CITY OF CHINO

ZONING ORDINANCE UPDATE

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CHINO ZONING CODE UPDATE

Outline: Series, Chapters and Sections
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100 Series - Introductory Provisions

CHAPTER 20.101 – PURPOSE AND EFFECT OF THE ZONING CODE

20.101.010 – Title
20.101.020 – Purpose of the Zoning Code
20.101.030 –Structure of the Regulations
20.101.040 – Relationship to the General Plan
20.101.050 – Responsibility for Administration
20.101.060 – Applicability of Zoning Code
20.101.070 – Zoning Districts and Zoning Map

CHAPTER 20.102 – INTERPRETATION OF THE ZONING CODE

20.102.010 – Purpose
20.102.020 – Rules of Interpretation
20.102.030 – Procedures for Interpretation

CHAPTER 20.103 – RULES OF MEASUREMENT

20.103.010 – Purpose
20.103.020 – General Provisions
20.103.030 – Fractions
20.103.040 – Measuring Distances
20.103.050 – Measuring Height
20.103.060 – Determining Grade
20.103.070 – Measuring Lot Width and Depth
20.103.080 – Determining Average Slope
20.103.090 – Determining Density
20.103.100 – Determining Floor Area
20.103.110 – Determining Floor Area Ratio
20.103.120 – Determining Lot Coverage
20.103.130 – Determining Lot Frontage
20.103.140 – Determining Setbacks
20.103.150 – Measuring Signs
20.103.160 – Measuring Parking Lot Landscaping
20.103.170 – Measuring Pedestrian Clearance
20.103.180 – Determining Line of Sight

200 Series - Base Districts

CHAPTER 20.201 – RESIDENTIAL ZONING DISTRICTS

20.201.010 – General Purpose
20.201.020 – District Purposes
20.201.030 – Use Regulations
20.201.040 – Development Standards
20.201.050 – Second Primary Units and Duplexes in Single-Family Zones.

CHAPTER 20.202 – MIXED USE ZONING DISTRICTS

20.202.010 – General Purpose
20.202.020 – District Purposes
20.202.030 – Use Regulations
20.202.040 – Development Standards
20.202.050 – Development Bonuses for Community Amenities

CHAPTER 20.203 – COMMERCIAL ZONING DISTRICTS

20.203.010 – General Purpose
20.203.020 – District Purposes
20.203.030 – Use Regulations
20.203.040 – Development Standards

CHAPTER 20.204 – INDUSTRIAL ZONING DISTRICTS

20.204.010 – General Purpose
20.204.020 – District Purposes
20.204.030 – Use Regulations
20.204.040 – Development Standards

CHAPTER 20.205 – AGRICULTURE, OPEN SPACE, AND PUBLIC ZONING DISTRICTS

20.205.010 – General Purpose
20.205.020 – District Purposes
20.205.030 – Use Regulations
20.205.040 – Development Standards

CHAPTER 20.206 – PLANNED DEVELOPMENT DISTRICT

20.206.010 – General purpose
20.206.020 – Zoning map designation
20.206.030 – Use regulations
20.206.040 – Development Standards

300 Series - Overlay Districts

CHAPTER 20.301 – OVERLAY DISTRICTS

20.301.010 – General Purpose
20.301.020 – Applicability
20.301.030 – Conflict Between Provisions
~~20.09.040 – Agricultural Overlay District~~
~~20.09.050 – Airport Overlay District~~
~~20.09.060 – Downtown Overlay District~~
~~20.09.070 - Master Plan Overlay District~~
~~20.09.070 – Central Avenue Specific Plan~~
~~20.09.080 – Industrial Planned Development Overlay District~~
~~20.09.090 – Overlay Districts for Affordable Housing~~

CHAPTER 20.302 – AGRICULTURAL OVERLAY DISTRICT

20.302.010 – Purpose and Intent
20.302.020 – Permitted Uses

CHAPTER 20.303 – AIRPORT OVERLAY DISTRICT

20.303.010 – Purpose and Intent
20.303.020 – Permitted Uses
20.303.030 – Noise Standards
20.303.040 – Objects Affecting Navigable Airspace

CHAPTER 20.304 – RESERVED

CHAPTER 20.305 – MASTER PLAN OVERLAY DISTRICT

20.305.010 – Specific Purposes
20.305.020 – Applicability and Zoning Map Designator
20.305.030 – Land Use Regulations
20.305.040 – Development Regulations
20.305.050 – Initiation of Master Plan
20.305.060 – Required Plans And Materials
20.305.070 – Approval of Master Plan
20.305.080 – Expiration of Adopted Master Plan
20.305.090 – Amendments to Adopted Master Plan
20.305.100 – Review of Plans

~~CHAPTER 20.306 – INDUSTRIAL PLANNED DEVELOPMENT OVERLAY DISTRICT~~

~~20.306.010 – Purpose.~~
~~20.306.020 – Permitted Uses.~~
~~20.306.030 – Conditional Use Permit Required.~~
~~20.306.040 – Applications for a New Industrial Planned Development Overlay District.~~

CHAPTER 20.306 – OVERLAY DISTRICTS FOR AFFORDABLE HOUSING

20.306.010 – Purpose and Intent
20.306.020 – Relation to Base Zoning
20.306.030 – Permitted Uses
20.306.040 – ~~Required~~ Base Density Limit and Increased Density for Affordable Housing
20.306.050 – Minimum Affordable Housing Requirement
20.306.060 – Additional Land Use Regulations for MUO District
20.306.070 – Development Standards for the AHO District
20.306.080 – Development Standards for the MUO District
20.306.090 – Open Spaces Standards for Residential Projects
20.306.100 – Alternatives
20.306.110 – Review Procedures
20.306.120 – Required Affordable Housing Agreement for Continued Affordability
20.306.130 – Overlay District Affordable Housing Fund

400 Series - Specific Plans

CHAPTER 20.401 – GENERAL PROVISIONS

20.401.010 – Purpose and Applicability
20.401.020 – Preparation, Adoption, and Amendment
20.401.030 – Post-Approval Administration

500 Series - Additional Use and Development Regulations

CHAPTER 20.501 – STANDARDS FOR ALL DEVELOPMENT AND LAND USES

20.501.010 – Purpose
20.501.020 – Performance Requirements
20.501.030 – General Site Regulations
~~20.501.040 – Development on Substandard Lots~~
20.501.040 – Refuse and Recycling Facilities
20.501.050 – Renewable ~~Alternative~~ Energy Structures
20.501.060 – Walls and Fences
20.501.070 – Screening and Landscape Buffers on Common Lot Lines for Certain Uses
20.501.080 – Outdoor Lighting
20.501.090 – Recreational Vehicles and Campers
20.501.100 – Metal Buildings
20.501.110 – Visibility at Intersection and Driveways

CHAPTER 20.502 – ACCESSORY STRUCTURES

20.502.010 – Purpose
~~20.502.020 – Accessory Dwelling Units and Junior Accessory Dwelling Units~~
20.502.020 – Habitable Accessory Structures
20.502.030 – Non-Habitable Accessory Structures
20.502.040 – Prefabricated Metal Buildings

CHAPTER 20.503 – ACCESSORY DWELLING UNITS

20.503.010 – Purpose
20.503.020 – General Requirements and Development Standards
20.503.030 – Approvals Required

CHAPTER 20.504 – TEMPORARY USES AND STRUCTURES

20.504.010 – Purpose
20.504.020 – Temporary Uses
20.504.030 – Temporary Recreational Vehicle Living Units
20.504.040 – Commercial Delivery Van Parking

CHAPTER 20.505 – SMALL LOT RESIDENTIAL SUBDIVISIONS

20.505.010 – Purpose
20.505.020 – Location
20.505.030 – Permits Required; Prohibition of Urban Lot Splits
20.505.040 – Use Regulations
20.505.050 – Development Standards

CHAPTER 20.506 – STARTER HOME RESIDENTIAL DEVELOPMENT

20.506.010 – Purpose
20.506.020 – Permits Required~~; Findings for Denial~~
20.506.030 – Qualifying Criteria~~ and Prohibitions~~
20.506.040 – Use Regulations
20.506.050 – Development Standards for Starter Home Subdivisions
20.506.060 – Development Standards for Starter Home Housing Developments

CHAPTER 20.507 – DESIGN STANDARDS

20.507.010 – Purpose
20.507.020 – Applicability
20.507.030 – Design Standards that Apply to All Uses
20.507.040 – Single-Family Residential Design Standards
20.507.050 – Multiple-Family Residential Design Standards
20.507.060 – Mixed Use Design Standards
20.507.070 – Commercial Design Standards
20.507.080 – Office ~~and Industrial~~ Design Standards
20.507.090 – Industrial Design Standards

CHAPTER 20.508 – LANDSCAPING

20.508.010 – Purpose
20.508.020 – Applicability
20.508.030 – Landscape Documentation Package
20.508.040 – Landscape Design Standards
20.508.050 – Parking Lot Landscape Standards
20.508.060 – Public Education
20.508.070 – Prescriptive Compliance Option

CHAPTER 20.509 – MEASURE M GENERAL PLAN INITIATIVE

20.509.010 – Purpose
20.509.020 – General Requirements
20.509.030 – Voter Authorization to Rezone Specified Land No. 1
20.509.040 – Voter Authorization to Rezone Specified Land No. 2
20.509.050 – Voter Authorization to Rezone Specified Land No. 3
20.509.060 – Voter Authorization to Rezone Specified Land No. 4

20.509.070 – Voter Authorization to Rezone Specified Land No. 5
20.509.080 – Voter Authorization to Rezone Specified Land No. 6
20.509.090 – Voter Authorization to Rezone Specified Land No. 7
20.509.100 – Voter Authorization to Rezone Specified Land No. 8
20.509.110 – Voter Authorization to Rezone Specified Land No. 9
20.509.120 – Voter Authorization to Rezone Specified Land No. 10
20.509.130 – Voter Authorization to Rezone Specified Land No. 11
20.509.140 – Voter Authorization to Rezone Specified Land No. 12
20.509.150 – Voter Authorization to Rezone Specified Land No.13
20.509.160 – Voter Authorization to Rezone Specified Land No. 14
20.509.170 – Voter Authorization to Rezone Specified Land No. 15

CHAPTER 20.510 – NONCONFORMING USES, STRUCTURES, AND PARCELS

20.510.010 – Purpose
20.510.020 – Applicability
20.510.030 – Nonconforming Uses
20.510.040 – Nonconforming Structures
20.510.050 – Nonconforming Lots
20.510.060 – Findings
20.510.070 – Removal of Illegal Nonconforming Uses and Structures

CHAPTER 20.511 – PARKING AND LOADING

20.511.010 – Purpose
20.511.020 – Applicability
20.511.030 – Number of Parking Spaces Required
20.511.040 – General Parking Regulations
20.511.050 – Parking Design Standards
20.511.060 – Alternative Compliance with Parking Regulations
20.511.070 – Bicycle Facilities
20.511.080 – Parking Structures
20.511.090 – Off-Street Loading
20.511.100 – Electric Vehicle Charging Readiness

CHAPTER 20.512 – RESIDENTIAL DENSITY BONUSES

20.512.010 – Compliance with State Law
20.512.020 – Definitions
20.512.030 – Application and Review
20.512.040 – Density Bonus Agreement
20.512.050 – Standards for Qualifying Units

CHAPTER 20.513 – RIGHT TO FARM

20.513.010 – Purpose
20.513.020 – Applicability
20.513.030 – General Requirements

CHAPTER 20.514 – STANDARDS FOR SPECIFIC LAND USES

20.514.010 – Purpose
20.514.020 – Agricultural Product Stands and Crop Production
20.514.030 – Alcoholic Beverage Sales, Micro-Breweries, and Micro-Distilleries
20.514.040 – Ancillary Industrial Facilities
20.514.050 – Animal Keeping
20.514.060 – Automobile Rental and Truck Rental
20.514.070 – Automobile Sales and Services
20.514.080 – Caretakers Quarters
20.514.090 – Cigar and Vaping Lounges and Hookah Bars
20.514.100 – Commercial Nurseries and Garden Centers
20.514.110 – Commercial Recreation
20.514.120 – Convenience Markets and Grocery Stores
20.514.130 – Conversion of Residential Structures
~~20.513.130 – Congregate Care Facilities~~
20.514.140 – Data Centers
20.514.150 – ~~Child~~ Day Care Centers and Family Day Care Homes
20.514.160 – Drive-Through Food and Beverage Facilities
20.514.170 – Emergency Shelters
20.514.180 – Equipment Rental and Sales
20.514.190 – Farm Employee Housing
20.514.200 – Farmers' Markets and Open Air Markets
20.514.210 – Group Homes
20.514.220 – Gun and Ammunition Stores
20.514.230 – Gym/Athletic Instruction
20.514.240 – Hazardous Materials Use and Storage
20.514.250 – Health Care Offices and Clinics
20.514.260 – Home Occupations
20.514.270 – Hotels, Motels, and Bed and Breakfast
20.514.280 – Live Entertainment
20.514.290 – Live/Work Units
20.514.300 – Low Barrier Navigation Centers
20.514.310 – Manufactured Housing
20.514.320 – Massage Establishments
20.514.330 – Mobile Home Parks
20.514.340 – Nightclubs, Bars, and Cocktail Lounges
20.514.350 – Non-Traditional Financial Institutions ~~Check Cashing~~
20.514.360 – Offices
20.514.370 – Outdoor Displays and Sales
20.514.380 – Outdoor Manufacturing and Processing
20.514.390 – Outdoor Seating Areas
20.514.400 – Outdoor Storage and Storage Containers
20.514.410 – Outdoor Vendors (Carts, Kiosks, and Mobile Food Vendors)
20.514.420 – Places of Worship

20.514.430 – Portable Toilets
20.514.440 – Public Storage and Self-Storage Facilities
20.514.450 – Recording/Podcast Studio
20.514.460 – Recycling Facilities
20.514.470 – Residential Care Facilities, Large
20.514.480 – Retail Sales in Conjunction with a Warehousing or Manufacturing Use
20.514.490 – Schools for Personal Enrichment
20.514.500 – Senior Housing Projects
20.514.510 – Service Stations
20.514.520 – Smoke Shops and Retail Tobacco Sales
20.514.530 – Supportive Housing
20.514.540 – Tattooing, Body Piercing, and Body Art
20.514.550 – Transitional Housing
20.514.560 – Vehicle Parts and Accessories Sales
20.514.570 – Vehicle Repair Garages
20.514.580 – Vehicle Towing Services and Towed Vehicle Storage
20.514.590 – Warehouses and Logistics Uses

CHAPTER 20.515 – WIRELESS TELECOMMUNICATIONS FACILITIES ON PRIVATE PROPERTY

20.515.010 – Purpose and Intent
20.515.020 – Definitions
20.515.030 – Applicability
20.515.040 – Required Permits and Other Approvals
20.515.050 – Other Permits and Regulatory Approvals
20.515.060 – Permit Applications
20.515.070 – Pre- and Post-Decision Notices Required
20.515.080 – Approvals; Denials
20.515.090 – Location Standards
20.515.100 – Design Standards
20.515.110 – Standard Conditions for Approved Permits
20.515.120 – Legal Nonconforming Wireless Telecommunications Facilities on Private Property
20.515.130 – Special Exceptions for Federal or State Preemption

600 Series - Administration and Procedures

CHAPTER 20.601 – ADMINISTRATION

20.601.010 – Purpose and Applicability
20.601.020 – Review Authorities
20.601.030 – Approvals, Generally
20.601.040 – Applications and Fees

CHAPTER 20.602 – COMMON PROCEDURES

20.602.010 – Purpose and Intent
20.602.020 – Preliminary~~Pre-Application~~ Review
20.602.030 – Submittal and Review of Applications
20.602.040 – Environmental Review
20.602.050 – Public Notices and Hearings
20.602.060 – Conduct of Public Hearings
20.602.070 – Action
20.602.080 – Effective Date
20.602.090 – Expiration and Extension
20.602.100 – Changes to an Approved Project
20.602.110 – Reasonable Accommodations
20.602.120 – Construction Management Plan
20.602.130 – Appeals
20.602.140 – Calls for Review
20.602.150 – Modification Procedure for Conditions of Approval
20.602.160 – Revocation Procedure

CHAPTER 20.603 – SPECIFIC PROCEDURES FOR APPROVALS AND PERMITS

20.603.010 – General Plan Amendments
20.603.020 – Specific Plans and Amendments
20.603.030 – Zone Changes and Amendments
20.603.040 – Development Agreements
20.603.050 – Conditional Use Permits
20.603.060 – Temporary Use Permits
20.603.070 – Site Approvals
20.603.080 – Variances
20.603.090 – Zoning Clearance
20.603.100 – Administrative Approval
20.603.110 – Special Procedures for Accessory Dwelling Units and Farmworkers Housing

20.603.120 – Special Procedures for Streamlined Ministerial Approval for Qualifying Housing Developments under Senate Bills 35/423 and Assembly Bill 2011
20.603.130 – Procedures for SB 330 Applications for Housing Developments
20.603.140 – Replacement Housing for Housing Development Projects
20.603.150 – Planned Development

CHAPTER 20.604 – SPECIAL PROCESSING REQUIREMENTS AND HAZARDOUS WASTE FACILITIES.

20.604.010 – Pre-Application Procedures
20.604.020 – Local Assessment Committee
20.604.030 – Post-Application Procedures
20.604.040 – Technical Assistance Grants
20.604.050 – Appeal Procedures

CHAPTER 20.605 – ENFORCEMENT

20.605.010 – Purpose and Intent
20.605.020 – Applicability
20.605.030 – Remedies
20.605.040 – Penalties
20.605.050 – Fees

700 Series - Glossary

CHAPTER 20.701 – GLOSSARY

20.701.010 – Purpose
20.701.020 – Definitions

List of Tables

Table 20.101-1	Zoning Districts
Table 20.101-2	Overlay Zoning Districts
Table 20.201-1	Land Use Regulations for Single-Family Residential Zoning Districts
Table 20.201-2	Land Use Regulations for Multiple-Family Residential Zoning Districts
Table 20.201-3	Development Standards for Single-Family Residential Zoning Districts
Table 20.201-4	Development Standards for Multiple Family Residential Zones
Table 20.202-1	Land Use Regulations for Mixed Use Zoning Districts
Table 20.202-2	Development Standards for Mixed Use Zoning Districts
Table 20.202-3	On-Site and Off-Site Amenities and Bonus Points
Table 20.203-1	Land Uses Permitted in Each Commercial Zoning District
Table 20.203-2	Commercial Development Standards
Table 20.204-1	Land Use Regulations for Industrial Zoning Districts
Table 20.204-2	Industrial Development Standards
Table 20.205-1	Land Use Regulations for Agricultural, Open Space, and Public Zoning Districts
Table 20.205-2	Agriculture, Open Space and Public Development Regulations
Table 20.303-1	Airport Land Use Compatibility
Table 20.303-2	Community Noise Compatibility Standards
~~Table 20.305-1~~	~~Development Regulations for Residentially Zoned Properties in Downtown Overlay District~~
Table 20.306-1	Additional Land Uses Permitted in AHO and MUO Districts
Table 20.306-2	Additional Density for Qualifying Affordable Rental Housing Projects in AHO and MUO Districts
Table 20.306-3	Development Standards for Residential Development in the AHO District
Table 20.306-4	Development Standards for Residential and Mixed Use Development in MUO District
Table 20.501-1	Maximum Height of Fences
Table 20.501-2	Required Screening and Landscape Buffers

Table 20.501-3	Screening and Buffer Types Requirements
Table 20.502-1	Types of Accessory Structures
~~Table 20.502-2~~	~~Development standards for accessory dwelling units and junior accessory dwelling units~~
Table 20.502-2	Development Standards for Habitable Accessory Structures Greater Than 120 Square Feet in Area
Table 20.502-3	Development Standards for Small Non-Habitable Accessory Structures 120 Square Feet or Less in Area
Table 20.502-4	Development Standards for Large Non-Habitable Accessory Structures Greater Than 120 Square Feet in Area, Excluding Patio Enclosures
Table 20.502-5	Development Standards for Patio Covers and Patio Enclosures
Table 20.503-1	Development Standards for Accessory Dwelling Units and Junior Accessory Dwelling Units
Table 20.505-1	Development Standards for Small Lot Residential Subdivisions - Traditional
Table 20.505-2	Development Standards for Small Lot Residential Subdivisions - Alley Loaded
Table 20.505-3	Development Standards for Cluster and Courtyard Homes
Table 20.505-4	Development Standards for Small Lot Residential Subdivisions – Multi-Family Zoning Districts
Table 20.505-5	Minimum Requirements for Common Recreation Amenities
Table 20.507-1	Schedule for Architectural Variation
Table 20.507-2	Minimum Recreation Facilities for Multi-Family Developments
Table 20.508-1	Minimum Tree Size Mix
Table 20.508-2	Minimum Tree Species Mix
Table 20.508-3	Minimum On-site Tree Requirements of Residential Projects
Table 20.508-4	Minimum Landscape Coverage in Residential Districts
Table 20.508-5	Minimum On-site Tree Requirements in commercial and industrial
Table 20.508-6	Minimum Tree Size Specifications
Table 20.508-7	Minimum Size of Replacement Tree
Table 20.508-8	Street Frontage Landscape Requirements
Table 20.508-9	Residential/Commercial Interior Parking Lot Landscape Requirements
Table 20.508-10	Industrial Interior Parking Lot Landscape Requirements

Table 20.510-1	Types of Nonconformities
Table 20.511-1	Off-Street Parking Requirements
Table 20.511-2	Minimum Number of Required Disabled Parking Spaces
Table 20.511-4	Minimum Angled and Parallel Parking Stall Dimensions
Table 20.511-5	Parking and Drive Aisle Setbacks, Minimum
Table 20.510-1-6	Bicycle Parking And Facilities Standards
Table 20.511-7	Required Loading Spaces
Table 20.514-1	Maximum Number of Animals for Noncommercial Uses
Table 20.514-2	Development Standards for Chicken Coops
Table 20.514-3	Maximum Number of Animals for Commercial Uses
Table 20.601-1	Threshold of Review
Table 20.602-2	Minimum Public Notice and Hearing Requirements

List of Figures

Figure 20.103-A Measuring Distances

Figure 20.103-B Determining if a Basement is a Story

Figure 20.103-C Measuring Height of Decks

Figure 20.103-D Grade Plan

Figure 20.103-E Measuring Lot Width and Depth

Figure 20.103-F Determining Floor Area Ratio

Figure 20.103-G Determining Lot Coverage

Figure 20.103-H Determining Setbacks (Yards)

Figure 20.103-I Measuring Pedestrian Clearance

Figure 20.201-A Corner Setbacks – Reversed Corner Lots

Figure 20.501-1 Tree Spacing

Figure 20.501-A Visibility at Street Intersections

Figure 20.501-B Visibility at Driveways

Figure 20.507-1 Required Storefront Transparency

Figure 20.511-1 Minimum Angled Parking Stall Dimensions

Figure 20.511-2 Minimum Parallel Parking Stall Dimensions

Figure 20.514-1 Location of Outdoor Seating

Glossary Outline:

Abandoned shopping cart.
Abandon use.
Accessibility.
Accessible.
Accessory building.
Accessory dwelling unit.
Accessory use.
ACLUP (airport comprehensive land use plan).
Administrative approval.
Adult oriented businesses.
Affordable dwelling units.
Affordable housing.
Affordable housing development.
Affordable housing agreement.
Affordable rent.
Affordable sales price.
Agriculture.
Agricultural processing, on-site.
Agricultural products.
Agricultural product stands.
Airport.
Alcoholic beverage sales.
Alley.
Amendments.
Amusement or theme park.
Animal keeping, commercial.
Animal keeping, household.
Animal sales and services.
Antenna.
Anti-drain valve.
Anti-transpirant.
Apartment.
Apartment building.
Applicant.
Application rate.
Applied water.
Area, Adjusted Gross.
Area, Gross.
Area, Net.
Area of a Lot.
Art gallery.
As-builts.
Athletic instruction.
Automatic irrigation controller.
Automobile and vehicle sales and rental.
Automobile, light truck and van cleaning.
Auto mall.
Awning.
Backflow prevention device.
Balcony.
Bank or financial service.
Bar.
Battery Energy Storage Systems.
Basement.
Bed and breakfast.
Bedroom.
Block.
Boardinghouse.
Botanical gardens and arboretums.
Breezeway.
Bridle path. See "Neighborhood equestrian trail."
Broadcasting studios.
Building.
Building, accessory.
Building, apartment.
Building, attached.
Building, detached.
Building, main.
Building, nonconforming.
Building area.
Building frontage.
Building height.
Building Official.
Building site.
Building supply.
Bus and large truck cleaning.
Bus and large truck repair and maintenance.

Business, freeway-oriented.
Business support service.
California Invasive Plant Council (Cal-IPC).
California Irrigation Management Information System (CIMIS).
Canopy.
Car wash.
Caretaker quarters.
Carport.
Cart/Kiosk
Catering service.
Cemetery.
Centerline.
Certified Farmers' Market.
Certified Irrigation Designer.
Certified Landscape Irrigation Auditor.
Certified Producers.
CFS.
Check cashing services.
Check valve.
Chicken coop.
Chicken run.
Child or family-oriented business.
Cigar lounges
City Engineer.
Club.
CNEL (community noise equivalent level).
Code.
Code Enforcement Official.
Co-generation Energy Facilities.
Commercial animal keeping.
Commercial Nursery.
Commercial recreational facility.
Common interest developments.
Common open space.
Compost.
Condominium.
Congregate Care Facility.
Construction yard.
Control Valve.
Controller.
Conversion factor.
Converted Accessory Dwelling Unit.
Correctional institutions and facilities.
Courtyard.
Covered patio.
Crematorium.
Crop cultivation.
Cultivated landscape area.
Cyber cafes.
Dairy.
Day care facility.
Day spa.
dBA.
Dead storage.
Decibel (db).
Deck.
Density bonus.
Desertscape.
Developer.
Development.
Development, infill.
Development review.
Development Costs.
Development standard.
Director of ~~Community~~ Development Services.
Director of Parks.
Discretionary approval.
Distributed Energy Systems.
Distribution uniformity.
District.
Drip irrigation.
Drive-in theater.
Drive-thru facilities.
Duplex.
Dwelling, multiple-family.
Dwelling, single-family.
Dwelling, single-family, attached.
Dwelling, single-family, detached.
Dwelling group.
Dwelling unit.
Dwelling unit, primary.
Easement.
Ecological restoration project.
Effective precipitation.
Electronic Data Processing Center.
Emergency shelter.
Emitter.
Engineering design standards.
Equipment rental and sales, heavy equipment.
Equipment rental and sales, light equipment.
Equity share agreement.
Established landscape.
Establishment period of the plants.

Estimated total water use (ETWU).
ET adjustment factor (ETAF).
ETo.
Evapotranspiration Rate.
EV Charging Station.
Exotic Animal.
FAA (Federal Aviation Administration).
Fair Market value.
Fairgrounds.
Family.
Family day care home, large.
Family day care home, small.
Farm employee.
Farm employee housing, large.
Farm employee housing, small.
Farmers' market.
Feature, noncontributing.
Federal Communications Commission (FCC).
Fence.
Fence, solid.
Fire Chief.
Floor area, gross.
Floor area ratio (FAR).
Flow rate.
Flow sensor.
Food and beverage sales.
Food Preparation.
Fortunetelling.
Freeway-oriented business.
Friable.
Front lot line.
Front setback.
Front yard.
Funeral parlor.
Garage.
Garden supply store.
Gas station.
General Plan.
General retail.
Golf course.
Golf course, miniature
Government facility.
GPM.
Grade.
Graywater.
Gross floor area.
Ground cover.
Ground–mounted antenna.
Group homes.
Guns and ammunition sales.
Gym.
Hardscape.
Hazardous waste.
Hazardous waste facility.
Hazardous waste treatment and disposal facility.
Hedge.
Height, building or structure.
Heliport.
Henhouse.
Historic integrity.
Hookah bar.
Hospital.
Hotel.
Household hazardous waste collection center.
Household, lower-income.
Household, moderate-income.
Household, very-low-income.
Hydro-zone.
Incidental use.
Income (household), very low.
Income (household), low.
Income (household), lower.
Income (household), moderate.
Infill.
Infiltration rate.
Invasive plant species.
IPH.
Irrigation Audit.
Irrigation efficiency.
Landscaping.
Irrigation survey.
Irrigation system.
Irrigation water use analysis.
Junior accessory dwelling unit.
Junk.
Junk yard.
Kennel.
Kiosk.
Kitchen.
Land use.
Landmark.
Landmark site.
Landscape Architect.
Landscape Area.

Landscape contractor.
Landscape Documentation Package.
Landscape irrigation audit.
Landscape material sales.
Landscape project.
Landscape water meter.
Landscaping.
Large family day care home.
Large format retail sales.
Lateral line.
Laundry or dry-cleaning plant.
Level 2 EV charging station.
Library.
Live/Work Units.
Livestock.
Living area.
Loading space.
Local water purveyor.
Lodge.
Lot.
Lot, reversed corner.
Lot, corner.
Lot, double-frontage.
Lot, flag.
Lot, interior.
Lot area.
Lot coverage.
Lot depth.
Lot line, front.
Lot line, rear.
Lot line, side.
Lot width.
Lounge
Low-Head Drainage.
Low-impact personal services.
Lower-income household.
Low volume irrigation.
Machine shop.
Main building.
Main line.
Manufactured home.
Manufacturing and processing, general.
Manufacturing and processing, heavy.
Manufacturing and processing, light.
Manufacturing and processing, outdoor.
Marquee.
Massage.
Massage establishment.
Massage technician.
Master shut-off valve.
Maximum allowable density.
Maximum applied water allowance.
Mausoleum.
Maximum Applied Water Allowance (MAWA).
~~*(Calculation of the Maximum Applied Water Allowance)*~~
Medical clinics and labs.
Medical marijuana.
Medical marijuana dispensary.
Medical Office.
Meeting facility.
Metalwork.
Microclimate.
Microgrids.
Mined-land reclamation projects.
Mini-storage facility.
Mixed-use development.
Mobile food vendor.
Mobile home.
Mobile home park.
Moderate-impact personal services.
Moderate-income household.
Mortuary.
Motel.
Motion Picture Production and Distribution Services.
Mulch.
Multiple-family dwelling.
Multiple-tenant building.
Museum.
NIER professional.
Natural resource extraction.
Neighborhood equestrian trail.
Net acre.
New construction.
Nightclub.
Nonconforming building.
Nonconforming lot.
Nonconforming use.
Noncontributing feature
Non-ionizing electromagnetic radiation (NIER).
Non-residential landscape.
Non-traditional financial institutions.
Nursery.
Occupancy.
OFA (object free area).

Office, professional.
Open porch.
Open space, common.
Open space, private.
Open space, usable.
Operating pressure.
Operator.
Outdoor Sports Courts, Private.
Outdoor storage.
Overhead sprinkler irrigation systems.
Overspray.
Paint and auto body repair.
Park or playground.
Parking area, public.
Parking garage.
Parking lot.
Parking space.
Parkway.
Patio.
Patio, covered.
Pawn shop
Payday advance.
PD Plan.
Permit, administrative.
Permit, use.
Personal services.
Personal Services, Restricted
Pervious.
Pharmacy.
Pistol, skeet, rifle and archery ranges.
Places of worship, community scale.
Places of worship, large storefront.
Places of worship, regional scale.
Places of worship, small storefront.
Planned development plan.
Plant factor.
Plant water use factor.
Playground.
Porch.
Potable Water.
Pot-bellied pig.
Pre-existing.
Pressure Regulator.
Primary dwelling unit.
Primary use.
Private open space.
Project.
PSI.
Public parking area.
Public safety facility.
Public storage facility.
Qualified Applicant.
Quonset Hut.
Radio frequency (RF).
Rain sensor.
Rain sensing shutoff device.
Ranch.
Rear lot line.
Rear setback.
Reclaimed water.
Record drawing.
Recording Studio.
Recreational area.
Recreational Facility.
Recreational vehicle (RV).
Recreational vehicle living unit.
Recycled Water.
Recycling facility.
Recycling facilities, heavy processing.
Recycling facilities large collection.
Recycling facilities, light processing.
Recycling facilities, material recovery facility (MRF).
Recycling facilities, reverse vending machines.
Recycling facilities, small collection.
Reference evapotranspiration.
Rehabilitated Landscape.
Repair service.
Repair service, small appliances.
Repair service, large equipment.
Repair service, vehicle.
Required minimum setback.
Research laboratory.
Residential care facility.
Residential care facilities, large.
Residential care facilities, small.
Residential landscape.
Restaurant.
Retail, general.
Retail, thrift and secondhand stores.
Retaining wall.
Review authority.
Roof-mounted.
RPZ (runway protection zone).
Runoff.

Safety zone.
Salvage yard.
San Bernardino County area median income.
Satellite antenna.
Satellite dish.
School for personal enrichment and fulfillment.
School, private.
School, public.
Service station.
Setback.
Setback, front.
Setback, rear.
Setback, required minimum.
Setback, side.
Setback line.
Shade tree.
Shopping center.
Short-Term Rental.
Shrub.
Side lot line.
Side setback.
Single-family dwelling.
Site.
Site area.
Slaughter House.
Small family day care home.
SMART Irrigation Controller.
Social services, charitable institutions and services.
Solar reflective index.
Solid fence.
Soil moisture sensing device (soil moisture sensor).
Soil test.
Soil texture.
Soil Type.
Special Conditional Use Permit.
Special Landscape Area (SLA).
Specified anatomical areas.
Specified sexual activities.
Sports Club.
Sports stadium or arena.
Sprinkler head.
Stables, commercial.
Stables, private.
Static water pressure.
Station.
Storage area.
Storage business.
Storage container.
Storage, outdoor.
Storage, public.
Story.
Street.
Street line.
Structural alteration.
Structure.
Structure, mounted.
Structure, temporary.
Sunset Western Climate Zone System.
Supportive Housing.
Swap meet.
Swimming pool.
Swing joint.
Sub meter.
Target unit.
Temporary commercial recreation facility.
Temporary structure.
Temporary use.
Theaters and auditoriums.
Through lot.
Treated sewage effluent water.
Tower-mounted.
Townhouse.
Trade and vocational schools.
Trade Service.
Training facility.
Transfer business.
Transitional housing.
Transportation Terminals.
Tree.
Turf.
Understory.
Usable rainfall.
Usable open space.
Use.
Use, accessory.
Use, nonconforming.
Use, primary.
Use, temporary.
Urban uses.
Utilities, major.
Utilities, minor.
Utility building or substation.
Valve.
Vape Lounge.

