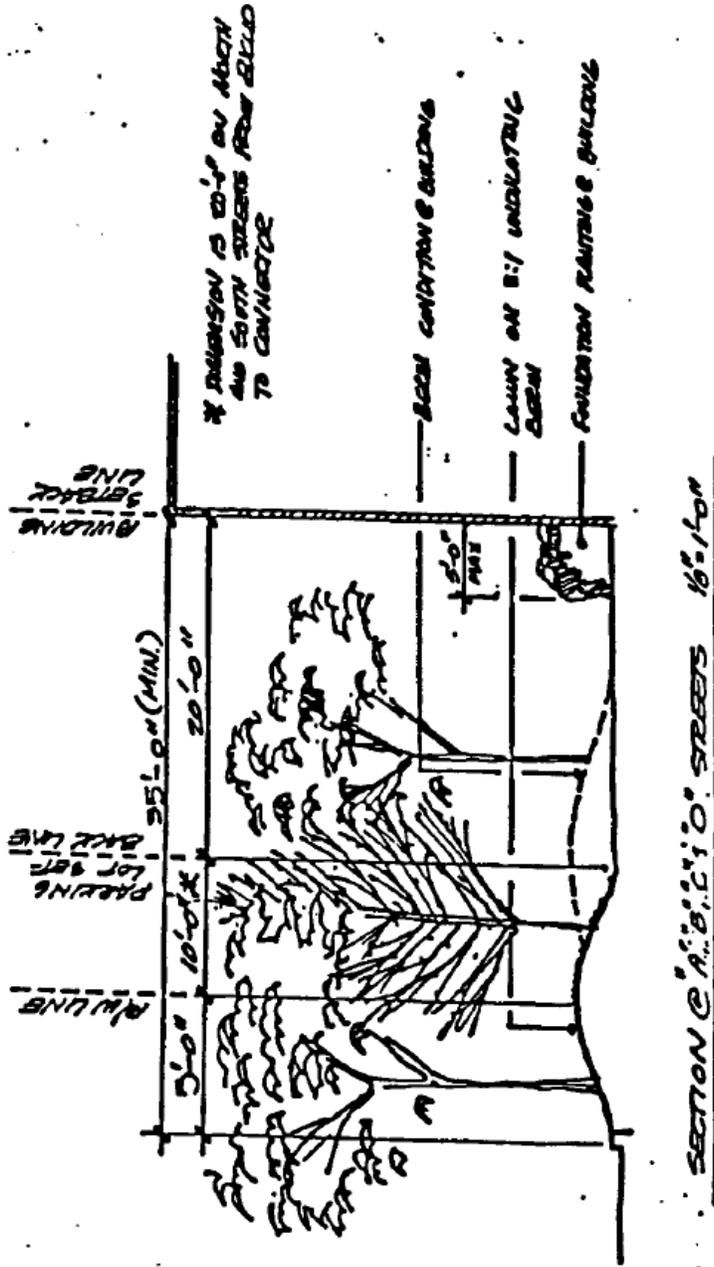


1 TREE FOR EVERY 5
PARKING SPACES AT
PARKING LOT PERMITTED

CENTER LINE OF
SWAB BRASS

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