



3.9.3 Planning Area 20 - Medium-High Density Residential

A. Permitted and Conditionally Permitted Uses

The following uses shall be permitted by Right where the symbol "P" occurs or by conditional use where the symbol "C" occurs.

- 1. Residential uses:
 - Condominiums and cooperatives P
 - Patio homes C
 - Single family detached and attached dwelling units P
- 2. Public/Institutional uses:
 - Churches and other religious institutions C
 - Nursery school or child care center C
 - School, public P
 - School, private C
- 3. Commercial Retail and Service uses C

B. Accessory Uses and Structures

Accessory uses and structures are permitted when customarily associated with and subordinate to a permitted use on the same site.

C. Unlisted Uses

Those uses not specifically listed are subject to a determination by the Community Development Director as either permitted, permitted subject to a conditional use permit or prohibited consistent with the purpose of the land designation of this planning area and the Specific Plan. Decisions of the Director are appealable to the Planning Commission.

D. Prohibited Uses

- Adult Entertainment Uses

E. Site Development Standards - Single Family Detached

- 1. Maximum dwelling units - 7 dwelling units per acre
- 2. Minimum lot area - 3,000 square feet
- 3. Minimum lot width - 35 feet
- 4. Maximum building height - 35 feet

5. Maximum lot coverage - 50 percent of lot area. Covered areas shall include all areas under roof except trellis areas, roof overhangs, and covered porches outside the exterior wall.
6. Minimum building setbacks³⁹
 - a) Edinger Avenue - 40 feet
 - b) Harvard Avenue - 40 feet
 - c) Local public street - 10 feet
 - d) Private street or drive - 5 feet
 - e) Interior side yard - 3 feet minimum with aggregate requirement of 10 feet for both sides
 - f) Rear yard - 10 feet
7. Landscape setbacks³⁹
 - a) Edinger Avenue - 30 feet
 - b) Harvard Avenue - 30 feet
8. Landscaping
 - a) Compliance with the City of Tustin Landscape and Irrigation Guidelines
 - b) Compliance with the Landscape Design Guidelines in Section 2.17 of this Specific Plan
9. Bicycle and pedestrian circulation facilities shall provide connections within the Planning Area, to adjacent Planning Areas, and to citywide bicycle trails where applicable.
10. Other General Development Regulations (refer to Section 3.11 as applicable)
11. Signage (refer to Section 3.12 as applicable)
12. Off-street parking (refer to Section 3.13 as applicable)

F. Site Development Standards - Single Family Attached

1. Maximum dwelling units - 15 dwelling units per acre
2. Minimum lot area per family unit - 3,000 square feet
3. Minimum lot width - no minimum
4. Maximum building height - 35 feet
5. Maximum lot coverage - 100 percent less required setbacks and open space areas
6. Common open space - 400 square feet per dwelling unit located within common, designated recreational areas. Private attached ground level patios may be credited if open on three sides. Areas not available for open space credit include all structures, streets, driveways, landscape setbacks, and parking lots.
7. Minimum gross floor area per dwelling unit, excluding the garage:
 - a) Bachelor - 450 square feet
 - b) 1 Bedroom - 550 square feet

³⁹ Landscape setbacks are measured from the back of the curb and are a combination of parkway, sidewalk, and planting areas. Building setbacks are measured from future right-of-way.

- c) 1 Bedroom with den - 700 square feet
- d) 2 Bedrooms - 750 square feet
- e) 2 Bedrooms or more with den - 900 square feet
- 8. Minimum building setbacks⁴⁰
 - a) Edinger Avenue - 40 feet
 - b) Harvard Avenue - 40 feet
 - c) Local public street - 10 feet
 - d) Private street or drive - 5 feet
 - e) Interior side yard - 3 feet minimum with aggregate requirement of 10 feet for both sides
 - f) Rear yard - 10 feet
- 9. Landscape setbacks⁴⁰
 - a) Harvard Avenue - 30 feet
 - b) Edinger Avenue - 30 feet
- 10. Landscaping
 - a) Compliance with the City of Tustin Landscape and Irrigation Guidelines
 - b) Compliance with the Landscape Design Guidelines in Section 2.17 of this Specific Plan
- 11. Bicycle and pedestrian circulation facilities shall provide connections within the Planning Area, to adjacent Planning Areas, and to citywide bicycle trails where applicable.
- 12. Other General Development Regulations (refer to Section 3.11 as applicable)
- 13. Signage (refer to Section 3.12 as applicable)
- 14. Off-street parking (refer to Section 3.13 as applicable)

G. Site Development Standards - Condominiums and Multiple Family Dwellings

- 1. Maximum dwelling units - 25 dwelling units per acre.
- 2. Minimum development site - 10 acres
- 3. Maximum building height - 45 feet or three stories, except building height within 300 feet of Harvard shall not exceed 35 feet or two stories
- 4. Maximum lot coverage - 65 percent
- 5. Common open space - 400 square feet per dwelling unit located within common, designated recreational areas. Private attached ground level patios may be credited if open on three sides. Areas not available for open space credit include all structures, streets, driveways, landscape setbacks, and parking lots.