Vegetation, native.
Vehicle.
Vehicle depot.
Vehicle sales.
Vehicle service or repair.
Vending station.
Very-low-income household.
Veterinary Clinics.
Viable.
Walk-in clientele.
Warehousing.
Water conserving plant species.
Water feature.
Watering window.
Wholesaling and distribution.
Wireless facility.
WUCOLS.
Yard.
Yard, Front.
Zone.
Zoning clearance.
Zoning map.
Zoological garden.

Table of Contents

Chapter 20.101 – Purpose and Effect of the Zoning Code 1
20.101.010 – Title 1
20.101.020 – Purpose of the Zoning Code 1
20.101.030 – Structure of the Regulations 2
20.101.040 – Relationship to the General Plan 3
20.101.050 – Responsibility for Administration 3
20.101.060 – Applicability of Zoning Code 3
20.101.070 – Zoning Districts and Zoning Map 4

Chapter 20.102 – Interpretation of the Zoning Code 7
20.102.010 – Purpose 7
20.102.020 – Rules of Interpretation 7
20.102.030 – Procedures for Interpretation 9

Chapter 20.103 – Rules of Measurement 11
20.103.010 – Purpose 11
20.103.020 – General Provisions 11
20.103.030 – Fractions 11
20.103.040 – Measuring Distances 12
20.103.050 – Measuring Height 13
20.103.060 – Determining Grade 15
20.103.070 – Measuring Lot Width and Depth 16
20.103.080 – Determining Average Slope 17
20.103.090 – Determining Density 17
20.103.100 – Determining Floor Area 18
20.103.110 – Determining Floor Area Ratio 18
20.103.120 – Determining Lot Coverage 19
20.103.130 – Determining Lot Frontage 20
20.103.140 – Determining Setbacks 20
20.103.150 – Measuring Signs 21
20.103.160 – Measuring Parking Lot Landscaping 21
20.103.170 – Measuring Pedestrian Clearance 21
20.103.180 – Determining Line of Sight 22

List of Tables

Table 20.101-1 Zoning Districts 4
Table 20.101-2 Overlay Zoning Districts 5

List of Figures

Figure 20.103-A: Measuring Distances 13
Figure 20.103-B: Determining if a Basement is a Story 14

Figure 20.103-C: Measuring Height of Decks 15
Figure 20.103-D: Grade Plane 16
Figure 20.103-E: Measuring Lot Width and Depth 17
Figure 20.103-F: Determining Floor Area Ratio 19
Figure 20-103-G: Determining Lot Coverage 20
Figure 20.103-H: Determining Setbacks (Yards) 21
Figure 20.103-I: Measuring Pedestrian Clearance 22

100 Series - Introductory Provisions

Chapter 20.101 – PURPOSE AND EFFECT OF THE ZONING CODE

Sections:

20.101.010 Title
20.101.020 Purpose of the Zoning Code
20.101.030 Structure of the Regulations
20.101.040 Relationship to the General Plan
20.101.050 Responsibility for Administration
20.101.060 Applicability of Zoning Code
20.101.070 Zoning Districts and Zoning Map

20.101.010 – Title

Title 20 of the Chino Municipal Code shall be known and officially cited as the "Zoning Code of the City of Chino, California" and referred to in this title as "the Zoning Code" or "this Code."

20.101.020 – Purpose of the Zoning Code

A. **General.** The Zoning Code is adopted to implement the City of Chino General Plan and protect and promote the health, safety, comfort, convenience, prosperity, and general welfare of Chino residents.

B. **Specific.** The Zoning Code is intended to:

1. Provide a precise guide for the physical development of the City with objective standards for project review, consistent with the goals, policies, and actions of the General Plan.
2. Protect and enhance the value of property.
3. Promote economic growth and job creation.
4. Provide for the housing needs of all economic segments of the community.
5. Protect sensitive environmental resources.
6. Promote an environmentally sustainable pattern of development.
7. Create high-quality residential neighborhoods, lively activity centers with mixed use development, attractive corridors, ~~and~~ gateways, and commercial districts.
8. Preserve the quality of life and character of existing and planned residential neighborhoods.

9. Protect the public from hazards associated with natural and man-made disasters.
10. Promote and support an efficient multi-modal transportation system.
11. Preserve and protect agricultural lands, open space and areas of natural beauty.
12. Recognize the value of Chino's agricultural heritage, historic buildings, and the contributions of past generations to the City's identity and sense or place.
13. Promote a responsive and accountable City government.
14. Promote citizen participation and assistance.

20.101.030 – Structure of the Regulations

The Zoning Code includes four types of regulations that control the use and development of property:

A. **Land Use Regulations.** These regulations specify the land uses permitted, conditionally permitted, and prohibited in each zoning district. These regulations also provide any special requirements that are applicable to specific uses. Land use regulations for base zoning districts and planned development and for overlay districts are located in the 200 and 300 Series. Additional land use regulations that apply citywide or to only some of the zoning districts, such as those pertaining to nonconforming uses and specific uses (e.g., accessory dwelling units, alcoholic beverage sales, emergency shelters, live-work, and residential care facilities), are located in the 500 Series. Performance standards that govern all uses and activities are also located in the 500 Series.

B. **Development Regulations**. These regulations control the height, bulk, density/intensity, design, location, and appearance of structures on development sites. Development regulations for base zoning districts and for overlay districts are located in the 200 and 300 Series. Development regulations related to specific plans are in the 400 Series. Development regulations, applicable to some or all zoning districts, and objective design standards for residential, commercial, and industrial development are located in the 500 Series; these include regulations for accessory buildings, fences and walls, landscaping, lighting, nonconforming uses and structures, off-street parking and loading, and wireless communications facilities.

C. **Administrative Regulations.** These regulations contain detailed procedures for the administration of these regulations and include common procedures, Measure M procedures, processes and standards for ministerial approvals, discretionary entitlement applications, design review, site approvals, variances, zoning clearances, administrative approval, and development agreements along with special procedures required by State law. Authority for adopting and implementing Specific Plans is located in the 500 Series with additional procedures in the 600 Series. Administrative regulations, including procedures for General Plan and Zoning Code amendments, also are in the 600 Series.

D. **General Terms and Use Classifications.** The 700 Series provides a list of terms and definitions of the terms used in the Zoning Code.

20.101.040 – Relationship to the General Plan

The Zoning Code implements the goals, ~~and~~ policies and actions of the City's ~~of Chino~~ General Plan by regulating the uses of land and structures within the City of Chino. The Zoning Code and the General Plan shall be consistent with one another. If there are inconsistencies between the Zoning Code and the General Plan, as amended, the General Plan governs.

20.101.050 – Responsibility for Administration

The Zoning Code shall be administered by the Director of ~~Community~~ Development Services in conjunction with the Planning Commission, City Council, ~~and Planning Commission~~ and Design Review Board ~~,~~as established in the 600 Series ~~Chapter 20.23~~ (Administration and Procedures) and in specific plans.

20.101.060 – Applicability of Zoning Code

A. **Applicability to Property.** The Zoning Code applies to all land, uses and structures within the incorporated area of the City of Chino. Any governmental agency shall be exempt from the provisions of the Zoning Code only to the extent that such property may not be lawfully regulated by the City.

B. **Compliance with Regulations.** No land shall be used and no structures built, enlarged, altered, moved, demolished, or occupied except in accordance with the provisions of the Zoning Code.

C. **Conflicting Regulations.** Where conflict occurs with other adopted ordinances, resolutions or regulations of the City of Chino or with State or federal laws and regulations, the more restrictive provision shall control unless otherwise specified in this Code.

D. **Permit Streamlining Act.** It is the intent of this Code that all actions taken by a decision-making body pursuant to this Code that are solely adjudicatory in nature and must be within a time frame consistent with the provisions of Government Ordinance Section 65920 et. seq. (the Permit Streamlining Act). Nothing in this Code shall be interpreted as imposing time limits on actions taken by the decision-making body pursuant to this Code that are legislative in nature or that require both adjudicatory and legislative judgments.

E. **Private Agreements**. The Zoning Code is not intended to interfere with, repeal, abrogate or annul any easement, covenant, deed restriction or other agreement between private parties. Where conflict occurs between the Zoning Code and a private agreement, the more restrictive provision shall control. The City of Chino shall not be responsible for monitoring or enforcing private agreements~~,~~, including covenants, codes and restrictions (CC&Rs) that apply within private development, except where specifically stated in private agreements that the city is a party to.

F. **Relation to Prior Code.** The provisions of this Code supersede all prior Zoning Codes codified in Title 20 of the Chino Municipal Code and any amendments to them. No provision of this Code shall validate any land use or structure established, constructed, or maintained in violation of the prior Zoning Code, unless such validation is specifically authorized by this Code and is in conformance with all other regulations of the City or is a legal nonconforming use or structure.

20.101.070 – Zoning Districts and Zoning Map

A. **Base Zoning Districts.** The City ~~of Chino~~ shall be divided into zoning districts that ~~implement~~ are consistent with the City of Chino's General Plan. The zoning districts are shown in Table 20.101~~03~~-1.

TABLE 20.101-1 ZONING DISTRICTS

Zoning District Symbol	*Name of Zoning District*	*General Plan Land Use Classification Implemented by Zoning District*
RD 1	Residential /Agricultural	RD 1 (1 unit per acre)
RD 2	Residential/Agricultural	RD 2 (1 to 2 units per acre)
RD 4.5	Residential – Single Family	RD 4.5 (3 to 4.5 units per acre)
RD 8	Residential – Single/Multi Family	RD 8 (4.5 to 8 units per acre)
RD 12	Residential – Multi Family	RD 12 (8 to 12 units per acre)
RD 14	Residential – Multi Family	RD 14 (12 to 14 units per acre)
RD 20	Residential – Multi Family	RD 20 (14 to 20 units per acre)
MU 20	Mixed Use – Medium Density	MU20
~~MU 30~~	~~Mixed Use – High Density~~	~~MU30~~
BMU	Boulevard Mixed Use	BMU
RMU	Regional Mixed Use	RMU
EMU	Employment Mixed Use	EMU
~~CR~~	~~Commercial Regional~~	~~Regional Commercial~~
CG	Commercial General	General Commercial
CN	Neighborhood Convenience Center	Neighborhood Commercial
~~CO~~	~~Commercial Office~~	~~Office Commercial~~Boulevard Mixed Use, Neighborhood Commercial, ~~General Commercial~~
~~SC~~CS	~~Service~~ Commercial Service	Service Commercial
BP	Business Park	Business Park
M 1	Light Industrial	Light Industrial
M 2	General Industrial	General Industrial
AD	Airport Development	Public
AG	General Agricultural	Agricultural
OS 1	Open Space Recreational	Recreation/Open Space
OS 2	Open Space Natural	Recreation/Open Space
OS 3	Open Space Urban	Recreation/Open Space
P	Public	Public/Institutional
PS	Public School	Schools
PD	Planned Development	Not applicable
SP	Specific Plan	Not applicable

B. **Overlay Zoning Districts.** The City ~~of Chino~~ establishes the overlay zoning districts set out in Table 20.~~03~~101-2. These impose additional requirements on certain properties within one or more underlying base zoning districts.

TABLE 20.101-2 OVERLAY ZONING DISTRICTS

Overlay Zoning District Symbol	*Name of Zoning District*
AHO	Affordable Housing Overlay District
AO	Agricultural Overlay District
A	Airport Overlay District
~~DC~~	~~Downtown Overlays~~
MP	Master Plan Overlay
MUO	Mixed Use Overlay District

C. **Zoning Map.** The boundaries of the zoning districts established by the City's~~hino~~ Zoning Code are depicted~~shown~~ on a map or series of maps and collectively constitute the official City of Chino Zoning Map ("Zoning Map"), as effected by Ordinance No. 2010-06, as amended. The Zoning Map together with all legends, symbols, notations, references and other information thereon is incorporated by reference and made a part of this Zoning Code.

1. ***Application of Pre-Annexation Zoning.*** The City may apply pre-annexation zoning to unincorporated property located within the Planning Area Boundary shown in the General Plan. The pre-annexation zoning process shall comply with the pre-~~zoning~~ zoning and annexation procedures of ~~the~~ the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (see Government Code, Division 3, Title 5, beginning with Section 56000. The zoning provisions and requirements ~~so~~ established shall become applicable at the same time that the annexation of such territory becomes effective.

2. ***Uncertainty of Boundaries.*** If in the context of a development application, permit revocation, or enforcement action, an uncertainty exists as to the boundaries of any district shown on the City's official Zoning Map, the following rules shall apply:

   a. Boundaries shown as approximately following the centerlines of alleys, lanes, streets, highways, streams, or railroads shall be construed to follow such centerlines.

   b. Boundaries shown as approximately following lot lines, city limits, or extraterritorial boundary lines shall be construed as following such lines, limits, or boundaries.

   c. In the case of unsubdivided property or where a district boundary divides a lot and no dimensions are identified, the following shall apply.

      i. *Lots Greater than One Acre.* The location of such boundary shall be determined by the use of the scale appearing on the City's Zoning Map.

ii. *Lots Less than One Acre.* The lot shall be deemed to be included within the more restrictive zoning district.

d. In the case of any remaining uncertainty, the Director of Development Services shall determine the location of boundaries and shall notify the property owners of his/her determination. The Director's determination may be appealed under the provisions of Section 20.602.140 (Calls for Review).

e. Where any public street or alley is officially vacated or abandoned, where the vacated area is provided to the abutting property, the zoning regulations applicable to each abutting property shall apply.

f. Where any private right-of-way or easement of any railroad, railway, transportation, or public utility company is vacated or abandoned, -if that property is not shown with a zoning designation on the Zoning Map, that property shall be automatically classified as being in the Public Zoning District.

Chapter 20.102 – INTERPRETATION OF THE ZONING CODE

Sections:

20.102.010 – Purpose
20.102.020 – Rules of Interpretation
20.102.030 – Procedures for Interpretation

20.102.010 – Purpose

This chapter is intended to provide for a consistent application of the City's Zoning Code by establishing rules and procedures for interpreting provisions within the Code

20.102.020 – Rules of Interpretation

A. **Authority**. The Director of ~~Community~~ Development Services shall have the responsibility and authority to interpret the meaning and applicability of all provisions in the Zoning Code.

B. **General Rules.** The following general rules shall apply to the interpretation and application of the Zoning Code.

1. The specific shall supersede the general.
2. Where there is a conflict between the text and a caption or illustration, the text shall govern.
3. The words "shall," "will," "is to" and "are to" are mandatory and not discretionary. ~~-~~ "Should" is not mandatory but is strongly recommended, and "may" is permissive.
4. The following ~~conjunctions~~ words shall be interpreted as follows:
    a. "And" means that all items or provisions so connected shall apply.
    b. "Or" means that all items or provisions so connected may apply singularly or in any combination.
    c. "Either . . . or" means that the items or provisions so connected shall apply, but not in combination.
    d. "And/or" means that all items or provisions so connected shall apply singularly or in combination.
5. All officials, bodies, agencies, departments, ordinances, policies and regulations referred to in the Zoning Code are those of the City of Chino unless otherwise noted.
6. All references to public officials are to those of the City and include designated department deputies.

7. Sections and section headings shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, and intent of the language in any section.

8. In the case of a conflict between the text and a diagram, the text shall govern.

C. **Calendar Days**. Numbers of days specified in the Zoning Code shall be interpreted~~construed~~ as continuous calendar days. Where the end of the number of days falls on a holiday or weekend, the timeframe ~~time limits specified in the Zoning Code~~ shall be extended to the following working day.

~~D. **Calculations**. The decimal results of calculations shall be rounded to the next highest whole number when the fraction/decimal is .5 or more, and to the next lowest whole number when the fraction/decimal is less than .5.~~

~~E.~~D. **Unlisted Land Uses**. If a proposed land use is not specifically listed in Part 2 (Zoning Districts) of the Zoning Code, the use shall not be permitted except as follows:

1. The Director of ~~Community~~ Development Services may determine that an unlisted proposed use is equivalent to a listed use and is permitted if the following findings can be made:

   a. The use is consistent with the goals and policies of the General Plan.

   b. The use will meet the purpose and intent of the applicable zoning district.

   c. The use will not adversely affect the character of the applicable zoning district.

   d. The use has the same basic characteristics as other uses permitted in the zoning district.

   e. The use will not be detrimental to the public health, safety, or welfare.

   f. The use will generate no greater environmental impacts, traffic generation, or requirements for public services than other similar uses permitted in the zoning district.

2. When the Director of ~~Community~~ Development Services determines that a proposed use is equivalent to an unlisted use, the proposed use shall be treated in the same manner as the listed use in respect to zones permitted, permits required and all standards and requirements of the Zoning Code that apply.

3. Determinations by the Director of ~~Community~~ Development Services shall be final and rendered in a manner consistent with Section 20.102.030 (Procedures for Interpretation).

~~4. Determinations by the Director of Community Development Services may be appealed to the Planning Commission as provided in Section 20.23602.150.I140 (Appeals).~~

~~F.~~E. **Zoning Map Boundaries**. If there is uncertainty about the location of any zoning district boundary or other line of the Zoning Map, the ~~following~~ rules in Section 20.101.070 (C)(2) (Uncertainty of Boundaries) shall apply~~:~~.

1. ~~Zoning district boundaries shown as approximately following the property line of a lot shall be construed to follow such property line.~~

2. ~~Zoning district boundaries shown as following roads or other rights-of-way shall be construed to follow the centerline of such roads or right-of-way.~~

3. ~~On unsubdivided land or where a district boundary divides a lot, the location of the district boundary shall be determined by using the scale appearing on the Zoning Map, unless the boundary location is indicated by dimensions printed on the map.~~

4. ~~The Director of~~ Community Development Services ~~shall have the authority to correct errors in the Zoning Map to render the map consistent with the action of the City Council and consistent with public record.~~

5. ~~Where uncertainty exists as to the exact location of a zoning district boundary, the Planning Commission shall make such determination by written decision, which shall be in the form of a resolution adopted by a majority of its voting membership.~~

~~G.~~F. **Use Regulation Tables**. Notations within the use regulation tables for zoning district located within Part 2 of this Code shall have the following meanings:

1. **Permitted Uses**. A "P" means that a use is permitted by right in the respective zoning district and is not subject to discretionary review and approval. "P" designations are subject to a ministerial approval and Zoning Clearance as provided by Section 20.603.090 (Zoning Clearance). Some permitted uses require Planning Commission site approval or design review oversight.

2. **Conditionally Permitted Uses.** A "C" means that a use requires approval of a ~~Special~~ Conditional Use Permit as provided by Section 20.~~23~~603.050 (~~Special~~ Conditional Use Permits) of this Code.

3. **Administratively Permitted Uses.** An "A" means that a requires approval through an Administrative action as provided by Section 20.603~~23~~.100 (Administrative Approval) of this Code.

4. **Incidental Uses**. An "I" means that a use is permitted by right provided that the use is subordinate and directly related to a principal use, building or structure located on the site and occupies less than one-third of the total floor area on the site.

5. **Temporary Use**s. A "T" means that a use requires approval of a Temporary Use Permit as provided by Section 20.603.060 (Temporary Use Permits) of this Code.

6. **Not Permitted**. A "■" in a cell means that a use is not allowed in the respective zoning district.

7. **Additional Regulations**. Supplemental standards in the Zoning Code that apply to specific uses are identified in the column entitled "additional regulations." Standards referenced in the additional regulations column apply in all zoning districts unless otherwise expressly stated.

20.102.030 – Procedures for Interpretation

A. **Request of Interpretation**. The Director of ~~Community~~ Development Services shall respond in writing to any written request for interpretation of the regulations set forth in this Title by an aggrieved person as defined below, where such interpretation affects a specific permit or entitlement under consideration by the Development Services Department and the following procedure shall apply:

1. The written request shall state which provision is to be interpreted, and it shall provide any information that the Director of ~~Community~~ Development Services deems necessary to assist in the review.
2. The Director of ~~Community~~ Development Services shall respond to an interpretation request by an aggrieved person within 30 days of receiving the request.
3. The Director of ~~Community~~ Development Services may refer any request for interpretation to the Planning Commission for a determination.

4. "Aggrieved person", as such term is used herein, shall be limited to an applicant or person or entity residing or having property within the area subject to the public notice issued by the City for the permit or entitlement at issue.

B. **Form and Content of Interpretation**. Official interpretations prepared by the Director of ~~Community~~ Development Services shall be in writing~~,~~ and shall quote the provisions of the regulations that are being interpreted. The interpretation shall describe the circumstance that caused the need for the interpretation.

C. **Official Record of Interpretations.** An official record of interpretations shall be kept on file by the ~~Community~~ Development Services Department. The record of interpretations shall be indexed by the number of the section that is the subject of the interpretation and made available for public inspection during normal business hours.

D. **Appeals**. Any interpretation of the Zoning Code by the Director of ~~Community~~ Development Services affecting a specific permit or entitlement under consideration by the Development Services Department may be appealed by an aggrieved person to the Planning Commission as provided in Chapter 20.~~23~~602.130 (Appeals). If the appeal results in a change of interpretation, the new interpretation shall be filed in the official record of interpretations.

Chapter 20.103 – RULES OF MEASUREMENT

Sections:

20.103.010 – Purpose
20.103.020 – General Provisions
20.103.030 – Fractions
20.103.040 – Measuring Distances
20.103.050 – Measuring Height
20.103.060 – Determining Grade
20.103.070 – Measuring Lot Width and Depth
20.103.080 – Determining Average Slope
20.103.090 – Determining Density
20.103.100 – Determining Floor Area
20.103.110 – Determining Floor Area Ratio
20.103.120 – Determining Lot Coverage
20.103.130 – Determining Lot Frontage
20.103.140 – Determining Setbacks
20.103.150 – Measuring Signs
20.103.160 – Measuring Parking Lot Landscaping
20.103.170 – Measuring Pedestrian Clearance
20.103.180 – Determining Line of Sight

20.103.010 – Purpose~~s~~

The purpose of this Chapter is to explain how various measurements referred to in this Zoning Code are to be calculated.

20.103.020 – General Provisions

For all calculations, the applicant is responsible for supplying drawings and relevant information illustrating the measurements that apply to a project. These drawings must be drawn to scale and of sufficient detail to allow easy verification upon inspection by the Director of Development Services.

20.103.030 – Fractions

Whenever the Zoning Code requires consideration of distances, parking spaces, dwelling units, or other aspects of development or the physical environment expressed in numerical quantities, and the result of a calculation contains a fraction of a whole number, the results will be rounded as follows:

A. **General Rounding.** Fractions of one-half (0.5) or greater must be rounded up to the nearest whole number, and fractions of less than one-half (0.5) must be rounded down to the nearest whole number, except as otherwise provided in the Zoning Code.

B. **Exception for State Affordable Housing Density Bonus.** The calculation of fractions related to permitted bonus density units for projects eligible for bonus density pursuant to Government Code Section 65915 or any successor statute shall be done as provided by state law.

20.103.040 – Measuring Distances

A. **Measurements are Shortest Distance.** When measuring a required distance, such as the minimum distance between a structure and a lot line, the measurement is made at the closest or shortest distance between the two objects.

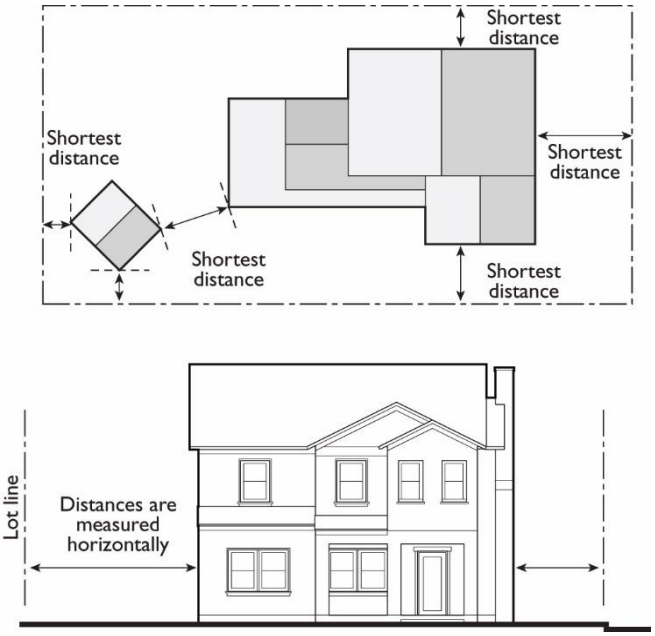
B. **Distances are Measured Horizontally.** When determining distances for setbacks and structure dimensions, all distances are measured along a horizontal plane from the appropriate line, edge of building, structure, storage area, parking area, or other object. These distances are not measured by following the topography or slope of the land.

C. **Measurements Involving a Structure.** Measurements involving a structure are made to the closest exterior wall or structural framing members of the structure, excluding any allowable projections into a setback, such as balconies, bay windows, canopies, eaves, and porches. Structures or portions of structures that are entirely underground are not included in measuring required distances.

D. **Measurement of Vehicle Stacking or Travel Areas.** Measurement of a minimum travel distance for vehicles, such as garage entrance setbacks and stacking lane distances, are measured down the center of the vehicle travel area. For example, curving driveways and travel lanes are measured along the center arc of the driveway or traffic lane.

E. **Measuring a Buffer or Radius.** When a specified land use is required to be located a minimum distance from another land use, the minimum distance is measured in a straight line from all points along the lot line of the subject project, in all directions.

FIGURE 20.103-A: MEASURING DISTANCES



20.103.050 – Measuring Height

A. **Measuring Building Height.** Building height shall be defined as the distance from finished grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the height of the highest gable of a pitched or hipped roof. The height of a stepped or terraced building is the maximum height of any segment of the building along the finished grade directly below.

B. **Exceptions.** Antennas, belfries, chimneys, cooling towers, cupolas, domes, elevator bulkheads, flagpoles, ornamental towers, penthouses, solar collectors, spires ~~and~~, standpipes, and necessary mechanical equipment may exceed the height limits pursuant to Section 20.501.030 (B) (Height Limit Exceptions).

C. **Measuring the Number of Stories in a Building.** In measuring the height of a building in stories, the following measurement rules apply:

1. A balcony or mezzanine shall be counted as a full story if its floor area exceeds one-third of the total area of the nearest full floor directly below it or if it is enclosed on more than two sides.

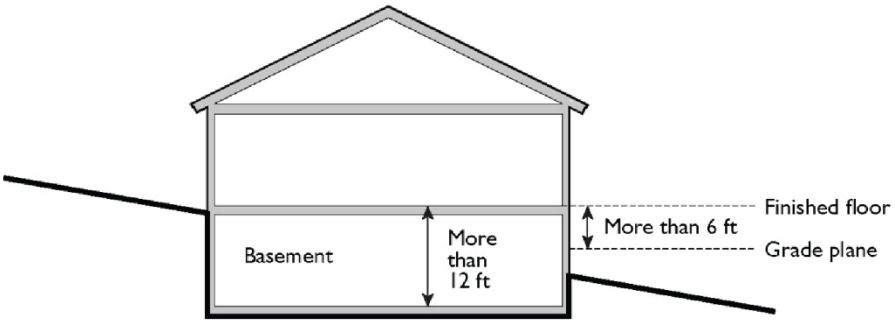
2. A basement shall be counted as a full story if the finished surface of the floor above the basement is:

   a. More than six feet above grade plane; or

   b. More than 12 feet above the finished grade at any point.

3. A story shall not exceed 25 feet in height in residential zones and 35 feet in commercial and industrial zones, measured from the upper surface of the floor to the ceiling above.

FIGURE 20.103-B: DETERMINING IF A BASEMENT IS A STORY



D. **Measuring Height of Fences or Walls.** The height of any fence or wall shall be determined by measuring the vertical distance from the highest finished grade adjacent to the fence or wall to the highest point of any portion of the fence or wall. In the case of fences or walls between the setback line and lot line, height shall be measured from highest finished grade adjacent to the fence or wall to the top of the fence or wall.

1. ***Measuring Height of Fences on Retaining Walls.*** The height of a fence that is on top of a retaining wall is measured from the highest finished grade point of any point on such fence to the highest point of the fence on the highest side of the wall. Any fence or railing required to comply with minimum height in applicable Building Code requirements is permitted.

2. ***Measuring the Height of Decks.*** Deck height is the vertical distance from finished grade directly below the deck to the top of the floor of the deck.

FIGURE 20.103-C: MEASURING HEIGHT OF DECKS

20.103.060 – Determining Grade

A. **Determining Grade.** Grade is the location of the ground surface. For purposes of this Code, the grade of a building used to determine building height shall be determined by one or more of the following:

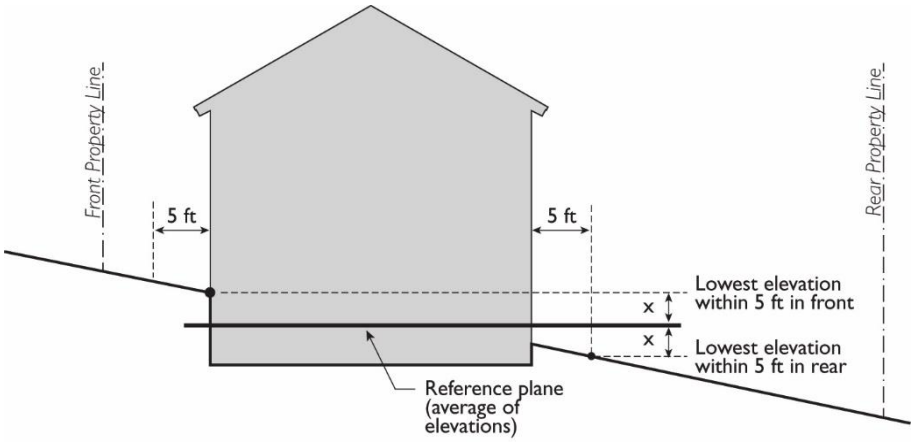
B. **Average Grade.** Average grade is a horizontal line approximating the ground elevation through each building on a site used for calculating the exterior volume of a building. Average grade is calculated separately for each building.

C. **Existing Grade.** Existing grade is the existing elevation of the ground at any point on a lot. Existing grade also may be referred to as natural grade.

D. **Finished Grade.** Finished grade is the lowest point of elevation of the finished surface of the ground, paving, or sidewalk within the area between the building and the lot line, or when the lot line is more than five feet from the building, between the building and a line five feet from the building.

E. **Grade Plane.** Grade plan is a reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than five feet from the building, between the building and a point five feet from the building.

FIGURE 20.103-D: GRADE PLANE

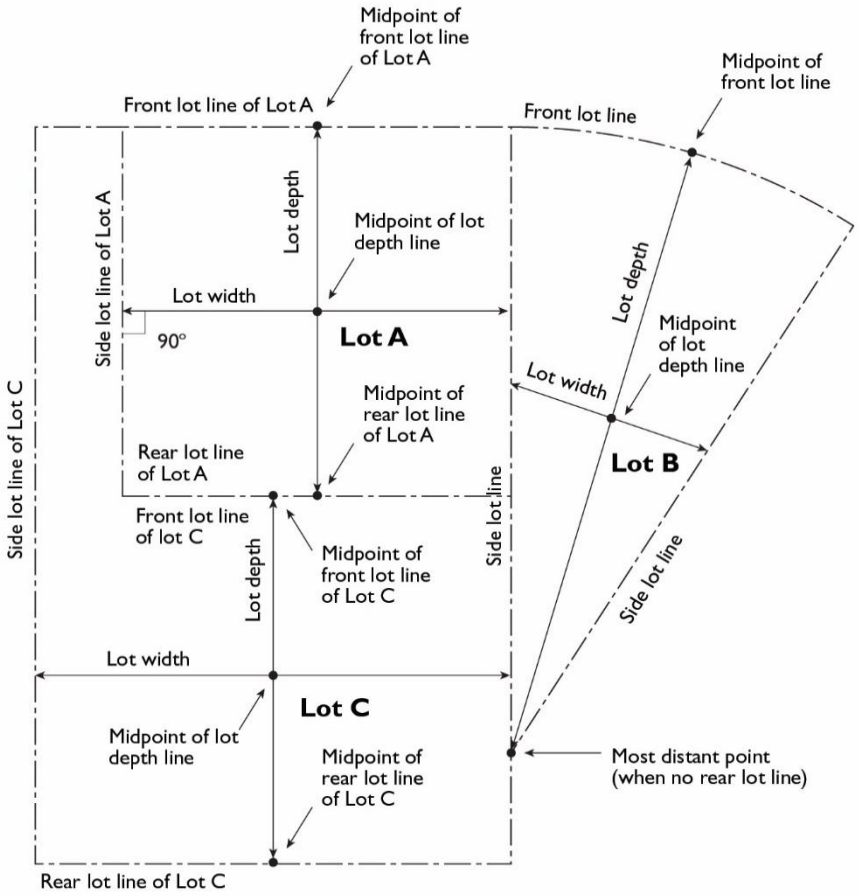


20.103.070 – Measuring Lot Width and Depth

A. **Lot Width**. Lot width is the horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines.

B. **Lot Depth**. Lot depth is measured along a straight line drawn from the midpoint of the front lot line to the midpoint of the rear lot line or to the most distant point on any other lot line where there is no rear lot line.

FIGURE 20.103-E: MEASURING LOT WIDTH AND DEPTH



20.103.080 – Determining Average Slope

The average slope of a parcel is calculated using the following formula: S = 100(I)(L)/A, where:
S = Average slope (in percent)
I = Contour interval (in feet)
L = Total length of all contour lines on the parcel (in feet)
A = Area of subject parcel (in square feet)

20.103.090 – Determining Density

The number of residential units permitted on a lot is determined by multiplying the residential density factor by the net acreage of the lot. When multiple lots are included in a development site and they are all under unified control or a qualified applicant, the maximum allowable density shall be calculated for the whole site, not individual lots.

20.103.100 – Determining Floor Area

The floor area of a building is the sum of the gross horizontal areas of all floors of a building or other enclosed structure, measured from the outside perimeter of the exterior walls and/or the centerline of interior walls.

