

## **ARTICLE 8D**

## **DOWNTOWN RESIDENTIAL ZONE (D-R)**

### **8D.00 PURPOSE**

The Downtown Residential Zone is created to allow a mixed use in the Downtown Area under either a Commercial or Residential General Plan Designation with the ultimate purpose of intensifying Downtown usage and encouraging historical preservation.

### **8D.01 USES PERMITTED**

Nonconforming uses in this zone are governed by Article 19 of this ordinance.

All activities in this zone shall take place within a totally enclosed building, except eating pavilions may be allowed with a Conditional Use Permit.

No building shall be used, designed, erected, altered, or enlarged except for the following purposes.

- A. Single or Multi-family Dwellings (Density shall not exceed one unit per 3,500 sq. ft. of net lot area)
- B. Commercial Uses generating moderate traffic similar, but not limited to:
  - 1. Accountants, appraisers, business and management consultants
  - 2. Antiques, art stores and galleries, museums, libraries and reading rooms
  - 3. Architects, engineers and surveyors, blueprinting and photo-copying
  - 4. Banks and financial institutions
  - 5. Barber shops and beauty parlors
  - 6. Book stores; excepting stores displaying or selling merchandise limited by law to persons 18 years or older.
  - 7. Clothing stores, shoe sales and repair
  - 8. Dry Goods, notion stores, gift shops and hobby stores
  - 9. Escrow companies, title companies, real estate offices
  - 10. Florist shops
  - 11. Insurance brokers, stock brokers
  - 12. Jewelry stores
  - 13. Locksmith shops
  - 14. Medical, dental and related health services
  - 15. Photographic Equipment and supply, photographic studios, no wholesale film processing

16. Restaurants, cafes, refreshment stands (excluding dancing or entertainment and/or On-Sale of alcoholic beverages)
- C. Any mix of (A) and (B) above, subject to the provisions of this section. Other uses shall be approved by the Planning Commission.

**8D.02 CONDITIONAL USES**

The following conditional uses are allowed in the Downtown Residential Zone when approved by the Planning Commission pursuant to Article 17:

1. Restaurants with dancing or On-Sale of alcoholic beverages
2. Any proposed outdoor use
3. Hotels and Motels
4. Uses that are comparable to the uses above.

**8D.03 LOT AREA**

The minimum lot size for any new lot within this zone is 7,200 sq. ft. Existing parcels of less than 5,000 sq. ft. may be merged in accordance with the regulations set forth in the Subdivision Map Act of the State of California.

**8D.04 LOT WIDTH AND DEPTH**

Newly created lots shall have a minimum width of 60 ft. and a minimum depth of 100 ft.; excepting corner lots shall have a 75 ft. width.

**8D.05 YARD REQUIREMENTS**

The following minimum requirements shall be observed, except where increased by conditional use.

Front Yard	25 ft.
Side Yard	5 ft.
Street Side Yard	10 ft.
Rear Yard	25 ft.

**8D.06 HEIGHT**

No building in this zone shall exceed 25 ft. in height or two (2) stories.

**8D.07 PERFORMANCE STANDARDS**

All uses established or placed into operation after the effective date of this ordinance shall comply with the following performance standards:

1. All uses shall be conducted wholly within an enclosed building except where permitted above.
2. Outdoor lighting shall not be a nuisance to neighboring properties or the public right-of-way.
3. Trash areas shall be enclosed in a six ft. masonry enclosure.
4. Mechanical devices such as heating, air conditioning or refrigeration units shall be architecturally obscured from the public right-of-way.
5. Noise, dust, odors, and similar environmental interruptions shall be limited so as not to cause a public nuisance.
6. Loading areas, when occupied, shall not interfere with vehicular or pedestrian circulation.

**8D.08 PARKING**

All parking areas shall comply with the provisions of Article 15 except as follows:

1. All parking areas shall contain a minimum landscape area equivalent to 5% of the total parking area.
2. Parking areas shall be screened from neighboring lots by decorative fencing between 32 in. and 42 in. in height, unless the parking is enclosed, in which case no screening is required.
3. Notwithstanding the provisions of Article 15, Sections 15.18, 15.19, and 15.20, the following number of onsite parking spaces shall be the minimum required in this zone.

Single Family Units	Two-car garage
Multiple Family Units	Two spaces per unit, one of which must be enclosed
Banks and Offices	One space per 250 sq. ft. of gross building area
Hotels, Motels	1.1 spaces per room or suite, plus two spaces for management
Libraries, Museums	One space per 350 sq. ft. of gross floor area
Medical Offices	One space per 175 sq. ft. of gross building area
Personal Service Shops	Barber shop, beauty shop, etc One space per 250 sq. ft. of gross floor area
Restaurants	One space per 100 sq. ft. of gross building area

Retail Business                      One space per 300 sq. ft. of gross building area.

4. Buildings in this zone shall receive credit toward the onsite parking requirement in the following instances:

Where street parking is legally allowed, a commercial use may receive credit for street parking at a rate of one space per 30 lineal feet of curb directly fronting the subject property, excluding driveways, areas within 15 ft. of the edge of the driveway approach or any curb return, and any curb painted red.

Any permanently designated private parking space(s) and/or accessibility to adequate public parking spaces, provided said space(s) are within 600 ft. of the subject building and provided that:

- A. Evidence is presented that private off-site parking spaces are permanently designated, and
- B. Such assignment of parking spaces(s) shall not eliminate required parking for other buildings, and
- C. Said parking space(s) and access to them shall meet San Jacinto City Parking Lot Standards.

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