

# Vista Business Park Specific Plan

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By City Council  
Ordinance No. 93-13

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# CHAPTER 1

## INTRODUCTION

## INTRODUCTION AND PURPOSE

JUNE 1992

The Vista Business Park Specific Plan as presented herein is comprised of approximately 1153 acres of territory generally located in the southern portion of the City of Vista. The territory evolved from a series of re-organizations started in 1975 and concluded in about 1983. The territory can generally be defined by its current boundaries common with the City of Carlsbad, City of San Marcos and County of San Diego jurisdictions. Specific Plan No. 20 adopted in 1981 encompassed 672 acres but was expanded subsequently by various amendments.

After the City adoption of the Enterprise Zone, Specific Plan No. 20 hereinafter known as the VISTA BUSINESS PARK SPECIFIC PLAN terminated along the 150 foot wide SDG&E easement. The Enterprise Zone amendment accounted for adding approximately 203 acres of territory. Upon request of the City of Vista, Mitsui Fudosan USA, the current owner of land formerly defined as Specific Plan No. 15 agreed to cooperate by merging Specific Plan No. 15 entirely into Specific Plan No. 20, thus the 1106 acre Vista Business Park Specific Plan was established.

### Purpose

It is the intent and purpose of this document to re-classify land uses in a manner that more nearly reflects current land uses and projected trends in development. The plan takes into consideration; sensitive biological areas (including wildlife habitat), topography (steep slopes and major natural drainage patterns), points of ingress and egress, and other criteria established by the originally Specific Plan No. 20. It should be pointed out that this plan continues to acknowledge the industrial land use and commercial land use designations originally established in Specific Plan No. 15. All uses and facilities now existing or in City permit processing are intended to be sanctioned under the proposed Specific Amendment.

### Authorization

This Specific Plan is adopted by the City Council according to Section 65450, Et. Seq., of the State Government Code. At the local level, the Land Use Element of the General Plan specifies when Specific Plans shall be applied by meeting certain criteria. The Land Use element of the General Plan addresses specific plans and establishes certain criteria for their application, portions of which are set forth below:

1. Where the territory in question has two or more property owners or where the territory is five acres or larger and contemplates two or more development types.
2. Where topographical or physical land circumstances make traditional zoning applicability undesirable.
3. Where General Plan designations divide property and a transition between land uses is desired.
4. Where property lines or lot-sizes and/or shapes are such that applicable zoning regulations are impractical or undesirable.

Application of this Specific Plan as authorized pursuant to Section 65450 is intended to meet all of the above criteria. The first is met with multiple ownership of more than five acres with over two development types. Drainage and topography concerns address the second. The size of ownerships permits parcels to contain two or more land uses where transitions are important as required in the third. Finally, the shape of the parcels and their respective sizes require special treatments that traditional zoning cannot provide.

### Plan Objectives

The primary objective of this Specific Plan is to implement the goals of the City's General Plan as they relate to development of industrial and related commercial land uses. The following objectives are established to guide the development of the Plan. All development within the Plan area must comply with these objectives:

1. To provide the City of Vista with a well planned and designed employment center that contains a combination of industrial, research, commercial, and open space uses.
2. To preserve and conserve natural resources identified in the Specific Plan area.
3. To establish development regulations and standards which will regulate the functioning, appearance, and maintenance of all uses and activities in order to minimize potential conflicts with adjacent land uses.
4. To establish specific development regulations and standards that will supplement the City's current Development Regulations.
5. To ensure compatibility of all uses within the Plan area and surrounding properties through design and development guidelines.
6. To provide the City with a mix of industrial, business park, and commercial land uses to balance quality development with economic growth.
7. To assure the orderly extension of public infrastructure (roads, sewer, water, drainage facilities, public utilities) necessary to accommodate development with the Business Park.
8. To streamline permit processing as an incentive for business to build and locate in the business park.

### Introduction to Land Use

A Specific Plan Implementation Zone (SPI) Ordinance was adopted to authorize the use areas contained in this Chapter. The City of Vista official zoning maps will show the SPI Zone on all land within the Specific Plan. Specific Plan mapping incorporated herein shows the various use areas (A,B,C,D & E). Reference to Chapter V will then link the use area designation to the appropriate land use group thereby providing land use descriptions.

## CHAPTER II

### PLAN CONFORMANCE WITH STATE LAW AND CITY GENERAL PLAN

## PLAN CONFORMANCE WITH STATE LAW AND CITY GENERAL PLAN

Section 65451 ET SEQ of the California Governmental Code, identifies the contents of Specific Plans. The following discussion illustrates how this Specific Plan will conform with the appropriate criteria:

### 1. Governmental Code Requirement:

The distribution, location, and extent of uses of land, including open space within the area covered by the plan.

#### Conformance Finding:

Chapter V of this Specific Plan consists of a written text and mapping which provides a detailed description of land uses, proposed location of such uses and method to facilitate those uses.

### 2. Governmental Code Requirements:

The proposed distribution, location, extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy and other essential facilities proposed to be located within the area covered by the plan and needed to support the land use described in the plan.

#### Conformance Finding:

Chapters III, IV and V of this Specific Plan will establish general development guidelines and special development criteria which describe in detail the extent and intensity for implementing the required infrastructure. Solid waste disposal is not addressed in this plan. However, trash collection is described.

### 3. Governmental Code Requirement:

Standards and criteria by which development will proceed and standards for the conservation, development and utilization of natural resources where applicable.

#### Conformance Finding:

The Development Regulations set forth in Chapter III, contain guidelines and standards that will govern development within the Specific Plan Area. In addition the Final Supplemental Environmental Impact Report dated December 1992 sets forth specific mitigation measures that must be completed regarding the designation and preservation of open space lands.

### 4. Governmental Code Requirements:

A program of implementation measures including regulations, program, public works projects and financing measures necessary to carry out requirements (1), (2), and (3).

#### Conformance Finding:

Plan Implementation Procedures are set forth in Chapter VI, hereof, specifically addresses

the procedure of implementing this Plan within the time frame specified.

5. Governmental Code Requirement:

A specific plan shall include a statement of the relationship of the specific plan to the City's General Plan.

Conformance Finding:

The City of Vista has recently amended its Land Use Element, Circulation Element (pending), Open Space Element, and other mandated elements of the General Plan. In conformance with State guidelines, this Specific Plan provides the means and standards for the implementation of the General Plan's Goals and Objectives in a manner required by law.



# CHAPTER III

## DEVELOPMENT CONDITIONS AND STANDARDS

## GENERAL REGULATIONS AND STANDARDS

### G-1 AGRICULTURAL USES

Agricultural, horticultural, greenhouses, and plant nursery uses, and structures appurtenant accessory shall be permitted to continue as nonconforming buildings and land uses. Such buildings and land uses may be expanded or intensified within the boundaries of the site(s) on which they are located, in conformance with current development codes for the subject activity.

### G-2 PUBLIC UTILITIES

Prior to the approval of any final parcel map, subdivision map, site development plan or grading plan (other than agricultural related) the various serving utilities (Vista Irrigation District, Vista Sanitation District, Buena Sanitation District or their duly empowered successor agency) shall certify that an arrangement, satisfactory to Districts, has been made for capacity availability to serve that property.

### G-3 CODE CONFORMANCE

Construction within the boundaries of this Specific Plan shall conform with all appropriate building (construction), fire codes, and other development codes related thereto, unless specifically addressed herein.

### G-4 SIGN REGULATIONS

Signs shall be regulated pursuant to DS-10 through DS-12. A comprehensive sign program shall be submitted for approval concurrent with any entitlement application.

### G-5 GRADING/EROSION CONTROL

Prior to the issuance of any grading permit on any project within the Specific Plan, an Erosion Control Plan shall be submitted for the review and approval of the City Engineer. Such plan shall show the method to control runoff and siltation during the site construction and a program for maintenance until permanent landscape and ultimate drainage facilities are constructed. All grading within the Specific Plan shall be performed under permit issued pursuant to normal City of Vista development regulations and shall be in substantial conformance with the grading concept plan approved by the City Planner. Minor grading required for agricultural use and operation are exempted from this requirement.

### G-6 OPERATIONAL STANDARDS

All activities in the Specific Plan area shall be subject to the performance standards listed below. The applicant, at the time of submittal for building permit, and all subsequent tenants, shall certify that the industrial development complies with these performance standards. If inspection reveals noncompliance with any of the performance standards upon submission of findings, the City Council may direct that the industrial operation shall cease until compliance is re-established. The City Council may grant a compliance time of no greater than 30 days for the project to comply with performance standards.