A. **Included in Residential Floor Area.** Floor area includes all habitable space that is below the roof and within the outer surface of the main walls of principal or accessory buildings. In the case of a multi-story building that has covered or enclosed stairways, stairwells, or elevator shafts, the horizontal area of such features shall be counted only once at the floor level of their greatest area of horizontal extent. The area of mezzanines and sleeping lofts shall not be counted if the space is between two floors.

B. **Included in Non-Residential Floor Area**. For non-residential uses, gross floor area includes interior walkways, interior courtyards, walkways, paseos, and corridors covered by a roof or skylight. Non-residential gross floor area does not include arcades, porticoes, and similar open areas that are located at or near street level or walkways in a shopping center and are accessible to the general public but are not designed or used as sales, display, storage, service, or production areas.

C. **Excluded from Floor Area- All Uses**. Floor area does not include: mechanical, electrical, and communication equipment rooms; bay windows or other architectural projections where the vertical distance between the lowest surface of the projection and the finished floor is 30 inches or greater; areas used for off-street parking spaces or loading spaces, driveways, ramps between floors of a multi-level parking garage, and maneuvering aisles that are located below the finish grade of the property.

20.103.110 – Determining Floor Area Ratio

The floor area ratio (FAR) is the ratio of the floor area, excluding the areas described below, of all principal and accessory buildings on a site to the site area. To calculate the FAR, floor area is divided by site area and typically expressed as a decimal. For example, if the floor area of all buildings on a site totals 20,000 square feet, and the site area is 10,000 square feet, the FAR is expressed as 2.0.

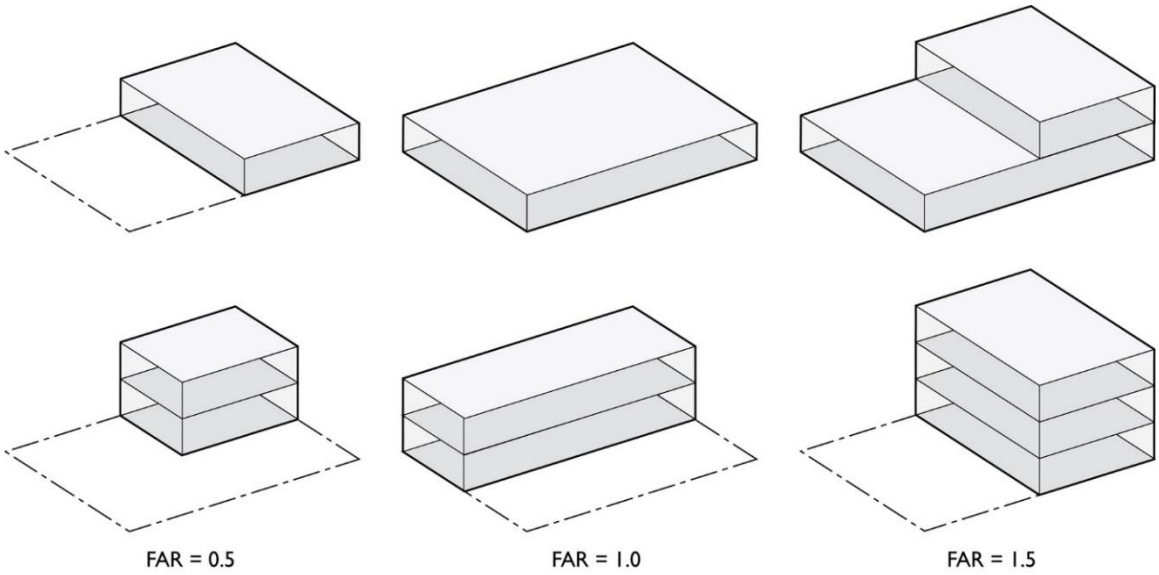
A. **Excluded from Floor Area in Calculating FAR**. The following are excluded from the floor area when calculating FAR.

1. ***Underground Areas.*** Floor area located at least 18 inches below finished grade, including basements.

2. ***Parking.*** Parking areas located below finished grade or finished floor of habitable space where the vertical distance between finished grade and finished floor is five feet or less. Structured parking areas located above finished grade where the vertical distance between finished grade and the floor of the parking level is five feet or less.

3. ***Sideloaded or Detached Residential Garages.*** Sideloaded or detached garages in Residential zones not exceeding 450 square feet, located on the side or to the rear of residential structures, a minimum of 25 feet away from the front lot line, and accessed by a driveway.

FIGURE 20.103-F: DETERMINING FLOOR AREA RATIO

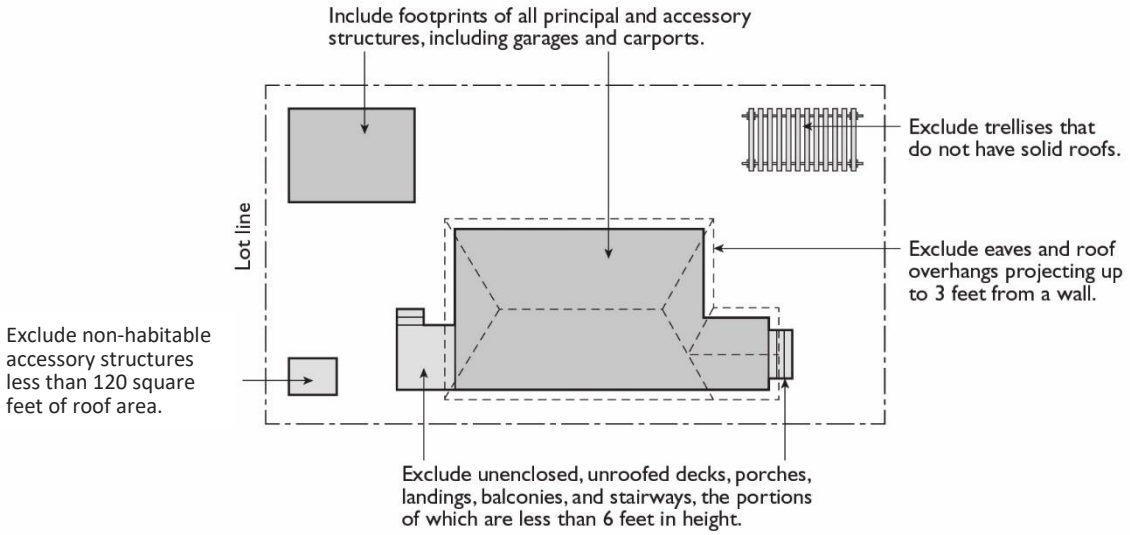


20.103.120 – Determining Lot Coverage

Lot coverage is the ratio of the total footprint area of all structures on a lot to the net lot area, typically expressed as a percentage. The footprints of all principal and accessory structures, including garages, carports, covered patios, and roofed porches, shall be summed in order to calculate lot coverage. The following structures shall be excluded from the calculation:

1. Unenclosed and unroofed decks, uncovered patio slabs, uncovered porches, landings, balconies, and stairways less than 18 inches in height at surface of deck (and less than six feet above grade including railings);
2. Eaves and roof overhangs projecting up to two feet from a wall;
3. Patio covers, trellises and similar structures that have roofs that are at least 50 percent open to the sky with uniformly distributed openings;
4. Swimming pools and hot tubs that are not enclosed in roofed structures or decks; and
5. Small, non-habitable accessory structures under 120 square feet.

FIGURE 20-103-G: DETERMINING LOT COVERAGE



20.103.130 – Determining Lot Frontage

A. **Corner Lot.** In the case of a corner lot, the front of the lot is the narrowest dimension of the lot with street frontage. On a reverse corner lot, the street side yard is also considered the lot frontage.

B. **Through Lot.** In the case of a through lot, the front yard of the lot abuts the street that adjoining lots use to provide primary access into the dwelling.

20.103.140 – Determining Setbacks

A setback line defining a required yard is parallel to and at the specified distance from the corresponding front, side, or rear lot line. The following regulations for determining yards apply when a lot abuts a proposed street or alley.

A. **Yards Abutting Planned Street Expansions.** If a property abuts an existing or proposed street for which the existing right-of-way is narrower than the right-of-way ultimately required for the street, the required setback shall be established from the future right-of-way rather than the property line.

B. **Yards on Alleys.**

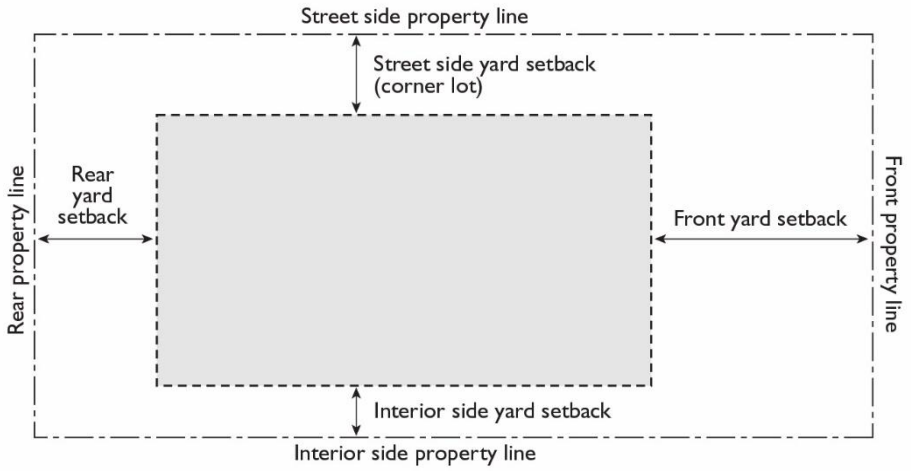
1. If a side lot line abuts an alley, the yard shall be considered an interior side yard rather than a corner side yard.

2. In computing the minimum yard for any lot where such yard abuts an alley, no part of the width of the alley may be considered as part of the required yard.

C. **Yards for Flag Lots.** On a flag lot, a front setback shall be established for the access corridor and for the interior or the lot along the interior lot line parallel to the lot frontage.

D. **Measuring Setbacks**. Setbacks shall be measured as the distance between the nearest lot line and the closest point on the exterior of a building or structure along a line at right angles to the lot line. Setbacks shall be unobstructed from the ground to the sky except where building projections into yards allowed pursuant to Section 20.501.030 (General Site Regulations).

FIGURE 20.103-H: DETERMINING SETBACKS (YARDS)



20.101.020 – Measuring Signs

The calculations of measurements related to signs are described in Title 16.

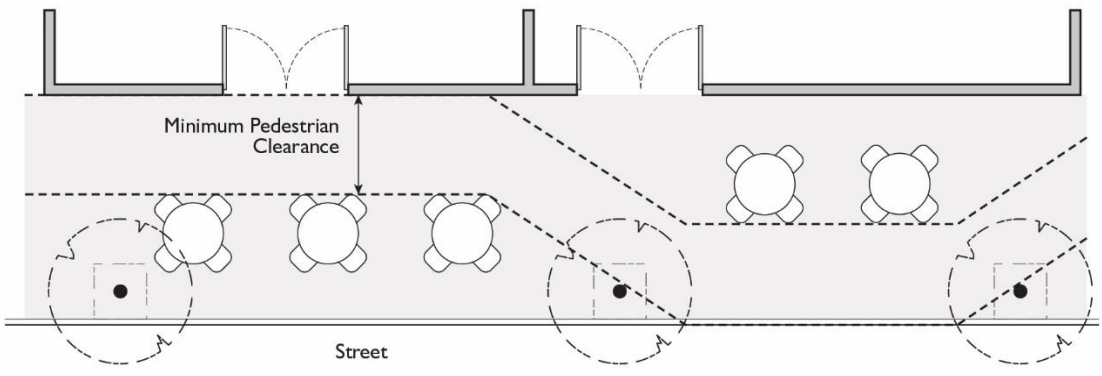
20.101.030 – Measuring Parking Lot Landscaping

For the purpose of calculating required parking lot landscaping, parking lot areas are deemed to include parking and loading spaces as well as aisles, vehicle entry and exit areas, and any adjacent paved areas. Parking lot area does not include enclosed vehicle storage areas.

20.101.040 – Measuring Pedestrian Clearance

The minimum distance shall be measured from the edge of any table, chair, bench, planter, or other appurtenance used as part of an outdoor dining area to any obstruction within the sidewalk area.

FIGURE 20.103-I: MEASURING PEDESTRIAN CLEARANCE



20.101.050 – Determining Line of Sight

For purposes of determining whether a structure or activity is visible from a public right-of-way, the viewpoint shall be assumed to be the average eye level of an adult (5 feet, 6 inches) from the centerline of the sidewalk adjacent to a development site. Story poles may be required to delineate the location and massing of new construction on a development site. Alternatively, photomontages can be submitted with development applications to show the outline of new buildings from public viewpoints along the street(s) bordering a development site.

Table of Contents

Chapter 20.201 – Residential Zoning Districts 1
20.201.010 – General Purpose 1
20.201.020 – District Purposes 1
20.201.030 – Use Regulations 3
20.201.040 – Development Standards 7
20.201.050 – Second Primary Units and Duplexes in Single-Family Zones 12

Chapter 20.202 – Mixed Use Zoning Districts 17
20.202.010 – General Purpose 17
20.202.020 – District Purposes 17
20.202.030 – Use Regulations 19
20.202.040 – Development Standards 24
20.202.050 – Development Bonuses for Community Amenities 27

Chapter 20.203 – Commercial Zoning Districts 37
20.203.010 – General Purpose 37
20.203.020 – District Purposes 37
20.203.030 – Use Regulations 38
20.203.040 – Development Standards 43

Chapter 20.204 – Industrial Zoning Districts 45
20.204.010 – General Purpose 45
20.204.020 – District Purposes 45
20.204.030 – Use Regulations 46
20.204.040 – Development Standards 50

Chapter 20.205 – Agriculture, Open Space, and Public Zoning Districts 53
20.205.010 – General Purpose 53
20.205.020 – District Purposes 53
20.205.030 – Use Regulations 54
20.205.040 – Development Standards 57

Chapter 20.206 – Planned Development District 58
20.206.010 – General Purpose 58
20.206.020 – Zoning Map Designation 58
20.206.030 – Use Regulations 59
20.206.040 – Development Standards 59

List of Tables

Table 20.201-1 Land Use Regulations for Single-Family Residential Zoning Districts 4
Table 20.201-2 Land Use Regulations for Multiple-Family Residential Zoning Districts 5
Table 20.201-3 Development Standards for Single-Family Residential Zoning Districts 7
Table 20.201-4 Development Standards for Multiple Family Residential Zones 8
Table 20.202-1 Land Use Regulations for Mixed Use Zoning Districts 19

Table 20.202-2 Development Standards for Mixed Use Zoning Districts 24
Table 20.202-3 On-Site and Off-Site Amenities and Bonus Points 30
Table 20.203-1 Land Uses Permitted in Each Commercial District 38
Table 20.203-2 Commercial Development Standards 43
Table 20.204-1 Land Use Regulations for Industrial Zoning Districts 46
Table 20.204-2 Industrial Development Standards 51
Table 20.205-1 Land Use Regulations for Agricultural, Open Space, and Public Zoning Districts 55
Table 20.205-2 Agriculture, Open Space and Public Development Regulations 57

List of Figures

Figure 20.201-A: Corner Setbacks – Reversed Corner Lots 9

200 Series Base Districts

Chapter 20.201 – RESIDENTIAL ZONING DISTRICTS

Sections:

20.201.010 – General Purpose
20.201.020 – District Purposes
20.201.030 – Use Regulations
20.201.040 – Development Standards
20.201.050 – Second Primary Units and Duplexes in Single-Family Zones

20.201.010 – General Purpose

The general purpose of residential zoning districts is to:

A. Provide appropriate locations for residential development to meet the housing needs of Chino residents with a mix of housing types of varying prices and rents.

B. Provide stability and protection for existing residential neighborhoods.

C. Ensure that new development is compatible with existing homes in residential neighborhoods with standards for building design, siting, screening, buffering, landscaping, and parking.

D. Provide adequate light, air, privacy, outdoor living area, and open space for homes.

E. Promote community resilience to hazard events by enabling the use of backup generators, solar energy systems with battery backups, and home microgrids, subject to appropriate standards for public safety and emissions controls.

F. Protect residents from the harmful effects of excessive noise, traffic congestion, air pollution and natural and man-made hazards.

G. Provide opportunities for public and semi-public uses to locate within the residential communities which they serve.

H. Allow home occupations compatible with a suburban context that do not generate significant visitor traffic to expand workforce participation, reduce vehicle miles travelled, and promote entrepreneurship.

20.201.020 – District Purposes

The specific purpose of each residential zoning district is as follows:

A. **Residential/Agricultural (RD 1)**. The purpose of this district is to provide for very large lot residential development in a rural environment. Detached single-family homes and related rural uses,

such as horse-keeping and small-scale agriculture consistent with residential areas, are allowed. This district also provides a buffer between Chino and other communities and between urban areas and permanent intensive agricultural areas. The RD 1 district allows up to one dwelling unit per ~~adjusted gross~~ net acre ~~and up to 1.25 dwelling units per adjusted gross acre with the provision for affordable housing.~~

B. **Residential/Agricultural (RD 2)**. The purpose of this district is to provide for semi-rural and suburban lifestyles on lots that are larger than commonly available in suburban subdivisions. This district is typified by large lot development that includes horse-keeping and other semi-rural uses. The RD 2 district allows one to two dwelling units per ~~adjusted gross~~ net acre ~~and up to 2.5 dwelling units per adjusted gross acre with the provision for affordable housing~~.

C. **Residential (RD 4.5)**. The purpose of this district is to encourage a predominately single-family suburban residential development similar to that found in many of the city's existing residential tracts. The RD 4.5 district allows between 2 and 4.5 dwelling units per ~~adjusted gross~~ net acre ~~and up to 6 dwelling units per adjusted gross acre with the provision for affordable housing~~.

D. **Residential (RD 8)**. The purpose of this district is intended as a transition zone from low density single-family areas to higher intensity commercial, industrial and multiple family residential areas. Attached and detached dwellings are permitted in this district. It provides primarily for single-family detached housing on lots that are smaller than commonly available in other residential neighborhoods in Chino. The RD 8 district allows 4.5 to 8 dwelling units per ~~adjusted gross~~ net acre ~~and up to 10 dwelling units per adjusted gross acre with the provision for affordable housing~~.

E. **Residential (RD 12)**. The purpose of this district is to encourage a wide range of residential land uses from attached dwellings to townhouse type developments. It provides for a variety of residential product types, including attached single-family homes, bungalow courtyard development, attached dwellings, and townhomes. Small lot single-family homes are also permitted. The designation is intended to encourage innovation in housing types that can expand opportunities for homeownership in Chino. Developments within RD12 areas may provide amenities not generally found in suburban subdivisions, such as common open space and recreational areas. The district allows 8 to 12 dwelling units per ~~adjusted gross~~ net acre ~~and up to 15 dwelling units per adjusted gross acre with the provision for affordable housing~~.

F. **Residential (RD 14).** The purpose of this district is to provide an area for ~~attached townhome and condominium projects~~, including attached single-family homes, bungalow courtyard development, attached dwellings, and townhomes. Small lot single-family homes are also permitted. The designation is also intended to encourage innovation in housing types that can expand opportunities for homeownership in Chino. Developments within RD14 areas may provide amenities not generally found in suburban subdivisions, such as common open space and recreational areas. ~~Medium density residential uses in this district provide a mix of urban and suburban amenities including attached units with enclosed garages and common recreational open space.~~ The RD 14 district permits from 12 to 14 dwelling units per ~~adjusted gross~~ net acre ~~and up to 17.5 dwelling units per adjusted gross acre with the provision for affordable housing~~.

G. **Residential (RD 20).** The purpose of this district is to provide for a relatively high density residential environment including attached single-family homes, bungalow courtyard development, attached dwellings, and townhomes. Small lot single-family homes are also permitted. The designation

is also intended to encourage innovation in housing types that can expand opportunities for homeownership in Chino. Developments within RD 20 areas may provide amenities not generally found in suburban subdivisions, such as common open space and recreational areas ~~typified by fourplex developments and garden apartments~~. The RD 20 district permits 14 to 20 dwelling units per ~~adjusted gross~~ net acre ~~and up to 25 dwelling units per adjusted gross acre with the provision for affordable housing~~.

20.201.030 – Use Regulations

A. **Permitted Uses.** Table 20.201~~04~~-1 identifies land uses permitted in each single-family residential zoning district. Table 20.201~~04~~-2 identifies land uses permitted in each multiple family residential zoning district. Notations within the use regulation tables for zoning district (e.g. "P", "C", "T", "A","I", and "■") have the meanings established in Section 20.102.020(F) (Zoning Map Boundaries) and distinguish uses permitted by right with a ministerial approval, uses that require approval of a Condition Use Permit, uses that require approval of a Temporary Use Permit, ~~those~~ that require approval of an ~~administrative~~ Administrative ~~approval~~Approval, those that are allowed if Incidental, and those that are not permitted.

B. **Additional Use Regulations.** The following additional regulations apply to uses located in residential zoning districts.

1. Occupancy of any trailer, camper or other vehicle while parked or stored on any public or private property in a residential district is prohibited, excepting temporary recreational vehicle living units as provided by Section 20.501.100 (Recreational Vehicles and Campers).

2. Motor vehicle repair may be permitted ~~in conjunction with a residential use, activity or facility~~in residential zones, provided all work is conducted upon vehicles owned by the property owner or resident, within an enclosed garage or other non-habitable structure.

3. Home-based businesses are allowed in residential zones, subject to the standards of Section 20.514.260 (Home Occupations).

4. Garage sales taking place in residential zones shall be subject to the provisions of Title 5, Chapter 5.40 of the Chino Municipal Code.

5. Duplexes shall only be allowed in the RD 1, RD 2, and RD 4.5 zones if they meet the requirements of Section 20.~~05.050~~05.~~050~~201.050 (Second Primary Units and Duplexes in Single-Family Zones). Duplexes shall only be permitted in the RD 8 zone on lots with a lot area of 10,000 square feet or greater.

6. Transitional and Supportive Housing is allowed in all residential zones subject to the same development standards ~~as the same type of~~for~~f~~ housing in that zone.

TABLE 20.201-1 LAND USE REGULATIONS FOR SINGLE-FAMILY RESIDENTIAL ZONING DISTRICTS

(P = Permitted by right; A = Administrative approval required; C = Conditional Use Permit required; T = Temporary use Permit required; ■ = Not allowed)

	Zoning Districts				*Additional*
Uses	*RD1*	*RD2*	*RD4.5*	*RD8*	*Regulations*
Single-Family Homes	P	P	P	P	Sec. 20.507.040
Duplex Homes	P	P	P	~~A~~P	Sec. 20.201.050
Multiple Family Dwellings	■	■	■	■	Sec. 20.507.050
Accessory Dwelling Units	P	P	P	P	Chap. 20.503
Junior Accessory Dwelling Units	P	P	P	P	Chap. 20.503
Secondary Primary Units	P	P	P	■	Sec. 20.201.050
Senior Housing Projects	■	■	■	~~C~~A	Sec. 20.514.500
~~Congregate Care Facilities~~	~~■~~	~~■~~	~~■~~	~~■~~	~~Sec. 20.21.460~~
Group Homes and Facilities	■	■	~~■~~A	~~■~~A	Sec. 20.514.210
Hospice, General	■	■	P	P	Sec. 20.514.470
Hospice, Limited	P	P	P	P	
Mobile Home Parks	■	■	C	C	Sec. 20.514.330
Common Interest Subdivisions	C	C	C	C	
Family Day Care Homes, Large	P	P	P	P	Sec. 20.514.150
Family Day Care Home, Small	P	P	P	P	
Residential Care Facilities	■	■	P	P	Sec. 20.514.470
Supportive Housing	■	■	P	P	Sec. 20.514.530
Transitional Housing	■	■	P	P	Sec. 20.514.550
Public and Quasi-Public Uses					
Places of Assembly					
Places of Worship, Community Scale	C	C	C	C	
Places of Worship, Regional Scale	C	C	■	■	
Cultural and Institutional Uses					
Libraries	C	C	C	C	
Health Services					
~~Medical Marijuana~~Cannabis Retailer (Dispensary)	■	■	■	■	
Educational Uses					
Schools, Public or Private	C	C	C	C	
Child Care Services					
~~Residential~~ Day Care ~~Facilities~~Center	~~P~~A	P	P	P	Sec. 20.514.150
Other Community Services					
Public Safety Facilities	C	C	C	C	
Commercial Uses, Activities and Facilities					
Transient Occupancy					
Boarding House	■	■	■	■	

TABLE 20.201-1 LAND USE REGULATIONS FOR SINGLE-FAMILY RESIDENTIAL ZONING DISTRICTS

(P = Permitted by right; A = Administrative approval required; C = Conditional Use Permit required; T = Temporary use Permit required; ■ = Not allowed)

	Zoning Districts				*Additional*
Uses	*RD1*	*RD2*	*RD4.5*	*RD8*	*Regulations*
Bed and Breakfast	C	C	■	■	Sec. 20.514.270
Short-Term Rentals	■	■	■	■	
Farmers' Markets	■	■	T	T	Only Small Certified Markets on certain sites; see Sec. 20.514.200
Recreational Uses					
Parks and Recreational Facilities	P	P	P	P	
~~Golf Courses~~	~~C~~	~~C~~	~~C~~	~~C~~	
Outdoor Sports Courts, Private	~~A~~P	~~A~~P	~~A~~P	~~A~~P	Sec. 20.501.080
Agricultural Uses, Activities and Facilities					
Crop Cultivation	A	A	A	A	Sec. 20.514.020
Agricultural Product Stands	I	I	■~~I~~	■~~I~~	Sec. 20.514.020
Animal Keeping	I	I	I	I/A	Sec. 20.514.050
Kennels	C	C	■	■	Sec. 20.514.050
Stables, Commercial	C	C	■	■	
Stables Private	I	I	■	■	
Transportation, Telecommunications and Utilities					
Wireless Facilities	WTFPP	WTFPP	WTFPP	WTFPP	Chapter 20.515
Utilities, Major	C	C	C	C	
Utilities, Minor	C	C	C	C	
~~Solar Panels, Incidental~~	~~P~~	~~P~~	~~P~~	~~P~~	~~Sec. 20.10.0706~~
~~Wind Turbines, Incidental~~	~~C~~	~~■~~	~~■~~	~~■~~	~~Sec. 20.10.0706~~

TABLE 20.201-2 LAND USE REGULATIONS FOR MULTIPLE-FAMILY RESIDENTIAL ZONING DISTRICTS

(P = Permitted by right; A = Administrative approval required; C = Conditional Use Permit required; T = Temporary use Permit required; ■ = Not allowed)

	Zoning Districts			
Uses	*RD8; RD12*	*RD 14*	*RD20*	*Additional Regulations*
Residential Uses, Activities and Facilities				
Single-Family Homes	P	■P	■	Sec. 20.507.040
Duplex Homes	P	P	P	Sec. 20.201.050
Multiple Family Dwellings	P	P	P	Sec. 20.507.050
Accessory Dwelling Units	P	P	P	Chap. 20.503
Junior Accessory Dwelling Units	P	■	■	Chap. 20.503
Senior Housing Projects	~~C~~A	~~C~~A	P	Sec. 20.514.500

TABLE 20.201-2 LAND USE REGULATIONS FOR MULTIPLE-FAMILY RESIDENTIAL ZONING DISTRICTS

(P = Permitted by right; A = Administrative approval required; C = Conditional Use Permit required; T = Temporary use Permit required; ■ = Not allowed)

	Zoning Districts			
Uses	*RD8; RD12*	*RD 14*	*RD20*	*Additional Regulations*
~~Congregate Care Facilities~~	~~C~~	~~C~~	~~C~~	~~Sec. 20.21.460~~
Group Homes and Facilities	~~■~~A	~~■~~A	~~■~~A	Sec. 20.514.210
Hospice, General	P	P	P	
Mobile Home Parks	C	C	C	Sec. 20.514.330
Common Interest Subdivisions	C	C	C	
Residential Care Facilities	P	P	P	Sec. 20.514.470
Supportive Housing	P	P	P	Sec. 20.514.530
Transitional Housing	P	P	P	Sec. 20.514.550
~~Residential Care Facilities, Small~~	~~P~~	~~P~~	~~P~~	
~~Residential Care Facilities~~Family Day Care Homes, Large	~~C~~P	~~C~~P	~~C~~P	Sec. 2.0514.150
Family Day Care Home, Small	P	P	P	
Cultural and Institutional Uses				
Libraries	C	C	C	
Health Services				
~~Medical Marijuana~~Cannabis Retailer (Dispensary)	■	■	■	
Educational Uses				
Schools, Public or Private	C	C	C	
Child Care Services				
~~Residential~~ Day Care Centers	P	P	P	Sec. 20.514.150
Other Community Services				
Public Safety Facilities	C	C	C	
Commercial Uses, Activities and Facilities				
Transient Occupancy				
Boarding House	C	C	C	
Bed and Breakfast	C	C	C	Sec. 20.514.270
Short-Term Rentals	■	■	■	
Farmers' Markets and Open Air Markets	T	T	T	Only Small Certified Markets on certain sites; see Sec. 20.514.200
Recreational Uses				
Parks and Recreational Facilities	P	P	P	
~~Golf Courses~~	~~C~~	~~C~~	~~C~~	
Agricultural Uses, Activities and Facilities				
Crop Cultivation	A	A	A	Sec. 20.514.020
Agricultural Product Stands	~~■~~	~~■~~	~~■~~	Sec. 20.514.020

TABLE 20.201-2 LAND USE REGULATIONS FOR MULTIPLE-FAMILY RESIDENTIAL ZONING DISTRICTS

(P = Permitted by right; A = Administrative approval required; C = Conditional Use Permit required; T = Temporary use Permit required; ■ = Not allowed)

	Zoning Districts			
Uses	*RD8; RD12*	*RD 14*	*RD20*	*Additional Regulations*
Animal Keeping	I	I	I	Sec. 20.514.050
Transportation, Telecommunications and Utilities				
Wireless Facilities	WTFP P	WTFPP	WTFP P	Chapter 20.515
Utilities, Major	C	C	C	
Utilities, Minor	C	C	C	
~~Solar Panels, Incidental~~	~~A~~	~~A~~	~~A~~	~~Sec. 20.10.0706~~
~~Wind Turbines, Incidental~~	~~■~~	~~■~~	~~■~~	~~Sec. 20.10.0706~~

20.201.040 – Development Standards

A. **General Standards.** Table 20.2014-3 identifies development standards that apply to all lots and structures located in single-family residential zoning district. Table 20.201-4 identifies development standards that apply to all lots and structures located in multi-family residential zoning district.

TABLE 20.201-3 DEVELOPMENT STANDARDS FOR SINGLE-FAMILY RESIDENTIAL ZONING DISTRICTS

Item	*Zoning Districts*				
	RD 1	*RD 2*	*RD 4.5*	*RD 8*	*Additional Standards*
Site Requirements					
Lot Area, Minimum	1 acre	20,000 sq. ft.	7,200 sq. ft.	4,500 sq. ft.	
Lot Width, Minimum	100 ft.	100 ft.	60 ft.	50 ft.	Sec. 20.201.040.B.1, 2 and 3
Lot Depth, Minimum	100 ft.	100 ft.	100 ft.	90 ft.	Sec. 20.201.040.B.1
Density, Maximum	1 du/net acre	2 du/net acre	4.5 du/net acre	8 du/net acre	
Density, Minimum	-	-	-	4.5 du/net acre	
Lot Coverage, Maximum	~~25~~30%	30~~25~~%	60%	60%	
Floor Area Ratio, Maximum	0.~~20~~30	0.~~30~~40	0.50	0.55	
Front Yard Landscape Coverage, Minimum	~~70~~60%	~~70~~50%	~~60~~55%	~~50~~45%	Sec.20.201.040.B.11
Off-Street Parking and Loading	See Chapter 20.~~18~~ 5101 (Parking and Loading)				
Equestrian Trails	See Additional Standards		Not Required		Sec. 20.~~04~~201.040.B.6
Building Requirements					
Building Setbacks, Minimum					
Front	25 ft.	25 ft.	25 ft.	20 ft.	Sec. 20.201.040.B.4 and 5

Item	*Zoning Districts*				
	RD 1	*RD 2*	*RD 4.5*	*RD 8*	*Additional Standards*
Rear	25 ft.	25 ft.	10 ft.	15 ft.	Sec. 20.201.040.B.9
Interior Side/Alleyways	10 ft.	10 ft.	10 ft./ 5 ft.	5 ft.	Sec. 20.201.040.B.9
Street Side (does not apply to alleyways)	15 ft.	15 ft.	15 ft.	10 ft.	Sec. 20.201.040.B.5
Building Height, Maximum					
Stories	2-1/2	2-1/2	2-1/2	2-1/2	
Feet	35 ft.	35 ft.	35 ft.	35 ft.	

TABLE 20.201-4 DEVELOPMENT STANDARDS FOR MULTIPLE FAMILY RESIDENTIAL ZONES

Item	*Zoning District*			*Additional Standards*
	RD 12	*RD 14*	*RD 20*	
Site Requirements				
Lot Area, Minimum	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.	
Lot Width, Minimum	80 ft.	80 ft.	80 ft.	Sec. 20.201.040.B.1, 2, and 3
Density, Maximum	12 du/net acre	14 du/net acre	20 du/net acre	
Density, Minimum	8 du/net acre	12 du/net acre	14 du/net acre	
Landscape Coverage, Minimum	40%	40%	40%	
Off-Street Parking and Loading			See Chapter 20.~~18~~ 5~~10~~1 (Parking and Loading)	
Building Requirements				
Building Setbacks, Minimum				
Front	25 ft.	25 ft.	25 ft.	Sec. 20.201.040.B.5 and 5
Rear	15 ft.	15 ft.	15 ft.	Sec. 20.201.040.B.9
Interior Side	15 ft.	15 ft.	15 ft.	Sec. 20.201.040.B.10
Street Side	25 ft.	25 ft.	25 ft.	Sec. 20.201.040.B.9
Building Separations, Minimum				
Building Main Entrance to Other Building	20 ft.	20 ft.	20 ft.	15-feet if 2-story
Patio to Other Building	~~30~~ 20 ft.	~~30~~ 20 ft.	~~30~~ 20 ft.	
Balcony to Other Building	~~30~~ 20 ft.	~~30~~ 20 ft.	~~30~~ 20 ft.	
All Others Building to Building	15 ft.	15 ft.	15 ft.	
Building Height, Maximum				
Stories	2-1/2	2-1/2	3	
Feet	35 ft.	35 ft.	45 ft.	

