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## CR (COMMERCIAL RESIDENTIAL)

**Sec. 41-439. Applicability of division.** CR (commercial residential) districts are specifically subject to the regulations contained in this division.

**Sec. 41-440. Description and purpose; principles.** This district is intended to provide areas located adjacent to certain high capacity arterial streets and highways for planned developments integrating commercial and residential land uses. Site development standards and principles are designed to encourage greater convenience, efficiency, excellence of design, and visual appeal than is possible through usual strip development.

The following site planning principles, in accordance with community development policy, shall be incorporated in all developments approved for this district:

- (a) Uses shall be buffered from one another, in order to avoid nuisances.
- (b) Internal circulation shall separate different kinds of vehicular and pedestrian traffic and shall involve the least possible dissection of the site.
- (c) Access to and from the adjacent high capacity arterial streets and highways shall be limited, in order to insure efficient and safe vehicular circulation.
- (d) Adequate open spaces and landscaping shall be provided for all uses and shall be integrated with buildings and parking areas.
- (e) Buildings shall be located to create a variety of open spaces and to eliminate corridor or barrackslike effects.
- (f) A well-planned system of walks shall be developed for convenient access between dwelling units and to commercial or other uses developed on the site.
- (g) Walks, parking, and open spaces shall be provided with adequate lighting for safe and convenient night-time use.
- (h) Vehicular and pedestrian circulation routes shall have varied alignments and vistas.
- (i) Uncovered parking areas shall be distributed throughout the site in order to avoid monotonous stretches of parked cars or surface paving.

The above principles apply to the placement, shape, and interrelationship of buildings, spaces, and other site elements, and shall not be misconstrued to interfere with the architectural style or motifs of individual buildings.

**Sec. 41-442. Uses permitted in the CR district.** The following uses are permitted in the CR district:

- (a) Retail and service uses.
- (b) Professional offices.

- (c) One-family, two-family, and multiple-family dwellings.
- (d) Resident managers' offices devoted solely to the rental of dwelling units on the site, provided that said office and surrounding grounds shall retain a residential character if located within residential areas.
- (e) Adult entertainment businesses, subject to compliance with the requirements of article XVII of this chapter.

**Sec. 41-442.5. Uses subject to a conditional use permit in the CR district.** The following uses may be permitted in the CR district subject to the issuance of a conditional use permit:

- (a) Hotels, motels, lodging houses, care homes, fraternity houses and sorority houses.
- (b) Service stations, provided they are integrated into a larger development site and accessible only by limited access ways serving the larger site as a whole.
- (c) Indoor swap meets, bulk merchandise stores, and home improvement warehouse stores.
- (d) Eating establishments open at any time between the hours of 12:00 a.m. and 5:00 a.m. and located within one hundred fifty (150) feet of residentially zoned or used property, measured from property line to property line.
- (e) Retail markets having less than twenty thousand (20,000) square feet of floor area which are open at any time between the hours of 12:00 midnight and 5:00 a.m.
- (f) Banquet facilities, subject to development and operational standards set forth in section 41-199.1.
- (g) Banquet facilities as an ancillary use, subject to development and operational standards set forth in section 41-199.1.

**Sec. 41-443. Site standards.**

- (a) Sites developed for exclusively commercial or professional use or exclusively residential use shall meet the following minimum site standards:
  - (1) Minimum area: The minimum site area shall be three (3) acres.
  - (2) Minimum dimensions:
    - (i) The minimum site depth shall be three hundred (300) feet, providing that for each one thousand (1,000) square feet of ground floor building area above twenty thousand (20,000) square feet, there shall be provided an additional one (1) foot in depth.
    - (ii) The minimum site width shall be no less than one-half (1/2) of the site depth.
- (b) Sites developed for mixed residential and commercial or professional uses shall meet the following minimum site standards:

- (1) Minimum area: The minimum site area shall be five (5) acres.
- (2) Minimum depth: The minimum site depth, measured at right angles from any arterial street or highway from which there will be primary vehicular access to the property, shall be six hundred (600) feet.
- (3) Minimum width: The minimum site width shall be three hundred (300) feet.