1. Noise created by or resulting from any industrial operation shall not exceed the noise level standards contained in table 8.32.040 of the City of Vista Municipal Code level on or beyond the boundary of the property on which the sound is produced. Additionally, the one-hour average sound level limit measured at the residential property line abutting the business park boundary shall be 60 decibels from 7:00 a.m. to 10:00 p.m. and 50 decibels from 10:00 p.m. to the following 7:00 a.m., except that in the event the industrial operation produces noise which contains a steady, audible tone such as a whine, screech or hum, or is a repetitive noise such as hammering or riveting, the one-hour average sound level limit shall be reduced by five decibels.

Peak noises emitted from any source shall not exceed a level of 75 dBA during daytime hours and 70 dBA during night time hours, when measured at the residential property boundary adjoining the business park.

Definition of Average Sound Level: A sound level typical of the sound levels at a certain place during a given period of time, averaged by the general rule of combination for sound levels, said general rule being set forth in American National Standard Specifications for Sound Level Meters S1. 4-1983. Average sound level is also called equivalent continuous sound level (Leq.).

2. Odors, glare, heat, electrical or other disturbance created by, or resulting from any industrial operation shall not be detectable beyond the industrial building site on which the disturbance is produced.
3. Discharge of air pollutants shall be subject to the Air Pollution Control District Rules and Regulations, the California State Health and Safety Code, and Federal Air Quality Regulations.
4. Any discharge of industrial waste must conform to the most current local, state and federal regulations controlling industrial waste quality and disposal.
5. No industrial operation shall in any way damage or create a nuisance to the public health, safety or welfare.
6. The office portion of any buildings in a development shall be sound attenuated from adjacent noise sources to a level acceptable to human occupancy as defined by Federal, State or local codes.

#### G-7 STREET ACCESS CRITERIA

The intersection spacing along arterial streets shall maintain a distance of approximately 1,300 feet and along collector streets shall be approximately 700 feet, as generally designated on the Specific Plan diagram. Any private or public street intersection or any driveway access not indicated on this Specific Plan shall be restricted to right turn in and right turn out when traffic conditions dictate. Other intersection spacing may be considered, if certain criteria is approved by the City Engineer.

All other abutter's access rights along arterial and collector streets shall be waived to restrict driveway access, unless the City Engineer approves coordinated access at time of development.

The combining of access points (e.g. private road easements, driveways, etc.) is encouraged as a means to promoting traffic safety.

G-8 PUBLIC STREET IMPROVEMENTS REQUIRED

All parcels hereafter created shall have direct access, no less than 30 feet in width, to a public street shown on the Specific Plan, or to a public street which is approved by a parcel map or subdivision map. Such parcels maintain unobstructed access to the existing dedicating and improved public street system.

No final parcel map, final subdivision map or final site development permit shall be approved unless public streets abutting the development or each lot in the parcel map or subdivision map are dedicated to at least one half the required street width plus an adjoining 12 feet and improvements are constructed or guaranteed across the frontage of the said lots including improvements necessary to connect said abutting street to the existing improved vista Public Street System.

No building permit or grading permit, shall be issued for any lot or building site until all required public street abutting the subject lot or building site have been dedicated and the required street improvements guaranteed to standards of the City of Vista. Such lot or building site shall have legal access, no less than 40 feet in width, adjoining the dedicated and improved public street system. Exception: Agricultural, greenhouse and nursery-type structures are exempted from this requirement for street dedication and improvement.

G-9 INFRASTRUCTURE COMMITMENT

Prior to issuance of any discretionary permit the developer shall ensure that all facilities associated with the expansion of infrastructure systems to service the site will be installed at the cost of the developer.

G-10 LOT DESIGN STANDARDS

Parcels over 15 acres in size may be required to provide at least two access points to a public street shown on the Specific Plan. No development shall be approved that land-locks another parcel or denies neighboring property required or necessary access.

All lots hereafter created shall have a street frontage of approximately 150 feet except lots on a cul-de-sac, which may be reduced in width, or employ the use of fee-access strips when specifically approved in a subdivision. No lot shall have a depth less than 150 feet.

G-11 PUBLIC STREET PARKING PROHIBITIONS

The City may impose no parking prohibitions along any public street within the specific plan, upon findings that sight distance, street service capacity or the public welfare is not being adequately protected.

## G-12 PEDESTRIAN TRAIL LINKAGE

Prior to the issuance of building permits or the approval of subdivision maps, the City Engineer with concurrence of the Director of Parks and Community Services may require easements for the creation of pedestrian trails to provide access to and from the open space canyon Area D and connecting to a public street provided such trails are found generally in conformance with the Resource Management Plan and/or subsequent adopted trails plan.

## G-13 APPEAL PROCEDURE

Any appeal filed pursuant to this Specific Plan shall comply with Section 18.04.15c of the Development Code.

## G-14 THE FOLLOWING USES ARE PROHIBITED IN ALL PORTIONS OF THE SPECIFIC PLAN

1. Churches

## DEVELOPMENT STANDARDS

The following development standards are guidelines to provide maximum flexibility for site and building design, establishing a distinct site identity and maintaining a design continuity throughout the park.

### DS-1 BUILDING SETBACKS

- (b) Front and/or street side yard setbacks shall be no less than twenty (20) feet except for special landscaped streets which are subject to different setbacks pursuant to this plan.
- (b) Lots may have interior side yard setbacks at zero.
- (c) Rear yard setbacks will be determined by fire, building and access codes for the use being proposed.
- (d) Building setbacks adjacent to all streets shown on the Specific Plan and all streets dedicated or offered for dedication shall be measured from the ultimate street right-of-way.
- (e) Parking may encroach into the required setback area as set forth in Section DS-6 (e).

### DS-2 BUILDING HEIGHT

- (a) The height of all structures within the park shall be limited to a maximum of three (3) stories, not to exceed forty-five (45) feet in height, unless additional height is granted under the provisions of a special use permit.
- (b) Height of buildings on a parcel abutting a non-industrial zone are subject to the building height standards of that zone, if such building is proposed within 200

feet of abutting property line, but in no case shall it be restricted to less than two (2) stories or 35 feet, whichever is less.

(c) All structures in excess of two (2) stories in height shall be required to install a fire sprinkler system, as approved by the Vista Fire Department. In addition, an aerial equipment fee must be paid.

(d) The Vista Business and Research Park is directly under the Palomar Airport approach surface. The approach surface consists of a 40;1 and 7.1 pitch over the park. The approach and clear zone plan and profile shall be on file with the city Planner. FAA Regulations do not allow any structure to penetrate the approach surface. Therefore, all heights of structures exceeding 45 feet will be subject to FAA Regulations.

#### DS-3 LOT SIZE REDUCTION

The minimum lot area for the "A" and "B" Use Group, as described in Chapter V, shall be one acre. The "C" Use Group shall have a minimum lot area of one-half acre.

Subdivisions of land may be processed and development permits issued for parcels less than the specified minimum parcel size provided:

- (a) The reduced parcel is being created for a bona fide user, as evidenced by the filing of a companion site development plan submitted to and approved by the Director of Planning; and
- (b) A concurrent parcel map is filed and recorded; and
- (c) The residual parcel or parcels sizes remain one acre or larger unless a part of the approved industrial complex showing reduced lots.

#### DS-4 BUILDING COVERAGE

The combined total area of all building, driveways, parking and loading areas shall not cover more than 80 percent of the area of a building site exclusive of public right-of-way. The maximum building coverage shall not exceed 50% of the maximum 80% combined area. The remaining 20% shall be landscaped. Required setbacks and interior landscaping may be included in calculating this landscaping area.

#### DS-5 DISTANCE BETWEEN BUILDING

Accessory structures shall maintain a separation distance from other structures as specified by applicable provisions of the building and fire codes. The architectural and visual screening provisions of DS-16 shall apply.

#### DS-6 PARKING

Off-street parking shall be provided in accordance with the following standards:

- (a) General Manufacturing  
One (1) parking space for each 750 square feet gross floor area plus those

additional spaces that may be required for areas devoted to other uses e.g. office or retail sales.

(b) Research and Development or Office

One (1) parking space for each 300 square feet gross floor area plus those additional spaces that may be required for areas devoted to other uses e.g., office or retail sales. Medical offices will require one (1) parking space for each 200 square feet of gross floor area. <sup>1</sup>

(c) Warehouse and Wholesale Establishment

One (1) parking space for each 1000 square feet gross floor area plus those additional spaces that may be required for areas devoted to other uses e.g. office or retail sales.