B. **Additional Development Standards.** The following additional standards apply to lots and structures located in residential zoning districts.

1. Minimum lot area, width and depth requirements apply only to the creation of new lots.

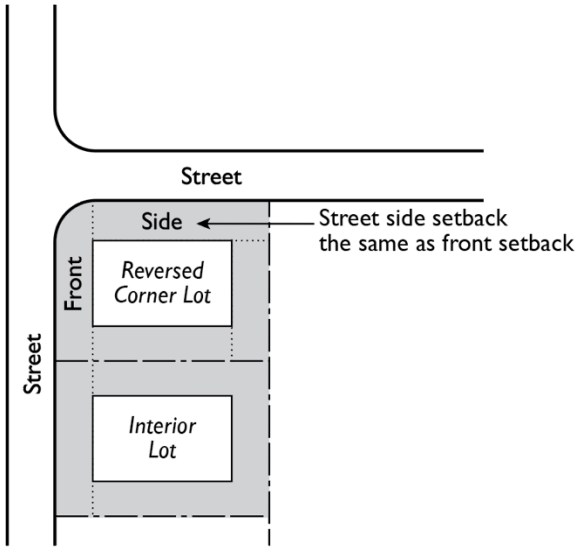
2. Minimum lot width shall be measured as provided in Chapter 20.103 (Rules of Measurement).

   On a lot fronting a cul-de-sac or knuckle lot, a minimum lot dimension of 35 feet shall be provided as measured along the street frontage of the lot.

3. An additional five~~5~~ feet of lot width shall be provided for corner lots when the side lot line abuts a local or collector street, and an additional 10 feet of lot width shall be provided when the side lot line abuts a primary or secondary arterial street.

4. An additional five~~5~~ feet of setback shall be provided along primary and secondary arterial streets and the minimum rear setback provided along primary and secondary arterial streets shall not be less than 20 feet. On reverse corner lots, the street side setback may be reduced five feet from the standard for the front setback.

Figure 20.201-A: Corner Setbacks – Reversed Corner Lots



5. In the RD 4.5 zone, subdivisions of five or more lots may reduce the front yard setback to 20 feet, provided a 25-foot average is maintained for all lots within the subdivision. If a floor plan with a swing-in garage (the garage entry faces the side property line) is utilized in such a subdivision, the front yard setback for the swing-in garage plan may be reduced to 15 feet and will be excluded from the average setback calculation. No more than 33% of lots within a subdivision may utilize a floor plan with swing-in garages.

6. Neighborhood equestrian trail easements shall be required in the RD 1 and RD 2 districts. Trails shall be developed in accordance with standards established by the department of public works, standard drawings and specifications.

7. Within the RD 8 district, lots substandard as to width ~~, created prior to January 1, 1987~~ shall require a four-foot side yard setback.

8. A minimum 20-foot setback must be provided at garages facing a street side yard, measured from the garage opening/door to the street property line.

9. Where a multiple family residential zone abuts a single-family residential zone at an interior side or rear yard, the minimum setback shall be increased by 10 feet, or ~~5~~ five feet if upper floors are setback 25 feet from interior lot lines. A buffer yard is required; see Section 20.501.070 (Screening and Landscape Buffers on Common Lot Lines for Certain Uses).

10. A building or structure with a legal nonconforming side yard setback, may be added to, extended, or enlarged, provided that a side yard setback equal to or greater than the existing side yard setback is provided.

11. In the RD 4.5 and the RD 8 zoning districts, the minimum landscaping in the front setback area may be reduced to 50 percent (RD 4.5) and 40 percent (RD 8) to accommodate an additional off-street parking space, and this additional space may be in the front or corner side setback, provided that on corner lots a five-foot wide landscape strip is maintained between the parking area and the sidewalk on the corner side.

12. On flag lots, the minimum width for an access corridor is 20 feet, and the maximum depth of the access corridor is 80 feet.

13. Residential design standards are in Sections 20.507.040 and 20.507.050.

C. **Second Stories for Single-Family Homes**.

1. ***New Residential Subdivisions.*** The following regulations apply to new residential subdivisions.

   a. Where a proposed infill project consists of five or more homes, a minimum of 20 percent of the total number of homes shall be single-story. Homes with any amount of second floor area will not be considered a single-story home. The percentage requirement shall be interpreted to mean 20 percent of the total number of homes proposed or any fraction thereof.

      Example:

For 4 or less homes:	No requirement
For 5 homes:	1 single-story home required
For 6 to 10 homes:	2 single-story homes required
For 11 to 15 homes:	3 single-story homes required

   b. All corner and reverse corner lots shall have single-story homes or two-story homes with single-story features on each street facing elevation. At a minimum, single-story features shall consist of a single-story portion of the home where the roof has a plate no higher

than 10 feet above finish grade. In addition, the single-story feature shall have a minimum depth of 5 feet for a minimum of 60 percent of the length of each street facing elevation.

c. New homes and additions to existing homes shall be single-story on lots that directly abut lots with existing single-story homes. The ~~CommjunityCommunity~~ Director of Development Services or the Planning Commission, as applicable, may approve exceptions to this requirement on a case-by-case basis when any of the conditions listed below exist.

   i. The difference in the finish grade elevation between the lots is substantial enough to reduce views of the second-story portion of the proposed home;

   ii. The distance between the adjacent homes will reduce views into the homes or yard areas;

   iii. The orientation of the homes is such that the exterior walls do not directly face each other;

   iv. The shape or configuration of the lots is such that a substantial portion of the lot lines do not directly abut each other;

   v. Existing accessory structures in the rear yard areas provide a barrier to mitigate privacy impacts between the primary residential units; or

   vi. Any other unique site circumstances that may effectively reduce privacy impacts to the existing adjacent single-story home.

d. The Director of Development Services or the Planning Commission, as applicable, shall consider public input in addition to information provided by the applicant to evaluate privacy impacts to adjacent property owners. This information shall include, but not be limited to, line-of-sight studies, site photographs, dimensioned site and building cross sections, three-dimensional or photo simulation models, or any other information deemed necessary by the Director of Development Services or the Planning Commission, as applicable, to consider the request. In reviewing the request, the Director of Development Services or the Planning Commission, as applicable, shall consider and establish the following findings:

   i. The granting of the exception is consistent with the intent of the Zoning Ordinance to eliminate or minimize privacy impacts between existing residential homes and proposed homes on adjacent lots;

   ii. That the adjacent property owners have been duly noticed, and that public input has been considered to ensure that the privacy of adjacent property owners is not adversely impacted;

   iii. That there are specific circumstances applicable to the subject property and adjacent property that effectively eliminate or minimize privacy impacts between the homes;

   iv. That the proposed home incorporates design features that serve to eliminate or minimize privacy impacts between the homes.

e. Two-story homes that back up to a public street shall require 36-inch box street trees to be located in the right-of-way along rear of the homes at a spacing of 30 feet apart to soften building mass and buffer the homes from the street.

f. A 15-foot minimum clearance shall be provided between the second floors of homes that have a full two-story height building mass at interior side elevations.

g. The rear building elevations of two-story homes shall have a combination of vertical and horizontal articulation such that an unbroken horizontal wall surface does not exceed a length of 30 feet and so that at least one feature is utilized that provides a break in the massing between the first and second story. A minimum one-foot variation in offset between wall planes shall be provided to satisfy this requirement. Examples that may satisfy this requirement include stepping back the second floor, providing pop-outs, insets, one-story roof elements, and changes in second story roof planes.

D. **Existing Single-Family Homes.** The intent of this provision is to encourage second-story additions that are designed to be compatible with the character of the neighborhoods where they are located while being sensitive to the privacy of adjoining neighbors. Review of two-story additions shall consider the design, placement, and location of a second-story addition so it minimizes privacy impacts to the extent feasible for the individual circumstances. The following regulations apply to second-story additions to existing single-family homes:

1. Two-story additions shall be designed with a building mass and scale that is similar to homes in the surrounding neighborhood.

2. Two-story additions shall be consistent with the architectural character of the neighborhood.

3. The design of two-story additions shall minimize privacy impacts on adjacent single-story homes. In particular, windows should be positioned to minimize direct views into the rear yard of adjacent single-story homes, and in no case, be positioned to provide direct views into windows of an adjacent home. The intent of this provision is not to eliminate windows on second-story additions, but rather to ensure that the design and placement of windows enhance the architectural quality of the home without creating privacy impacts on adjacent homes.

4. A minimum 15-foot clearance shall be provided between a proposed second story addition and the second-story portion of an existing two-story home located on an adjacent lot.

5. Second-story frontages shall not exceed 60 percent of the width of the first-floor street frontage.

6. Second floors shall be set back a minimum of 10 feet from the first-floor building line.

20.201.050 – Second Primary Units and Duplexes in Single-Family Zones

A. **Purpose.** The purpose of this section is to establish procedures and standards for the approval and creation of second primary units and duplexes in single-family zones in accordance with the requirements of Government Code Section 65852.21.

B. **Application Review Process.**

1. An application for a second primary unit or a duplex in a ~~single-family~~single-family zone shall be reviewed through the zoning clearance process, as described in Section 20.~~23.110~~23.~~110~~603.090

(Zoning Clearance), and the decision may be appealed in accordance with Section 20.~~23.150~~602.140 (Calls for Review).

2. At least ten days prior to making a determination on an application for a second primary unit or duplex under this Section, the director of development services, or designee, shall mail a courtesy notice to the owner(s) of each property immediately adjacent to the property where the proposed development will be located informing the owner(s) of the submitted application.

3. An application shall be approved if the proposed development complies with all of the requirements in this section. However, notwithstanding the previous sentence, the City may deny an application for a second primary unit or two-unit development if the building official, or designee, makes a written finding, based upon a preponderance of the evidence, that the proposed second primary unit or duplex would have a specific, adverse impact, as defined in Government Code Section 65589.5(d)(2), upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

C. **Location Requirements.** Proposed secondary primary units and duplexes:

1. Shall be located in an RD1, RD2, ~~or~~ RD4.5, or RD 8 zoning district;

2. Shall not be located on a parcel that is any of the following, as more particularly described and defined in Government Code Section 65913.4(a)(6)(B) through (a)(6)(K):

   a. Prime farmland, farmland of statewide importance, or land zoned or designated for agricultural protection by an approved local ballot measure;

   b. Wetlands;

   c. Within a very high fire hazard severity zone as determined by the Department of Forestry and Fire Protection, unless the site has adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures;

   d. A hazardous waste site that has not been cleared for residential use;

   e. Within a delineated earthquake fault zone unless the development complies with all applicable state and local seismic protection building code standards;

   f. Within a special flood hazard area subject to inundation by a 100-year flood, unless:

      i. The site has been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the city; or

      ii. The site meets Federal Emergency Management Agency requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program;

   g. Within a regulatory floodway, unless the development has received a no-rise certification;

   h. Lands identified for conservation in an adopted natural community conservation plan, habitat conservation plan, or other adopted natural resource protection plan;

   i. Habitat for protected species; or

j. Land under a conservation easement; and

3. Shall not be located within a historic district or on property included on the State Historic Resources Inventory, as defined in Public Resources Code Section 5020.1, or within a site that is designated or listed as a city or county landmark or historic property or district pursuant to a city or county ordinance.

D. **No Impact on Protected Housing.** Proposed secondary primary units and duplexes:

1. Shall not require or allow the demolition or alteration of any of the following types of housing:

a. Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income;

b. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power; or

c. Housing that has been occupied by a tenant in the last three years;

2. Shall not require or allow the demolition of more than 25 percent of the existing exterior structure walls on the parcel if the parcel has been occupied by a tenant in the last three years; and

3. Shall not be located on a parcel on which an owner of residential real property has exercised the owner's rights under the Ellis Act (Government Code Section 7060 through 7060.7) to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.

E. **Development Standards.** The first primary unit built on a parcel shall be subject to the development standards in Section 20.501.030~~04.040~~ (General Site Regulations). A second primary unit or duplex approved under this Section shall comply with all of the following development standards:

1. ***Configuration.*** A second primary unit may be attached to or detached from other dwelling units on the parcel.

2. ***Size.*** Second primary units, and at least one unit of a new-construction attached duplex, shall be no larger than 800 square feet in floor area.

3. ***Height.*** Second primary units, and at least one unit of a new-construction attached duplex, shall be no taller than one story and 16-feet in height. Second primary units may not be built above any other structure.

4. ***Setbacks.*** No setback beyond the existing setback shall be required for an existing structure or for a unit constructed in the same location and to the same dimensions as an existing structure. In all other circumstances, second primary units and duplexes built under this Section, shall be set back at least four (4) feet from the side and rear lot lines.

5. ***Separate Entrances.*** A second primary unit, and both of the units of a duplex approved under this Section, shall each have a separate entrance.

6. ***Additional Development Standards.*** Except as provided in Subsections E.1 through E.5, second primary units, and each unit of a duplex build under this Section, shall comply with all development standards that would be applicable to a primary dwelling unit on the same parcel.

F. **Parking.**

1. One new on-site off-street parking space is required for a second primary unit and for each individual living unit in a duplex approved under this Section. Such parking spaces shall be in addition to all existing parking spaces on the parcel.

2. Notwithstanding subsection F.1, no parking spaces are required for a second primary unit or the units of a duplex approved under this Section if either:

   a. The parcel is located within one-half mile walking distance of either a high-quality transit corridor, as defined in Public Resources Code Section 21155(b), or a major transit stop, as defined in Public Resources Code Section 21064.3; or

   b. There is a car share vehicle located within one block of the parcel.

G. **Utilities.**

1. A second primary unit, and both of the units in a duplex approved under this Section, shall each have a separate connection to the main line for all utilities including but not limited to water, electric, gas, sewer, and telecommunications.

2. Prior to issuance of a building permit for a second primary unit or a duplex under this Section, the city engineer shall assess whether the required utilities are able to serve the development and have adequate capacity to serve the development. As part of this assessment, the city engineer may require the applicant to submit technical studies to determine utility capacity and ability to serve. The city engineer may place conditions of approval on the proposed development to ensure sufficient utility capacity and the ability of the utilities to serve the development.

H. **Limitation on Enforcement of Standards.** With the exceptions of the setback requirements in subsection E.4, the City shall not enforce any zoning, subdivision, or design standard to the extent that it would have the effect of physically precluding the construction of up to two primary residential units on a parcel, or would physically preclude either of the primary residential units from being at least 800 square feet in floor area.

I. **Total Number of Units.**

1. This Section does not authorize or require the approval of more than two primary dwelling units on a single parcel. For purposes of this subsection, "primary dwelling units" means dwelling units other than accessory dwelling units or junior accessory dwelling units.
2. Notwithstanding any other provision in this chapter, the approval of second primary units and duplexes on a parcel that was created through an urban lot split shall be limited as described in Section 19.04.110.F.

J. **Design Standards.** Second primary units, and each unit of a duplex approved under this Section, shall comply with all objective design standards that would be applicable to a primary dwelling unit on the same parcel; see Section 20.505.040 (Use Regulations).

K. **Rental Term; Separate Conveyance.**

1. Second primary units and both units of a duplex approved under this Section shall not be rented for a term of less than thirty-one (31) consecutive days.

2. A second primary unit may not be turned into a condominium or otherwise sold separately from the other primary unit on the parcel. The units in a duplex approved under this Section may not be turned into condominiums or otherwise sold separately from one another.

L. **Deed Restriction.** As a condition of approval of, and prior to the issuance of a certificate of occupancy for, a second primary unit or duplex approved under this Section, the property owner shall execute a deed restriction, in a form approved by the city attorney, which shall be recorded on the property, at the property owner's cost, and shall require that the second primary unit or duplex shall only be used and developed in accordance with the requirements in this Section, including but not limited to the development standards and the prohibition on short-term rentals stated in this Section. Violation of the deed restriction shall be considered a violation of this code and may be enforced in a manner that this code may be enforced.

Chapter 20.202 – MIXED USE ZONING DISTRICTS

Sections:

20.202.010 – General Purpose
20.202.020 – District Purposes
20.202.030 – Use Regulations
20.202.040 – Development Standards
20.202.050 – Development Bonuses for Community Amenities

20.202.010 – General Purpose

The general purpose of mixed use zoning districts is to:

A. Provide appropriate locations for mixed use development consistent with the General Plan to meet the housing, commercial, institutional, light industrial, and office needs of Chino residents.

B. Facilitate the transformation of older corridors and centers into vital activity hubs and community gathering places that enhance the quality of life for residents and attract visitors.

C. Enable housing and non-residential uses to locate in proximity to one another, subject to standards for land use compatibility, landscaping and buffering, and building design.

D. Increase the ability for residents, employees, and visitors to walk to retail, services and other destinations by creating pedestrian-oriented development.

E. Provide for a development pattern that encourages active modes of transportation and the use of public transit~~portation~~.

F. Enhance the vitality of commercial corridors and centers in Chino with mini-parks and plazas, outdoor dining, family friendly-facilities, bicycle facilities and trails, entertainment programming, and public art.

G. Encourage a variety of housing types and sizes.

20.202.020 – District Purposes

The specific purposes of each mixed use zoning district are as follows:

A. **Regional Mixed Use (RMU).** The purpose of this district is to provide for a wide range of retail, dining, entertainment, office, lodging, institutional, educational, medical, recreational, and cultural facilities that cater to both visitors and Chino residents, together with multifamily housing where allowed by a Measure M vote or pre-existing zoning. The intent is to facilitate the evolution of the city's regional shopping centers, support existing businesses, and position Chino as a regional destination for retail, entertainment, and commercial recreation. A mix of uses is not required on every site but is desired within the RMU designation. Mixed use may be in either a vertical format (multiple uses in the same building over multiple stories) or horizontal format (multiple single-use buildings on the same parcel or within the same development), whether in single- or multiple story

buildings. Permitted non-residential development intensity for larger parcels of five acres or more in size would range from 0.3 to 0.7 FAR, and from 0.3 to 1.0 FAR for smaller parcels less than five acres in size. The minimum FAR is allowed by right on all parcels and higher FAR up to the maximum is permitted in exchange for onsite amenities such as outdoor dining; mini-parks, plazas, and seating areas; family-friendly facilities; EV fast charging stations; off-site bicycle and trail improvements; entertainment programming; and public art.

B. **Boulevard Mixed Use (BMU).** The purpose of this district is to provide for provides for a mix of commercial-retail and services that cater to the daily needs of local residents together with multifamily housing where allowed by a Measure M vote or pre-existing zoning. The intent is to promote redevelopment of underutilized properties along key commercial corridors in the central part of the city with incentives, including additional FAR for community benefits and FAR transfers between parcels, and to foster attractive, mixed use development that contributes to local character and enhances "small town" sense of place. Permitted uses include retail, restaurants, personal services, public uses, professional business offices, hotels/motels, and housing. A mix of uses is not required on every site but is desired within the corridor segments. Mixed use may be in either a vertical format over multiple stories (multiple uses in the same building) or horizontal format (multiple single-use buildings on the same parcel or within the same development), whether in single- or multiple story buildings. Permitted development intensity for commercial-retail development ranges from 0.3 to 1.0 FAR, with the minimum FAR allowed by right and higher FAR permitted in exchange for onsite amenities like outdoor dining; mini-parks, plazas, and seating areas; family-friendly facilities; EV fast charging stations; off-site bicycle and trail improvements; entertainment programming; and public art.

C. **Employment Mixed Use (EMU).** The purpose of this district is to provide a mix of commercial retail, light industrial, and manufacturing uses and passive recreational space on~~m~~ large lots at least 25 acres in size outside of the Prado Dam flood inundation boundary.

1. Proposed development must include a commercial-retail component, which may consist of retail stores, restaurants, daily services, professional offices, lodging, and cultural/entertainment uses. The commercial-retail component shall be located along major street frontages, with standards for driveway access and visibility. Permitted development intensity ranges from 0.3 to 0.6 FAR, with the minimum FAR allowed by right and higher FAR up to the maximum permitted in exchange for onsite amenities such as outdoor dining; mini-parks, plazas, and seating areas; family-friendly facilities; EV fast charging stations; entertainment programming; and public art.

2. Light industrial and manufacturing uses are permitted if commercial-retail space is also provided onsite, The minimum amount of commercial-retail space required to permit light industrial and manufacturing uses shall be between 75,000 and 120,000 square feet, to be established through a development agreement. The intent is to attract businesses involving production, distribution, or repair with supporting office space where operations are typically enclosed in a structure and where exterior storage is limited or operations are fully screened from public view. Permitted uses include light manufacturing, research and development, small and medium scale warehousing and distribution, and other similar uses. Breweries, bakeries, or commercial kitchens are encouraged. Ancillary office space is also permitted. Permitted development intensity for these uses is up to 0.6 FAR with maximum building square footage established in zoning.

3. Adequate separation and buffering must be provided to minimize conflicts between light industrial/manufacturing uses and other uses on the site and surrounding properties.

4. Performance standards are established in Chapters 20.504 (Temporary Uses and Structures), 20.507 (Design Standards), and 20.508 (Landscaping) for screening, landscaping, architectural design, noise, air quality, and traffic and access to ensure land use compatibility.

5. **Development Agreement Required**. A development agreement, prepared and approved pursuant to Section 20.603.040, is required for development in the Employment Mixed Use (EMU) Zone.

D. **Mixed Use 20 (MU 20)**. The purpose of this district is to provide for relatively high-density housing mixed with commercial and office uses. The district is typified by ground floor level sales and service uses, including eating and drinking establishments, with residential and/or office uses on the upper floor levels. The MU 20 district permits a maximum FAR for non-residential uses of 1.25 and a maximum permitted residential density of ~~14 to~~ 20 dwelling units per adjusted ~~gross~~ acre for the entire site. ~~and up to 24 dwelling units per adjusted gross acre with the provision of affordable housing.~~

~~E. **Mixed Use 30 (MU 30)**. The purpose of this district is to provide for a high-density housing mixed with commercial and office uses. The district is typified by ground floor level sales and service uses, including eating and drinking establishments, with residential and/or office uses on the upper floor levels. The MU 30 district permits 20 to 30 dwelling units per adjusted gross acre and up to 37.5 dwelling units per adjusted gross acre with the provision of affordable housing.~~

20.202.030 – Use Regulations

A. **Permitted Uses.** Table 20.~~05~~202-1 identifies land uses permitted in mixed use zoning districts. Numbers in the table refer to notes following the table.

TABLE 20.202-1 LAND USE REGULATIONS FOR MIXED USE ZONING DISTRICTS

(P = Permitted by right; A = Administrative approval required; C = Conditional Use Permit required; T = Temporary use Permit required; ■ = Not allowed)

	Zoning Districts				*Additional*
Uses	*RMU*	*BMU*	*EMU*	*MU20*	*Regulations*
Accessory Dwelling Units	■	P	■	P	*Chap. 20.503*
Multiple Family Dwellings	■	P[4]	■	P	
~~Residential Care Facilities, Small~~	~~P~~	~~P~~	~~■~~	~~P~~	
~~Residential Care Facilities~~	~~P~~	~~P~~	~~■~~	~~P~~	~~Sec. 20.513.150~~
Supportive Housing	P	P	■	P	Sec 20.514.530
Transitional Housing	P	P	■	P	Sec. 20.514.550
Public and Quasi-Public Uses					
Places of Assembly					
Places of Worship, Community Scale	C	C	■	C	Sec. 20.514.420
Places of Worship, Regional Scale	C	C	■	■	Sec. 20.514.420

TABLE 20.202-1 LAND USE REGULATIONS FOR MIXED USE ZONING DISTRICTS

(P = Permitted by right; A = Administrative approval required; C = Conditional Use Permit required; T = Temporary use Permit required; ■ = Not allowed)

	Zoning Districts				Additional
Uses	*RMU*	*BMU*	*EMU*	*MU20*	*Regulations*
Places of Worship, Small Storefront	C	C	■	P	Sec. 20.514.420
Places of Worship, Large Storefront	C	■	■	■	Sec. 20.514.420
Clubs and Lodges	C	C	C	C	
Cultural and Institutional Uses					
Live Theaters and Auditoriums	~~C~~P	C	~~P~~C	C	
Motion Picture Theaters	P	C	C	C	
Music/Comedy Venues	P	C	C	C	
Libraries	P	P	■P	P	
Museums and Art Galleries	P	P	P	P	
Health Services					
Hospitals	P	P	P	P	
Medical Clinics	P	P	P	P	
Medical Laboratories	P	P	P	P	
Medical and Dental Offices	P	P	P	P	
Educational Uses					
Schools, Public or Private	C	C	■	C	
Trade and Vocational Schools	P[1]	■	P[1]	C	
Schools for Personal Enrichment and Fulfillment	P[1]	P[1]	P[1]	P[1]	Sec. 20.514.450
Athletic Instruction, Minor	P	P	■P	~~P~~A	
Gym/Athletic Instruction, Major	P	~~P~~C	■P	■	Sec. 20.514.230
Gym/Athletic Instruction,	P	P	P	P	Sec. 20.514.230
Small/Boutique Fitness Studio	P	P	g	P	
Child Care Services					
Day Care Centers	A	A	A	A	Sec. 20.514.150
Day Care Facilities, Employer Provided On-site	P	P	P	P	Sec. 20.514.150
Other Community Services					
Emergency Shelters	C	C	■	C	Sec. 20.514.170
Low Barrier Navigation Centers	P	P	■	P	Sec. 20.514.300
Nonprofit Organizations and Human Services	C	C	■	C	
Public Safety Facilities	C	C	C	C	
Commercial Uses					
Retail					
Retail, General	P	P	P	P	
Outdoor Vendors	A	A	A	A	Sec. 20.514.410
Thrift, Vintage and Consignment Stores	P	P	P	P	

TABLE 20.202-1 LAND USE REGULATIONS FOR MIXED USE ZONING DISTRICTS

(P = Permitted by right; A = Administrative approval required; C = Conditional Use Permit required; T = Temporary use Permit required; ■ = Not allowed)

	Zoning Districts				Additional
Uses	*RMU*	*BMU*	*EMU*	*MU20*	*Regulations*
Animal Sales and Services	P	P	■	P	
Veterinary Clinic	P	P	■	P	
Commercial Nurseries	P	P	P	P	Sec. 20.514.100
Farmers' Market	P	P	■	P	Sec. 20.514.200
Guns and Ammunition Sales	C	■	C	C	Sec. 20.514.220
Smoke Shops and Retail Tobacco Sales	C	■C	■	C	Sec. 20.514.520
Cannabis Retailer (Dispensary)	■	■	■	■	
Alcoholic Beverage Sales	P/C	P/C	■P/C	P/C	Sec. 20.514.030
Pawn Shops	C	C	C	■	
Automobile Sales and Services	P[3]	P[3]	P[3]	■	Sec. 20.514.070
Automobile Rental	A	A	■	■	Sec. 20.514.060
Vehicle Parts and Accessories Sales	P	P	■P	P■	Sec. 20.514.560
Gas and Service Stations	P	P	P	P	Sec. 20.514.510
Car Wash	C	■	C	■	
Eating and Drinking Establishments					
Restaurant	P	P	P	P	
Restaurant, Drive-Through~~s~~ Facility	P	P	P	C	Sec. 20.514.160
Bars, Nightclubs and Lounges	C	C	C	C	Sec. 20.514.340
Cigar Lounges and Hookah Bars	P	C	C	■	Sec. 20.514.520
Banquet Facilities	A	A	A	A	
Transient Occupancy					
Hotels, Motels and Bed and Breakfast	P	P	P	P	Sec. 20.514.270
Commercial Services					
Offices	P	P	P	P	
Personal Services	P	P	P	P	
Tattoo, Body Piercing and Body Art	P	P	P	P	Sec. 20.514.540
Business Support Services	P	P	P	P	
Banks, Retail	P	P	P	P	
Non-traditional Financial Institutions	C	■	■	■	Sec. 20.514.350
Day Spas/Wellness Center	P	P	P	P	
Massage Establishments	C	C	C	C	Sec. 20.514.320
Entertainment-Related Services					
Motion Picture Production and Distribution Services	P	■	P	■	
Recording and Podcast Studios	P	■	P	■	Sec. 20.514.450

TABLE 20.202-1 LAND USE REGULATIONS FOR MIXED USE ZONING DISTRICTS

(P = Permitted by right; A = Administrative approval required; C = Conditional Use Permit required; T = Temporary use Permit required; ■ = Not allowed)

	Zoning Districts				
Uses	*RMU*	*BMU*	*EMU*	*MU20*	*Additional Regulations*
Broadcasting Studios	P	P	P	■	
Industrial Uses					
Food Preparation (Ghost Kitchen, Test Kitchen, Catering)	P	P	P	■	
Manufacturing and Processing, Light	■	■	A	■	Sec. 20.514.480
Micro-brewery and Micro-distillery	P	P	P	P	Sec. 20.514.030
Research Laboratory	■	■	P	■	
Warehousing/Wholesaling and Distribution	■	■	P	■	Sec. 20.514.590 For EMU Sec. 20.202.020.C.
Public/Self-storage	■	■	C[3]	■	Sec. 20.514.440
Recreational Uses					
Commercial Recreation (Including but not limited to Indoor Trampoline Parks, Axe Throwing, Escape Room, Laser Tag, Indoor Virtual/Miniature Golf, Immersive Experience. Amusement Centers, Karaoke)	C[2]	C[2]	C[2]	C[2]	
Parks and Recreational Facilities	P	P	P	P	
Transportation, Telecommunications and Utilities					
EV Charging Stations	P	P	P	P	Sec. 20.511.100
Wireless Facilities	WTFPP	WTFPP	WTFPP	WTFPP	Chapter 20.515
Utilities, Major	C	C	C	C	
Utilities, Minor	C	C	C	C	
Solar Panels, Incidental	P	P	P	A	Sec. 20.501.050

Notes:

1. A conditional use permit is required if classroom capacity exceeds 150 students.
2. Indoor recreational area occupying less than 3,000 sq. ft. are permitted uses.
3. Development agreement required, Chapter 20.603.040..
4. Measure M vote required for any new residential development.

B. **Additional Use Regulations.** The following additional regulations apply to uses located in mixed use zoning districts.

1. ***Types of mixed use allowed.*** Both horizontal and vertical mixed use development shall be allowed in mixed use zoning districts.

   a. Horizonal mixed use development allows a range of uses adjacent to one another on a development site, either in separate buildings or separate parcels on a project site.

Individual buildings may share project components, such as access driveways, internal circulation, parking, loading, and utility areas.

b. Vertical mixed use allows for a mix of uses within a single building where non-residential uses occupy the ground floor and residential or office uses are on the upper levels. A vertical mixed use project may have surface parking, subterranean parking levels, and/or at grade and above grade parking decks.

2. ***Multiple Tenancies in Large Format Retail and Grocery Stores***. Multiple tenants, either with leases or subleases, are permitted in large format retail stores and groceries, including business, medical, and personal services, pharmacies, banking services, telecommunications providers, and meal providers. Non-retail businesses shall not occupy more than ~~15~~ 20 percent of the total gross floor area.~~, and individual tenancies shall not be more than 5,000 square feet or 10 percent of the gross floor area, whichever is less.~~

3. ***Light Industrial and Warehouse Uses in the EMU***. The maximum size of individual buildings for light industrial and warehouse uses shall not exceed 250,000 square feet for three story buildings and 200,000 square feet for buildings of one or two stories.

4. ***Public Storage Facilities in EMU***. In addition to the requirements of Sections 20.514.440, public storage, including self-storage facilities, may be permitted in industrial projects when at least 75,000 square feet of retail space also is provided and the following standards are met:

a. *Minimum site size.* Public storage is only allowed within mixed use development on sites with five acres or more where retail space is a secondary use.

b. *Setbacks.* Public storage facilities shall be setback a minimum of 50 feet from front and street side property lines.

c. *Maximum building height.* If freestanding, the maximum building height for a public storage facility shall not exceed the building height of an adjacent residential only or mixed use building.

d. *Maximum floor area.* The maximum floor area for public storage facilities on a site shall not exceed 25 percent of the gross floor area for all residential and non-residential uses.

e. *Exterior building materials.* The exterior building materials, colors, and finishes of the public storage facility shall be the same as those used for residential and mixed use buildings on the project site to create a unified appearance.

f. *Building articulation.* The building facades of public storage facilities that face streets or residential and mixed use buildings in a project shall include building projections or recesses, doorways or window trim, and other details that provide architectural articulation and visual interest.

g. *On-site management.* On-site, 24-hour management shall be provided, and the Planning Commission may establish specific hours of operation as a condition of approval of a conditional use permit for a public storage facility. The gross floor area of a single ground floor commercial establishment in the BMU and EMU mixed use districts shall not exceed 15,000 square feet or 25,000 square feet if a general retail use. Hotels, motels, caretakers quarter, and offices are exempt from these floor area limits.

5. ***Qualifying Housing Development on Land Owned by Educational and Religious Institutions***. Housing development on land owned by educational or religious institutions meeting the criteria of Government Code Section 65913.16 are allowed by right with ministerial approval and a finding by the Director of Development Services that applicable objective design standards have been met.

20.202.040 – Development Standards

A. **General Standards.** Table 20.202-2 identifies development standards that apply to all lots and structures located in mixed use zoning districts. Additional performance standards for screening, landscaping, architectural design, noise, air quality, and traffic and access to ensure land use compatibility are in the 500 Series.

TABLE 20.202-2 DEVELOPMENT STANDARDS FOR MIXED USE ZONING DISTRICTS

	Zoning District				*Additional Standards*
Item	*RMU*	*BMU*	*EMU*	*MU20*	
Site Requirements					
Lot Area, Minimum	10,000 sq. ft.	10,000 sq. ft.	20,000 sq. ft.	10,000 sq. ft.	
Lot Width, Minimum	none	none	none	80 ft.[1]	Sec. 20.202.040.B.2
Minimum Landscape Coverage	15%	15%	15%	15%	
Off-Street Parking and Loading		See Chapter 20.511 (Parking and Loading)			
Building Requirements					
Building Setbacks, Minimum					
Front	25 ft.	15 ft.	25 ft.	0 ft.	Sec. 20.202.040.B.1 and 2
Rear	25 ft.	15 ft.	25 ft.	15 ft.	
Street Side	15 ft.	15 ft.	15 ft.	0 ft	Sec. 20.202.040.B.2
Base Floor Area Ratio (FAR)	0.3	0.3	0.3	1.0	See Sec. 20.202.050.E for Transfer of FAR
Maximum Floor Area Ratio (FAR)	0.7 for site over 5 acres; 1.0 for sites 15,000 sq. ft. or less	1.0	0.6	I.0	On-site amenities required for additional FAR
Building Height, Maximum					
Stories	5	3	4	3	
Feet	65 ft.	40 ft.	55 ft.	45 ft.	