⁴⁰ Landscape setbacks are measured from the back of the curb and are a combination of parkway, sidewalk, and planting areas. Building setbacks are measured from future right-of-way.

6. Minimum gross floor area per dwelling unit, excluding the garage
 - a) Bachelor - 450 square feet
 - b) 1 Bedroom - 550 square feet
 - c) 1 Bedroom with den - 700 square feet
 - d) 2 Bedrooms - 750 square feet
 - e) 2 Bedrooms or more with den - 850 square feet
7. Minimum building setbacks⁴¹
 - a) Edinger Avenue - 40 feet
 - b) Harvard Avenue - 40 feet
 - c) Local public street - 10 feet
 - d) Private street or private drive - 5 feet
 - e) Interior side yard - 3 feet minimum with aggregate requirement of 10 feet for both sides
 - f) Rear yard - 10 feet
 - g) Building to building - 10 feet for 1 story; 15 feet for 2 or more
8. Landscape setback⁴¹
 - a) Harvard Avenue - 30 feet
 - b) Edinger Avenue - 30 feet
9. Landscaping
 - a) Compliance with the City of Tustin Landscape and Irrigation Guidelines
 - b) Compliance with the Landscape Design Guidelines in Section 2.17 of this Specific Plan
10. Bicycle and pedestrian circulation facilities shall provide connections within the Planning Area, to adjacent Planning Areas, and to citywide bicycle trails where applicable.
11. Other General Development Regulations (refer to Section 3.11 as applicable)
12. Signage (refer to Section 3.12 as applicable)
13. Off-street parking (refer to Section 3.13 as applicable)

H. Site Development Standards - Patio Homes

1. Maximum dwelling units - 15 dwelling units per acre
2. Minimum lot area - none, refer to Section 3.9.3.J. below
3. Building site requirements - patio home subdivisions shall be designated as a development unit on a tentative map.
4. Maximum building height - 35 feet
5. Maximum lot coverage - 100 percent, less required building and landscape setbacks
6. Common open space - 400 square feet per dwelling unit located within common, designated recreational areas. A minimum of 150 square feet may be for private use if located

⁴¹ Landscape setbacks are measured from the back of the curb and are a combination of parkway, sidewalk, and planting areas. Building setbacks are measured from future right-of-way.

on ground level and open on three sides. Areas not available for open space credit include all structures, streets, driveways, landscape setbacks, and parking lots.

7. Minimum gross floor area per dwelling unit, excluding the garage - 900 square feet
8. Maximum number of four bedroom units - 30 percent
9. Minimum building setbacks⁴²
 - a) Edinger Avenue - 40 feet
 - b) Harvard Avenue - 40 feet
 - c) Local public or private street - The minimum building setback shall be 10 feet from a public or private street. An attached or detached garage may be setback a minimum of 5 feet from a public or private street. If living areas are provided above garages, garage setbacks shall apply provided that no more than 75 percent of the units along the street frontage have living space over a garage with less than a 10 foot setback. All units located along both sides of a street segment shall be included when calculating the above 75 percent determination, regardless of whether they front, side, or rear load on that section of a street. A garage shall not be setback between 9 feet and 19 feet from the right-of-way line. Garages setback 9 feet or less shall be equipped with an automatic garage opener.
 - d) Private drives and courts - The minimum building setback shall be 7 feet in a private court or on a private drive not located within a court. An attached or detached garage may be setback a minimum of 3 feet provided that no more than 50 percent of the length of the building frontage over the total length of the drive or court is setback less than 7 feet. In calculating the total length of the drive or court and the length of building frontage, the length of building and street frontage on both sides of the drive or court shall be used. If living areas are provided above garages, garage setback shall apply. The minimum 3 foot garage setback shall be increased where necessary to accommodate required sidewalks. A garage shall not be setback between 9 feet and 19 feet from the right-of-way line. Garages setback 9 feet or less shall be equipped with an automatic garage opener. A minimum distance of 40 feet shall be maintained between ground floor living areas on units across from each other in a court, on a drive, or on a shared driveway.

⁴² Building setbacks are measured for future right-of-way.