(d) Modification of Required Parking Standards

A modification of the required parking standards may be granted on a developed legal conforming building site subject to the issuance of a minor use permit with consideration of the following criteria:

The City Planner may require a transportation management plan not limited to provisions for mass transit car pooling, van pools, bicycles, staggered work hours. Where on premises parking lot attendants, tandem parking or excessive modified parking standards are proposed, the City Planner may refer the application to the Planning Commission. In all cases the City shall impose conditions, deed declarations and other notices with enforcement provisions, thereby ensuring compliance with provision determined necessary to protect the neighborhood compatibility and public safety.

(e) Street Parking Prohibitions

Parking approved for each building site within this Specific Plan is intended to be accomplished within the property and not adjoining streets. Therefore no variances modifications exceptions or reduction in standards for the required number of employee parking spaces will be allowed for new buildings or existing buildings which result in displaced parking on the street.

(f) Parking in Front Setbacks

A portion of the required front yard setback may be utilized for parking under the following limitations:

1. Where a 40 foot setback is required, parking spaces may encroach 20 feet into the setback provided not more than 30% of the total setback area is eliminated.
2. Where a 30 foot setback is required, parking spaces may encroach 15 feet into the setback provided not more than 40% of the total setback area is eliminated.

3. Where a 20 foot setback is required, parking spaces may encroach 10 feet into the setback provided not more than 50% of the total setback area is eliminated.

<sup>1</sup> Added per Ordinance No. 2008-6, adopted January 22<sup>nd</sup>, 2008.

(g) Outside Parking Storage

Businesses which require the on-site parking of service related vehicles, shall provide a separate screened parking area located in the rear 50% of the site. Such parking area shall be exclusive of the required parking approved for the site unless approved by the City Planner or the Planning Commission upon referral.

(h) Exceptions

Parking standards for residential, multiple occupancy buildings, commercial use, reciprocal parking and other provisions not specifically addressed herein shall comply with the applicable provisions of the development code.

DS-7 LANDSCAPING REQUIREMENTS

Landscaping will be an integral part of establishing continuity throughout the park. Finished grading for all landscaped areas shall be coordinated to provide a smooth rolling terrain character that blends slope areas with flat building pad area. The use of earth mounds is recommended, both to screen and to add to the natural theme of landscaping. Earth mounds between parking and public thoroughfare areas are recommended to soften views of parked vehicles where possible. Special manufactured slopes for landscaping of front yard setbacks shall be graded to 2:1 ratio or flatter for turf growth and maintenance. Landscape design and installation shall be in conformance with the provisions of Section 18.56 of the city development code, unless otherwise specified hereinafter.

Finish land form and grade shall be an integral part of the landscape these. All landscaping shall be by the developer in accordance with the Specific Plan. All landscaped areas shall be permanently irrigated and maintained with an automatic sprinkler system.

(a) General Requirements

Each lot and building site shall maintain the minimum landscaped area as defined of not less than 15% of the net parcel. Parking lots shall maintain no less than 5 percent of the asphalted surface in permanent landscaped area.

Drought tolerant landscape materials such as xeriscape shall be strongly encouraged, and may be required in certain locations such as, adjacent to open space areas. In addition, fire resistant landscape materials may be required at locations presenting a high fire hazard to existing or proposed structures. Consultation with the water serving agency is recommended since limitations may occur.



(b) Unpaved Areas

All unpaved areas not designated as future development areas shall be landscaped as specified on the landscape plans submitted during the approval process. Undeveloped areas qualifying as natural resources or amenities may be preserved for the scenic value as a portion of the required landscaping.

(c) Parking Areas

For every five parking stalls, one tree shall be provided in the paved area. Trees may be evenly distributed throughout or clustered. Parking areas shall be landscaped in such a manner as to screen said areas from view of access streets and adjacent properties. The irregular placement of trees and shrubs, both singles and groupings, will create a drifting mass that will compliment the development. Parking islands shall maintain a minimum width of six (6) feet and must be drip irrigated.

(d) Slope Banks

All slope banks steeper than 5:1 or five feet in vertical height shall be hydro-seeded prior to rough grading sign off and further landscaped as specified in these provisions. Erosion control fabric and deep rooted plant material is required.

(e) Street Frontage Landscaping

Each building site or lot adjacent to a public street where the visible graded or natural slope bank is in excess of five (5) feet above the street curb elevation shall be required to install and maintain landscape planting along the entire frontage according to the specifications described on exhibit "A". Such landscaping shall be installed as directed on the approved landscape plan prior to rough grading sign off.

(f) Canyon Abutment Landscaping

Each building site or lot adjacent to open space canyon area 'D' is required to landscape the upper 30 feet measured below the top of bank (manufactured pad edge) continuously along the canyon edge as demonstrated on exhibit "b". Such landscape planting shall generally conform to specifications described on exhibit "c" and shall be permanently irrigated by the lot or building site until other arrangements can be made. Such landscaping and irrigation system must be approved by the Director of Parks and Community Services prior to installation and prior to occupancy.

(g) Landscape Maintenance and Upkeep

All landscaped areas must be maintained in a neat, healthy and thriving condition. Planters shall be free of weeds and debris. Non compliance may result in a citation from the code enforcement officer and legal action by the city to prosecute the landowner.

(h) Proposed Site Erosion Control

Landscaping plans for beautification and slope stabilization must be submitted with every grading plan. The landscape plan must be approved by the Community Development Director prior to grading plan issuance for conformance with standards established herein. All landscaping must be

planted and an adequate irrigation system installed prior to city rough grading sign off. The landscaping must be maintained into perpetuity or until replaced pursuant to an approved Site Development Plan.

(i) Existing Site Erosion Enforcement

Within 120 days of the effective date of this section, all existing graded pads and banks which contain dead or unmaintained erosion landscaping or lack irrigation facilities must be repaired, replaced and/or corrected to conform to the approved grading submittal. Within 30 days of receiving city notice to comply, landscaping or erosion control matting must be installed as specified on the grading plan submittal. This erosion control landscaping must be maintained into perpetuity or until replaced pursuant to an approved landscape development plan.

(j) Irrigation Information

The Vista Irrigation District provides water delivery within the Business Park. Landscape designers are encouraged to contact Vista Irrigation District for assistance in sizing meters to comply with water allocation standards. The use of xeriscape planting and drip water systems are advised. Vista Irrigation District will be requested to acknowledge review of all landscape plans.

DS-8 TREATMENT AREAS ADJOINING RESIDENTIAL

Existing residential land uses adjoining or within the Specific Plan shall be buffered from adjacent industrial development through the use of a special landscape barrier or combination wooden fence and masonry pilasters with dense landscaping adjacent hereto. Refer to the specific plan map for location and width.

Buffer Area No. 1 (see map) The following buffer areas result from previous public hearings.

Upon development of the Business Park property adjoining residential property, the special treatment area designated on the Specific Plan shall remain natural and unaltered within a minimum 25-foot width. Dense landscaping shall be planted on the treatment area and abutting slope bank and must be maintained by the Business Park landowner, when development adjoining the residential property occurs. No building/structure will be allowed closer than 75 feet, measured from the adjoining residential property line. See Specific Plan map for location.

Buffer Area No. 2 (see map)

1. Building setback.
  - a. Min. 75 feet from property line.
2. Building height (lots abutting Buffer Area No. 1 only).
  - a. Two-story maximum; height limit of 28 feet
3. Parking setback.
  - a. Min. 50 feet from property.
4. Landscaping.
  - a. Retain portion of existing eucalyptus grove (75 feet wide from existing bridge to approximately 300 feet south).
  - b. Provide a 6 foot high wood fence with masonry pilasters on top of a 3 foot berm, except for the areas where existing eucalyptus trees will remain.
  - c. The landscape buffer shall be a combination of 75 feet and 50 feet in width. A minimum 50 percent shall be 75 feet in width. The approximate length of the buffer is 1100-feet, 550 feet of which must be 75 feet in width. The minimum 550 foot portion of 75 foot wide landscaped buffer shall run south from the existing bridge and include the 300 foot of existing eucalyptus grove described in 4.a.
  - d. The landscaped portion of the buffer shall be placed in an open space easement.
  - e. Slopes and buffer shall be densely planted with the species of eucalyptus presently existing on site. Planting size shall be recommended by a licensed landscape architect but shall be of sufficient maturity to provide an immediately effective vegetation screening.
  - f. Additional planting shall be included to block the low view through the eucalyptus trees (i.e., acacia trees) and shall be at the recommendation of a licensed landscape architect.
  - g. In addition to the buffer of eucalyptus trees, one tree for every parking space shall be provided. The trees shall be evenly distributed if within 75 feet of the property line to provide a more even tree canopy.
  - h. In addition to the required 75/50 foot buffer landscaping, 5 percent of the asphalt area within 75 feet of the property line shall be landscaped.
  - i. The landscape buffer/open space easement shall be maintained by the industrial park owner, lot owner or an approved maintenance district.
  - j. In addition to the standards cited herein all landscaping shall be in conformance with the development code.