Item	Zoning District				Additional Standards
	RMU	BMU	EMU	MU20	
Note: 1. An additional five feet of lot width shall be provided for corner lots when the side lot line abuts a local or collector street, and an additional 10 feet of lot width shall be provided when the side lot line abuts a primary or secondary arterial street.					

B. **Additional Development Standards.** The following additional standards apply to lots and structures located in mixed use zoning districts. Mixed use design standards are in Section 20.507.060. Deviations from these standards may be approved with a development agreement and a commitment to community benefits.

1. ***Calculation of Residential Density.*** Where residential uses are allowed by a Measure M vote, the maximum density is 20 units per net acre, calculated on the basis of the total site area of the development plus the area of abutting local streets and alleys.

2. ***Reduced front and street side yards***. The required minimum front and street side setbacks may be reduced five feet to provide active frontages with pedestrian-oriented amenities.

3. ***Required building wall on designated streets***. Along commercial corridors in the BMU, where existing buildings are at or within five feet of the front setback line, building walls shall be constructed along or within 10 feet of the front setback line for a minimum of 50 percent of the primary street frontage. This is the "build-to" line. On reverse corner lots, if the street side yard is on an arterial street, it shall be subject to the required building wall standard. This requirement may be waived by the Director of Development Services upon finding that:

   a. Where ground floor residential uses are proposed, decks and substantial landscaping will be located between the build-to and ground-floor residential units as a buffer;

   b. Entry courtyards, plazas, entries, or outdoor eating areas are located between the build-to line and the building requiring the building wall to be setback further from the front setback line; and

   c. The building incorporates an alternative entrance design that creates a welcoming entry facing the street.

4. ***Required ground floor transparency for non-residential uses***. Exterior walls for non-residential ground-floor uses that both face and are within 20 feet of a front or street side property line shall include windows, doors, or other openings in an area between two feet and eight feet above the sidewalk. No wall shall run in a horizontal plane more than 25 feet without an opening.

   a. Openings fulfilling this requirement shall have transparent glazing and provide views into display areas, sales areas, work area, lobbies or other active spaces, and window displays shall be at least three feet in depth.

   b. Parking structures are not required to meet these transparency requirements.

   c. Alternatives to the building transparency requirement may be approved by the Director of Development Services for uses that have unique operational requirements making

windows or doors infeasible or for street-facing building walls that exhibit architectural relief and detail with landscaping that creates visual interest at the pedestrian level.

5. ***Building entrances.***

   a. Principal building entries shall front upon the primary street or on interior walkways and private streets.

   b. Building entries shall be accented with features such as moldings, lighting, overhangs, or awnings.

6. ***Building mass and scale.***

   a. Buildings that are more than 150 feet in length shall include a minimum two-foot vertical variation in height for at least 50 feet or have a varied roof plane with gables or changes in roof pitch and orientation.

   b. To maintain a pedestrian-scale at the street level where ground floor commercial space is provided, building storefront widths shall not exceed 30 feet without a recess or a break, which may be a building entry or a separate display window.

   c. The minimum ground floor height for commercial uses, including retail shops, restaurants, service businesses, and offices is: 14 feet.

7. ***Pedestrian orientation and accessible pedestrian facilities in mixed use development***

   a. All mixed use -development on sites over two acres in size shall incorporate features such as interior walkways, canopies, arcades, paseos, ornamental gates, trellises, lighting, plant materials, seating, fountains, or other similar features, as appropriate, to support and enhance pedestrian spaces. Bonus FAR is available for qualifying amenities, such as plazas, courtyards and outdoor dining; see Section 202.202.050.

   b. Outdoor pedestrian space shall be landscaped and shall include appropriate street furniture, canopy trees, and/or shade structures to encourage pedestrian activity.

   c. Clearly marked pedestrian connections shall be provided between parking areas and buildings.

   d. Encroachments into the public right-of-way, such as a City-owned alley, are allowed for outdoor seating in conjunction with full-service restaurants, coffee shops, juice bars, and food/beverage retailers, provided a minimum six foot wide walkway and pedestrian clear zone is maintained, and the outdoor eating area is contiguous with interior eating space and does not encroach into a public sidewalk or the public right-of-way of an adjacent business. An encroachment permit issued by the City is required.

   e. All sidewalks, crosswalks, courts, and plazas shall be designed to be safe, accessible, and convenient for all individuals, consistent with the City's adopted Policy on Accessible Pedestrian Facilities.

8. ***Parking.***

   a. A parking structure shall be buffered with foundation planting or lined with commercial, retail, or residential use at the ground floor.

b. Building siting and parking design shall maximize opportunities for shared parking, common access entries and driveways in order to minimize the number of curb cuts and thus limit possible conflict between pedestrians and automobiles.

c. In mixed use development on sites over two acres, long-term parking should be on the periphery of the site and timed spaces for customers should be near building entries.

9. ***Landscaping***.

a. Canopy trees shall be included along all street frontages and within surface parking areas of mixed use development. Trees shall be selected from a list of City-approved trees and shall be approved by the Public Works Department prior to installation.

b. Where pedestrian paths or walkways cross parking areas or driveways, the paths shall incorporate landscaping and decorative paving to define the pedestrian space.

10. ***Setbacks***

a. No rear setbacks are required when an alley abuts the rear of the lot.

b. When a lot abuts a residential parcel, the minimum setback shall be the same as required for the residential use on the abutting residential parcel.

20.202.050 – Development Bonuses for Community Amenities

A. **General Requirements.** Bonus floor area, as specified in this section, shall be allowed with a conditional use permit, design review, and site approval in the RMU, BMU, and EMU districts to compensate for the additional costs of proposed on-site or off-site community amenities that are consistent with the General Plan and the standards of this section, upon the granting of site approval pursuant to Section 20.603.070 (Site Approvals) or a Director of Development Services' approval if the alternative calculation method shown below is used and the additional findings required by subsection (B)(5) of this section are made.

1. In all mixed use districts, qualifying projects must provide on-site or off-site amenities as specified in the General Plan and this section that are sufficient to earn the number of points required for the bonus floor area requested, pursuant to subsections (B) of this section. The findings in subsection (B)(5) of this section also must be made by the Planning Commission.

2. To qualify for a floor area bonus, an on-site or off-site amenity must be significant and clearly beyond what would otherwise be required for the project under applicable Zoning Code provisions, conditions of approval, Building Code requirements, and/or environmental review mitigation measures.

B. **Determination of Bonuses.** Bonus floor area shall be calculated on the basis of points approved for individual amenities in accordance with Table 20.202-3 and the following procedures unless an applicant requests approval pursuant to the alternative calculation procedure specified in subsection (B)(3).

1. ***Points Required***. The number of bonus points required, up to a maximum of 100, shall be calculated according to the following formula:

$$\frac{\text{FAR Bonus Requested}}{\text{Maximum FAR Bonus Increment Allowed}} \times 100 = \text{Points Required}$$

Variables used in the bonus point calculation are as follows:

a. *FAR Bonus Requested.* The amount of bonus FAR requested is based on an applicant's development proposal; it is above the maximum base FAR allowed for the mixed use district where the project is located.

b. *Maximum FAR Bonus Increment Allowed.* The difference between the maximum FAR allowed and base FAR in each mixed use district is the maximum FAR bonus increment. The maximum bonus FAR increments for each mixed use district are as follows:

i. RMU District: 0.4 for parcels five acres or more in size; 0.7 for parcels with less than five acres

ii. BMU: 0.7

iii. EMU: 0.3

2. ***Points Counted Toward FAR Bonuses.*** The points awarded for providing individual on-site or off-site amenities shall be aggregated and counted towards the maximum allowable FAR on the site using the formula in subsection (B)(1).

3. ***Alternative Calculation of Bonus Floor Area.*** If requested by an applicant as an alternative to the points system, the Director of Development Services may approve bonus floor area up to the maximum increments allowed in each mixed use district as follows:

a. *Alternative Calculation Method.* For each one percent of construction costs allocated as an additional expenditure for one or more specific amenities listed in Table 20.202-3, a 1.5 percent increase in the allowable floor area shall be granted.

b. *Number of amenities required.* The number of specific amenities required shall be based on project size as follows:

i. Development of 50,000 square feet or less: At least ~~on~~ one amenity

ii. Development of 50,001 to 150,000 square feet: At least two amenities

iii. Development of more than 150,000 square feet: At least three amenities

c. *Allowable costs for amenities.* Allowable costs for these additional expenditures include the purchase price of materials, fabrication and installation costs, including transportation to the site, lighting and landscaping costs, and specific additional site improvements. Ineligible costs are land acquisition, site preparation, utility fees, and costs of building operations, maintenance, and repairs. Design review by the Planning Commission shall be required for amenities involving physical construction. The Director of Development Service may require a third-party peer review of proposed amenity costs, with the peer review paid by the applicant.

d. *Design review required.* Planning Commission approval of the proposed amenity package would be required as part of site approval.

4. ***Calculation of Points for Specific On-site Amenities.*** The maximum number of points that may be awarded for each on-site amenity, the calculation method, and other requirements are as shown in Table 20.202-3.

5. ***Required Findings***. To grant additional floor area for a community amenity, the Planning Commission or the Director of Development Services, whichever has approval authority, must make the following findings in addition to the findings required by Section 20.603.050 (Conditional Use Permits).

   a. That the proposed amenities are compatible with the overall project design;

   b. That the proposed amenities are in addition to what otherwise would be required by the Zoning Code, the Building Code, or as a mitigation measure following environmental review;

   c. That the objective development standards of Section 20.202.050 (C) (Development Standards for Specific Amenities), as required for an individual amenity, have been met; and.

   d. That the proposed amenities will provide community benefits sufficient to earn the number of points required for the bonus FAR amount requested. This finding is not required for projects requesting an alternative calculation of bonus floor area pursuant to paragraph (B)(3).

C. **Development Standards for Specific Amenities**.

1. ***Mini-parks, and plazas and seating areas.*** To qualify as an onsite amenity, privately-owned and maintained public open space (POPOS), including mini-parks, plazas, and outdoor seating areas, must meet the following standards and the standards for outdoor seating areas in Section 20.514.090:

   a. *Minimum Area.* 2,500 square feet of usable space. Along alleys, smaller areas of POPOS are allowed, with a minimum area of 500 square feet.

   b. *Location.* POPOS shall be adjacent to and accessible from public sidewalks or internal pedestrian walkways and shall be on the ground level. POPOS also may be allowed on rooftops if publicly accessible. It also shall be accessible to persons with disabilities.

   c. *Design.* POPOS shall be designed to provide, as appropriate, gathering areas, recreational areas, children's play areas, and/or outdoor seating, which may be covered or uncovered. Design review and site approval by the Planning Commission is required.

      i. No more than 20 percent of the POPOS shall be occupied by open space-related above-grade structures, such as pergolas, play structures, or public restroom structures or raised wooden decks with planters.

      ii. A minimum of 20 percent of the POPOS shall be planted area with grass, ground cover, bushes, planters, or trees, or shade structures shall be provided. All trees shall be planted flush with the surrounding grade.

      iii. One canopy shade tree is required for each 1,000 square feet of POPOS.

      iv. POPOS shall include bottle-fill stations, drinking fountains, bike racks if not provided in the vicinity, refuse and recycling receptacles, lighting, and signage indicating hours of operation.

TABLE 20.202-3 ON-SITE AND OFF-SITE AMENITIES AND BONUS POINTS

	On-Site Amenity	*Maximum Points*	*Point Calculation*	*Requirements*
(1)	Plaza, Min-park or other Privately-owned Public Open Space;~~.~~	50	1 point for each 1,000 square feet provided (minimum 2,500 square feet) up to a maximum of 50 points.	Design must comply with the standards of subsection (C) and be approved by the Planning Commission as part of design review for the project. Open space must be accessible to the general public at all times. Provision must be made for ongoing operation and maintenance in perpetuity.
(2)	Outdoor Dining	10	1 point for each increment of 50 seats for outdoor dining or fraction thereof, up to a maximum of 500 seats in a mixed use development and 10 points.	Design must comply with the standards of subsection (C) and be approved as part of design review for the project. No individual establishment may have more than 40 bonusable seats for outdoor dining.
(2)	Family-friendly Facilities	25	5 points for every 1.0% of construction costs allocated to family friendly facilities up to a maximum of 25 points. Qualifying facilities include outdoor and indoor public seating on-site day care, changing rooms in bathrooms, interactive play areas, dog-friendly areas, nursing facilities for mothers, recreational facilities for public use, and community meeting rooms.	Design must comply with the standards of subsection (C) and be approved as part of design review for the project. Planning Commission site approval is required.
(4)	EV Fast Charging Stations	25	3 points for each Level 3 Direct Current Fast Charging Space	Only charging stations that are in addition to the requirements for EV charging stations in Chapter 20.511, Parking and Loading and comply with the standards in subsection (C) shall be eligible to be counted for bonus points. Approval by the Director of Development Services is required.
(5)	Entertainment Programming	25	5 points for a commitment to 12 events a year over a 10-year period with average planned attendance of at least 100 persons, with additional points allowed for greater programming up to a maximum of 25 points	Only qualifying entertainment; no bonus points shall be granted for commercial entertainment provided in cinemas and hotels, and a performance bond may be required as a condition of approval of this bonus by the Director of Development Services
(6)	Public Art	25	5 points for every 1.0% of construction costs allocated to on-site public art, up to a maximum of 25 points	May include sculpture, painting, murals, graphic arts, mosaics, glass and similar permanent materials, excluding corporate signage, logos, mass produced art objects, and landscaping. A public art permit pursuant to subsection (D) shall be required.

On-Site Amenity		Maximum Points	Point Calculation	Requirements
(7)	Off-site Bicycle and Trail Improvements	25	5 points for every 1.0% of construction costs allocated to multi-purpose trails, shared use paths, or local neighborhood accessways, up to a maximum of 25 points.	Design must comply with the standards of subsection (C) and be approved by the Planning Commission as part of design review for the project. Improvements must be accessible to the general public at all times. Provision must be made for ongoing operation and maintenance in perpetuity.

d. *Accessory uses, structures and services.* POPOS may include accessory structures and locations for farmers' markets, incidental food sales, including carts, kiosks, and outdoor vendors, all of which must meet the standards and operating requirements of the Zoning Code and related requirements of the Municipal Code, including temporary use permits.

e. *Open to the public.* POPOS shall be open to the public, without charge, each day of the year, except for temporary closures for necessary maintenance or public safety.

f. *Maintenance.* POPOS shall be owned/leased, operated, and maintained by the developer or property manager.

2. ***Outdoor Dining Areas.*** To qualify as an on-site amenity, outdoor dining areas must meet the following standards:

a. *Required Permits.* A restaurant operating an outdoor dining area must have all the necessary permits to operate the restaurant, but no additional permits are required if the outdoor dining area meets the standards of this subsection and all of requirements of the Zoning Code.

b. *Location.* Outdoor dining areas may be established in common walkways, plazas, and courtyards open to the public where there is at least four feet of clearance maintained for pedestrians at the perimeter of the outdoor dining area. Outdoor dining shall not be placed in any driveway, fire lane, or maneuvering aisle. An encroachment permit is required for sidewalk dining modules and dining modules in alleys.

c. *Exclusion from floor area calculations.* An outdoor dining area does not count toward a restaurant's floor area calculation, and there are no limits on outdoor dining as it relates to indoor dining.

d. *Seating.* Tables shall be arranged so that seating edges are no less than 54 inches apart. Rectangular tables arranged to accommodate seating on one side only shall have not less than 36 inches between table edges. Aisles between tables and other chairs must be 44 inches minimum in width.

e. *Hours of operation.* All outdoor dining areas ~~adjacent to a residential zoning district or a residential use~~ must close and cease operations ~~by 10:00 p.m~~ when the associated business closes.

f. *Required perimeter walls.* A minimum 42-inch high solid wall ~~shall~~may be required with the sale and consumption of alcohol in outdoor dining areas. ~~between outdoor dining areas and~~

~~adjoining public sidewalks, parking areas, and driveways. This wall is not required for sidewalk and alley outdoor dining where allowed with an encroachment permit.~~

g. *Coverings for rain protection and shade.* Coverings for outdoor dining, such as awnings, umbrellas, canopies, and similar coverings shall be weather- ultra-violet, and fire-resistant. No portable tents are allowed.

h. *Parking.* No additional parking is required for outdoor dining areas.

i. *Use of existing parking spaces.* An outdoor dining area may occupy up to three existing parking spaces per restaurant or other eating establishment without the need to provide additional or replacement parking with the written permission of the~~n~~ property owner. No accessible spaces, EV charging spaces, or bicycle parking shall be used for outdoor dining.

j. *Live entertainment; music and televisions.* Live entertainment and use of speakers, televisions, or other amplified sound, dancing, and music is allowed in an outdoor dining area with a live entertainment permit, subject to the standards of Chapter 9.40 of this Code. Reasonable conditions of approval may be imposed to ensure land use compatibility and minimize impacts on adjacent neighborhoods; live entertainment may be permitted with a temporary use permit for special events.

k. *Heating.* Patio heaters shall comply with City codes.

l. *Trash containers.* No trash bins or enclosures shall be placed within or adjacent to outdoor dining areas. This restriction does not apply to trash cans for public use.

m. *Alcohol.* Alcohol sales and consumption, including wine and beer sales and consumption, require a valid California Alcoholic Beverage Control license and are subject to Section 20.514.030. If alcoholic beverages are served to the outdoor seating area, the seating area must be fenced and a restaurant employee shall seat restaurant patrons.

3. ***Family-friendly Facilities.*** To qualify as an on-site amenity, family-friendly facilities must meet the following standards:

a. *Qualifying facilities.* A mixed use project shall include at least two of the following family friendly facilities for projects with up to 100,000 square feet of non-residential space and three or more facilities for projects with more than 100,000 square feet of non-residential space.

i. Outdoor or indoor public seating areas with at least 50 linear~~l~~ feet of seating space;

ii. Public restrooms (in addition to those required by the Building Code for public use);

iii. On-site day care rooms for at least 25 children;

iv. Changing spaces with changing tables in at least 10 percent of the bathrooms provided for customers of retail shops;

v. Indoor or outdoor playgrounds or interactive play areas for children (1,000 square feet minimum size) and rooftop recreation areas for adults;

~~v.~~vi. Dog-friendly areas, including pet waste stations~~;~~

~~vi.~~vii. Nursing facilities for mothers;

~~vii.~~viii. Indoor or outdoor recreational facilities for public use, such as children's play structures, yoga studios, and basketball courts (1,000 square feet minimum size); and

~~viii.~~ix. Community meeting room (400 square feet minimum size).

b. -*Design standards.* Family-friendly facilities shall be required to meet the design standards of Chapter 20.507 (Design Standards) as part of the approval process for the project.

4. ***EV Fast Charging Stations***. To qualify as an on-site amenity, electric vehicle (EV) fast charging stations must meet the following requirements.

a. *Qualifying spaces.* Only, Level 3 Direct Current Fast Chargers that conform to the requirements of the California Green Building Standards Code and are in additional to the number of EV spaces required by Chapter 20.511 (Parking and Loading)~~,~~ qualify as an on-site amenity.

b. *Size.* Electric vehicle charging spaces/stations shall be the same size as other vehicle parking spaces. Then electric vehicle charging equipment shall not reduce the size of the parking space.

c. *Equipment.* Electrical vehicle charging stations shall be equipped with electrical outlets, and may also be equipped with card readers, controls, connector devices, and other equipment, as necessary for public use.

5. ***Entertainment Programming.*** To qualify as an on-site amenity, facilities for entertainment programming must meet the following standards and permit requirements:

a. *Qualifying entertainment.* Only indoor or outdoor entertainment provided to the public as an on-site amenity by a community or non-profit organization, individual artists or entertainers, local bands, local restaurants, or schools qualifies as a bonus-able amenity in a mixed use development. Concerts and movie nights in plazas or parks also count as qualifying entertainment. Live entertainment in hotels, cinemas, and other similar forms of commercial entertainment are not eligible as qualifying entertainment.

b. *Minimum performance commitments.* The developer, building owner, or property manager shall agree to providing the minimum number of performances to the minimum audience size proposed for the bonus points requested over a 10-year time period. Performances may be scheduled on a monthly, quarterly, or annual basis. They may be on-site or at an adjacent venue open to the public, and they may be provided with cooperative arrangements with a community or non-profit organization. A ticket fee may be charged. The Director of Development Services may require an agreement to ensure that the proposed entertainment is provided.

c. *Temporary use permit required.* A temporary use permit shall be required for each event, issued by the Director of Development Services pursuant to Section 20.603.060 (Temporary Use Permits).

6. ***Public Art.*** To qualify as an on-site amenity, public art must meet the following standards and permit requirements:

a. *Type of Art Allowed.* Public art proposed as an on-site amenity may include a wide range of types of art, including sculpture, painting, (including permanently affixed works, such as murals), graphic arts, mosaics, glass, mixed media, and functional art (, such as benches, tree grates, and trash receptables), that are on a large public scale, with durable and long-lasting materials, and represent a significant piece of work that strengthens the aesthetic appearance of the development. Sculpture may be freestanding, in the round, bas-relief, mobile, fountain, kinetic, electronic or any other material or combination of materials styles and materials. The determination of artistic preferences shall be made by the owner or developer of the project, not the City, except that obvious expressions of profanity and offensive and inflammatory public speech are prohibited.

b. *Location.* Public art shall be displayed outside in a location visible from the street. Appropriate locations include entry driveways, landscaped front and corner side setbacks, plazas, building facades, and courtyards.

c. *Art Valuation.* Allowable costs for public art in a private development include the purchase price of the art and installation costs, including transportation to the site, lighting costs, art consultant fees, and the costs of an identification plaque and appropriate signage. Ineligible costs are land acquisition, site preparation, travel costs for the artist, architects, fees, utility fees, and fees associated with dedication ceremonies, publicity, ~~or~~ educational components, maintenance, and repairs and any citywide fees for public art.

d. *Timing of Installation.* Public art shall be installed prior to issuance of a certificate of occupancy; however, the Director may allow the installation of public art at a later time if the applicant has filed adequate security to guarantee later installation. This security may be in the form of a developer-furnished bond, letter of credit, cash deposit or similar security instrument along with an agreement to install the required art that is acceptable to the Director and the City Attorney.

e. *Identification Plaque.* An identification plaque, made of cast metal, shall be installed near~~t~~ the art piece and include the date, title and artist's name.

f. *OPTIONAL Art Permit Required.* An Art Permit, issued by the Director of Development Services shall be required for the installation of public art in private development. This permit must be requested prior to issuance of a building permit; in a phased project, the Director may determine which phase of development triggers the need for the Art Permit. The application for the Art Permit shall be in the form established by the Director, and include at a minimum, a site plan indicating the location and orientation of the art, a lighting plan, and landscaping, as appropriate, "to-scale" drawings of the art piece, color elevation renderings of the art piece at its proposed location, material samples, information on the artist's past work, and a statement about what the art is to represent for the City. The Director may approve a Master Art Permit when the installation of multiple pieces of art is proposed on a large site.

g. *County Recordation.* Prior to completion of the art installation, the owners of the property shall record in the office of the San Bernardino Recorder-County Clerk a description of the art piece and the obligation of present and future owners to maintain and repair the art.

7. ***Off-site Bicycle and Trail Improvements.*** To qualify as a bonusable amenity, an off-site bicycle or trail improvement must meet the following standards:

   a. *Eligible improvements.* A proposed off-site bicycle improvement must be identified as one of the Proposed Bicycle Facilities in the Infrastructure Element of the General Plan. A proposed off-site trail improvement must be identified as one of the Planned Multi-Use Trails in the Parks, Recreation and Community Element of the General Plan.

   b. *Design standards.* The proposed bicycle or trail ~~traail~~ improvement shall be required to meet the standards established in the Design Guide for the City's adopted Bicycle and Pedestrian Master Plan.

   c. *Site approval required.* All off-site bicycle and trail improvements are subject to site approval by the Planning Commission.

D. **Modifications of On-Site Amenities.**

1. ***Prior to Issuance of Building Permit***. No on-site amenity for which a floor area bonus has been granted may be eliminated or reduced in size without the approval of the Planning Commission. To grant such approval, the Planning Commission must find that there is a corresponding reduction in intensity, height, and/or density, a substitution of an equivalent on-site amenity, or a combination of the two.

2. ***Prior to Issuance of Certificate of Occupancy.*** Before a certificate of occupancy is issued for a project, the applicant shall provide information to the Director of Development Services that the bonus points upon which the project's floor area ratio was based have, in fact, been achieved. If the number of bonus points achieved by the completed project is less than required, the applicant shall contribute one-tenth of one percent (0.1%) of construction valuation per point of shortfall to the City of Chino Parks Improvement Fund. Such contribution shall be made before a certificate of occupancy is issued.

E. **Transfer of Floor Area in BMU District.** A property owner or developer may submit a request as part of the development application to transfer an allowance for floor area that is not used in a development in the BMU district to another site anywhere in the BMU district. For purposes to this provision, the amount of unused floor area is the difference between the maximum amount of floor area allowed by the maximum FAR (1.0), including bonus FAR earned with qualifying amenities and the pre-existing floor area on the "sending site." Potential development on the "receiving site" shall include sufficient points for community amenities on-site, calculated pursuant to subsection (B) above to qualify for the bonus floor area requested, which is received as a result of the transfer and may exceed the FAR limits that otherwise would apply. The points for community amenities also may be earned by development on the sending site. This development right for unused floor area may be transferred to an intermediate transferee, such as the City or a nonprofit organization, prior to the time which its uses on a "receiving site" has been approved.

   ~~i.~~1. No transfer of unused floor area shall be recognized by the City until the Director of Development Services receives an application for approval of a transfer of floor area, confirms that the amount of floor area to be transferred represents the amount of unused floor area on the "sending site," and specifies the required community benefits for any bonus floor that must be provided and the performance guarantees the City will require. The Director shall issue a

written statement of his/her findings as to the amount of floor area eligible to be transferred and the community benefits required for bonus floor area. The Director of Development Services'~~s~~ statement shall not be construed as granting any entitlement granting any entitlement to approval of the proposed use of transferred floor area, which can only be done through a separate development.

~~ii.~~2. After a development right to unused floor area has been transferred, the "sending site" shall not be further subdivided or developed to a greater intensity than permitted under the remaining development right.

~~iii.~~3. An instrument of transfer acceptable to the City Attorney shall be prepared and executed by the transferor and the transferee. The costs of the City Attorney's review shall be paid by the applicant. The instrument shall include a legal description, the Director of Development Service's confirmation of the amount of floor area to be transferred and conditions for approval of any bonus floor based on community amenities to be provided, and a covenant that the transferor irrevocably grants and transfers to the transferees and the transferee's heirs and successors a development right to a specified amount of unused floor area to be used on the "receiving site."

~~iv.~~4. A certified copy of the original instrument of transfer shall be delivered to the Director of Development Services along with the required filing fee, and the Director shall then file it for record in the San Bernardino County Clerk-Recorder's Office

~~v.~~5. The development rights to unused floor area may be transferred to the City for the City's subsequent use on a "receiving site" in the BMU District.

~~vi.~~6. After the instrument of transfer has been executed and recorded, the owner of the "receiving site" may submit an application for use of the transferred floor area in a development on the "receiving site." This application shall be subject to site approval by the Planning Commission, and the proposed development must conform to all of the standards otherwise applicable to development in the BMU district except the floor area ratio, which shall be adjusted based on the amount of transferred floor area and bonus floor area allowed.

Chapter 20.203 – COMMERCIAL ZONING DISTRICTS

Sections:

20.203.010 – General Purpose
20.203.020 – District Purposes
20.203.030 – Use Regulations
20.203.040 – Development Standards

20.203.010 – General Purpose

The general purpose of commercial zoning districts is to:

A. Provide locations for commercial uses to meet the needs of Chino residents and visitors in attractive, human-scale development that enhances a "small town" sense of place.

B. Promote a diverse local economy that is growth-oriented and dynamic.

C. Provide locations for land uses that generate sales tax revenue for the City.

D. Increase the number of high-paying jobs available to Chino residents.

E. Increase the ability for Chino residents to be able to live and work in the city.

F. Provide landscaping and pedestrian amenities in neighborhood and community shopping centers.

20.203.020 – District Purposes

The specific purpose of each commercial zoning district is as follows:

A. **Commercial Neighborhood (CN).** The purpose of this district is to promote retail and personal service uses to meet the needs of local residents within a service radius of approximately one mile in centers within close proximity to residential neighborhoods. Permitted uses include grocery stores, drug stores, convenience stores, banks, dry cleaners, barber shops, beauty salons, laundromats, eating and drinking establishments and commercial sports and recreational uses. Neighborhood commercial uses are typically located at intersections along arterial streets. Typically, centers in the CN district include a larger anchor tenant, such as a supermarket, together with a variety of smaller shops, banks, personal services, eating and drinking establishments, and commercial sports and recreational uses. The CN district is not intended for uses, such as department stores and "big box" stores for large format retail, that serve the city as a whole or the larger region. The CN district allows an FAR of up to 0.3. ~~The purpose of this district is to promote shopping centers within close proximity to residential neighborhoods. Typically, centers in the CN district include a larger anchor tenant, such as a supermarket, together with a variety of smaller shops. The CN district is not intended for uses, such as department stores, that serve the city as a whole or the larger region. The CN district allows an FAR of up to 0.3.~~

B. **Commercial General (CG).** The purpose of this district is to provide commercial areas to meet the daily and occasional shopping needs of Chino residents and visitors to Chino. The CG district allows

a wide variety of commercial uses, including ~~office and restaurant uses to serve residents, employees and visitors throughout the city. The CG district allows an FAR of up to 1.0.~~ ; professional offices, retail, business and personal services, entertainment, and restaurant uses, and other uses typically found in shopping centers~~.~~ to serve residents, employees and visitors throughout the city. Gas stations, electric vehicle charging stations, and automobile sales also are permitted. Minimum parcel size is two acres. The CG district allows an FAR of up to 0.4. ~~office and restaurant uses to serve residents, employees and visitors throughout the city. The CG district allows an FAR of up to 1.0.~~

~~**Commercial Office (CO).** The purpose of this district is to accommodate the expansion of the job and economic base of the City of Chino and to provide more Chino residents with the potential to work in the city. The CO district provides sites for office and research and development uses that accommodate high-tech, medical/hospital, legal, financial, insurance, government and similar activities. Supporting business and commercial services also are allowed. The CO district allows an FAR of up to 1.0.~~

~~**Commercial Regional (CR).** The purpose of this district is to provide an area for commercial uses that serve a regional market. A wide range of commercial uses are permitted in the CR district, including department stores, home furnishings and appliance stores, apparel stores, specialty retail stores and restaurants. The CR district allows an FAR of up to 0.6.~~

C. **Commercial Service (CS).** The purpose of this district is to provide for a mix of heavy commercial and service-oriented businesses that require efficient access to high volume roadways. Typical uses include auto and equipment sales, repair and maintenance; lumber yards and construction materials sale; nurseries; and other specialty retailing as well as restaurants, hotels/motels, and commercial recreation and entertainment uses. This district is intended to provide locations for heavy commercial and service-oriented businesses and certain light industrial uses, particularly service industries for agricultural, commercial and industrial uses. ~~The purpose of this district is to provide a central location for heavy commercial and certain light industrial uses, particularly service industries for agricultural, commercial and industrial uses.~~ The CS district allows an FAR of up to 0.6.

20.203.030 – Use Regulations

A. **Permitted Uses.** Table 20.~~0620406~~203-1 identifies land uses permitted in each commercial district. Numbers in the table refer to notes following the table.

