

Chapter 21.90 – Santa Ana Heights Specific Plan

No changes

No specific CLUP policies implemented.

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Sections:

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21.90.030	Open Space and Recreation District: SP-7 (OSR)
21.90.060	Residential Equestrian District: SP-7 (REQ)

21.90.010 – Purpose

The purpose of the Santa Ana Heights specific plan is to provide for the orderly and balanced development of the community consistent with the specific plan's adopted land use plan and with the stated goals and policies of the Coastal Land Use Plan.

21.90.020 – Land Use Regulations

A. **Land Use Designations.** The following land use designations are established for the Santa Ana Heights specific plan area:

1. Open Space and Recreation District: SP-7 (OSR)
2. Residential Equestrian District: SP-7 (REQ)

Land use and development standards for Santa Ana Heights shall be in accordance with Exhibit 21.90-1, "Land Use Map—Specific Plan District No. 7," and the provisions of this section.

21.90.030 – Open Space and Recreation District: SP-7 (OSR)

A. **Purpose and Intent.** The SP-7 (OSR) District is established to ensure the long-term use and viability of the Newport Beach Golf Course.

B. **Principal Uses Allowed.**

1. The following principal use is permitted:
 - a. Local and buffer greenbelts.
 - b. Public/private utility buildings and structures.
 - c. Golf courses.
 - d. Outdoor commercial recreation.

C. **Accessory Uses Permitted.** Accessory uses and structures are permitted when customarily associated with and subordinate to a principal permitted use on the same building site including:

1. Detached buildings.

2. Fences and walls.
3. Signs per Section 21.30.065.
4. Restrooms.
5. Any other accessory use or structure which the Director finds consistent with the purpose and intent of this district.

D. **Prohibited Uses.** The following uses are specifically prohibited:

1. All uses not listed in this section as permitted.

E. **Site Development Standards.**

1. Building Site Area. One acre minimum.
2. Building Height. Eighteen (18) feet maximum unless otherwise provided for by an approved use permit.
3. Building Setbacks. Twenty (20) feet minimum from all property lines.
4. Off-Street Parking. Per Chapter 21.40.
5. Lighting. All lighting shall be designed and located so that direct light rays are confined to the premises.

21.90.060 – Residential Equestrian District: SP-7 (REQ)

A. **Purpose and Intent.** The SP-7 (REQ) District is established to provide for the development and maintenance of a single-family residential neighborhood in conjunction with limited equestrian uses. A rural character with an equestrian theme shall predominate.

B. **Principal Uses Permitted.**

1. The following principal uses are permitted:
 - a. Single-family detached dwellings or single-family mobile homes (one per building site).
 - b. Residential care facilities, small licensed.
 - c. Parks, playgrounds, and athletic fields (noncommercial).
 - d. Riding and hiking trails.
 - e. Small family child care homes (see Section 21.48.070, Day Care Facilities (Adult and Child)).
2. The following principal uses are permitted subject to the approval of a minor use permit per Part 5 of this title:
 - a. Communication transmitting, reception, or relay facilities.

- b. Public/private utility buildings and structures.
 - c. Large family child care homes (see Section 21.48.070, Day Care Facilities (Adult and Child)).
3. The following principal uses are permitted subject to the approval of a use permit by the Planning Commission per Part 5 of this title:
- a. Fire and police stations.
 - b. Churches, temples, and other places of worship.
 - c. Educational institutions.
 - d. Libraries.
 - e. Any other use which the Planning Commission finds consistent with the purpose and intent of this district.
- C. **Temporary Uses Permitted.** The following temporary uses are permitted, subject to approval of a limited term permit per Part 5 of this title:
- 1. Continued use of an existing building during construction of a new building.
 - 2. Mobile home residence during construction.
- D. **Accessory Uses Permitted.** Accessory uses and structures are permitted when customarily associated with and subordinate to a principal permitted use on the same building site including:
- 1. Garages and carports.
 - 2. Swimming pools.
 - 3. Fences and walls.
 - 4. Patio covers.
 - 5. Signs per Section 21.30.065.
 - 6. Home occupations per Section 21.48.110.
 - 7. The keeping of the following animals for the recreational enjoyment of persons residing on the same building site, subject to the noted restrictions:
 - a. Any animal if kept exclusively within the residence.
 - b. Horses and ponies, limited to the following (offspring exempt up to the age of eight months):

Size of Building Site (sq. ft.)	Maximum Number Permitted
Less than 10,000	1
10,000 to 15,000	2

Size of Building Site (sq. ft.)	Maximum Number Permitted
Greater than 15,000	3 to 6 with use permit *

* Use permits shall be processed in accordance with subsection (G) of this section.

- c. Goats, sheep, pigs and cows only on building sites greater than fifteen thousand (15,000) square feet in size and limited to: (i) no more than two adult animals of any one species per building site and (ii) no more than a total of six adult animals, including horses and ponies, per building site. Offspring are exempt until such time as they are weaned.
- d. Rabbits, chickens and ducks, limited to no more than a total of six of such animals per building site.
- e. Up to three dogs and three cats. Offspring are exempt up to the age of four months. The keeping of four or more dogs or four or more cats over the age of four months is also permitted subject to obtaining an animal permit per County health regulations.
- f. Minimum setbacks for the keeping of animals shall be as follows:

	From Ultimate Street Right-of-Way Line		From Property Line Abutting RSF or BP Districts		From Property Line Abutting REQ District	
	Front	Side	Front	Side	Front	Side
All structures housing animals (e.g., corrals, pens, stalls, cages, doghouses)	50	20	25	25	5*	5*
Exercise areas	25	10	0	0	0	0

* Required for covered portions of structures only.