5. Architecture.
- a. Loading doors shall be oriented away from existing residentially zoned areas.
  - b. All outside refuse collection areas shall be screened by a six-foot-high decorative block, concrete or stucco wall with concrete floor and apron and a chain-link gate with wood slats. Trash pickup shall be restricted to the hours of 7:00 am to 10:00 pm.

#### DS-9 TREATMENT AREAS ADJOINING RESIDENTIAL

##### Noise Design Standards:

Upon the effective date of this amendment, all new development within the business park shall comply with the following standards and requirements:

1. All new development proposed within 200 feet of the park boundary abutting residential land uses shall incorporate noise mitigation measures which will control proposed noise sources to a one-hour sound level of 45 decibels measured at the business park boundary. Measures to mitigate noise could include architectural design features, location of door opening, trash reciprocals, loading docks and parking lot locations.
2. New development or addition to existing structures anywhere in the business park shall comply with the noise emission standards set forth in section G-6.1.
3. Prior to permit issuance, staff shall have the discretionary authority to require an acoustical analysis if the proposed use is determined to be a noise generator source. Mitigation measures shall be incorporated into the project design as recommended in the report.

#### DS-10 BUSINESS PARK ENTRY IDENTIFICATION SIGNAGE

The overall Business park will be identified with monument signs located in the landscaped areas to be provided at the intersections of roads shown by symbol on the Specific Plan map. Such signs should be simple in design, ground mounted, carved or routed letters, constructed of concrete or other low maintenance materials. Property owners will be requested to grant a sign/landscape easement of nominal size to the city or empowered maintenance district. The city or maintenance district will be responsible for the design, and installation of park entry signage and landscaping at its expense. Maintenance will not be the responsibility of the landowner.

#### DS-11 NEIGHBORHOOD ENTRY SIGNAGE

Where an owner/developer holding 50 or more acres of land under a single planned project development program wishes to identify the project name, the city may grant such monument type signage and landscape theme features provided the size,

location, type of material and other criteria are met. Such signs shall be simple in design, ground mounted, carved or routed letters, constructed of concrete or other low maintenance materials.

#### DS-12 GENERAL SIGN AND GRAPHIC REQUIREMENTS

Each individual site may be identified with its own non-illuminated monument sign located within the required landscaped setback behind the right-of-way line. The monument sign will list the firm's name, logo and building address. Acceptable sign materials are: wood, concrete, stucco, masonry, etc. The size shall not exceed 10 feet by 3.5 feet high, at least 12 inches thick. Alternate proposals for signage appropriate for a high-technology, professional/manufacturing facility may be approved by the City Planner.

Individual tenant or building identification wall signs shall conform to the appropriate provisions of the sign code. In no case shall backlit metal letters or externally illuminated plastic-faced letters or signs will not be approved.

Ancillary signage such as: stop signs, directional signs (loading area shipping and receiving, guest parking, employees in the form of guidelines as to size, color, materials, type sign program for the entire project in the site plan application.

#### DS-13 SCREENING OF EQUIPMENT

"Buildings and/or structures where the roof level is at or below an adjoining street level shall make specific provisions for the screening of such equipment. Such provisions might include placing the equipment indoors, in a basement, or a completely enclosed roof structure that is architecturally compatible with the existing or proposed building."

#### DS-14 REFUSE COLLECTION AREAS

- a. All outside refuse collection areas shall be screened from view by a decorative masonry wall, not less than six-feet in height, with a concrete (PCC) floor and apron, and closed with a solid metal gate. Woven wire, or chain link, with slats is specifically prohibited. Note: stick built (wooden framed) structures will not be permitted.
- b. Provisions must be included for the storage of recyclable materials, depending upon the quantities involved. They should either be within a separate enclosure, or if the anticipated quantities are sufficient, within a separate building.

#### DS-15 OUTSIDE STORAGE

Any outdoor storage area approved in conjunction with the primary use shall be screened from adjacent properties and streets. Screening shall consist of a six-foot high concrete, stucco, or decorative block wall. Landscaping and earthen mounding will also be required or other screening methods may also be used, subject to approval by the City Planner. If between adjacent properties or streets and the developing site, six feet or more difference in grade elevation exists at the

property line, the City Planner may

waive or modify this requirement. In no case shall outside storage be allowed in the front 50% of the building site. Outdoor storage is not encouraged within the business park.

#### DS-16 UTILITY SERVICE

All electrical and communication conduit and conductor service facilities shall be installed underground within the boundaries of any lot or building site proposed in the Specific Plan Area, unless modified by the city engineer. No additional poles for such facilities may be installed to provide service for any such lot or building site, except for required replacement of poles which were installed before the adoption date of this ordinance.

The owner of each such lot or building site shall make the necessary arrangements with each of the serving utilities for the underground installation required hereby. Transformers, terminal boxes, meter cabinets, pedestals, concealed ducts, and other facilities necessary and appurtenant to such underground utilities and the adjacent street lighting system may be placed aboveground, provided they are screened or made aesthetically unobtrusive. High voltage lines and new substations will be exempt from any underground requirements.

#### DS-17 ARCHITECTURAL AND DESIGN STANDARDS

(a) Metal Buildings

No prefabricated, corrugated metal building systems shall be permitted. Selective use of metal trim, accent panels, metal panels and other high tech architectural use of metal shall be permitted.

(b) Architectural Design Components

Roof overhangs, parapets, eaves, and other architectural components shall be designed to ensure a pleasing and continuous architectural design. Loading doors shall be orientated away from existing residential structures.

(c) Building Materials and Colors

The building materials and colors shall be of types which are compatible with surrounding residential properties. Earth tones shall be used whenever possible, and highly contrasting colors shall be avoided

(d) All auxiliary structures, such as trash enclosures and storage buildings, shall be located outside the front yard area or adjacent to the side of the building. All auxiliary structures and mechanical equipment should be reasonably screened from view by architectural projections, solid walks, fencing, landscaping, or color.

(e) Property fencing visible from the public right-of-way must be decorative fencing subject to the approval of the City Planner. Fencing of yard

areas or outside storage areas is permitted with metal or chain link fencing as long as it is visually screened from public street view.

- (f) All exterior lighting shall be low pressure sodium and shielded so that no direct lighting is emitted upwards or is visible from residences surrounding the plan area.
- (g) Noise generators, such as building mechanical equipment, shall be incorporated within enclosed structures to control noise emission.

#### DS-18 FIRE SPRINKLERS

Fire sprinklers shall be required in all structures containing 5,000 square feet or more.

#### DS-19 GRADING REQUIREMENTS

1. Grading Plans shall be submitted as part of the Site Development Plan requirements for all phases of development within the Plan area.
2. All grading plans and work shall comply with Chapter 17.56 of the Development Code.
3. Grading plans shall be prepared by a registered civil engineer and reviewed by a registered soils engineer.
4. No building permits will be issued and no building inspections will be made until rough grading has been approved.
5. All major slopes shall be rounded into existing terrain to produce a contoured transition from cut or fill to natural ground abutting cut or fill surfaces.
6. All grading shall be prepared and maintained to control against erosion.
7. All cut and fill slopes shall be no steeper than 2:1, horizontal to vertical.

# CHAPTER IV

## ENVIRONMENTAL MONITORING



## ENVIRONMENTAL MONITORING REGULATIONS

A subsequent EIR (CEQA 15162) was prepared by Keith Companies and published for comment in August 1992. The purpose of the subsequent EIR is to accommodate expedient processing of conforming development projects within the Business Park Specific Plan which are found to be consistent with the zoning regulations.

The EIR identifies 10 undeveloped properties each requiring further technical studies such as: biological/paleontological/archeology. Therefore, any development plan submitted within the undeveloped portions must undergo additional environmental evaluation by providing information determined essential and required in the subsequent EIR. Consult the Specific Plan map to locate the 10 identified sites.

The subsequent EIR executive summary provide an environmental check list for use by the project proponent and City of Vista Planning staff. Many of the listed environmental mitigation measures are addressed by specific conditions contained within this Specific Plan text. However, City staff and project proponent must consult Appendix J entitled MITIGATION MONITORING PROGRAM when reviewing any application for development. This check off list will determine those projects qualifying for immediate issuance of a permit as opposed to those which will require further technical studies. It must be understood that any development determined not to be consistent with the intent and policies of this plan could be subject to additional environmental study or a subsequent EIR.