TABLE 20.203-1 LAND USES PERMITTED IN EACH COMMERCIAL DISTRICT

(P = Permitted by right; A = Administrative approval required; C = Conditional Use Permit required; T = Temporary use Permit required; ■ = Not allowed)

Uses	*Zoning District*			*Additional Regulations*
	CN	*CG*	*CS*	
Residential Uses				
Group Homes and Facilities	■	C	■	Sec. 20.514.210
~~Senior Housing Projects~~	~~■~~	~~C~~	~~C~~	~~Sec. 20.513.480~~
~~Congregate Care Facilities~~	~~■~~	~~C~~	~~C~~	~~Sec. 20.512.140.~~

Uses	Zoning District			Additional Regulations
	CN	CG	CS	
Live/Work	■	■	C	Sec. 20.514.290
Residential Care Facilities, Large	■	C	■C	Sec. 20.514.470
Residential Care Facilities, Small	■■	~~C~~P	■	Sec. 20.514.470
Caretaker Quarters	■	■	P	Sec. 20.514.080
Public and Quasi-Public Uses				
Places of Assembly				
Places of Worship, Community Scale	C	C	■	
Places of Worship, Regional Scale	■	C	■	
Places of Worship, Small Storefront	A	A	■	
Places of Worship, Large Storefront	A	A	■	
Clubs and Lodges	C	C	■	
Cultural and ~~Institutional~~ Entertainment Uses				
Live Theaters and Auditoriums	■	~~C~~P	■	
Motion Picture Theaters	■	P	C	
Music/Comedy Venues	■	P	C	
Libraries	~~C~~P	~~C~~P	■	
Museums and Art Galleries	~~C~~P	~~C~~P	~~C~~P	
~~Botanical Gardens and Zoological Gardens~~Arboretums	■	~~C~~	■	
Health Services				
Hospitals	■	C	C	
Medical Clinics and Labs	P	P	P	
Medical Offices	P	P	P	
~~Medical Marijuana Dispensary~~	■	■	■	
Educational Uses				
Schools, Public or Private ~~- Less Than 150 Students~~	■	~~C~~C	■	
Trade and Vocational Schools	■	~~C~~P[1]	■	
Schools for Personal Enrichment and Fulfillment- (Including but not limited to culinary arts, pottery, music, candle making, dance, fashion/textiles, quilting classes)	~~A~~P[1]	~~A~~P[1]	~~A~~P[1]	Sec. 20.514.490
Tutoring Center	P	P	P	
Gym/Athletic Instruction, Minor	~~A~~P	~~A~~P	~~A~~P	Sec. 20.514.230
Gym/Athletic Instruction, Major	■	~~C~~A	~~C~~A	Sec. 20.514.230
Gym/Athletic Instruction,	~~A~~P	P	~~A~~P	Sec. 20.514.230
Small/Boutique Fitness Studio	P	P	P	
Child/Adult Care Services				
~~Child~~ Child/Adult Day Care Centers	~~C~~A	~~C~~A	■	Sec. 20.514.150

Uses	Zoning District			Additional Regulations
	CN	CG	CS	
~~Day Care Facilities, Adult~~	~~C~~	~~C~~	~~■~~	
Other Community Services				
Emergency Shelters	■	C	P	Sec. 20.514.170
Social Services, Charitable Institutions and Services	C	C	C	
Public Safety Facilities	C	C	C	
Commercial Uses				
Retail				
~~Retail,~~ General	P[5]	P	P	
~~Carts and Kiosks~~Outdoor Vendors	A	A	■	Sec. 20.514.410
~~Retail,~~ Thrift, ~~and~~ Vintage, and Consignment ~~Secondhand Stores~~	P	P	P	
Pet Store (Including Grooming, Boarding. Training)	P	P	P	
~~Animal Sales and Services~~ Pet Grooming	P	P	P	
Pet Boarding	P	P	P	
Pet Training	P	P	P	
Veterinary Clinics	~~■~~P	~~C~~P	~~C~~P	
Commercial Nurseries/ Garden Center	C	P	P	Sec. 20.514.100
Farmers' Markets	P	P	■	Sec. 20.514.200
Guns and Ammunition Sales	■	C	■	
Smoke Shops and Retail Tobacco Sales	■	C	■	Sec. 20.514.520
Alcoholic Beverage Sales	~~A/C~~P/C	~~A/C~~P/C	~~A/C~~P/C	Sec. 20.514.030
Pawn Shops	■	■	~~C~~P C	
Adult Oriented Businesses	■	■	C	
Cannabis Retailer (Dispensary)	~~■~~	~~■~~	■	
Indoor Swap Meets	■	~~■~~ C	C	
Outdoor Swap Meets	■	C	■	
Vehicle Sales and Services				
Automobile Sales and Services	~~■~~P[2]	~~C~~P[2]	~~C~~P[2]	Sec. 20.514.070
Automobile Rental	~~■~~P/A [3]	~~A/C~~P/A	~~A/C~~P/A [3]	Sec. 20.514.060
Truck and Trailer Rental	■	■	~~C~~P	Sec. 20.514.060
Vehicle Parts and Accessories Sales	P	P	P	Sec. 20.514.560
Vehicle Customization Service	P	P	P	
Car Wash	■	C	C	
Bus and Large Truck Cleaning	■	■	■	
Vehicle Repair Garage	■	A	A	Sec. 20.514.570
Bus and Large Truck Repair and Maintenance	■	■	C	
Paint or Auto Body Repair, Indoor	■	C	C	

Uses	Zoning District			Additional Regulations
	CN	CG	CS	
Vehicle Towing Service and Towed Vehicle Storage	■	■	P/C if yard for towed vehicles	
Gas and Service Stations	C	P	P	Sec. 20.514.510
Eating and Drinking Establishments				
Restaurant	P	P	~~C~~P	
Restaurant, Drive-Throughu~~-~~ Facility	~~C~~P	P	~~C~~P	Sec. 20.514.160
Bars, Nightclubs and Lounges	■	C	C	Sec. 20.514.340
Cigar Lounges and Hookah Bars	■	P ~~C~~	P ~~C~~	Sec. 20.514.090
Micro-brewery and Micro-distillery	■	A/P[4] ~~C~~	A/P[4] ~~C~~	Sec. 20.514.030
Banquet Facilities	■	~~C~~P	C	
Transient Occupancy				
Bed and Breakfast	■ P	~~C~~ P	■ P	Sec. 20.514.270
Hotels and Motels	■P	~~C~~P	P	Sec. 20.514.270
Commercial Services				
Offices	P	P	P	
~~Offices, Service~~	~~P~~	~~P~~	~~P~~	
Personal Services	P	P	P	
Personal Services, Restricted	■	■	C	
Tattoo, Body Piercing and Body Art	P	P	P	
Business Support Services	P	P	P	
Banks, Retail	P	P	P	
~~Check Cashing Services~~Non-traditional Financial Institutions	■	■	A~~C~~	Sec. 20.514.350
~~Payday Advance Services~~	■	~~P~~	~~P~~	.
~~Cyber Cafes~~	■	~~C~~	~~C~~	~~Sec. 20.21.310~~
Day Spas/ Wellness Centers	■P	~~C~~P	■P	
Massage Establishments	■C	C	C	Chapter 5.24 and Sec. 20.514.320
Funeral Parlors, Mortuaries and Crematories	■	C	C	
Fortunetelling	■	P	P	
Entertainment-Related Services				
~~Motion Picture Production and Distribution Services~~	■	~~C~~	~~C~~	
Recording and Podcast Studios	■	P	P	
Broadcasting Studios	■	~~C~~P	~~C~~P	
Recreational Uses				

Uses	Zoning District			Additional Regulations
	CN	CG	CS	
Commercial Recreation (Including but not limited to_Indoor Trampoline Parks, Axe Throwing, Escape Room, Laser Tag, _Indoor Virtual/Miniature Golf, Immersive Experience. Amusement Centers, Karaoke)	~~P~~A	~~C~~P	P	Sec. 20.514.110
Outdoor Golf Courses, Miniature	■	C	■	
Parks and Recreational Facilities	P	P	P	
Sports Stadium or Arenas	■	~~■~~C	~~■~~C	
Amusement or Theme Park	■	■	■	
Industrial				
Manufacturing and Processing				
Manufacturing and Processing, Light	■	■	P	
Food Preparation (including Ghost Kitchen, Test Kitchen, Catering)	■	P	P	
Recycling				
Recycling Facilities, Small Collection	A	A	A	Sec. 20.501.040
Recycling Facilities, Large Collection	■	■	■	Sec. 20.501.040
Recycling Facilities, Reverse Vending Machines	A	A	A	Sec. 20.501.040
Warehousing and Storage				
Warehousing, Very Light (<25,000 sq ft)	■	■	P	Sec. 20.514.590
Outdoor Storage, Incidental	A	A	A	Sec. 20.514.400
Outdoor Storage, as a Primary Use	■	■	■	Sec. 20.514.400
Other Industrial				
Equipment Rental and Sales, Light Equipment	■	C	P	Sec. 20.514.180
Transportation, Telecommunications and Utilities				
EV Charging Stations	P	P	P	Sec. 20.511.100
Transportation Terminals~~/Truck Stops~~	■	C	C	
Parking Facilities	■	C	C	
Utilities, Major	C	C	C	
Utilities, Minor	C	C	C	
Wireless Facilities	WTFPP	WTFPP	WTFPP	Chapter 20.515
Solar Panels, Incidental – Including Solar Carports	~~A~~P	~~A~~P	~~A~~P	Sec. 20.501.050
Wind Turbines, Incidental	■	■	■	Sec. 20.501.050
Agricultural Uses, Activities and Facilities				
Crop Cultivation	A	A	A	Sec. 20.514.020
Agricultural Product Stands	I	I	I	Sec. 20.514.020

Notes:

1. A conditional use permit is required if student capacity exceeds 150.
2. Development Agreement Required~~:~~, Chapter 20.603.040.
3. Maximum of 10 vehicles stored on-site; administrative approval required for more than 10 vehicles.
4. Permitted if associated with a restaurant on-site; otherwise administrative approval required.
5. Large format retail sales are not allowed.

B. **Additional Land Use Regulations.**

1. ***Multiple Tenancies in Large Format Retail and Grocery Stores***. Multiple tenants, either with leases or subleases, are permitted in large format retail stores and groceries, including business, medical, and personal services, pharmacies, banking services, telecommunications providers, and meal providers. Non-retail businesses shall not occupy more than 20 percent of the total gross floor area. All tenant signage is subject to Title 16 (Signs).

2. ***Qualifying Housing Development on Land Owned by Educational and Religious Institutions.*** Housing development on land owned by educational or religious institutions meeting the criteria of Government Code Section 65913.16 are allowed by right with ministerial approval and a finding by the Director of Development Services that applicable objective design standards have been met.

3. ***Qualifying Housing Development under Defined Criteria.*** Qualifying housing development meeting the criteria of Government Code Section 65912.110 through 65912.131 are allowed by right with ministerial approval and a finding by the Director of Development Services that applicable objective design standards have been met. See Section 20.603.110 (Special Procedures for Accessory Dwelling Units and Farmworkers Housing).

20.203.040 – Development Standards

A. **General Standards.** Table 20.~~06~~203-2 identifies development standards that apply to all lots and structures located in commercial zoning districts.

TABLE 20.203-2 COMMERCIAL DEVELOPMENT STANDARDS

~~Item~~	~~Additional Standards~~ (CO district deleted)			
	Zoning Districts			Additional Standards
Item	CN	CG	CS	
Site Requirements				
Lot Area, Minimum	~~5 acres~~6,000 sq. ft.	6,000 sq. ft.	~~1 acre~~6,000 sq. ft.	
Lot Width, Minimum	■	■	■	
Lot Depth, Minimum	■	■	■	
Landscape Coverage, Minimum	15%	10%	10%	
Off-Street Parking and Loading				

~~Item~~	~~Additional Standards~~ (CO district deleted) Zoning Districts			Additional Standards
Item	CN	CG	CS	
Building Requirements				
Building Setbacks, Minimum				
Street	25 ft.	20 ft.	25 ft.	
Interior Rear	25 ft.	0 ft.	0 ft.	Sec. 20.203.040.B.1
Interior Side	25 ft.	0 ft.	0 ft.	Sec. 20.203.040.B.1
Minimum Separation Between Buildings or Structures	10 ft.	10 ft.	Subject to UBC	
Maximum Lot Coverage	30%	40%	45%	
Floor Area Ratio (FAR)	0.30	1.0	0.6	
Building Height, Maximum				
Stories	~~1~~2	8	2.5	
Feet	35 ft.	120 ft.	35 ft.	

B. **Additional Development Standards.** The following additional standards apply to lots and structures located in commercial zoning districts.

~~1. On developments two or more stories in height, an additional 10 feet of building setback shall be provided for each story after the first.~~

~~2.~~1. Within the CG, ~~CO~~CS, and CN zones, properties that abut a residential zone shall provide a minimum setback of 20 feet, and the requirements of Section 20.501.070 (Screening and Landscape Buffer Yards on Common Lot Lines for Certain Uses) also apply. Additionally, a ~~six~~6~~cight~~-foot-high masonry block wall shall be constructed at the property line. The five feet nearest the wall shall consist of a landscape screen which will reach a height of at least 10 feet.

~~3.~~2. Design standards for commercial uses are established in Sections 20.507.070, and design standards for office uses are in Section 20.507.080 (Office Design Standards). However. within the CS zone, these design standards shall not apply to pre-existing, legally conforming uses that propose to alter or expand a building or use on an infill site, which will provide economic benefit to the community and fiscal benefits to the City. The Director of Development Services also may allow adjustments in minimum building setbacks, minimum landscaping, and maximum lot coverage standards established in Table 20.203-2 if needed to provide a reasonable accommodation for a proposed expansion or alteration of a pre- existing building on an infill site.

Chapter 20.204 – INDUSTRIAL ZONING DISTRICTS

Sections:

20.204.010 – General Purpose
20.204.020 – District Purposes
20.204.030 – Use Regulations
20.204.040 – Development Standards

20.204.010 – General Purpose

The general purpose of industrial zoning districts is to:

A. Provide appropriate locations for all types of ~~distributive, industrial and related~~industrial, manufacturing, and warehousing activities, including logistics uses development.

B. Protect industrial activities by preventing incompatible uses from locating within industrial districts.

C. Maintain an adequate supply industrial land to accommodate future industrial growth and development.

D. Support a dynamic and innovative local economy.

E. Ensure that industrial and related uses enjoy convenient access to the regional transportation system.

F. Provide quality jobs that are available to residents of all income levels.

G. Minimize the impacts of industrial activities on adjacent uses to the extent possible.

H. Ensure the design of industrial structures that enhances the image of the city.

20.204.020 – District Purposes

The specific purpose of each industrial zoning district is as follows:

A. **Business Park (BP).** The purpose of this district is to provide for the business needs of industrial park employers and employees. The predominant uses will be businesses that primarily provide support services to industrial development, such as offices for engineers, sales representatives or other manufacturing service types of businesses, restaurants, and space for distributors and other retail outlets. Small manufacturing firms also may be allowed if operations can be accomplished entirely indoors and are related to the service needs of manufacturers. ~~a combination of commercial offices and industrial uses in a campus-like setting. The BP district provides areas for larger employment centers with reduced traffic congestion and allows for limited industrial activities which are compatible with intensive office development.~~ The BP district allows for a maximum FAR of 0.6.

B. **Light Industrial (M 1).** The purpose of this district is to provide areas for production, distribution, and repair-oriented businesses that typically generate less pollution, noise, or odors than General Industrial uses. A wide range of uses are permitted, including manufacturing, assembly, fabrication, packaging, storage, repair and maintenance yards, utility plants, recycling centers and similar facilities.

Production-oriented uses such as creative uses and maker spaces; studios; media production; printing and publishing; distilleries; wine-making facilities; micro-breweries; tech start-ups; and research and development facilities. Accessory office and retail are also permitted. ~~manufacturing which can be considered light in nature by reason of its size, activity and performance characteristics. It is intended that the M 1 district is used to provide for a wide variety of manufacturing uses that produce relatively limited volumes of traffic, noise, odors or pollutants.~~ The M 1 district allows for a maximum FAR of 0.6.

C. **General Industrial Zone (M 2).** The purpose of this district is to provide areas for industrial activities, including general industrial, heavy industrial, and manufacturing uses that may generate heavy traffic, noise, or odors. Establishments located in these areas typically require large parcels of land with good truck and/or rail access. Due to the nature of their operation, uses in this designation require a degree of separation from residential, retail, restaurant, hotel and other sensitive uses~~a broad range of industrial uses. The M 2 district allows for manufacturing, utilities and related uses that are not compatible with commercial or residential uses. The location of the M 2 district is intended~~ Good neighbor standards will minimize impacts of ~~heavy industrial~~ warehouses and logistics activities in Chino on residential and other protected land uses. The M 2 district allows for a maximum FAR of 0.6.

D. **Airport Development Zone (AD).** The purpose of this district is to provide areas for the operation of airport and aviation facilities, services and administrative uses, as well as incidental office uses. The AD district also provides areas for air freight handling facilities, aircraft hangars and public transportation and related facilities, including aircraft fuel and supply services.

20.204.030 – Use Regulations

A. **Permitted Uses.** Table 20.~~07~~204-1 identifies land uses permitted in each industrial zoning district. Notes in Parenthesis ([1]) refer to additional regulations at the end of the table.

TABLE 20.204-1 LAND USE REGULATIONS FOR INDUSTRIAL ZONING DISTRICTS

(P = Permitted by right; A = Administrative approval required; C = Conditional Use Permit required; T = Temporary use Permit required; ■ = Not allowed)

	Zoning Districts				*Additional*
Uses	*BP*	*M1*	*M2*	*AD*	*Regulations*
Residential Uses					
~~Live/Work~~	~~C~~	~~■~~	~~■~~	~~■~~	~~Sec.~~
Caretaker Quarters	C	C	C	C	Sec. 20.514.080
Public and Quasi-Public Uses					
Places of Assembly					
Places of Worship, Community Scale	C	C	C	■	
Places of Worship, Regional Scale	C	C	C	■	
Places of Worship, Small Storefront	A	A	A	■	
Places of Worship, Large Storefront	C	C	C	■	
Clubs and Lodges	C	■	■	■	
Health Services					
Cannabis Retailer (Dispensary)	■	■	■	■	

TABLE 20.204-1 LAND USE REGULATIONS FOR INDUSTRIAL ZONING DISTRICTS

(P = Permitted by right; A = Administrative approval required; C = Conditional Use Permit required; T = Temporary use Permit required; ■ = Not allowed)

	Zoning Districts				*Additional*
Uses	*BP*	*M1*	*M2*	*AD*	*Regulations*
Medical Clinics ~~and Labs~~	P	P	■	■	Sec. 20.514.250
Medical Laboratories	P	P	P	■	
Medical and Dental Offices	P	P~~A~~	■	■	Sec. 20.514.250
~~Medical Marijuana Dispensary~~	■	■	■	■	
Educational Uses					
Trade and Vocational Schools	~~C~~A	■A	■	A [1]	
Schools for Personal Enrichment and Fulfillment	A	A■	A■	A [1]	
Gym/Athletic Instruction, Minor	~~A~~P	■A	■A	■	Sec. 20.514.230
Gym/Athletic Instruction, Major	■A	A~~C~~	A~~C~~	A■	Sec. 20.514.230
Small/Boutique Fitness Studio	P	A	■	■	
Other Community Services					
Public Safety Facilities	P~~C~~	P~~C~~	P~~C~~	P~~C~~	
S~~ocial Services, Charitable Institutions and Service~~Non-Profits Organizations and Human Services.	C	■	■	■	
Commercial Uses					
~~*Retail*~~					
Guns and Ammunition Sales	A	A	■	■	Sec. 20.514.220
~~Cart/Kiosk~~Outdoor Vendor	A	A■	A■	■	Sec. 20.514.410
Animal Sales and Services	C	■	■	■	
Pet Stores (including Grooming, Boarding and Training)	C	■	■	■	
Pet Grooming	C	■	■	■	
Pet Boarding	C	■	■	■	
Pet Training	C	■	■	■	
Veterinary Clinics	~~C~~P	~~C~~A	~~C~~A	■	
Alcoholic Beverage Sales	~~A/C~~/C P	~~A/C~~P/C	~~A/C~~P/C	~~A/C~~P/C	Sec. 20.514.030
Vehicle Sales and Services					
Automobile Sales and Services	P	P	P	■P	Sec. 20.514.070
Automobile Rental	~~A/C~~P/ A	■	■	~~A/C~~P/A	Sec. 20.514.060
Truck and Trailer Rental	■	~~A/C~~A~~P~~	A~~A/C~~P	■	Sec. 20.514.060
Automobile, Light Truck and Van Cleaning	■P	~~I~~P	~~I~~P	■	
~~Bus and Large Truck Cleaning~~Car Wash	■	C	C	■	
Vehicle Customization Service	A	P	P	■	
Vehicle Repair ~~and Maintenance~~Garage	~~C~~A	P	P	P [1]	Sec. 20.514.570
Indoor Paint or Auto Body Repair	■	~~C~~P~~A~~	~~C~~P~~A~~	P [1]	

TABLE 20.204-1 LAND USE REGULATIONS FOR INDUSTRIAL ZONING DISTRICTS

(P = Permitted by right; A = Administrative approval required; C = Conditional Use Permit required; T = Temporary use Permit required; ■ = Not allowed)

	Zoning Districts				Additional
Uses	*BP*	*M1*	*M2*	*AD*	*Regulations*
Bus and Large Truck Repair and Maintenance	■	C	P	■	
Vehicle Towing Service and Towed Vehicle Storage	■	~~A/~~C	~~A/~~C	■	Sec. 20.514.580
Gas and Service Stations	~~C~~A	~~C~~A	~~C~~A	~~P~~ A [1]	Sec. 20.514.510
Eating and Drinking Establishments					
Bars, Nightclubs and Lounges	■	■	■	C	
Restaurant	~~C~~P	~~C~~P	~~C~~P	~~A~~P	
Restaurant, Drive-~~Thru~~ Through Facility	~~C~~P	~~C~~P	~~C~~P	■P	Sec. 20.514.160
Transient Occupancy					
Hotels and Motels	■P	■P	■P	P	
~~Bars, Nightclubs and Lounges~~	■	■	■	~~C~~	
Commercial Services					
Offices, ~~Professional/Business~~	P	P	P	I [1]	Sec. 20.514.360
~~Offices, Service~~	~~P~~	■	■	~~I [1]~~	
Trade Services	P	P	P	A[1]	
Personal Services	P~~C~~[3]	■	■	■	
Tattoo, Body Piercing and Body Art	P	■	■	■	
Business Support Services	P	P	P	A [1]	
~~Banks, Retail~~	~~C~~	■	■	■	
Entertainment-Related Services					
Motion Picture and Film ~~Production and Distribution~~ Services	P~~C~~	P■	P■	■	
Recording/Podcast Studios	A	A■	A■	A■	Sec. 20.514.450
Broadcasting Studios	A~~C~~	A~~C~~	A~~C~~	A■	
Recreational Uses					
Commercial Recreation (Including but not limited to_Indoor Trampoline Parks, Axe Throwing, Escape Room, Laser Tag, Indoor Virtual/Miniature Golf, Immersive Experience. Amusement Centers, Karaoke)	■	C	C	■	Sec. 20.514.110
Indoor Shooting Range	C	C	C	■	
Parks and Recreational Facilities	C	C	C	■	
Pistol, Skeet, Rifle and Archery Ranges	■	C	C	■	
Industrial					
Manufacturing and Processing (New Manufacturing and Processing facilities larger than 500,000 sq.ft.[2] will require a development agreement)					
Manufacturing and Processing, Light	P	P	P	P [1]	
Manufacturing and Processing, General	■	P	P	P [1]	
Manufacturing and Processing, Heavy	■	■	C	C [1]	

TABLE 20.204-1 LAND USE REGULATIONS FOR INDUSTRIAL ZONING DISTRICTS

(P = Permitted by right; A = Administrative approval required; C = Conditional Use Permit required; T = Temporary use Permit required; ■ = Not allowed)

	Zoning Districts				Additional
Uses	*BP*	*M1*	*M2*	*AD*	*Regulations*
Manufacturing and Processing, Outdoor	■	■	C	■	
Food Preparation (including Ghost Kitchen, Test Kitchen, Catering)	P	P	■P	■	
Food and Beverage Manufacturing	P	P	P	■	
~~Spray Booths, Incidental~~	~~P~~	~~P~~	~~P~~	~~P~~	
Hazardous Materials					
Hazardous Waste Collection	I	I	I	■	Sec. 20.514.240
Hazardous Waste Treatment and Disposal	■	■	C	■	Sec. 20.514.240
Household Hazardous Waste Collection Center	■	C	C	■	Sec. 20.514.240
Recycling					
Recycling Facilities, Large Collection	■	C~~P~~	C~~P~~	■	Sec. 20.501.040
Recycling Facilities, Light Processing	■	C	C~~P~~	■	Sec. 20.501.040
Recycling Facilities, Heavy Processing	■	■	C	■	Sec. 20.501.040
Recycling Facilities, Material Recovery Facility (MRF)	■	■	C	■	
Warehousing and Storage					
Warehousing/Wholesaling and Distribution, Very Light (<25,000 sq ft)	P	P	P	A [1]	Sec. 20.514.590
Warehousing/Wholesaling and Distribution, Light (25,000 to 50,000 sq ft)	P~~■~~	P	P	A [1]	Sec. 20.514.590
Warehousing/Wholesaling and Distribution, General (>50,000 sq ft) (New Industrial Buildings larger than 500,000 sq. ft. [2] will require a Development Agreement.)	■	C	P	A [1]	Sec. 20.514.590
Public/~~Mini~~ Self-Storage	C[2]	C[2]	C[2]	■	Sec. 20.514.440
Other Industrial					
Data Center	■	■	C[2]	■	Sec. 20.514.140
Equipment Rental and Sales, Light Equipment	P	~~C~~P	~~C~~P	~~C~~ P [1]	Sec. 20.514.180
Equipment Rental and Sales, Heavy Equipment	■	■C	C	C [1]	Sec. 20.514.180
Ancillary Industrial Facilities	A	A	A	A [1]	Sec. 20.514.040
Food Truck Commissary	P	P	P	■	
Outdoor Storage, Incidental	A	P	P	P	Sec. 20.514.400
Outdoor Storage, as a Primary Use (New Truck/Trailer Storage [2] requires a Development Agreement)	■	C	C	C	Sec. 20.514.400
Retail Sales in Conjunction with Warehousing and Manufacturing	I	I	I	I	Sec. 20.514.480
Slaughter Houses	■	■	C	■	
Micro-brewery and Micro-distillery	~~C~~P	~~C~~P	~~C~~P	~~C~~P	Sec. 20.513.030
Research Laboratory	P	P	P	P	

TABLE 20.204-1 LAND USE REGULATIONS FOR INDUSTRIAL ZONING DISTRICTS

(P = Permitted by right; A = Administrative approval required; C = Conditional Use Permit required; T = Temporary use Permit required; ■ = Not allowed)

	Zoning Districts				Additional
Uses	*BP*	*M1*	*M2*	*AD*	*Regulations*
Transportation, Telecommunications and Utilities					
Battery Energy Storage Facility	C[2]	C[2]	C[2]	C[2]	
Heliports	C	C	C	P	
Transportation Terminals	C	C	C	C~~P~~	
Dry Port	■	C[2]	C[2]	C[2]	
Weigh Stations	■	C	C	P	
Parking Facilities	C	P	P	P	
Vehicle Storage Condominium Facility	C	P	P	P	
Utilities, Major	■	C	C	P	
Utilities, Minor	■	C	P	P	
Wireless Facilities	WTFP P	WTFPP	WTFPP	WTFPP	Chapter 20.515
Solar Panels, Incidental	~~A~~P	~~A~~P	~~A~~P	~~A~~P	Sec. 20.501.050
Wind Turbines, Incidental	■	C	C	C	Sec. 20.501.050
Agricultural Uses, Activities and Facilities					
Controlled Environment Agriculture	A	A	A	A	
Crop Cultivation	A	A	A	A	Sec. 20.514.020
Agricultural Product Stands	I	I	I	I	Sec. 20.514.020
Kennels	■	C	C	■	Sec. 20.514.050

1. Only aviation-related uses are permitted.
2. Development agreement required, Chapter 20.603.040.
3. Laundromats are not permitted.

B. **Additional Land Use Regulations**

1. ***Multiple Tenancies in Industrial Buildings.*** Multiple tenants, either with leases or subleases, are permitted in industrial buildings consistent with Table 20.204-1, including offices and business services, medical and personal services, pharmacies, banking services, telecommunications providers, and meal providers. Businesses may co-share offices and warehouse space, and buildings may be designed with flexible spaces to accommodate tenants' needs. If permitted by Table 20.204-1, retail and service commercial uses businesses shall not occupy more than 45 percent of the total gross floor area, unless they are serving on-site employees or providing support services for major industrial uses. This restriction on retail space does not apply to showrooms for goods and equipment manufactured on-site. All tenant signage is subject to Title 16 (Signs).

20.204.040 – Development Standards

A. **General Standards.** Table 20.~~07~~204-2 identifies development standards that apply to all lots and structures located in industrial zoning districts.

TABLE 20.204-2 INDUSTRIAL DEVELOPMENT STANDARDS

		Zoning			Additional
Uses	*BP*	*M 1*	*M 2*	*AD*	*Regulations*
Site Requirements					
Lot Area, Minimum	20,000 sq. ft.	20,000 sq. ft.	1 acre	N/A	
Lot Width, Minimum	100 ft.	100 ft.	200 ft.	N/A	
Lot Depth, Minimum	100 ft.	100 ft.	200 ft.	N/A	
Landscape Coverage, Minimum	15%	10%	10%	N/A	
Off-Street Parking and Loading	See Chapter 20.~~18~~510 (Parking and Loading)				
Building Requirements					
Building Setbacks, Minimum					
Front	25 ft.	25 ft.	25 ft.	N/A	Sec. 20.204.040.B.1 and 2
Rear	0 ft.	0 ft.	0 ft.	N/A	Sec. 20.204.040.B.1and 2
Interior Side	0 ft.	0 ft.	0 ft.	N/A	Sec. 20.204.040.B.1 and 2
Street Side	25 ft.	25 ft.	25 ft.	25 ft.	Sec. 20.204.040.B.1 and 2
Minimum Separation Between Buildings or Structures	Subject to the minimum separation requirements of the Uniform Building Code				
Lot Coverage, Maximum	45%	50%	50%	N/A	
Floor Area Ratio (FAR)	0.6	0.6	0.6	N/A	
Building Height, Maximum					
Stories	N/A	N/A	N/A	N/A	
Feet	75 feet	N/A	N/A	N/A	

B. **Additional Development Standards.** The following additional standards apply to lots and structures located in industrial zoning districts.

1. An additional 15 feet of setback shall be provided for buildings that are 3 or more stories in height.

2. Industrial properties that abut a residential zone shall provide a minimum setback of 20 feet, ; and the requirements of Section 20.501.070, Screening and Landscape Buffer Yards on Common Lot Lines for Certain Uses also apply. Additionally, an eight-foot-high masonry block wall shall be constructed at the property line. The 5 feet nearest the wall shall consist of a landscape screen which will reach a height of at least 10 feet. Warehouses and logistics uses must meet the "good neighbor" standards of Section 20.514.590 (Warehouses and Logistics Uses).

~~3. Along those portions of a building wall that exceeds 25 feet in height, an additional 1 foot of building setback shall be provided for each 1-foot of building wall height in excess of 25 feet.~~

~~4.~~3. Industrial and office design standards are in Section 20.507.080 (Office Design Standards) and Section 20.507.090 (Industrial Design Standards).

C. **Additional AD Standards.** The following additional standards apply to lots and structures located in the Airport Development zoning district.

~~1. ***Setbacks from Streets.*** *All structures in the AD zoning district shall be setback a minimum of 25 feet from all streets.*~~

~~2.~~1. ***Parking.*** Parking lots serving uses with the AD zoning district shall be designed as specified in ~~Section 20.1919506.050 (Parking Lot Landscape Standards).~~last

~~3.~~2. ***Design Standards.*** All structures in the AD zoning district shall comply with the following design standards.

a. *Building Materials.* Building shall be constructed of materials that are high-quality, durable and weather resistant.

b. *Colors.* Color schemes shall be complementary with the area and setting. Accent colors shall be compatible with the main theme of the building.

c. *Reflective Surfaces.* The use of reflective surfaces and mirrored window glazing shall not interfere with airport and aircraft operations.

d. *Relationship to Surroundings.* Building colors, material, trim, accents, detailing, and architectural style shall be integrated into the overall design theme of the airport to encourage architectural visual interest.

e. *Entryways.* The building's entryways shall be designed and placed as integrated elements of the overall building design.

f. *Multiple Structures.* When multiple structures are planned as part of a single development, the design shall be in a compatible architectural style. All buildings shall be designed with four-sided elevations, with detailing on all sides.

Chapter 20.205 – AGRICULTURE, OPEN SPACE, AND PUBLIC ZONING DISTRICTS

Sections:

20.205.010 – General Purpose
20.205.020 – District Purposes
20.205.030 – Use Regulations
20.205.040 – Development Standards

20.205.010 – General Purpose

The general purpose of agriculture, open space, and public districts is to:

A. Preserve and protect agricultural and other natural resources in Chino.

B. Provide for a variety of passive and active open space areas.

C. Meet the recreational needs of a growing population.

D. Provide adequate locations for public facilities and uses.

20.205.020 – District Purposes

The specific purpose of each zoning district is as follows:

A. **General Agricultural (AG).** The purpose of this district is to provide areas for private open space uses and low-intensity agriculture on lands in the southern part of Chino. The AG district consists primarily of land used for farming, stables, pastures, and grazing. Allowable temporary uses may include recreational/sporting/~~misic~~ music events. -Public facilities such as those necessary for drainage, flood control, groundwater recharge, and public communication are also permitted. Permanent agricultural easements are encouraged in these areas.~~ general agricultural uses. Permitted uses in the AG district include livestock ranges, crop cultivation, agriculture related residences and structures, parks and recreational areas and agricultural offices. Temporary commercial recreation facilities are also permitted with the approval of a Special Conditional Use Permit, excluding any property within the City that is subject to a specific plan.~~

B. **Open Space Recreational (OS 1).** The purpose of this district is to provide areas for outdoor recreation and the preservation of natural resources. Permitted uses include active and passive recreation spaces, natural areas, parks, playgrounds, trails, recreational facilities and other similar uses. Within regional parks identified in the General Plan Parks, Recreation and Community Services Element, food and beverage concessions, lodging, and entertainment uses are conditionally permitted. ~~for a variety of types of public parks. Permitted uses and structures in the OS 1 district include active playing fields, parks, and recreation facilities, urban parks and plazas, bicycle and walking trails, fountains, landscaped areas and corridors, natural open space and wildlife areas and water recharge and detention facilities.~~

C. **Open Space Natural (OS 2).** The purpose of this district is to provide areas for open space conservation and passive recreational uses. The OS 2 district is intended to feature minimal or no development and to serve as visual buffers, natural open and wildlife corridors and water recharge and detentions/retention areas. The OS 2 district may contain hiking and biking trails and other landscaped areas. The OS 2 district is intended to preserve agricultural, cultural and historical resources, protect natural plant and animal habitats and provide links with regional habitat corridors~~.~~. Temporary commercial recreation facilities are also permitted with the approval of a ~~Special~~ Conditional Use Permit~~,~~ Recreational/music/sporting events are allowed as temporary uses.~~excluding any property within the City that is subject to a specific plan~~.

D. **Open Space Urban (OS 3).** The purpose of this district is to provide areas for open space within commercial and mixed use areas of the city, including plazas, privately-owned public open space (POPOS), and squares, consistent with the General Plan and any applicable specific plan. Permitted uses and structures include active playgrounds for children, outdoor seating and dining areas, pedestrian gathering places and walkways, fountains and public art, landscaped area, and facilities for outdoor entertainment.