- e) Minimum distance between buildings - The minimum horizontal distance between adjacent buildings shall be 10 feet. The minimum distance between buildings may be reduced to 6 feet for no more than a maximum length of 25 feet of a building elevation, provided that there are no windows on one elevation for that portion of the building elevation with less than a 10 foot setback. If living areas are provided above garages, garage setbacks shall apply.
 - f) Tract boundary - The minimum building setback from any tract boundary shall be 10 feet. If the tract boundary is adjacent to a park or other permanent open space, the minimum building setback shall be 5 feet.
10. Landscape setbacks⁴³
 - a) Edinger Avenue - 30 feet
 - b) Harvard Avenue - 30 feet
 11. Landscaping
 - a) Compliance with the City of Tustin Landscape and Irrigation Guidelines
 - b) Compliance with the Landscape Design Guidelines in Section 2.17 of this Specific Plan
 12. Bicycle and pedestrian circulation facilities shall provide connections within the Planning Area, to adjacent Planning Areas, and to citywide bicycle trails where applicable.
 13. Other General Development Regulations (refer to Section 3.11 as applicable)
 14. Signage (refer to Section 3.12 as applicable)
 15. Off-street parking (refer to Section 3.13 as applicable)

I. Site Development Standards - Retail and Service Uses

1. Maximum lot size - established by conditional use approval
2. Maximum building height - established by conditional use approval
3. Maximum floor area ratio - .established by conditional use approval
4. Minimum building setbacks⁴⁴
 - a) Edinger Avenue - 40 feet
 - b) Harvard Avenue - 40 feet
 - c) Local public street - 10 feet

⁴³ Landscape setbacks are measured from the back of the curb and are a combination of parkway, sidewalk, and planting areas. Building setbacks are measured from future right-of-way.

⁴⁴ Landscape setbacks are measured from the back of the curb and are a combination of parkway, sidewalk, and planting areas. Building setbacks are measured from future right-of-way.

- d) Private street or private drive - 5 feet
- e) Minimum distance between buildings - 10 feet
- 5. Landscape setbacks⁴⁴
 - a) Harvard Avenue - 30 feet
 - b) Edinger Avenue - 30 feet
- 6. Landscaping
 - a) Compliance with the City of Tustin Landscape and Irrigation Guidelines
 - b) Compliance with the Landscape Design Guidelines in Section 2.17 of this Specific Plan
- 7. Bicycle and pedestrian circulation facilities shall provide connections within the Planning Area, to adjacent Planning Areas, and to citywide bicycle trails where applicable.
- 8. Other General Development Regulations (refer to Section 3.11 as applicable)
- 9. Signage (refer to Section 3.12 as applicable)
- 10. Off-street parking (refer to Section 3.13 as applicable)

J. Special Development Requirements

- 1. Concept plan approval shall be required for development in Planning Area 20, pursuant to Section 4.2.1 of this Specific Plan.
- 2. The baseline mix of uses for Planning Area 20 is 99 percent Residential and 1 percent Commercial, which will be administered by the Non-Residential Land Use/Trip Budget procedure specified in Section 3.2.4. The purpose is to ensure that adequate circulation capacity is available to serve the proposed project.
- 3. Development in Planning Area 20 shall be protected from a 100-year storm in a manner consistent with the Flood Plain Management Ordinance and as approved by the City of Tustin Building Official.
- 4. Affordability – The following minimum affordable housing production objectives are intended to reflect the intention of the City to create a redevelopment project area (Community Redevelopment Law, section 33000) and as needed to meet Regional Housing Allocation needs as identified in the Housing Element of the General Plan through the provisions of housing for households at very low, low and moderate income levels. Specific housing requirements may be established at the time of development approval to ensure conformity with the Housing Element of the General Plan and other applicable provisions of California Law and to achieve the following:
 - a) At least 15% of units for initial occupancy by very low income to moderate income households for

- redevelopment, with 6% (or 40%) of units affordable to very low income households.
- b) At least 22 additional units for occupancy by moderate income households.
 - c) Restricted affordable housing units shall be reasonably dispersed throughout the project and shall be compatible with the design and use of market rate units in appearance, use of materials, and finished quality. Restricted units shall be affordable for at least the minimum period of time required by state law, or longer if required by a construction or mortgage financing assistance program.
 - d) Prior to issuance of a certificate of use and occupancy, a developer shall enter into a legally binding agreement with the City of Tustin or its Redevelopment Agency, and agree to deed restrictions on targeted affordable housing units that are binding on property upon sale or transfer. Said agreements shall address the following:
 - 1) Number of units by type, location, bedroom count
 - 2) Standards for qualifying income and maximum rents or sales prices
 - 3) Parties responsible for sales prices and incomes
5. Tenure - Development in Planning Area 20 shall be intended for ownership sale and tenure.

K. Development Guidelines

- 1. Site planning should "stair step" building massing and density, with lower densities along Harvard stepping up in building massing and density as development occurs further into the site.
- 2. Due to the site's close proximity to the railroad tracks, Edinger Avenue, and the Eastern Transportation Corridor, appropriate noise attenuation measures will need to be implemented.
- 3. Any commercial uses should be oriented in the vicinity of Edinger, at the intersection of Edinger and Harvard. Careful planning and integration of any commercial use with adjacent uses will also be necessary in order to mitigate against any undesirable impacts to the residents.

A summary of key the design guidelines for Planning Area 20 is provided in Figure 3-9.