# CHAPTER V

## LAND USE AND ZONING

## LAND USE AND ZONING DESCRIPTION

### COMMERCIAL SPECIAL GROUP

(USE AREA "A")

The intent and purpose of this group is to provide locations for a combination of professional and business offices and selected commercial activities in support of the needs of the employees and businesses of the park as a primary function.

1. This group shall be designated on the specific plan map as "A".
2. Permitted Uses:
  - a. All the uses described in the O-P office professional zone.
  - b. The following listed uses:
    1. Apparel Shop
    2. Appliance/audio visual repair shop
    3. Art store and galleries
    4. Bakery (where bakery goods are sold on premises)
    5. Bank
    6. Barber shop
    7. Beauty parlor
    8. Bicycle shop
    9. Book store
    10. Business college
    11. Candy store
    12. Cocktail lounge when ancillary to a restaurant
    13. Computer store
    14. Convenience market
    15. Cosmetics, toiletries of perfume
    16. Data processing service
    17. Day care, Preschools
    18. Department store
    19. Drug store
    20. Dry cleaning (with plant employing not more than 10 people)
    21. Engineering, architectural, and planning services
    22. Florist
    23. Financial institution
    24. Government services
    25. Health clubs, fitness centers, dance studios, and gymnastics
    26. Ice cream/yogurt store
    27. Insurance carriers, agents, brokers, and services
    28. Medical and other health services
    29. Professional and Business offices
    30. Post Office
    31. Postal services
    32. Restaurants (including sit-down, with or without on-site liquor sales, excluding drive thrus)
    33. Schools private and professional
    34. Scientific instrument and equipment sales
    35. Shoe repair, tailor or dressmaking shop, retail

- 36. Stationers, cards, and/or gift store
- 37. Supermarkets-wholesale/retail
- 38. Other uses not listed which are determined by the City Planner to be consistent with the intent of this group

3. Uses requiring a Special Use Permit

- a. Automobile service station, subject to the requirements found in Chapter 18.62 of the Development Code
- b. Car wash/detail
- c. Sales of alcoholic beverages requiring a Type 20 (“offsale beer and wine”) or Type 21 (“offsale general”) license from the Department of Alcoholic Beverage Control
- d. Hotel
- e. Drive-thru facilities (limited to restaurants and banks)
- f. Land uses which are not listed above may be considered under the Special Use Permit process if deemed necessary by the City Planner. The Planning Commission, or on appeal the City Council, in granting the Special use Permit shall find that the use is in every way consistent with the intent and purpose of this use group, the General Plan and will be compatible with the general area.

4. Other Development Regulation

Development regulations and standards for setbacks, height, lot size, parking, open space, building coverage, landscaping and other information can be found in the O-P zone.

5. Prohibitions

The following uses are prohibited in this group:

- a. churches

RESEARCH LIGHT INDUSTRIAL AND BUSINESS SUPPORT GROUP (USE AREA "B")

It is the intent and purpose of this group to provide locations for industries and business offices that are primarily engaged in research, product development and testing, developmental laboratories, production, distribution, light industries engaged in manufacturing and correlated business activities that are necessary for the viability of this use group. Included in this group are other secondary support activities that provide goods and services for the convenience of the primary use activity and employees working within the Specific Plan area.

1. This use group shall be designated on the Specific Plan Map as "B".
2. Permitted Uses, Primary Activities
  - a. Scientific, research testing, and laboratory facilities, including laboratory facilities engaged in cannabis testing which are licensed pursuant to Chapter 5.98 of the Vista Municipal Code. Failure of a cannabis testing laboratory to operate in accordance with Chapter 5.98 shall also be a violation of this Section.
  - b. Professional office, excluding medical office or services as primary use
  - c. Commercial services or contractors with indoor storage only, excluding motor vehicle repair
  - d. The manufacture, processing or assembly of:
    - 1) Aircraft parts
    - 2) Appliances
    - 3) Athletic equipment and sporting goods
    - 4) Automobile parts
    - 5) Bakery goods
    - 6) Beverages
    - 7) Bio-chemical and bio-technical products
    - 8) Boat building and parts (limited to those craft that can be transported legally over a State Highway without a permit).
    - 9) Book binding and publishing
    - 10) Building materials
    - 11) Cabinet shops
    - 12) Candy, confectionery or ice cream products
    - 13) Carpets and upholstery
    - 14) Ceramic products
    - 15) Clocks and time pieces
    - 16) Computers and calculators
    - 17) Coils, tubes, semi-conductors
    - 18) Communication, navigation, guidance, and control equipment
    - 19) Cosmetics, toiletries, scents or perfumes including blending
    - 20) Data processing equipment, including computer software
    - 21) Dry goods
    - 22) Electronic devices, machines, tools, instruments and equipment
    - 23) Frozen foods and lockers
    - 24) Fine art supplies and products
    - 25) Food products, processing and packaging
    - 26) Film and photography supplies and equipment

- 27) Glass studios, staining, edging, beveling and silvering in conjunction with window, mirror and related products
- 28) Hospital equipment and supplies
- 29) Hotel and motel supplies
- 30) Jewelry
- 31) Metal products
- 32) Measuring, analyzing and controlling instruments
- 33) Medical and dental equipment and supplies
- 34) Motion picture production and allied industries
- 35) Musical instruments
- 36) Oceanographic research supplies and equipment
- 37) Optical goods, equipment and supplies
- 38) Office furniture, equipment and supplies
- 39) Packages and packaging
- 40) Pharmaceutical supplies
- 41) Photographic equipment and supplies
- 42) Photographic studios
- 43) Printing shop and printing materials and supplies
- 44) Precision machine shop
- 45) Pet supplies, equipment, cages and aquariums
- 46) Radar, infrared and ultraviolet equipment
- 47) Radiological and X-Ray laboratory
- 48) Radio equipment and studios
- 49) Recording equipment and supplies
- 50) Recording studios
- 51) Surgical supplies and instruments
- 52) Tortilla factories
- 53) Toys
- 54) Tools and small construction equipment
- 55) Taxidermist
- 56) Television equipment and studios
- 57) Wall paper and interior decorating materials and supplies
- 58) Wood working products
- 59) Utensils and dinner ware
- 60) Textiles, leather goods and clothing

- e. Medical cannabis businesses which have been issued a Notice of Completed Registration pursuant to Chapter 5.94 of the Vista Municipal Code.
- f. Adult use cannabis businesses licensed pursuant to Chapter 5.95 of the Vista Municipal Code.

3. Permitted uses considered ancillary and secondary to the primary use

The following uses and activities are permitted as ancillary uses to a primary activity lawfully established on the same site in accordance with this plan. Such uses included:

- a. Business services and offices for the support of 2a and 2b above
- b. Cafeterias and delis provided on premises operation in conjunction with a permitted use
- c. Day care centers

- d. Employee recreational facilities and play areas operated on-site to serve the primary use
- e. Health clubs, racket clubs, tennis courts and other recreational fitness centers
- f. Industrial medical and dental clinics
- g. Warehousing occupying less than 40% of the gross floor area on a parcel of land in conjunction with the primary use.
- h. Tasting rooms for non-alcoholic and alcoholic beverage manufacturers, subject to the City's standard conditions for Alcoholic Beverage Control licenses; deviations from the City's standard conditions shall require separate approval of the City Council
- i. Cabaret with valid cabaret license for ancillary commercial uses or tasting rooms
- j. Retail sales using no more than 25 percent of the tenant floor area

4. Uses permitted subject to the granting of a Special Use Permit

- (1) Heliports
- (2) Government facilities and offices
- (3) Hospitals
- (4) Museums and libraries not operated for profit
- (5) Outdoor recreational facilities which benefit the community
- (6) Public facilities and utilities
- (7) Co-generation of energy or energy production
- (8) Warehousing occupying over 40% of the gross floor area on a parcel of land subject to the following conditions:
  - (a) To prevent a possible future use conversion resulting in parking intensification one of the following provisions shall be applied:
    - 1. Sufficient level landscaped areas shall be available on-site for conversion to future parking spaces; or
    - 2. A land use restriction limiting the properties' use to warehousing only, is irrevocably recorded and the City named a party thereto.
- (9) Cannabis manufacturing (M - Type 1) uses, not to exceed two and not located within 600 feet of any residentially-zoned property, which are licensed pursuant to Chapter 5.98 of the Vista Municipal Code. An application for a special use permit remains incomplete until all required information and elements are provided, including notice of tentative approval or a notice of pending review pursuant to Chapter 5.98. Failure of a cannabis manufacturer (M – Type 1) to operate in accordance with Chapter 5.98 shall be a violation of this Section.
- (10) Cannabis distribution uses, not to exceed two and not located within 600 feet of any residentially-zoned property, which are licensed pursuant to Chapter 5.98 of the Vista Municipal Code. An application for a special use permit remains incomplete until all required information and elements are provided, including notice of tentative approval or a notice of pending review pursuant to Chapter 5.98. Failure of a cannabis distributor to operate in accordance with Chapter 5.98 shall be a violation of this Section.