E. **Public (P).** The purpose of this district is to provide locations for a range of public and quasi-public uses, including fire and police stations; government buildings; libraries; educational institutions; community centers; utilities; the Chino Airport, and other government facilities such as the California Institution for Men (CIM) and the California Institution for Women (CIW). Commercial uses may be conditionally permitted on an interim basis. Assisted living facilities and neighborhood-oriented retail are conditionally permitted uses in this designation when adjacent to existing residential and mixed use areas. Co-location of multiple public facilities on a single site is encouraged where it will increase access to community services while offering cost savings and other benefits to community service providers. The maximum permitted FAR in the P/I designation is 1.0; a lower maximum may be established on a case-by-case basis in consideration of the neighborhood context. ~~uses that support government, civic, cultural, recreational, health and infrastructure aspects of the community, such as public educational institutions, community and group meeting centers, fire stations, cemeteries and libraries. This district also accommodates large-scale public facilities such as storm water detention/retention facilities, water treatment plants, solid waste transfer stations, recycling facilities, multi-modal facilities, transit station, corporation yards, cemeteries, and landfill sites.~~

F. **Public School (PS).** The purpose of this district is to provide locations for private and public elementary, junior high, and high schools in Chino. Sites for new public schools are subject to review by the school district, and ultimate locations may not be the same as proposed ~~i~~on the General Plan Land Use Diagram. ~~public schools to serve Chino residents.~~

20.205.030 – Use Regulations

A. **Permitted Uses.** Table 20.205~~08~~-1 identifies land uses in the Agricultural, Open Space and Public zoning districts.

TABLE 20.205-1 LAND USE REGULATIONS FOR AGRICULTURAL, OPEN SPACE, AND PUBLIC ZONING DISTRICTS

(P = Permitted by right; A = Administrative approval required; C = Conditional Use Permit required; T = Temporary use Permit required; ■ = Not allowed)

	Zoning District						*Additional*
Uses	*AG*	*OS1*	*OS2*	*OS3*	*P*	*PS*	*Regulations*
Residential Uses							
Single-Family Dwellings	P	■	■	■	■	■	
Accessory Dwelling Units	P	■	■	■	■	■	Chap.20.503
Junior Accessory Dwelling Units	P	■	■	■	■	■	Chap. 20.503
Caretaker Quarters	P	■	■	■	■	■	Sec. 20.514.080
Family Day Care Homes	P	■	■	■	■	■	Sec. 20.514.150
Farm Employee Housing, Large	C	C	C	■	■	■	Sec. 20.514.190
Farm Employee Housing, Small	P	P	P	■	■	■	Sec. 20.514.190
Public and Quasi-Public Uses							
Cultural and Institutional Uses							
Theaters and Auditoriums	■	C	■	■	C	C	
Libraries	■	C	■	■	C	C	
Museums and Art Galleries	C	C	■	■	C	■	
Botanical and Zoological Gardens	C	C	■	■	C	■	
Health Services							
~~Medical Marijuana Dispensary~~Cannibis Retailer	■	■	■	■	■	~~■~~	
Hospitals	■	■	■	■	P	~~■~~	
Medical Clinics and Labs	■	■	■	■	P	■	
Medical Offices	■	■	■	■	P	■	
Educational Uses							
Schools, Public or Private	■	C	■	■	C	P	
Child Care Services							
Day Care Centers	■	C	■	■	P	■	Sec. 20.514.150
Other Community Services							
Public Safety Facilities	■	■	■	■	C	■	
Commercial Uses							
Retail							
Retail, General	■	■	■	■	C	■	Only on an interim basis

TABLE 20.205-1 LAND USE REGULATIONS FOR AGRICULTURAL, OPEN SPACE, AND PUBLIC ZONING DISTRICTS

(P = Permitted by right; A = Administrative approval required; C = Conditional Use Permit required; T = Temporary use Permit required; ■ = Not allowed)

	Zoning District						
Uses	*AG*	*OS1*	*OS2*	*OS3*	*P*	*PS*	*Additional Regulations*
Agricultural Product Stands	I	■	■	■	■	■	Sec. ~~20.21.020~~20.514.020
Office~~, Professional~~	■	■	■	■	~~C~~ P	■	
~~Social Services, Charitable Institutions and~~Nonprofit Organizations and Human Services	■	■	■	■	C	■	
Eating and Drinking Establishments							
Restaurant	■	I	■	■	~~C/I~~ P	■	
Recreational Uses							
Commercial Recreation	■	C[2]	■	■	C[2]	■	Sec. 20.514.110
Temporary Commercial Recreation Facility	C [1]	■	C [1]	■	■	■	Sec. 20.514.110
Fairgrounds	■	C	■	■	C	■	
Golf Courses	■	C	C	■	C	■	
Parks and Recreational Facilities	C	P	P	P	P	■	
Pistol, Skeet, Rifle and Archery Ranges	■	C	C	■	■	■	
Agricultural and Open Space							
Crop Cultivation	P	P	P	■	■	■	Sec. 20.514.020
Agricultural Processing, On-Site	I	■	■	■	■	■	
Dairies	P	C	C	■	■	■	Sec. 20.514.050
Ranches	P	C	C	■	■	■	Sec. 20.514.050
Kennels	P	C	■	■	■	■	Sec. 20.514.050
Stables, Commercial	P	C	■	■	■	■	
Stables, Private	P	■	■	■	■	■	
Transportation, Telecommunications and Utilities							
Utilities, Major	■	■	■	■	C	■	
Utilities, Minor	■	■	■	■	C	C	
Wireless Facilities	WTFPP	WTFPP	WTFPP	■	WTFPP	WTFPP	Chap. 20.515
Solar Panels, Incidental	P~~P~~	~~A~~P	~~A~~P	■	~~A~~P	~~A~~P	Sec. 20.501.050
Wind Turbines, Incidental	A	C	■	■	C	C	Sec. 20.501.050

[1] Excludes any property within the City that is subject to a specific plan.
[2] Development agreement required.

20.205.040 – Development Standards

A. **General Standards.** Table 20.~~08~~205-2 identifies development standards that apply to all lots and structures located in the agricultural, open space and public zoning districts.

TABLE 20.205-2 AGRICULTURE, OPEN SPACE AND PUBLIC DEVELOPMENT REGULATIONS

	Zoning Districts					
Item	*AG*	*OS 1*	*OS 2/ OS 3*	*P*	*PS*	*Additional Regulations*
Site Requirements						
Minimum Lot Area	50 acres	N/A	N/A	N/A	N/A	
Minimum Lot Width	300 ft.	N/A	N/A	N/A	N/A	
Minimum Lot Depth	300 ft.	N/A	N/A	N/A	N/A	
Off-Street Parking and Loading	See Chapter 20.511 (Parking and Loading)					
Building Requirements						
Minimum Building Setbacks						
From front property line	25 ft.	N/A	N/A	N/A	N/A	Sec. 20.205.040.B.1
From rear property line	25 ft.	N/A	N/A	N/A	N/A	
From interior side property line	10 ft.	N/A	N/A	N/A	N/A	
From street side property line	15 ft.	N/A	N/A	N/A	N/A	Sec. 20.205.040.B.1
Minimum Separation Between Buildings or Structures	Subject to the minimum separation requirements of the Uniform Building Code					
Maximum Building Height						
Stories	2-1/2	N/A	N/A	N/A	N/A	
Feet	35 ft.	N/A	N/A	N/A	N/A	

B. **Additional Development Standards.** The following additional standard applies to lots and structures located in the Agricultural, Open Space and Public zoning districts.

1. An additional ~~5~~ five feet of setback shall be provided along primary and secondary arterial streets, as shown in the General Plan ~~-~~Infrastructure ~~Transportation~~ Element.

Chapter 20.206 – PLANNED DEVELOPMENT DISTRICT

Sections:

20.206.010 – General Purpose
20.206.020 – Zoning Map Designation
20.206.030 – Use Regulations
20.206.040 – Development Standards

20.206.010 – General Purpose.

The purpose of this chapter is to establish a Planned Development (PD) District as a floating zone to allow for one or more properties to be developed under a developer-initiated comprehensive development plan that provides for coordinated development and a particular mix of uses and character envisioned by the General Plan, with design and development standards crafted to respond to site conditions in order to:

A. Provide developers with a procedures to achieve greater flexibility in regulations such as building relationships, setbacks, height limitations, floor area ratio (FAR), lot sizes, types of structures, parking, landscaping, and the amount and location of open space that support a development concept that might not be allowed with base zoning district standards and master plans under the Master Plan Overlay.

B. Ensure substantial compliance with and implementation of the land use and density policies of the General Plan and any applicable specific plan.

C. Allow for more detailed small area planning for sites within larger master-planned areas.

D. Provide for efficient and cost-effective public facilities and services.

E. Allow for creative development projects that incorporate design features that provide greater amenities than would likely result from conventionally planned development under base district regulations.

F. Protect public health, safety, and general welfare without unduly inhibiting developers attempting to secure the advantages of modern, large-scale site planning for residential, commercial, or industrial purposes.

A PD District shall also be used for adoption and administration of specific plans, prepared pursuant to the Government Code. The PD District also is intended to provide the implementation framework for the MPO Master Plan Overlay established by Chapter 20.305 (Master Plan Overlay District), which requires a master plan as a precondition of development of a site subject to an MPO designation.

20.206.020 – Zoning Map Designation.

A PD District shall be noted on the Zoning Map by the designation "PD," followed by the number of the Planned Development or specific plan based on order of adoption.

20.206.030 – Use Rregulations.

No use other than an existing use is permitted in a PD District except in accordance with a valid PD Plan or adopted specific plan adopted pursuant to the procedures in Section 20.602.150 (Modification Procedure for Conditions of Approval). Any permitted or conditional use authorized by this Code may be included in an approved PD Plan or an adopted specific plan consistent with the General Plan land use designation(s) for the property and, if required, a Measure M vote.

20.206.040 – Development Standards.

A. **Minimum Area.** The minimum area of a PD District shall be as follows; however, the City Council may approve a District smaller than the minimum area if it finds that rezoning to PD would provide greater benefits to the general welfare of Chino's residents and property owners than development under a base district zoning because of unique characteristics of the site or the proposed use.

1. ***Mixed Use Zoning Districts:*** One acre
2. ***Other Zoning Districts:*** Two acres.

B. **Residential Open Space.** Common and private residential open space shall be required for housing units, with variable standards allowed for specific building types. The total open space provided for residents under a PD Plan shall be substantially the same as the open space required by the prior base district for the total area of the planned development or what would otherwise be required for the proposed uses.

C. **Residential Unit Density.** Except where a density bonus is granted in compliance with the City's residential density bonus regulations in Chapter 20.512 or the State density bonus law, the total number of dwelling units in a PD Plan shall not exceed the maximum number permitted by the General Plan density for the total area of the planned development designated for residential use, if applicable, excluding areas devoted to public and private streets, creeks, and storm drains. If the General Plan does not establish a residential density, the City Council shall set a density limit in approving the PD Plan and a Measure M vote may be required.

D. **Performance Standards.** The Performance Standards prescribed by Section 20.501.020 (Performance Requirements), apply.

E. **Other Development Regulations.** Minimum lot area, yard requirements, building heights, and other physical development standards shall be as prescribed by the PD Plan. Each PD Plan shall establish development standards that, at a minimum, address the following:

1. Land use;
2. Circulation of traffic, bicycles, and pedestrians;
3. Landscaping, buffering, and screening;
4. Specific density and intensity as appropriate for each land use and building type;
5. Minimum lot dimensions and maximum lot coverage by buildings and structures;
6. Minimum yards;
7. Maximum building or structure heights and maximum height of fences and walls;

8. Building design, including massing, upper-story stepbacks, location of entries, and pedestrian orientation;
9. Residential open space (common and private);
10. Off-street parking and loading;
11. Signs; and
12. Other items as deemed appropriate by the Planning Commission and City Council.

Table of Contents

Chapter 20.301 – Overlay Districts 3
20.301.010 – General Purpose 3
20.301.020 – Applicability 3
20.301.030 – Conflict Between Provisions 3

Chapter 20.302 – Agricultural Overlay District 4
20.302.010 – Purpose and Intent 4
20.302.020 – Permitted Uses 4

Chapter 20.303 – Airport Overlay District 5
20.303.010 – Purpose and Intent 5
20.303.020 – Permitted Uses 5
20.303.030 – Noise Standards 7
20.303.040 – Objects Affecting Navigable Airspace 9

Chapter 20.304 – Reserved 10

Chapter 20.305 – Master Plan Overlay District 11
20.305.010 – Specific Purposes 11
20.305.020 – Applicability and Zoning Map Designator 11
20.305.030 – Land Use Regulations 12
20.305.040 – Development Regulations 12
20.305.050 – Initiation of Master Plan 12
20.305.060 – Required Plans and Materials 12
20.305.070 – Approval of Master Plan 13
20.305.080 – Expiration of Adopted Master Plan 13
20.305.090 – Amendments to Adopted Master Plan 14
20.305.100 – Review of Plans 14

Chapter 20.306 – Overlay Districts for Affordable Housing 18
20.306.010 – Purpose and Intent 18
20.306.020 – Relation to Base Zoning 18
20.306.030 – Permitted Uses 18
20.306.040 – Base Density Limit and Increased Density for Affordable Housing 19
20.306.050 – Minimum Affordable Housing Requirement 20
20.306.060 – Additional Land Use Regulations for MUO District 21
20.306.070 – Development Standards for the AHO District 22
20.306.080 – Development Standards for the MUO District 25
20.306.090 – Open Space Standards for Residential Projects. 29
20.306.100 – Alternatives 31
20.306.110 – Review Procedures 33
20.306.120 – Required Affordable Housing Agreement for Continued Affordability 34
20.306.130 – Overlay District Affordable Housing Fund 35

List of Tables

Table 20.303-1 Airport Land Use Compatibility 6
Table 20.303-2 Community Noise Compatibility Standards 7
Table 20.306-1 Additional Land Uses Permitted in AHO and MUO Districts 19
Table 20.306-2 Additional Density for Qualifying Affordable Rental Housing Projects in AHO and MUO Districts 19
Table 20.306-3 Development Standards for Residential Development in the AHO District 22
Table 20.306-4 Development Standards for Residential and Mixed Use Development in MUO District 25

300 SERIES OVERLAY DISTRICTS

Chapter 20.301 – OVERLAY DISTRICTS

Sections:

20.301.010 – General Purpose
20.301.020 – Applicability
20.301.030 – Conflict Between Provisions
~~20.09.040 – Agricultural Overlay District~~
~~20.09.050 – Airport Overlay District~~
~~20.09.060 – Downtown Overlay District~~
~~20.09.070 – Master Plan Overlay District~~
~~20.09.070 – Central Avenue Specific Plan~~
~~20.09.080 – Industrial Planned Development Overlay District~~
~~20.09.090 – Overlay Districts for Affordable Housing~~

20.301.010 – General Purpose

The general purpose of overlay districts is to establish standards and regulations that apply to specified areas in addition to the provisions provided by the base zoning district. Overlay district address special characteristics and needs of specified areas, prevent potential hazards and land use conflicts and provide flexible development standards in a manner consistent with the City of Chino General Plan.

20.301.020 – Applicability

The requirements of Chapter 20.~~09~~ 301(Overlay Districts) apply to all land, uses and structures on land where the overlay districts apply, as shown on the Zoning Map, in addition to all applicable requirements of Series 200 (~~Zoning~~ Base Districts), Chapter 20.~~21~~ 5143 (Standards for Specific Land Uses) and any other applicable provisions of this Code.

20.301.030 – Conflict Between Provisions

In the event of any conflict between ~~Chapter 20.09~~the 300 Series (Overlay Districts) and ~~Part 2~~the 200 Series (~~Zoning~~ Base Districts) of this Code, the requirement specified in the overlay district shall apply. In the event that the overlay district is silent, the requirements of the base zoning district shall apply.

Chapter 20.302 – AGRICULTURAL OVERLAY DISTRICT

Sections:

20.302.010 – Purpose and Intent
20.302.020 – Permitted Uses

20.302.010 – Purpose and Intent

A. In addition to the general purpose of overlay districts as provided in Section 20.~~09~~301.010 of this Code, the specific purpose of the Agriculture Overlay (AO) ~~overlay~~ district is to permit and support existing agricultural uses on properties that are or were under Williamson Act contracts at the time of annexation into the city. These properties are expected to remain in agricultural use until they transition to their underlying zoning designation, as shown on the zoning map.

20.302.020 – Permitted Uses

A. In addition to the uses allowed under the base zoning, land, buildings and structures may be put to the uses allowed or conditionally allowed in the AO zone on unimproved, undeveloped, underdeveloped, or vacant property. The expansion of uses shall be subject to the requirements of the underlying zoning district.

Chapter 20.303 – AIRPORT OVERLAY DISTRICT

Sections:

20.303.010 – Purpose and Intent
20.303.020 – Permitted Use
20.303.030 – Noise Standards
20.303.040 – Objects Affecting Navigable Airspace

20.303.010 – Purpose and Intent

The planning boundaries of the airport overflight area have been established by the Airport Comprehensive Land Use Plan (ACLUP), prepared for Chino Airport pursuant to California Public Utilities Code Section 21670 et seq. and generally shown on the Zoning Map. The provisions contained herein shall regulate the use and development of all property located within the airport overflight area. In addition to the general purpose of overlay districts as provided in Section 20.~~09~~301.010 of this Code, the specific purposes of the Airport overlay district are~~is~~ to:

A. Implement the A~~irport C~~omprehensive L~~and U~~se P~~lan~~, prepared for the Chino Airport pursuant to California Public Utilities Code Section 21670 et seq.;

B. Identify areas of the ~~city~~ City subject to high noise levels and crash impacts by the operation of the Chino Airport; and

C. ~~Encourage~~Enable the orderly use and development of the area around Chino Airport, which is compatible with continued airports operations and will support the economic viability of the airport.

20.303.020 – Permitted Uses

A. Within each aviation safety zone identified in the ACLUP prepared for the Chino Airport, permitted uses shall be only those allowed by both the base zoning district and the Airport Overlay as shown in Table 20.303-1. Permitted uses include airport operations, aircraft maintenance, restaurants, hotels, museums, event spaces, and storage.

B. An avigation easement shall be recorded against the property deed of all new development projects and use permits within a 10,000-foot radius of Chino Airport (Safety Zone I, II and III), advising current and future property owner(s) of potential impacts and stating that the property may be subject to overflight noise, vibration, and dust from aircraft.

TABLE 20.303-1 AIRPORT LAND USE COMPATIBILITY

	Aviation Safety Zones		
Land Use Groups	*I*	*II*	*III*
Residential	Clearly Unacceptable	Clearly Unacceptable	Normally Acceptable
Lodging places	Clearly Unacceptable	Clearly Unacceptable	Normally Acceptable
Educational facilities	Clearly Unacceptable	Clearly Unacceptable	Normally Acceptable
Hospitals & nursing homes	Clearly Unacceptable	Clearly Unacceptable	Normally Acceptable
Assembly uses (auditoriums, stadiums, concert halls, theaters, churches, etc.)	Clearly Unacceptable	Clearly Unacceptable	Normally Acceptable
Sports arenas & outdoor spectator sports	Clearly Unacceptable	Clearly Unacceptable	Normally Acceptable
Parks, playgrounds, recreation centers, fairgrounds & picnic grounds	Clearly Unacceptable	Normally Unacceptable	Normally Acceptable
Libraries, museums & art galleries	Clearly Unacceptable	Clearly Unacceptable	Normally Acceptable
Golf courses, commercial riding stables & water recreation	Normally Unacceptable	Normally Acceptable	Normally Acceptable
Commercial office	Clearly Unacceptable**	Clearly Unacceptable**	Normally Acceptable**
Commercial retail	Clearly Unacceptable**	Clearly Unacceptable**	Normally Acceptable
Manufacturing & warehouse/distribution	Clearly Unacceptable	Normally Acceptable	Normally Acceptable
Public utilities	Clearly Unacceptable	Normally Acceptable	Normally Acceptable
Livestock, animal breeding & animal keeping	Normally Unacceptable**	Normally Acceptable**	Clearly Acceptable
Agriculture (commercial growing & field crops)	Normally Acceptable	Clearly Acceptable	Clearly Acceptable
Conservation areas & natural recreation areas	Normally Acceptable	Clearly Acceptable	Clearly Acceptable
Uses of a hazardous nature	Clearly Unacceptable	Clearly Unacceptable	Clearly Unacceptable
Maximum gross density (in persons per acre)	0.5	25	No Limit
Maximum assembly recommended*	10	100	No Limit

Legend: Clearly Acceptable—No restrictions.
Normally Acceptable—Restricted development undertaken only after detailed analysis and satisfactory mitigation measures are initiated.
Normally Unacceptable—No new development shall be permitted.
Clearly Unacceptable—New construction or development should not be undertaken. Furthermore, an effort should be made to relocate existing uses.
* Assembly is the gathering together of persons for such purposes as deliberation, education, instruction, worship, entertainment, amusement, drinking or dining, or awaiting transportation, as defined in the California Building Code.
** Some specific uses in this group may be acceptable, provided the density criteria are met.

20.303.030 – Noise Standards

A. California Administrative Code Section 5000 et seq. establishes criteria for the regulation of noise in the vicinity of airports. In an effort to reduce and control the impact of noise generated from Chino Airport on the community, noise contours have been established by the ACLUP prepared for Chino Airport. Within each noise contour identified on the noise contour map contained within the ACLUP, land shall only be used and/or developed in accordance with Table 20.303-2. The table establishes the degree of acceptability of certain land use groups within each noise contour.

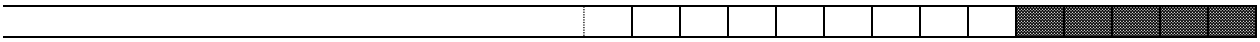
B. In addition to the requirements of the ACLUP, a noise impact notification notice shall be recorded against the property deed of all new development projects and use permits within the 65 CNEL noise contour, advising current and future property owner(s) of potential impacts and stating that the property may be subject to overflight noise, vibration, and dust from aircraft.

TABLE 20.303-2 COMMUNITY NOISE COMPATIBILITY STANDARDS

Land Use Group	*Maximum Interior/Exterior Noise Levels (dBA)*	*Noise Contour per ACLUP* 55 60 65 70 75 80
Residential	45/60	
Lodging places	45/60	
Educational facilities	45/65	
Hospitals & nursing homes	45/65	
Assembly uses (auditoriums, stadiums, concert halls, theaters, churches, etc.)	45/no limit	
Sports arenas & outdoor spectator sports	45/no limit	
	50/65	

TABLE 20.303-2 COMMUNITY NOISE COMPATIBILITY STANDARDS

Land Use Group	*Maximum Interior/Exterior Noise Levels (dBA)*	*Noise Contour per ACLUP* 55	60	65	70	75	80
Parks, playgrounds, recreation centers, Fairgrounds & picnic grounds							
Libraries, museums & art galleries	45/65						
Golf courses, commercial riding stables & water recreation	50/65						
Commercial office	45/65						
Commercial retail	50/no limit						
Manufacturing & warehouse/distribution	no limit/no limit						
Public utilities	no limit/no limit						
Livestock, animal breeding & animal keeping	no limit/no limit						
Agriculture (commercial growing & field crops)	no limit/no limit						
Conservation areas & natural recreation areas	45/65						



Legend:

Normally Acceptable—Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.

Conditionally Acceptable—New construction or development shall only be undertaken after a detailed acoustic analysis is prepared recommending measures to mitigate noise impacts to specified interior/exterior levels and mitigation measures are incorporated in the project design.

Normally Unacceptable—New construction or development is discouraged; however, if new construction or development does proceed, a detailed acoustic analysis shall be prepared recommending measures to mitigate noise impacts to specified interior/exterior levels and mitigation measures are incorporated in the project design.

Clearly Unacceptable—New construction or development should generally not be undertaken.

20.303.040 – Objects Affecting Navigable Airspace

Federal Aviation Regulation (FAR) Part 77 establishes criteria for determining obstructions in navigable airspace, sets forth procedures for noticing the FAA of certain proposed construction or alteration projects, provides for aeronautical studies of obstructions to air navigation to determine their effect on the safe and efficient use of airspace and provides for public hearings on the hazardous effect of proposed construction or alteration on air navigation. The review of and restrictions on objects affecting navigable airspace shall be as prescribed by FAR Part 77.

Chapter 20.304 – RESERVED

…

Chapter 20.305 – MASTER PLAN OVERLAY DISTRICT

Sections:

20.305.010 – Specific Purposes
20.305.020 – Applicability and Zoning Map Designator
20.305.030 – Land Use Regulations
20.305.040 – Development Regulations
20.305.050 – Initiation of Master Plan
20.305.060 – Required Plans and Materials
20.305.070 – Approval of Master Plan
20.305.080 – Expiration of Adopted Master Plan
20.305.090 – Amendments to Adopted Master Plan
20.305.100 – Review of Plans

20.305.010 – Specific Purposes

The purposes of the Master Plan Overlay district (-MPO) are to:

A. Ensure orderly planning and creative and flexible development of large, unsubdivided areas of the ~~e~~City consistent with the General Plan where a particular mix of uses or character is desired that can best be achieved through an integrated development plan;

B. Incorporate standards to protect and be respectful of adjacent neighborhoods and existing land uses in the vicinity;

C. Avoid premature or inappropriate development that would result in incompatible uses or create public service demands exceeding the capacity of existing or planned public facilities, utilities, and infrastructure, including parks, schools, streets, water systems, wastewater treatment systems, and energy systems; and

D. Encourage sensitive site planning and design consistent with the design standards in the Zoning Code.

20.305.020 – Applicability and Zoning Map Designator

The Master Plan Overlay district (-MPO) may be combined with a base district and may be applied to an area at least 20 acres in size. It may be initiated by the City Council or the Planning Commission or by ~~a~~an application of a qualified applicant for a zone change and map amendment under the provisions of Chapter 20.603 (Specific Procedures for Approvals and Permits). Each Master Plan Overlay district (-MPO) is indicated on the zoning map by adding an "-MPO)" designator to the base district designation. An approved master plan is required for all development in the MPO district.

20.305.030 – Land Use Regulations

The land use regulations are those of the base district with which the MPO district is combined unless modified by another overlay district. No new use or expanded use allowed by right or requiring a use permit may be approved in the MPO district unless a master plan is first approved.

20.305.040 – Development Regulations

A. **Residential Density.** The total number of dwelling units approved for a master plan on a parcel or in a subdivision may not exceed the number permitted by the maximum General Plan residential density for the total area of the parcel designated for residential use unless a residential density bonus has been approved under provisions of Chapter 20.512 (Residential Density Bonuses) and is allowed pursuant to a Measure M vote, if needed.

B. **Development Regulations.** Unless specifically indicated on an approved master plan or modified by another overlay district, the development regulations, including minimum lot size, lot width, setbacks, maximum building height, minimum and maximum density, base and maximum floor area ratios (FARs), design standards, required open space, landscaping, and off-street parking and loading, are those of the base district with which an -MPO district is combined.

C. **Other Development Regulations.** Except as may be approved or modified by an approved master plan or another overlay district, all other development regulations are prescribed by this Zoning Code.

20.305.050 – Initiation of Master Plan

A qualified applicant may initiate an application to approve a master plan. If the property is not under a single ownership, every qualified applicant must join the application and file a map showing the extent of ownerships.

20.305.060 – Required Plans and Materials

A. Each master plan for a specific area of land must include a land use and circulation system concept that is consistent with the goals and policies of the General Plan, is compatible with the environment, and capable of being served by existing and planned public facilities and utilities.

B. The following plans and materials shall be submitted pursuant to a City checklist for application materials unless the Director of Development Services waives submission of items considered unnecessary:

1. A map showing proposed master plan boundaries and the relationship of the area to uses and structures within a 300-foot radius of the plan area boundaries;

2. A map of the master plan area showing sufficient topographical data to indicate clearly the character of the terrain, and the type, location, and condition of mature trees and other natural vegetation;

3. A grading plan in the form required by the city engineer showing existing and proposed contours and finished grades; -cut and fill areas (with quantities); pad elevations and building pad

limits; slope gradients and slope treatments; and retaining walls (location, height, top/bottom elevations), and other details required by the city engineer.

4. A site plan indicating the existing and proposed uses, gross floor area, lot coverage, height, setback lines, building sites, off-street parking and loading, residential building types and densities, and a circulation plan;

5. A pedestrian access plan showing walkways and pedestrian connections within the development and connections to adjacent streets, schools, and parks.

6. Architectural plan indicating exterior elevations, floor plans, and colors and materials of buildings and structures;

7. Landscape plan indicating existing vegetation and proposed planting areas, types and sizes of plant materials, and design of walkways, bicycle paths, recreation areas, paved areas, benches, water features, and lighting;

8. A preliminary development schedule indicating sequence and timing of development; and

9. Guidelines for the physical development of the property, including illustrations of proposed architectural, urban design, and landscape concepts;

20.305.070 – Approval of Master Plan

A. **General Procedures**. An application for approval of a master plan is processed as a Zone Change and Zoning Map amendment under the provisions of Chapter 20.603 (Specific Procedures for Approvals and Permits).

B. **Required Findings.** The Planning Commission and the City Council shall find that the proposed master plan:

1. Is consistent with the General Plan;

2. Generally complies with the land use and development regulations of the base zoning district, if applicable, and does not significantly alter the regulations unless a beneficial change in land use is proposed that is consistent with the General Plan; and

3. Can be adequately, reasonably, and conveniently served by public services, utilities, and public facilities.

C. **Zoning Map Designator for Specific Master Plans**. The adopted master plan is identified on the zoning map by adding the enacting ordinance number to the "-MPO" designator.

20.305.080 – Expiration of Adopted Master Plan

A. **Expiration**. The master plan shall expire on the two-year anniversary of the effective date of the ordinance establishing the MPO district, unless am extension has been granted by the Director of Development Services or a building permit is issued for a structure within the master plan area and construction is diligently pursued.

B. **Zoning Map Designator.** Expiration of a master plan causes removal of the enacting ordinance number from the "-MPO" designator on the zoning map.

20.305.090 – Amendments to Adopted Master Plan

An amendment to an adopted master plan is initiated in the same manner as an application for a zone change and map amendment in Chapter 20.603 (Specific Procedures for Approvals and Permits).

20.305.100 – Review of Plans

Each development project within a master plan area requires approval by the Planning Commission. The City shall not accept plans for a project in an MPO district for design review unless the plans are consistent with an approved master plan and with all other applicable design standards and other requirements of this Zoning Code.

~~A. **Purpose**. The Downtown Overlay District is intended to:~~

~~1. Create pedestrian-friendly environments in Downtown Chino that balance the needs of automobiles, bicycles, and pedestrians.~~

~~2. Promote high quality urban design in areas in high visibility areas of the city.~~

~~B. **Residentially Zoned Properties.**~~

~~1. Development Standards. Residentially zoned properties within the Downtown Overlay District shall comply with the development standards in Table 20.09-3.~~

~~2. General Regulations. The design and development of residentially zoned property shall comply with the requirements of Table 20.09-3, Development Regulations for Residentially Zoned Properties in Downtown Overlay District.~~

~~3. Siting and Orientation. New street curb cuts on lots with alley access are discouraged and require approval by the Director of Community Development and the City Engineer.~~

~~4. Compatibility. New primary dwelling units and expansions of existing primary dwelling units shall be compatible with the neighborhood in size, footprint, height, bulk, scale, coverage, and addressing security concerns.~~

~~TABLE 20.305-1 DEVELOPMENT REGULATIONS FOR RESIDENTIALLY ZONED PROPERTIES IN DOWNTOWN OVERLAY DISTRICT~~

~~Feature~~	~~Standard~~	~~Additional Regulations~~
~~**Site Requirements**~~		
~~Minimum Lot Area~~	~~4,500 sq.ft.~~	~~—~~
~~Minimum Lot Width~~	~~50 ft.~~	~~—~~
~~Minimum Lot Depth~~	~~90 ft.~~	~~—~~
~~Maximum Density (Dwelling Units Per Adjusted Gross Acre)~~	~~8 DU/AC~~	

TABLE 20.305-1 DEVELOPMENT REGULATIONS FOR RESIDENTIALLY ZONED PROPERTIES IN DOWNTOWN OVERLAY DISTRICT

Feature	*Standard*	*Additional Regulations*
Maximum Lot Coverage	45%	—
Maximum Floor Area Ratio:	0.55	—
Minimum Front Yard Landscape Coverage	50%	Chapter 20.19
Off-Street Parking and Loading	—	—
Primary Dwelling Unit	2 Garage Spaces	Chapter 20.18 and Note 1
Accessory Dwelling Unit	Per Chapter 20.18	Section 20.11.020
Refuse Storage and Recycling	Per Chapter 20.10.060	-
Building Requirements		
Minimum Building Setbacks	—	—
Front, Primary Dwelling Unit	20 ft.	Notes 2 and 5
Rear, Primary Dwelling Unit	15 ft.	Chapter 20.18
Interior Side, Primary Dwelling Unit	4 ft.	Note 3
Street Side, Primary Dwelling Unit	10 ft.	Chapter 20.18 and Notes 2, 3, 4, and 5
Accessory Dwelling Unit and Accessory Structures	Per Chapter 20.11	Chapter 20.18
Minimum Building Separations:	As Required by the Uniform Building Code	
Minimum Living Area, Primary Dwelling Unit	1,000 sq.ft.	—
Maximum Living Area, Accessory Dwelling Unit	Per Section 20.11.020	—
Maximum Building Height:	—	—
Primary Dwelling Unit	2 1/2 Stories or 35 ft.	—
Detached Accessory Dwelling Unit	Per Section 20.11.020	—
Accessory Structures (Other Than Accessory Dwelling Unit)	1 Story or 14 ft.	—

Notes:

[1] Units constructed on or before May 20, 1965, without off-street parking shall provide one covered space at the time of any structural enlargement adding more than five percent to the gross floor area of the existing dwelling unit. Two garage spaces shall be provided for the primary dwelling unit prior to issuance of building permits for a secondary dwelling unit and its required parking.

[2] An additional five feet of setback shall be provided along primary and secondary arterial streets.

[3] A building or structure with a nonconforming side yard setback, in existence on September 16, 1977, may be added to, extended or enlarged, provided that a side yard setback equal to or greater than the existing side yard setback is provided.

[4] A minimum 20 feet setback must be provided for garages and carports facing a street side yard, measured from the door/opening, to the property line.

[5] Open porches may be constructed in the front and street side setbacks to encroach no closer than 12 feet to the front property line and five feet to the street side property line.