8. Granny unit, attached or detached, in conformance with Section 21.48.200, subject to the approval of a minor use permit per Part 5 of this title.
9. Any other accessory use or structure which the Planning Director finds consistent with the purpose and intent of this District.

E. **Prohibited Uses.** The following uses are specifically prohibited:

1. All uses not listed in this section as permitted.
2. The storage of vehicles, equipment, or products related to commercial activities not permitted in this district.
3. The keeping of animals for any commercial purpose except in the Commercial Stable (S) District, where applicable.
4. Commercial kennels.
5. Apiaries.
6. Aviaries.

F. **Site Development Standards.**

1. **Minimum Building Site Area.** Two (2) acres.
2. **Building Height.** Thirty-five (35) feet maximum. Roof-mounted mechanical equipment shall not be visible from any existing dwelling unit located three hundred (300) feet or less from the subject building site.
3. **Building Setbacks.**
 - a. Front Setback. Twenty (20) feet minimum.
 - b. Side Setback. Five feet minimum.
 - c. Rear Setback. Twenty-five (25) feet minimum.
4. **Off-Street Parking.** Per Chapter 21.40.
5. **Lighting.** All lighting shall be designed and located so that direct light rays are confined to the premises.

G. **Use Permit Procedures.**

1. **Purpose and Intent.** Within the REQ District, most lots are relatively small (less than one-half acre), narrow (sixty-six (66) feet wide), and surrounded by existing tract housing, existing retail commercial uses and proposed business park development. Due to the unique size and configuration of these lots and their close proximity to more urbanized uses, it is necessary to require a use permit for the noncommercial keeping of horses and ponies for the purpose of ensuring compatibility with surrounding land uses. It is the intent of the City to provide for annual inspections of such equestrian facilities by all pertinent authorities, including Vector Control, Animal Control, Environmental Health, Regulation Enforcement, and others as necessary to ensure that the regulations set forth below are properly implemented.

2. **Use Permit Required.** Property owners or tenants keeping more than two horses and/or ponies over the age of eight months on a single building site within the REQ District shall obtain an annual use permit approved by the Planning Director per Part 5 of this title. After one year from the effective date of the ordinance codified in this title, any property owner or tenant introducing or adding horses and/or ponies onto properties within the REQ District shall, within one month, obtain a recreational horse permit if the total number of such animals over the age of eight months exceeds two. The Planning Director shall issue a permit for the keeping of such animals upon receipt of the fee established by the City Council, if any, provided, in the Director's opinion, (a) such animals are being kept or maintained without endangering the safety and comfort of the inhabitants of the neighborhood, and (b) the property owner or tenant has complied with the regulations of the REQ District. Failure to comply with these regulations or any conditions imposed by the Planning Director shall constitute cause for denial or revocation of such permit. Any person whose application for a use permit is denied or revoked under the terms of these specific plan regulations may appeal the decision of the Planning Director to the Planning Commission in accordance with the procedures set forth in Part 5 of this title. Use permits shall be nontransferable and must be renewed annually.

3. **Permit Regulations.** The following regulations shall apply:
 - a. The property owner or tenant shall initiate and maintain a program of proper manure management. The property owner or tenant shall provide for the daily collection of manure from in and around corrals and exercise areas. Manure shall be stored in covered containers. In no case shall manure be permitted to remain in any container for a period exceeding seven days.

 - b. A program of continuous dust control of the entire premises shall be carried out. A method for light watering of arenas and exercise areas

shall be maintained. In lieu of watering, chemical control of dust may be permitted.

- c. There shall be adequate and effective control of insects and rodents and such control shall be vigorously maintained at all times. All dry grains and pellets shall be stored in rodent-proof containers (i.e., well-sealed and preferably metal containers). Hay shall be stored on a raised platform with a minimum six-inch clearance above the surrounding area.
- c. Combustible materials and/or solutions shall be maintained a minimum of twenty-five (25) feet from all residential structures and structures housing animals.
- d. The property owner or tenant shall allow no animal to constitute or cause a hazard or be a menace to the health, safety, or peace of the community. The property owner or tenant shall keep all animals in such manner as may be prescribed to protect the animals from the public and the public from the animals.
- e. The property owner or tenant shall make every reasonable effort to recapture every animal that escapes. Escapes of animals wherein the recapture of the animal cannot be immediately accomplished shall be reported to City Animal Control.

H. **Dumpster Regulations.** Dumpsters shall not be placed within the front setback area of a building site for a single-family residence built after January 1, 2000, or any residence being remodeled and/or repaired at a cost of more than twenty-five (25) percent of the value of the existing residence. Dumpsters shall be effectively screened from view from the street right-of-way with appropriate screening material, i.e., block wall or wood fencing at a minimum height to completely screen the container.

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