(11) Hotels

5. Uses permitted subject to the granting of a Minor Use Permit

(1) Commercial recreation facilities, excluding outdoor uses.

6. Uses permitted subject to the approval of an Administrative Temporary Use Permit

(1) Outdoor special events associated with an approved tasting room for non-alcoholic or alcoholic beverage manufacturers, subject to the following requirements:

(a) No more than twelve (12) outdoor special events per calendar year, per location

(b) The outdoor special events shall be reviewed, approved and made subject to the Administrative Temporary Use Permit requirements of Vista Development Code Section 18.76.020 except as otherwise described in these provisions. The Planning Division must receive a complete Administrative Temporary Use Permit application for each event no later than two weeks prior to the date of the outdoor special event

(c) Each outdoor special event must receive prior approval for any outdoor liquor sales or promotions from the California Department of Alcoholic Beverage Control

(d) The location of the approved tasting room where the outdoor special event is located shall be no closer than 1,000 feet from the nearest residential use, as measured from door to door

(e) Amplified sound may be permitted

(f) The approved tasting room shall provide written notification of the event to any businesses located on the property where the outdoor special event is located at least one week prior to the date of the event

7. All uses shall be conducted entirely within a building except outside storage incidental to a primary activity which may be allowed subject to standards contained in Chapter III. Outdoor storage is not encouraged within the Business Park.

8. Development regulations and standards for setbacks, height, lot size, parking, open space, building coverage, landscaping and other information can be found in Chapter III of this text.



## MIXED USE OVERLAY

The intent and purpose of this mixed use overlay is to provide mixed use opportunities to support existing commercial, industrial, and residential land uses within the area. This land use envisions condominiums, restaurants, office, hotel, retail, and other related service uses:

1. The following uses may be established and maintained in the Mixed Use Overlay only if authorized by, constructed pursuant to, and operated in a manner consistent with, a Development Agreement under Government Code §65864 et seq. which is first approved.
  - a. Multi-family dwellings
  - b. Live/work units
  - c. Retail sales, general
  - d. Restaurant, excluding drive through facilities
  - e. Hotel (but only with an approved special use permit)
  - f. Other uses allowed in the Area B unless the use would be inconsistent with the terms of a Development Agreement.

### 2. Other Development Regulations

Development regulations and standards can be found in Chapter III of this text, except as modified below.

### 3. Building Height

- (a) The height of all residential structures shall be limited to a maximum of three (3) stories, not to exceed forty-five (45) feet in height, unless additional height is granted under the provisions of a special use permit.

### 4. Setbacks

- a. Buildings and structures shall maintain a minimum setback of 35 feet from W. San Marcos Boulevard measured from the ultimate street right-of-way line.
- b. Buildings and structures shall maintain a minimum setback of 25 feet from residentially zoned properties.

### 5. Parking

Off-street parking shall be provided in accordance with the following standards:

- (a) Residential. All residential uses must provide off street parking at the following minimum ratios:
  1. Studio: 1 space per unit plus 0.25 guest space per unit
  2. One bedroom: 1 space per unit plus 0.5 guest space per unit
  3. Two bedroom: 2 spaces per unit
  4. Three or more bedrooms: 2 spaces per unit plus 0.5 space for each additional bedroom above three, plus 0.25 guest space per unit.

(b) Commercial. All commercial uses must provide off street parking in accordance with Chapter 18.54 of the Vista Municipal Code.

(c) Hotel. 1 parking space per guest room

(d) Shared parking. Any required guest parking may be shared parking and may be shared with onsite commercial spaces, upon approval of the Planning Commission at a public hearing.

6. Outdoor Space

A minimum outdoor space of 140 square feet shall be provided per dwelling unit. Outdoor space may be provided as common open space or private outdoor space. Any required common outdoor space shall have minimum surface level dimensions of 20 feet and a minimum area of 400 square feet. Landscaping and seating shall be permanently integrated into all required outdoor spaces. The developer may pay a fee in lieu of providing the required outdoor space, in the amount of the City's park fee per dwelling unit. This fee shall be paid in addition to the standard park fee assessed per unit.

7. Laundry Facilities

(b) The height of all commercial structures shall be limited to a maximum of four (4) stories, not to exceed fifty (50) feet in height, unless additional height is granted under the provisions of a special use permit.

Laundry facilities, consisting of working washer and dryer utility connections, shall be provided within each residential dwelling unit.

8. Storage space, private

A minimum of 90 cubic feet of storage space shall be provided for each residential unit outside such unit unless a private attached garage, serving only the dwelling unit, is provided. Such private storage space shall have a minimum horizontal surface area of 24 square feet and shall be fully enclosed and lockable.

9. Refuse Collection and Storage

Areas designated for the collection of refuse and storage of solid waste shall conform to the provisions of Section 18.58.590 of the Vista Development Code.

The intent and purpose of this group is to provide general commercial support for the Business Park employees, patrons and users. This land use envisions banks, restaurants, service stations, printers, and other related retail service outlets to augment the industrial land uses:

1. This use area shall be designated “C” on the Specific Plan Map.

2. Permitted Uses:

- a. All the uses set forth in the C-1 Zone.
- b. All the uses permitted in the O-P Office Professional Zone.
- c. All uses requiring a Minor Use Permit or Special Use Permit in the above referenced zones shall also require equivalent use permits in this use area.

3. Other Development Regulations

Development regulations and standards for setbacks, height, lot size, parking, open space, building coverage, landscaping and other information can be found in Chapter III of this text, except as modified below.

4. Street Setbacks

Except as set forth in Conditions (DS), the following shall apply:

- a. Buildings and structures shall maintain the following minimum setback measured from the ultimate street right-of-way line.

Melrose Drive: 30 feet

Park Center Drive: 30 feet

- b. Special street setbacks are listed on the Specific Plan Map.

5. Landscape Setbacks

- a. The minimum landscape separation area between parking lot and street right-of-way shall be:

Melrose Drive: 30 feet

Park Center Drive: 30 feet

6. Prohibited Uses

The following uses are prohibited in this group:

churches

## OPEN SPACE

## (USE AREA "D")

The creation of this Specific Plan envisioned establishing permanent open space areas for the benefit and use of the Business Park owners and employees. The Open Space designation has been placed on land determined to have environmentally sensitive features or which requires resource preservation.

1. All land designated "D" shall be Open Space.
2. Permitted uses:
  - (a) Only those uses found consistent with the adopted Resource Management Plan.
  - (b) Only those uses permitted in the "O" (SP) zone shall be allowed; provided, however, all uses normally requiring a Special Use Permit in the "O" (SP) zone, shall not require a Special Use Permit. No other uses shall be permitted.
  - (c) The necessary infrastructure to serve the Specific Plan, as well as areas outside the plan.
3. As a condition of approval of any site development plan, plot plan, subdivision, or parcel map or any other permit authorizing land development, Use Area "D" shall be protected by an open space/conservation easement and shall be conveyed to an entity established for the purpose of maintaining and protecting biological resources. Such entity and conveyance shall be approved by the City Planner and City Attorney.
5. Prior to approval of any Site Development Plan, Plot Plan, Final Map, or other permit authorizing land development on any parcel within this specific plan, those portions of Parcel "D" within that property shall be dedicated in fee as a permanent open space easement. The City shall specify the agency responsible to receive such Open Space easement.
6. Prior to site development approval for any parcel within this specific plan, the parcel owners shall irrevocably commit, through recorded CC&R's, to participate in the Resource Management Plan and/or Open Space Maintenance District as specified by the City of Vista.

In recognition of the need to provide a variety of housing to support the industrial and commercial land use available in this Business Park, a portion of land is being designated residential zone.