**Sec. 41-444. Site development standards.**

- (a) *Minimum gross floor area.* Dwelling units shall have the following minimum gross floor areas per unit, exclusive of garages, carports, balconies, patios, or open porches.
  - (1) Bachelor apartment: Three hundred (300) square feet.
  - (2) One-bedroom apartment: Five hundred (500) square feet.
  - (3) Two (2) or more bedroom apartment: Seven hundred fifty (750) square feet.
- (b) *Maximum building height.* The maximum height of any building or structure used for any purpose permitted in this district shall be equivalent to one-third (1/3) the distance from any point on the building or structure perimeter at ground level to the nearest point of any land zoned for exclusively residential purposes.
- (c) *Buffers.*
  - (1) At any point where a site area used for residential uses abuts land on or off the site used or zoned for commercial uses or vehicular ways or parking areas related to commercial uses, there shall be provided either a solid barrier six (6) feet in height of decorative noncombustible material or permanently maintained hedge, or an open space twenty-five (25) feet in width which shall not be used in the calculation of other required open spaces, yards or setbacks.
  - (2) Buildings combining residential and commercial uses may be permitted if the design assures the privacy, amenities, and protection against nuisances provided for residential use buildings under the provisions of this district.
- (d) *Setback and yard requirements.*
  - (1) Where a building site abuts any public right-of-way there shall be provided an open, landscaped setback of least ten (10) feet in depth, measured at right angles to the right-of-way line and extending the full length of such abutment. Where such a required yard abuts building, vehicular accessway, or parking areas used solely for commercial purposes, fifty (50) per cent of the required yard may be substituted in required parking area landscaping, provided that no such required yard shall be less than five (5) feet in depth.
  - (2) Buildings shall be provided with the following open yards, of which the depths are to be measured perpendicular to the building walls:

- (i) Any building wall containing a main entrance shall have yard having a minimum depth of ten (10) feet plus two (2) feet for each additional feet for each additional story in height above the first, plus one (1) foot for each fifteen (15) feet in length.
  - (ii) Any building wall which contains windows opening into any habitable room or place of work, but does not contain a main entrance, shall have a yard having a minimum depth of six (6) feet plus one (1) foot for each additional story in height above the first, plus one (1) foot for each fifteen (15) feet in length.
  - (iii) Any building wall which does not contain main entrances or windows opening into any habitable room or place of work or which is part of an accessory building shall have a yard having a minimum depth of five (5) feet.
- (3) The depth of required yards may be reduced fifty (50) per cent for any single-story building used solely for commercial purposes, if an equivalent area contiguous with the building is substituted in pedestrian mall or arcade landscaped entirely with decorative materials and plants, provided that no such building shall be closer than ten (10) feet to another building and no pedestrian accessway shall be less than six (6) feet.
- (e) *Minimum distances between buildings.* The minimum distances between buildings shall be as follows:
- (1) The minimum distance between parallel walls of two (2) main buildings or between (2) parallel facing walls of the same building shall be the sum of the yard depth requirements of both walls.
  - (2) For obliquely aligned buildings, the required distance between two (2) main buildings may be decreased a maximum of five (5) feet at one end if increased an equal distance at the other end provided that the minimum distance in no case shall be less than ten (10) feet.
  - (3) The distance between two (2) parallel main buildings facing each other for only a portion of their lengths may be reduced if the extent of their overlap does not exceed twenty (20) per cent of the length of either facing wall. The minimum distance between said buildings shall be equal to the full yard depth requirement of the longer facing wall plus three-fourths (3/4) of the yard depth requirement of only the overlapping portion of the shorter facing wall.
  - (4) Any pedestrian accessory shall have a minimum width of six (6) feet.
  - (5) The requirements of (1) through (4) above shall apply whether the required spaces are open to the sky or covered.
  - (6) Balconies and exterior stairways shall not project more than fifty (50) per cent of the depth of any required yard or setback.

- (f)** *Open space and recreational-leisure areas.* There shall be provided a minimum of:
- (1)** Three hundred fifty (350) square feet of usable recreational-leisure space for each dwelling unit. Portions of spaces required under the yard and minimum distance provisions of this section may be included in the calculation of recreational-leisure space to the extent that they are integrated with and usable as part of a larger recreational-leisure area.
  - (2)** Where private outdoor living areas are provided, the minimum recreational-leisure space requirement shall be reduced to three hundred (300) square feet per dwelling unit.
    - (i)** Minimum dimensions of such private outdoor living areas shall be as follows:
      - (.1)** When provided for ground floor or studio-type units, such areas shall have a minimum of two hundred (200) square feet, the least dimension of which shall be ten (10) feet.
      - (.2)** When provided for dwelling units wholly above the ground floor, such areas shall be provided as accessible balconies or decks, and shall have a minimum area of fifty (50) square feet, the least dimension of which shall be five (5) feet.
    - (ii)** Remaining required space not provided in private outdoor living areas shall be provided in common recreational-leisure areas.
  - (3)** Common recreational-leisure areas, which shall be conveniently located and readily accessible from all dwelling units located on the building site, may extend into the required yards, but shall be screened from adjacent arterial streets and highways, and may include swimming pools, putting greens, court game facilities, and any other recreational-leisure facilities necessary to meet the requirements of residents and their guests. Common recreational-leisure areas, with the exception of pedestrian accessways and paved recreational facilities, shall be landscaped with lawn, trees, shrubs, or other plant materials and shall be permanently maintained in a neat and orderly manner as a condition to use. Fountains, sculpture, planters and decorative screen-type walls, where an integral part of a landscaping scheme comprised primarily of plant materials, are permitted. Required recreational-leisure space shall in no case be used for parking automobiles or for commercial agriculture.
  - (4)** Fifty (50) per cent of required common recreational-leisure space for residential units may be included in the calculation of required yards and setbacks for commercial uses developed on the same site, providing the resulting spaces shall be part of an integrated whole contiguous with and convenient to the residential buildings served, shall be developed solely with plant and decorative materials, and shall not serve as primary commercial pedestrian routes or otherwise made unavailable for leisure purposes.