1. This use area shall be designated "E" on the Specific Plan Map.
2. Permitted Uses:
  - a. Single-family dwelling – detached/0 lot line.
  - b. Uses permitted subject to special use permit or minor use permit as listed in the R-1-B Zone.
  - c. All other uses set forth in the R-1-B Zone.
3. The maximum density shall be one (1) dwelling unit for each five-thousand (5,000) square feet of gross land area (computed to centerline of abutting street) provided that the territory of the street is to be dedicated from the project area.
4. In accordance with Section 18.58.030 of the Development Code, three (3) dwelling levels will be permitted where the average slope of this lot is greater than 7:1.
5. Front Yard setback: Buildings or structures shall be located no closer than twenty (20) feet from an adjacent public street and no closer than ten (10) feet from an adjacent private street. Garage and carport structures shall be located no closer than ten (10) feet from an adjacent public street, except where access faces the street, in which case a 20-foot setback must be observed, and zero (0) feet from an adjacent private driveway.
6. Private Access Width: Private streets with no parking allowed on either side shall have a minimum improved width of twenty-four (24) feet and be designated as a fire lane; otherwise, minimum access width shall be thirty (30) feet. Private streets with parallel parking permitted on one side shall have a minimum improved width of thirty-two (32) feet. Private streets with parallel parking permitted on both sides shall have a minimum improved width of thirty-six (36) feet.
7. Private driveways serving covered parking (garages or carports) on both sides of the access aisle shall maintain a minimum (32) feet measured between structures at ground level.
8. Prohibited Uses: The following uses are prohibited in this group:
  - a. churches.

INDUSTRIAL COMMERCIAL GROUP

(USE AREA "F")

Use Area "F" is hereby established and designated on the Specific Plan Map. This use area is designated Industrial Commercial Group. This use area shall permit a mixture of industrial and/or commercial uses as set forth in Areas "A," "B," and "C" of this Specific Plan.

Development regulations governing setbacks, building height, lot size, open space, building coverage, landscaping, screening, refuse collection, outside storage, utility service, architecture, fire sprinklers, and grading shall comply with the provisions of Chapter III of the Vista Business Park Specific Plan.

Parking shall be governed by the provisions of Section DS-6 of the Vista Business Park Specific Plan. Any land uses not included in Section DS-6 shall comply with the parking provisions of the Development Code, Chapter 18.54.

Signage shall be governed by the provisions of Chapter 18.52 of the Vista Development Code dependent upon the land use proposed or as designated by an approved Comprehensive Sign Program. This requirement shall supersede DS10 through DS12 found in this text.

# CHAPTER VI

## PLAN IMPLEMENTATION

## PLAN IMPLEMENTATION AND DEVELOPMENT PROCESSING

### PLAN REQUIREMENTS

The following provisions are required in order to fulfill the objectives, policies, and regulations of this Specific Plan:

1. The principle means of implementing this Plan are through the Subdivision and Site Plan processes. All development, including the issuance of building permits and grading permits shall follow the adoption of the appropriate Site Plan as described in the next section. Site Plan is being defined to describe a Plot Plan or Site Development Plan as same is described by the appropriate development code.
2. A Landscape Maintenance District has been established to maintain landscaped areas and to preserve and maintain open space (area "D"). The "Resource Management Plan", dated October, 1987 will direct the improvements and maintenance programming.
3. Mitigation measures as specified in the Subsequent Environmental Impact Report shall be implemented to fulfill the requirements of this Specific Plan. When approving a Subdivision Map, Parcel Map, Site Development Plan or other discretionary permit, as a part of the environmental review process, the City shall consider the contents of the existing final EIR and any supplement thereto to determine if said development falls within the scope of the EIR. If not, the EIR must be supplemented prior to project approval in accordance with Article XXVII of the CEQA Guidelines.

### DEVELOPMENT PROCESSING

- A. The processing of Plot Plans shall include the following plan components and procedures:
  1. Plot Plans shall be prepared for each increment of development, project, or planning area and approved prior to development. The following projects may be exempted from the Plot Plan process if located within Use Area B and determined by the City Planner to be architecturally compatible with the existing building(s) on the site:
    - a. Additions to existing buildings of 10,000 square feet or 10 percent of the floor area of the building, whichever is less
    - b. Accessory structures of 5,000 square feet or less
    - c. Storage mezzanine additions with adequate parking
    - d. Tenant improvements with adequate parking
  2. The boundaries of each site shall be precisely determined through boundary adjustments, lot lines created by subdivision maps, or other methods acceptable to the City.
  3. Plot Plans shall conform to and be consistent with this Specific Plan, particularly Chapters III and IV.
  4. Plot Plans shall include the location of buildings, their bulk and height, and specific intended use, and all other information necessary to meet the requirements of Chapters III and IV.
  5. Building elevations from all view points shall accompany Plot Plans.



6. Plot Plans shall include parking, roadway, and landscaping areas.
7. Landscaping plans shall accompany the Plot Plan.
8. A comprehensive sign program, including locations, size, height, and nature of all signage shall be included with the Plot Plan
9. Complete grading plans shall accompany the Plot Plan.

B. Processing of subdivisions shall be accomplished according to the following guidelines:

1. The Zoning Administrator shall be designated the “Advisory Agency”, as defined by Section 66415 of the State Government Code. In this capacity, the Zoning Administrator shall be authorized to approve or deny all Tentative Subdivision Maps and Tentative Parcel Maps within the North County Industrial Specific Plan.
2. Tentative Parcel Maps shall be processed in accordance with Article VI of the City Subdivision Ordinance.
3. At the discretion of the City, certain types of subdivision, proposed for more than four lots, may be processed through the minor subdivision process. The following situations may allow the subdivision to be processed as a Tentative Parcel Map:
  - (a) The land before division contains less than five acres, each parcel created by the division abuts upon a maintained public street or highway and no dedications or improvements are required by the legislative body, or;
  - (b) Each parcel created by the division has a gross area of 20 acres or more and has approved access to a maintained public street or highway, or;
  - (c) The land consists of a parcel or parcels of land having approved access to a public street or highway which comprises part of a tract of land zoned for industrial or commercial development, and which has the approval of the governing body as to street alignments and widths, or;
  - (d) Each parcel created by the division has a gross area not less than 40 acres or is not less than a quarter of a section.

Documentation of conformance with any of the above exceptions shall be required concurrent with any proposal for a Tentative Parcel map of more than four lots. Said documentation shall be provided by a Registered Civil Engineer.

4. Tentative Subdivision Maps shall be processed in accordance with Article III of the Subdivision Ordinance, unless modified by the Specific Plan. A public hearing will be required prior to the Zoning Administrator’s decision on a Tentative Subdivision Map. The final Subdivision Map approval can only be granted by the City Council.
5. Any subdivision application shall demonstrate conformance with Chapter V of this Specific Plan, relative to plan implementation.

## C. Site Plan Submittal and Processing Procedure

The following steps are required for the submittal of Site Plans:

### Presubmittal Meeting

1. The applicant should meet with the Planning Staff to discuss the proposed project. This step is available to save the applicant and the Planning Staff time and to avoid major re-drafting of plans. Instructions for scheduling a pre-application conference can be obtained at the permit center.

2. Important Notice

The applicant should consult with the Building, Public Works, Fire Departments, and Vista Irrigation District for their requirements for dedication of public streets necessary improvements or guarantees, fire hydrants, sewer line extensions, special construction requirements, etc.

3. Official Submittal

The applicant submits all required documents, plans, fees, application, and computations in accordance with the sited development plan instructions. All required items must be submitted and all information as required by the instruction sheets must be included on the plans or the project will not be accepted.

4. Environmental Review

Further environmental review may be required on those partially cleared or undeveloped sites as defined in the subsequent EIR prepared in 1992 and on file at the City of Vista.

5. Site Plan Review

The Planning Division distributes copies of the Site Plan to Vista's Planning Division, Building Dept., Fire Dept., Sanitation and Parks and Recreation; also to San Diego Gas & Electric Company (SDG&E), Vista Irrigation District (VID) and Vista Unified School District (VUSD). The requirements and comments of these departments and various agencies will be incorporated in the letter of Approval or Denial. When all comments are received by the Planning Staff, the staff will review the proposal and formulate a decision.

6. Tentative Approval

After the Site Plan has gone through a detailed review by the Planning Staff, the project will be conditionally approved or disapproved.

7. Conditional Approval

The conditional approval letter will reflect conditions and revisions that will be

necessary prior to final approval of the Site Plan.

8. Disapproval

The disapproval letter will reflect the reasons for disapproval. In the event that a Site Plan is disapproved it will be the responsibility of the applicant to schedule a meeting with the Planning Staff to resolve the deficiencies in the disapproved plan.

A disapproved plan may be resubmitted after revisions are incorporated and corrections made to all deficient items. A detailed review will again take place and a conditional approval, final approval, or disapproval will be mailed to the applicant.

ADEQUATE FACILITIES PROVISION

Intent and Purpose of this provision is to assure that coordinated and timely public infrastructure improvements occur commensurate with private property development and to:

1. Provide adequate vehicular access to a major arterial street serving industrial development and to minimize traffic impacts on adjacent residential areas.
2. Encourage the orderly extension of infrastructure, thus ensuring effective industrial development.
3. Ensure that proper facilities are available or are being provided as a condition of development and that all property owners are impacted with no more nor no less than their fair share for the facility infrastructure.
4. Encourage expeditious development of clean industrial projects to provide employment and economic benefits to the community.
5. Encourage and foster the continued interim agricultural uses until such industrial clients are available.

IMPLEMENTATION PROCEDURES

These conditions are applicable to all properties within the Specific Plan boundaries, but will also be applied to properties outside the Specific Plan if these properties benefit from the improvements in question.

1. All properties within the Specific Plan are required to construct major infrastructure, as determined necessary to serve development, including facilities outside the plan boundary, as specified by the City Engineer and provisions in this plan.
2. Required major infrastructure, as in accordance with No. 1 above, may qualify for reimbursement pursuant to Ordinance No. 81-56 or successor ordinances, if amended, subject to City Council approval.
3. Any property benefitting from existing constructed infrastructure may be required to pay a reimbursement for the "fair share" of construction cost, prior to development of such property.

4. Required construction of major infrastructure pursuant to this Specific Plan may occur by any of the following methods or combinations thereof:
  - a. Participation in an improvement district or project which will construct the required infrastructure.
  - 5.
  - b. Payment in full for the “fair share” of construction cost as determined to be an equitable assessment for benefits received. Such cost share may be established pursuant to Ordinance No. 81-56 or successor ordinances, if amended.
  - c. Payment for the construction of major required infrastructure where the cost exceeds the individual properties equitable assessment for benefit received and the project sponsor is willing to execute as a reimbursement agreement providing that subsequent development of other benefitting properties shall be obligated to pay their assessment prior to using such facilities.
  - d. Entering into a development agreement with the City to form a mutually acceptable method to satisfy the conditions of public service provision using either combinations of the above alternatives and/or different innovations that may be suitable for this purpose.

#### ZONE BOUNDARY INTERPRETATION

The precise location of the land use boundaries shown on the Specific Plan Map shall be set as a result of parcel map boundary adjustment, or subdivisions. Zone boundary lines shall be set using the following criteria:

1. Topography
2. Natural resources as identified in the Environmental Impact Report
3. A review of the applicable Site Development Plans and grading plans
4. The public road system locations determined to best serve future land uses
5. Such other criteria as deemed appropriate

# CHAPTER VII

## PLAN AMENDMENT

## AMENDMENTS TO THE SPECIFIC PLAN

Approval of this Specific Plan indicates acceptance by the City Council of a general framework and specific development standards for this project. It is anticipated that certain Amendments to the Specific Plan (SPA's) text and exhibits may be necessary during the life of the project. Such SPA's shall occur in accordance with the specific process described in this section. These SPA's should they occur, are divided into two categories which are described below. All proposed SPA's must be consistent with the General Plan and the general objectives of this Specific Plan. In addition, proposed SPA's shall be addressed by the Amendment criteria described below:

### Specific Plan Amendments

#### 1. Administrative SPA 's.

Upon determination by the City Planner, certain minor changes to the Specific Plan text or map may not require formal amendments (ie. Approval through a public hearing). The City Planner has the authority to approve modification to the Specific plan as follows:

- a. Expansions or reductions of any of the project areas designation up to 10% in area providing the land use intensity, within any given sub-area, does not increase more than 15%.
- b. Realignment or modifications of internal streets servicing the project if also approved by the City Engineer.
- c. Minor modification of design features such as paving treatments, fencing, lighting, entry treatments and landscape treatments may also be approved.
- d. All administrative SPA's shall be processed concurrently with a Plot Plan, which shall formally establish the ultimate boundaries.

#### 2. Formal SPA 's.

All Specific Plan changes which do not meet the criteria of an administrative SPA noted above shall be deemed to require a formal SPA of this Specific Plan. All formal Specific Plan Amendments shall be reviewed for approval by the Planning Commission and City Council.

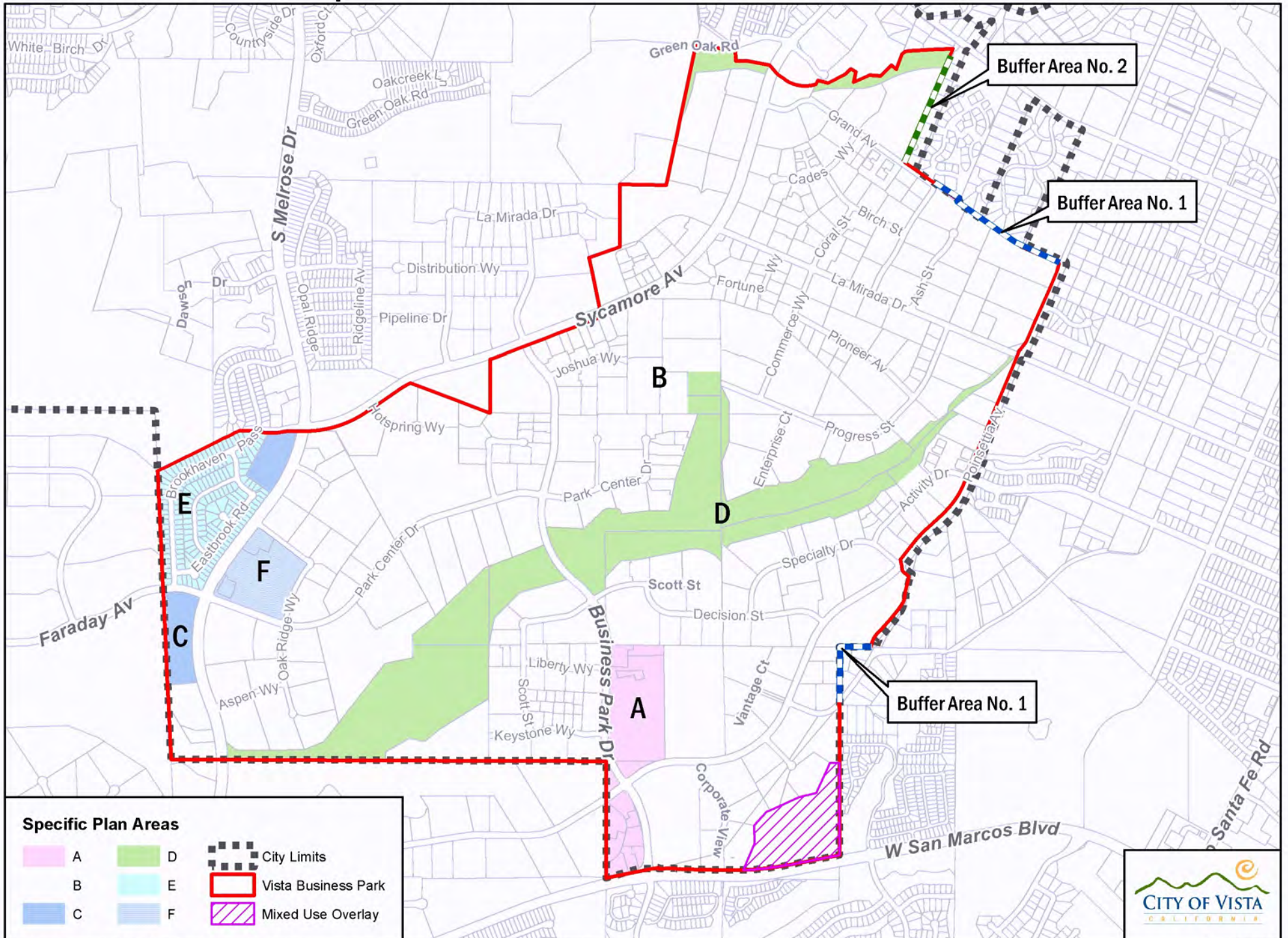
#### 3. Amendment Criteria.

Whether classified as administrative or formal SPA's, all such changes to the Specific Plan shall reflect the comprehensive analysis which has been undertaken in the adoption of the Specific Plan and shall require additional environmental review. As a condition of consideration for any amendment to the Specific Plan it shall be the applicant's responsibility to:

- a. Demonstrate that the proposed amendment meets the goals and objectives of the Specific Plan and the General Plan.

- b. Update any Specific Plan technical studies and/or provide additional environmental studies, upon determination of the Planning Director or City Engineer, and incorporate all mitigation measures into the project design.
- c. Provide a revised Specific Plan text and map, where relevant, which reflects the amendment requested.

# Vista Business Park Specific Plan



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