**(g)** *Coverage.* The maximum coverage by main residential buildings and accessory residential buildings shall not exceed fifty (50) per cent of the residential site area. If the site is in residential use only, the residential site area is the total site minus the area of all vehicular rights-of-way and of all accessways which exceed one hundred (100) feet in length. If the site is also in use for commercial purposes, demarcation of residential site areas shall be shown on submitted plans for the purpose of calculating coverage, and any open spaces, setbacks, parking areas, and vehicular ways used to satisfy development requirements for commercial uses shall not be included in calculating the coverage of residential buildings. Recreation-leisure facilities shall not be counted as covered areas.

**(h)** *Off-street parking requirements.*

**(1)** Refer to section 41-617 for parking requirements for this district.

**(2)** Parking facilities for residential units shall be completely separated from parking facilities and main internal circulatory routes used for commercial or professional uses. The site design shall discourage users of one use area from parking their cars in spaces serving other use areas. Each space for residential use shall be located within one hundred fifty (150) feet of the principal entrance to the building in which the dwelling unit served is located.

**(3)** Spaces provided for residential guest parking shall be conveniently distributed in separate groupings having a maximum of five (5) spaces each.

**(4)** All points of vehicular access to and from off-street parking areas and driveways onto public rights-of-way shall be approved by the director of public works. Wherever a private driveway enters onto said public right-of-way, a stop sign shall be erected and maintained at such exit point to insure reasonable traffic safety in compliance with the standard sign sheet on file in the office of the department of public works.

**(i)** *Landscaping.*

**(1)** All required setback areas, required open spaces around the perimeter of buildings, and the required parking landscaped areas, unless otherwise specified in the provisions of this district, shall be landscaped and maintained according to approved plans. Required parking landscaped areas shall be distributed evenly throughout and along the periphery of parking areas and shall be planted with trees: One (1) tree, selected from the list in Section 41-602(c)(2)(ii) and not less than ten (10) feet high at the time of planting, shall be provided for each twenty (20) parking spaces or any part thereof. Each planting bed shall be at least four (4) feet in width. Required setback areas abutting properties zoned for exclusively residential purposes shall be planted with trees of the same size and selection as above, one (1) tree to be provided for each fifteen (15) linear feet of abutment.

**(2)** Landscaping shall consist of lawn, trees, shrubs, or other plant materials, and may include the following decorative elements where an integral part of a landscape scheme is comprised primarily of plant materials:

- (i) Fountains, ponds, sculptures and planters.
  - (ii) Screen-type masonry walls forty-two (42) inches in height.
  - (iii) Wrought iron or other types of open work metal fences, exclusive of chain link, provided that the component solid portions of a fence do not constitute more than twenty (20) per cent of the total surface area of its face. Such fences shall have a maximum of six (6) feet.
- (3) Two (2) per cent of the gross uncovered parking area for all uses shall be landscaped.
- (j) *Subdivision of property developed under the CR district.* Upon completion of a development of property in the CR district, no portion of the property involved in said development shall be severed or sold unless said severed parcel and the development thereon complies with all provisions set forth for the CR district. Further, the remaining parcel and development thereon shall also comply with said CR district provisions. Nothing herein shall prohibit the sale of any dwelling or commercial units provided all common areas, required yard areas, common recreational areas, and similar areas required under the provisions of the CR district are retained in trust or otherwise for the benefit of all tenants and owners of any interest of any of the structures on the original area developed as a unit. Further, prior to the issuance of a building permit or approval of the development plans as set forth in section 41-441, deed restrictions prohibiting the alienation of all land areas not devoted to buildings shall be recorded in the office of the county recorder of the County of Orange, State of California. Said restrictions shall include a statement that said deed restrictions shall be irrevocable for a period of not less than thirty (30) years. A copy of said deed restrictions shall be filed with the planning department prior to the issuance of a building permit to the owner of the original project.
- (k) *Dedication for public right-of-way.* If a parcel zoned CR is to be developed in accordance with the provisions set forth for this district and said parcel abuts a street not improved to city standards, the owner shall dedicate the necessary street easement to the city and improve said street so as to be in accordance with the design standards and specifications of this Code of Ordinances prior to the issuance of utility release by the building department.
- (1) *Trash collection areas.* All trash and garbage collection areas shall be enclosed on at least three (3) sides by a five-foot block wall with adequate access to and from these areas for collection vehicles.

**Sec. 41-445.**

**Operational standards in the CR district.** All retail and business uses in the CR district shall be conducted and located within an enclosed building, except as otherwise provided in section 41-195.