5.1. **Specific Requirements.**

…

~~20.305.110 – Central Avenue Specific Plan~~

~~A.~~B. ~~**Purpose and Intent.**~~

1. ~~Due to the high number of small contiguous lots, sporadic existing development, the opportunity to develop the properties behind those fronting onto Central Avenue, the desire to develop the area in an aesthetic and functional manner, and the need to minimize and control traffic flow onto Central Avenue, the City Council has found and declared that the property within the Central Avenue Specific Plan presents unique problems for its development.~~

2. ~~The Central Avenue Specific Plan is intended to:~~

   a. ~~Promote a positive image for the Central Avenue corridor by attracting quality development and by structuring land use, circulation and urban design in a manner that creates a coherent whole; and~~

   b. ~~Provide specific urban design guidelines to ensure that, as the plan is implemented, each project will contribute positively to the overall character and ambience of Central Avenue.~~

~~B.~~C. ~~**Applicability**~~

1. ~~The Central Avenue Specific Plan is intended to supplement the provisions of this title. In the event of conflicts between the provisions of the specific plan document and the zoning ordinance of the city, the provisions of the Central Avenue Specific Plan shall apply, unless otherwise specified by this section.~~

2. ~~In addition to the requirements of the Central Avenue specific plan, the planning commission may impose specific requirements which are reasonably necessary to overcome the problems recognized in subsection A.1 of this section. Upon request of a project applicant, the planning commission shall prepare findings supporting the relationship (nexus) between the standards set forth by this title and the requirements imposed upon a proposed development.~~

~~C.~~D. ~~**Permitted Uses.** Uses permitted or conditionally permitted on property within the Central Avenue Specific Plan area shall be in accordance with the zoning district within which such property is located, as shown on the official zoning map and zoning maps distributed for general information to the public, except that, within Central Avenue Specific Plan District 5A and the Downtown/Civic Center Master Plan area, those uses listed within the specific plan shall apply.~~

~~D.~~E. ~~**Development Requirements.** The development or alteration of any property, or the erection, installation, alteration or enlargement of any building or structure thereon, shall be subject to the standards and guidelines of the Central Avenue Specific Plan, and the following development requirements:~~

1. ~~Property shall only be developed in such a manner as to overcome the problems of development recognized in subsection A.1 of this section.~~

~~Chapter 20.306 – INDUSTRIAL PLANNED DEVELOPMENT OVERLAY DISTRICT~~

~~**Sections:**~~

~~20.306.010 – Purpose~~
~~20.306.020 – Permitted Uses~~
~~20.306.030 – Conditional Use Permit Required~~
~~20.306.040 – Applications for a New Industrial Planned Development Overlay District~~

~~20.306.010 – Purpose~~

~~The purpose of the Industrial Planned Development Overlay District is to achieve superior development, as compared to that which can be achieved through the strict application of the standards of a specific zoning district, by permitting greater flexibility in the design of industrial development, and promote a more efficient, aesthetically pleasing, and desirable use of land.~~

~~20.306.020 – Permitted Uses~~

~~Uses permitted or conditionally permitted within the Industrial Planned Development Overlay District shall be in accordance with the base zoning district. However, in establishing an Industrial Planned Development Overlay District or approving a project within an Industrial Planned Development Overlay District, the Planning Commission and/or City Council may limit, or for mixed-use developments, add certain land uses, finding that such revisions are necessary to enhance the quality and character of the development and to ensure the compatibility between uses located within a planned development project and with existing or potential uses within the general area of the site. For the purpose of this section, a mixed-use development shall be considered a development that consists of a variety of complementary uses including, but not limited to: residential, office, commercial retail and entertainment, that is planned and designed as a unified, comprehensive project area and that is visually integrated through architectural design, and functionally integrated through the use of shared vehicular and pedestrian access and parking areas.~~

~~20.306.030 – Special Conditional Use Permit Required~~

~~An application for a Special Conditional Use Permit shall be filed in accordance with the provisions of Section 20.23.060of this Code for any modifications to an existing Industrial Planned Development Overlay District.~~

~~20.306.040 – Applications for a New Indstrial Planned Development Overlay District~~

~~An application for a Zone Change shall be filed in accordance with the provisions of 20.23.060 of this Code for the establishment of an Industrial Planned Development Overlay District and shall set forth a master plan of development for property located within the Industrial Planned Development Overlay District.~~

Chapter 20.306 – OVERLAY DISTRICTS FOR AFFORDABLE HOUSING

Sections:

20.306.010 – Purpose and Intent
20.306.020 – Relation to Base Zoning
20.306.030 – Permitted Uses
20.306.040 – ~~Required~~ Base Density Limit and Increased Density for Affordable Housing
20.306.050 – Minimum Affordable Housing Requirement
20.306.060 – Additional Land Use Regulations for MUO District
20.306.070 – Development Standards for the AHO District
20.306.080 – Development Standards for the MUO district
20.306.090 – Open Space Standards for Residential Projects
20.306.100 – Alternatives
20.306.110 – Review Procedures
20.306.120 – Required Affordable Housing Agreement For Continued Affordability
20.306.130 – Overlay District Affordable Housing Fund

20.306.010 – Purpose and Intent

The purpose of the overlay districts for affordable housing – the Affordable Housing Overlay (AHO) district and the Mixed Use Overlay (MUO) district – is to promote the development of affordable housing for low and very low income households in specific areas identified in the General Plan at densities of up to 30 dwelling units per acre if affordability requirements established in this section are met. More specifically, the AHO and MUO allow residential uses where they would not otherwise be allowed and provide for additional density in return for projects providing more affordable housing. The AHO is intended for standalone affordable housing projects, while the MUO provides for mixed use development with affordable housing either on upper floors or in separate buildings. This section also provides the residential development community two alternatives for construction of affordable housing within market-rate development and offers a streamlined process for administrative review of qualifying projects with affordable housing using checklists and objective standards as required by State law.

20.306.020 – Relation to Base Zoning

The AHO and MUO district regulations shall apply in the case of a conflict with the base zoning district regulations when a housing project is proposed. However, when an applicant proposes only non-residential uses, then only the base zoning district land use regulations and development standards apply. The AHO and MUO regulations and development standards only apply to proposed housing projects.

20.306.030 – Permitted Uses

Table 20.~~09-4~~306-1 identifies residential land uses permitted in the AHO and MUO districts in addition to the uses that are permitted within the existing base zoning district.

TABLE 20.~~307~~306-1 ADDITIONAL LAND USES PERMITTED IN AHO AND MUO DISTRICTS

(P = Permitted by right)

Uses	*District AHO and MUO*	*Additional Regulations*
Residential Uses		
Accessory Dwelling Units	P	Section 20.503
Multiple-Family Dwellings	P	
Senior Housing Projects	P	Section 20.514.500 with additional density allowed for affordable housing under criteria established in this section
~~**Warehousing and Storage**~~		
~~Public Storage~~	~~C-MUO only~~	~~Sections 20.21.210 and 20.09.090(E)(4)~~

20.306.040 – ~~Required~~ Base Density Limit and Increased Density for Affordable Housing

A. ~~Minimum~~ Base and maximum density.

1. **Rental projects.** The ~~maximum~~ base density limit for residential development with rental units in the AHO and MUO districts shall be 26 units per adjusted gross acre unless a project qualifies for additional density by providing more affordable housing pursuant to subsection (2) below or qualifies for additional density under state law under subsection (3) below, or both. The minimum density shall be 26 units per ~~adjusted gross~~net acre.

2. **For sale projects.** The base density limit for residential development with for-sale units in the AHO and MUO districts shall be 30 units per adjusted gross acre provided that at least ~~3~~three percent of the units are available for purchase by moderate income households at an affordable purchase price. The minimum density shall be 26 units per adjusted gross acre.

3. **Additional density for affordable rental housing**. An increase in the ~~maximum~~ allowable density is ~~allowed~~permitted, as shown in Table 20.306-2, for qualifying residential development with rental units if the percentage of low income units meets or exceeds the percentages shown, provided that the maximum density shall not exceed 30 units per adjusted gross acre.

TABLE 20.~~307~~306-2 ADDITIONAL DENSITY FOR QUALIFYING AFFORDABLE RENTAL HOUSING PROJECTS IN AHO AND MUO DISTRICTS

	Maximum Allowable Density (Units per Adjusted Gross Acre)				
	26	**27**	**28**	**29**	**30**
	Percent Affordable Units Required in Rental Projects:				
Low Income Units	**9**	**10**	**11**	**12**	**13**

B. **Additional density under state law.** Applicants also may be eligible for a density bonus, incentives, and/or concessions under the State Density Bonus Law, the Affordable Housing and High Road Jobs Act of 2022, and other applicable State laws.

20.306.050 – Minimum Affordable Housing Requirement

A. **Requirement.** Residential development projects in an AHO and an MUO district with 10 or more dwelling units shall provide the following minimum numbers of affordable housing units:

1. Rental projects: nine percent of the total units affordable to low income households at an affordable rent.

2. For-sale projects: three percent of the total units in a Common Interest Development for moderate income households at an affordable sales price, provided that all of the units are offered to the public for purchase.

3. Projects with both rental units and for sale units: The minimum numbers shall be calculated separately for each type of housing.

B. **Calculations**. All calculations of the number of affordable units required to be built on-site in a project that result in fractional units shall be rounded up to the next whole number.

C. **Common owners and control.** An applicant for development within an AHO or MUO district shall not avoid the requirements of this section by submitting piecemeal planning applications. At the time of the first application for residential development, the applicant shall identify all contiguous property under common ownership and control. The applicant shall not be required to construct housing on contiguous property but must include such property in a comprehensive affordable housing plan.

D. **Income qualifications.** Household income qualifications shall be those established by the California Department of Housing and Community Development each year for San Bernardino County, as adjusted for household size, pursuant to California Code of Regulations, Title 25, Section 6932, and Health and Safety Code Section 50093.

E. **Location, size, design, and distribution of affordable units.** Affordable units shall have the same bedroom and bathroom count ratio as the market rate units in a project, be equally distributed within the project, and have the same type or quality of appliances, fixtures, and finishes. The affordable housing units shall be integrated with other housing units in the housing development with regard to siting and placement within buildings and shall not differ in exterior appearance from the other housing units. The location of the affordable housing units may or may not be on contiguous parcels within the site. In no event shall the affordable housing units be located in only one portion of the housing development or situated in one building of a multi-building development.

F. **Timing of Construction.** All required affordable units shall be made available for occupancy prior to, or concurrently with, the market-rate units. The affordable units may be constructed in phases if the market-rate units are constructed in phases, provided that the percentage of affordable units developed in each phase shall be equivalent to or greater than the total percentage of affordable units to be developed as part of the residential development until such time that all the affordable units have been built.

20.306.060 – Additional Land Use Regulations for MUO District

A. **Types of mixed use allowed.** Both horizontal and vertical mixed use development shall be allowed in the MUO district.

1. Horizonal mixed use development allows a range of uses adjacent to one another, either in separate buildings or parcels. Individual buildings may share project components, such as parking, serving, loading, and utility areas. Individual buildings may be 100 percent residential.

2. Vertical mixed use allows for a mix of uses within a single building where non-residential uses occupy the ground floor and residential uses are on the upper levels. A vertical mixed use project may have surface parking, subterranean parking decks, and/or at grade and above grade parking decks.

~~B. Minimum amount of retail and service uses required in a mixed-_use project. In a mixed use project, at least 10 percent of the gross floor area shall be reserved for and occupied by retail shops, eating and drinking establishments, retail banks, financial and business services, or businesses offering personal services. If the project is within or adjacent to a shopping center or regional retail complex, this requirement for on-site retail uses shall be reduced to 5 percent. If a project includes at least 10 percent affordable units, this requirement shall be reduced to 5 percent.~~

~~C.~~B. **Active and pedestrian-oriented frontages required.** Along the ~~primary~~ building frontage, active ground floor uses are required ~~in mixed use buildings with residential uses above commercial uses~~ for at least 60 percent of street-facing spacing. These may include retail shops, eating and drinking establishments, retail banks, financial and business services, personal services, and offices for walk-in clientele, such as employment agencies, insurance offices, real estate offices, and travel agencies~~, and offices for elected officials~~. For residential only buildings, ~~along a primary building frontage,~~ an active frontage with a pedestrian orientation can include windows and glass doors, stoops and steps, covered entries, and windows providing views into active space within the building, such as lobbies and gyms. The Director of Development Services also may allow these active and pedestrian-oriented frontages to be provided along private streets, interior walkways, and around plazas and courtyards within the interior of a mixed use project rather than on exterior frontages facing arterial streets.

~~1. Public Storage Facilities. In addition to the requirements of Section 20.21.210, public storage shall comply with the following standards:~~

~~a. Minimum site size. Public storage facilities are only allowed within mixed use development on sites with of five acres or more.~~

~~b. Setbacks. Public storage facilities shall be setback a minimum of 50 feet from front and street side property lines.~~

~~c. Maximum building height. If freestanding, the maximum building height for a public storage facility shall not exceed the building height of an adjacent residential only or mixed us building.~~

~~d. Maximum floor area. The maximum floor area for public storage facilities on a site shall not exceed 25 percent of the gross floor area for all residential and non-residential uses.~~

~~e. Exterior building materials. The exterior building materials, colors, and finishes of the public storage facility shall be the same as those used for residential and mixed use buildings on the project site to create a unified appearance~~

~~f. Building articulation. The building facades of public storage facilities that face streets or residential and mixed use buildings in a project shall include building projections or recesses, doorways or window trim, and other details that provide architectural articulation and visual interest.~~

~~g. On-site management. On-site, 24-hour management shall be provided, and the Planning Commission may establish specific hours of operation as a condition of approval of a conditional use permit for a public storage facility.~~

20.306.070 – Development Standards for the AHO District

All residential development in the AHO district shall comply with the density standards in Section 20.306.040, the development standards in Table 20.~~09~~306-~~36~~ and the supplemental design standards following the table~~;~~ and with the Multiple-Family Residential Design Standards in Section 20.507.050 (Multiple-Family Residential Design Standards) to the extent these are not superseded by the supplemental design standards following the table. If no housing is proposed, then non-residential development must comply only with the standards of the base zoning district with which the AHO district is combined and the Commercial Design Standards in Section 20.507.070 (Commercial Design Standards).

TABLE 20.~~307~~306-3 DEVELOPMENT STANDARDS FOR RESIDENTIAL DEVELOPMENT IN THE AHO DISTRICT

Feature	*Standards*	*Additional Regulations*
Site Requirements		
Minimum Lot Area	10,000 sq. ft.	
Minimum Lot Width	100 ft.	
Maximum Lot Coverage	65%	
Maximum Floor Area Ratio (non-residential s~~S~~pace)	0.85	Note 1
Minimum Landscape Coverage	15%	See Chapter 20.508 (Landscaping)
Refuse Storage and Recycling		See ~~Chapter~~ Section 20.501.040
Building Form and Location		
Maximum Building Height	40 ft.	Note 2
Minimum Setbacks:		Note 3 and 4
~~Front~~	~~15 ft.~~	~~Notes 3, 4, and 5~~
Interior Property Line ~~Rear~~	10 ft.; 15 ft. if adjacent to a Residential or Industrial District	See also Subsection (F)(1).
~~Interior Side~~	~~5 ft.; 10 ft. if adjacent to a Residential District~~	
Street Side Property Line	10 ft. 15 ft. if ground floor is residential	Chapter 20.511(Parking and Loading) and Note~~s 3, 4, and~~ 5
Minimum Building Separations	15 ft.	
Other Requirements		
Off-street parking and loading for non-residential uses	See Chapter 20.511 (Parking and Loading)	

Street curb cuts	Note 6

Notes:

[1] Additional FAR is allowed up to 1.25 for projects with affordable rental units. The amount of additional FAR shall be calculated based on the increase in density allowed for qualifying projects meeting affordable housing criteria. For example, if a project receives a one unit per acre increase in density, then it receives a 0.125 increase in allowable FAR.

[2] Additional height is allowed up to 45 feet for lots with at least 100 feet of primary street frontage to enable provision of sloped roofs and common open space for recreational facilities. The upper story above 40 feet shall be setback back an additional seven feet from the interior property line if the project is adjacent to a Residential zoning district.

~~[3] The front setback may be reduced to 10 feet on the following streets: Riverside Drive and Central Avenue.~~

[~~4~~3] A minimum 20-foot setback must be provided for garages, ~~and~~ carports, and parking structures facing a street.

[~~5~~4] Open or covered porches may be constructed in the front and street side setbacks to encroach no closer than 5~~12~~ feet to street side ~~the front~~ property line. ~~and five feet to the street side property line.~~

[~~6~~5] New street curb cuts are not allowed on lots with alley access unless approved by the Director of Development Services and the City Engineer to accommodate affordable housing units.

~~A. **Required side and rearinterior yards setbacks for residential uses.** In order to provide light and air for residential units and additional separation for rooms that contain areas that require additional privacy considerations, the following minimum setbacks shall apply to any building wall containing windows for a residential unit and facing an interior side or rear yardlot line or another building of three of more stories on the site unless the wall is facing public or privately owned open space. The required setbacks apply to that portion of the building wall containing and extending three feet on either side of any window.~~

~~1. For any wall containing living room or other primary room windows, a setback of at least 15 feet shall be provided.~~

~~2. For any wall containing sleeping room windows, a setback of at least 10 feet shall be provided.~~

~~3. For all other walls containing windows, a setback of at least five feet shall be provided.~~

~~B. Required building wall**Building siting on designated streets.** Along Riverside Drive and Central Avenue south of Highway 60, buildings walls shall be constructed along or within 10 feet of the front or corner sideproperty setback line for a minimum of 70 percent of the primary street frontage (and 40 percent on secondary side streets) frontages. This requirement may be waived by the Director of Development Services upon finding that:~~

~~1. Ground-floor residential uses are proposed, a minimum 15-foot setback is proposed, and substantial landscaping will be located between the build-to and ground-floor residential units as a buffer;~~

~~Entry courtyards, plazas, entries, or outdoor eating areas are located between the build-tosetback line and the building and buildings are constructed at the edge of the courtyard, plaza, or dining area;~~

~~2. Access is needed for off-street parking and loading facilities; or~~

~~3. The building incorporates an alternative entrance design that creates a welcoming entry facing the street.~~

~~C.~~A. **Building entrances.**

1. Principal building entries shall front upon the primary street or be ~~in a visually-prominent location~~ located facing a courtyard or plaza ~~as determined by the Director of Development Services~~.
2. Building entries shall be accented with features such as moldings, lighting, overhangs, or awnings.

~~D.~~B. **Building mass and scale.**

1. To reduce upper-story building mass, floorplates ~~for~~ above the third story ~~and above~~ shall not exceed 80 percent of the ground-floor floorplate~~.~~ The Director of Development Services may waive this requirement upon finding ~~unless~~ that the architectural articulation of exterior walls and ~~a sloped roof with a minimum roof pitch of 4:12 and at least two roof planes~~ modulates the visual mass of the top of the building ~~and~~ avoids the appearance of a box-like structure.
2. Buildings that are more than 150 feet in length shall include a minimum 2-foot vertical and horizontal variation in height and depth for at least 50 feet.

~~E.~~C. **Pedestrian orientation and accessible pedestrian facilities on designated streets.**

1. Along Riverside Drive and Central Avenue south of Highway 60, all development on sites over two acres in size shall incorporate ~~such features as~~ plazas, interior walkways, canopies, arcades, paseos, ornamental gates, trellises, lighting, plant materials, seating, fountains, or other similar features~~, as appropriate,~~ to support and enhance pedestrian spaces.
2. Outdoor pedestrian space shall be landscaped and shall include appropriate street furniture to encourage pedestrian activity.
3. Clearly marked pedestrian connections shall be provided between parking areas and buildings.
4. All sidewalks, crosswalks, courts, plazas and residential buildings shall be designed to be safe, accessible, and convenient for all individuals ~~of all abilities, whether travelling by foot, wheelchair, or other mobility aid~~, consistent with the City's adopted Policy on Accessible Pedestrian Facilities.

~~F.~~D. **Parking.**

~~Long-term employee pParking areas are prohibited between the building and primary street edge. Short-term drop-off spaces, short-term parking for retail shops and offices, and parking spaces for hotel guests and offices with walk-in clientele are allowed in the front and corner side setback areas.~~

1. ~~On-site~~Except for short-term spaces, surface parking shall generally be in the rear ~~half~~two-thirds of the site or within a parking structure with a minimum 15~~20~~-foot setback provided for garages, carports, and parking structures facing a street.
2. Multi-story parking structures within 25 feet of a street frontage shall ~~be lined with foundation~~have ~~a~~ ~~five-foot wide~~ perimeter landscaping~~. and may have artwork or murals at the ground floor.~~
3. Building siting and parking design shall maximize opportunities for shared parking, access entries, and driveways in order to minimize the number of curb cuts, particularly on primary street frontages, and thus limit possible conflict between pedestrians and automobiles.

4. Whenever possible, vehicle access shall be provided from side streets and alleys to limit the number of curbcuts for driveways along primary frontages on arterial streets.

~~G.~~E. **Landscaping.**

1. Street trees shall be included along all street frontages ~~with multi-family housing development. Trees shall be selected from a list of City-approved trees and shall be approved by the Public Works Director/City EngineerDirector of Development Services prior to installation~~.

2. Where pedestrian paths or walkways cross parking areas or driveways, the paths shall incorporate landscaping and decorative paving meeting accessibility requirements to define the pedestrian space.

20.306.080 – Development Standards for the MUO District

All ~~residential-only buildings and mixed use development with residential units in the~~development within the MUO district shall comply with the density standards in Section 20.306.040, the development standards in Table 20.~~09~~307-7 and the supplemental design standards following the table, and with the Multiple-Family Residential Design Standards in Section 20.~~17~~507.050 (Multiple-Family Residential Design Standards) and the Mixed Use Design Standards in Section 20.~~17~~507.060 (Mixed Use Design Standards) to the extent these are not superseded by the supplemental design standards following the table. Non-residential development shall comply with the standards of the base zoning district with which the MUO district is combined and the Commercial Design Standards in Section 20.507~~17~~.070 (Commercial Design Standards). Measurements for compliance with standards shall be based on the entire project site area, not the individual building footprints or parcels; see Chapter 20.103, Rules of Measurement.

TABLE 20.~~307~~306-4 DEVELOPMENT STANDARDS FOR RESIDENTIAL AND MIXED USE DEVELOPMENT IN MUO DISTRICT

Feature	*Standard*	*Additional Regulations*
Site Requirements		
Minimum Lot Area	10,000 sq. ft.	
Minimum Lot Width	100 ft.	
Maximum Lot Coverage	80%	
Maximum Floor Area Ratio (non-residential space)	1.0	Note 1
Minimum Landscape Coverage	15%	See Chapter 20.508
Refuse Storage and Recycling		See Chapter 20.~~10~~.501.040
Building Form and Location		
Maximum Building Height	~~50~~ 45 ft.	Note 2
Minimum Setbacks (ft.):		
Street Side Property Line~~Front~~	10 ft.; 15 ft. if ground floor is residential	Notes ~~4~~3 and 5
~~Rear~~	~~10 ft.; 15 ft. adjacent to a Residential District~~	See also Subsection (G)(1).
Interior Property Line~~Side~~	~~5~~0 ft.; 1~~5~~0 ft. adjacent to a Residential District	
~~Street Side~~	~~10 ft.~~	~~Notes 3, 4, and 5~~
Minimum Building Separations	15 ft.	Applies only to residential portions of a project

Other Requirements	
Off-street parking and loading for non-residential uses	See Chapter 20.510
Street curb cuts	Note 6

Notes:
[1] Additional FAR is allowed up to 1.25 in mixed use development with affordable rental units. The amount of additional FAR shall be calculated based on the increase in density allowed for qualifying projects meeting affordable housing criteria. For example, if a project receives a one unit per acre increase in density, then it receives a 0.0625 increase in allowable FAR.
[2] Additional height is allowed up to ~~55~~ 50 feet for lots with 100 feet of street frontage to enable provision of sloped roofs and common open space for recreational facilities. The upper story above 40 feet shall be setback back ~~an additional seven~~ at least 30 feet from the interior property line if the project is adjacent to a Residential zoning district.
~~[3] A minimum 15 feet of front and street side setback shall be provided along primary and secondary arterial streets. A reduced front setback may be allowed on the following streets: Riverside, Central, and Euclid.~~
[4] A minimum 20-foot setback must be provided for garages, ~~and~~ carports, and parking structures facing a street.
[5] Open or covered porches may be constructed in the front and street side setbacks to encroach no closer than 5~~12~~ feet to the ~~front property line and five feet to the~~ street side property line.
[6] New street curb cuts are not allowed on lots with alley access unless approved by the Director of Development Services and the City Engineer to accommodate for affordable housing units.

~~A. **Required side and rear yards setbacks for residential uses.** In order to provide light and air for residential units and additional separation for rooms that contain areas that require additional privacy considerations, the following minimum setbacks shall apply to any building wall containing residential units with windows and facing an interior side or rear yardlot line or another building of three of more stories on the site unless the wall is facing public or privately owned open space. The required setbacks apply to that portion of the building wall containing and extending three feet on either side of any window.~~

~~1. For any wall containing living room or other primary room windows, a setback of at least 15 feet shall be provided~~

~~2. For any wall containing sleeping room windows, a setback of at least 10 feet shall be provided.~~

~~3. For all other walls containing windows, a setback of least five feet shall be provided.~~

~~B. **Required building wall on designated streets**. Along Riverside Drive and Central Avenue south of Highway 60 in the MUO Overlay districts, buildings walls shall be constructed so a portion or all of the front elevation is sited along or within 10 feet of the front property setback line for a minimum of 70 percent of the primary street frontage and 40 percent on secondarycorner side street frontages. This requirement may be waived by the Director of Development Services upon finding that:~~

~~1. Ground-floor residential uses are proposed, a minimum 15-foot setback is proposed, and substantial landscaping will be located between the build-to and ground-floor residential units as a buffer;~~

~~2. Entry courtyards, plazas, entries, or outdoor eating areas are located between the build-to line and the building and buildings are constructed at the edge of the courtyard, plaza, or dining area;~~

~~3. Driveways or pedestrian walkways need to be provided for access to the interior of the site; and~~

~~4. The building incorporated an alternative entrance design that creates a welcoming entry facing the street.~~

~~C.~~A. **Required ground floor transparency for ~~non-residential~~active ground-floor uses**. Exterior walls for ~~non-residential~~active ground-floor uses facing and within 20 feet of a front or street side property line shall include windows, doors, or other openings for at least 60 percent of the building wall area between two feet and eight feet above the sidewalk. No wall shall run in a horizontal plane more than 25 feet without an opening.

1. Openings fulfilling this requirement shall have transparent glazing and provide views into display areas, sales areas, work area, lobbies or other active spaces, and window displays shall be at least three feet in depth.
2. Parking garages are not required to meet these transparency requirements.
3. Alternatives to the building transparency requirement may be approved by the Director of Development Services for uses that have unique operational requirements making windows or doors infeasible or for street-facing building walls that exhibit architectural relief and detail with landscaping that creates visual interest at the pedestrian level.

~~D.~~B. **Building entrances.**

1. Principal building entries shall front upon the primary street or located facing a courtyard or plaza.
2. Building entries shall be accented with features such as moldings, lighting, overhangs, or awnings.

~~E.~~C. **Building mass and scale**.

1. To reduce upper-story building mass, floorplates for the fourth story shall not exceed 80 percent of the ground-floor floorplate. The Director of Development Services may waive this requirement upon finding that the architectural articulation of exterior walls and ~~a sloped roof modulates~~ the visual mass of the top of the building ~~and~~ avoids the appearance of a box-like structure.
2. Buildings that are more than 150 feet in length shall include a minimum 2-foot vertical and horizontal variation in height and depth for at least 50 feet.
3. ~~To maintain a human-scale at the street level w~~Where ground floor commercial space is provided, building storefront widths shall not exceed 30 feet without a recess or a break, which may be a building entry or a separate display window.
4. Minimum ground floor height for commercial uses, including retail shops, restaurants, and offices: 14 feet.

~~F.~~D. **Pedestrian orientation and accessible pedestrian facilities on designated streets.**

1. Along Riverside Drive and Central Avenue south of Highway 60, all development on sites over two acres in size shall incorporate ~~features such as~~ plazas, interior walkways, canopies, arcades, paseos, ornamental gates, trellises, lighting, plant materials, seating, fountains, or other similar features, as appropriate, to support and enhance pedestrian spaces.
2. Outdoor pedestrian space shall be landscaped and shall include shade trees and appropriate street furniture to encourage pedestrian activity.

3. Clearly marked pedestrian connections shall be provided between parking areas and buildings.

4. Encroachments into the public right-of-way are allowed for outdoor seating in conjunction with full-service restaurants and food retailers, provided a minimum 6-foot wide walkway and pedestrian clear zone is maintained, and the outdoor eating area is contiguous with interior eating space and does not encroach into the public right-of-way of an adjacent business. An encroachment permit issued by the City is required, and a fee may be charged.

5. All sidewalks, crosswalks, courts, plazas, and residential buildings shall be designed to be safe, accessible, and convenient for all individuals ~~of all abilities, whether travelling by foot, wheelchair, or other mobility aid~~, consistent with the City's adopted Policy on Accessible Pedestrian Facilities.

~~G.~~E. **Parking.**

1. Except for short-term spaces, ~~Long-term parking and residents' guest parking areas are prohibited between the building and primary street edge. On-site~~ surface parking shall generally be in the rear of buildings in the ~~back~~ rear ~~half~~ two-thirds of ~~the lot or development~~ site or within a parking structure with a minimum 15-foot setback provided for garages, carports, and parking structures facing a street. ~~Short-term drop-off spaces, short-term parking for retail shops and offices with walk-in clientele, and a limited number of parking spaces for guests of residents may be allowed with valet service in courtyards and at building entries with approval of the Planning Commission.~~

2. Multi-story parking structures within 25 feet of a street frontage shall ~~be buffered with~~ have perimeter landscaping. ~~foundation planting or lined with commercial, retail, or residential use at the ground floor.~~

3. Building siting and parking design shall maximize opportunities for shared parking, access entries and driveways in order to minimize the number of curb cuts, particularly on primary street frontages, and thus limit possible conflict between pedestrians and automobiles.

4. Whenever possible, vehicle access shall be provided from side streets and alleys to limit the number of curbcuts for driveways along primary frontages on arterial streets.

~~H.~~F. **Loading Facilities for Retail and Commercial Uses.** The standards of Section 20.511.090 (Off-Street Loading) shall apply to off-street loading facilities for retail and commercial uses with the following modifications.

1. ***Number of Loading Spaces required.*** Commercial and mixed use buildings with more than 10,000 square feet of space and hotels and motels with more than 50 rooms shall provide at least one off-street loading space. An at grade loading facility, measuring 12 feet in width, 18 feet in depth, and having a minimum vertical clearance of 14 feet, may substitute for the dock-high loading facility required by Chapter 20.511.

2. ***Location***. Loading and maneuvering areas shall be located on the side or rear of buildings and shall not encroach into required front and corner yard setback areas. A minimum 5-foot wide setback shall be maintained along all interior lot lines.

3. ***Access and Egress***. Loading areas shall be designed to provide for backing and maneuvering on-site and shall not encroach into a required off-street parking area or a landscape area.

4. **Required Screening.** All loading dock doors and loading spaces shall be screened from public view by a decorative masonry wall and view-obstructing access gates.

5. **Availability and Utilization of Loading Spaces.** All loading spaces shall be made readily available to pick-up and delivery vehicles during all hours when pick-ups and deliveries are allowed. Owners of property containing such loading spaces shall be responsible for advising drivers of pick-up and delivery vehicles of the location and hours of such loading spaces, shall require drivers to use such loading spaces, and shall not allow pick-up and delivery vehicles to be loaded in the public right-of-way.

~~I.~~G. **Landscaping**.

~~1.~~ Street trees shall be included along all street frontages. ~~of mixed-~~ ~~use development. Trees shall be selected from a list of city approved trees and shall be approved by the Director of Development Services prior to installation.~~

~~2.~~1. Where pedestrian paths or walkways cross parking areas or driveways, the paths shall incorporate landscaping and decorative paving meeting accessibility requirements to define the pedestrian space.

20.306.090 – Open Space Standards for Residential Projects.

The open space requirements of the Multiple-Family Residential Design Standards in Section 20.~~17~~507.050 (Multiple-Family Residential Design Standards) for private areas and common areas shall apply to all proposed residential development and to residential units in mixed use development with the following modifications. ~~Private areas shall consist of balconies, decks, patios, or fenced yards directly accessible from the residence. Common areas shall consist of landscaped areas, walks, patios, swimming pools, picnic and barbeque areas, playgrounds, children's play areas, playing courts, turf, rooftop areas, gym and fitness facilities, space for yoga, dance and instruction, or other such improvements as are appropriate to enhance the outdoor living environment of the development and to provide recreational facilities for residents. Landscaped courtyard entries that are oriented towards the public street and create a welcoming entry feature are also considered common areas~~. All areas not improved with buildings, parking, vehicular accessways, trash enclosures, and similar items or devoted to perimeter landscaping shall be developed as common areas ~~with the types of attributes described above~~.

A. **Types of open space ~~required~~.**

1. Private open space areas shall consist of balconies, decks, patios, or fenced yards directly ~~accessible~~accessed from the residence.

2. Common open space areas shall consist of landscaped areas, walks, patios, swimming pools, picnic and barbeque areas, playgrounds, children's play areas, playing courts, turf, rooftop areas, gym and fitness facilities, space for yoga, dance and instruction, or other such improvements as are appropriate to enhance the outdoor living environment of the development and to provide recreational facilities for residents.

3. Landscaped courtyard entries that are oriented towards the public street and create a welcoming entry feature are also considered common areas.

A.B. **Amount of ~~outdoor living area~~open space (private or common ~~open space~~) required**. The minimum percentage of net lot area devoted to permanent open space is 20 percent, and a minimum ~~percentage of net lot area devoted to permanent open space is 20 percent, and the minimum~~ area to be devoted to ~~outdoor living area~~open space (private or common ~~open space)~~) shall be ~~400~~ 2500 square feet per unit. ~~for a vertical mixed use development (residential above ground floor commercial) and 300 square feet per unit for a 100 percent residential building in a horizontal mixed use development.~~

B.C. **Private open space**. ~~The minimum amount of private open space shall be at least 25~~ 50 ~~percent of the amount of outdoor living area required. This~~Private open space shall be provided ~~on patios, decks or balconies shall be~~ as follows:

1. ***Studio to 1-bedroom unit:*** **50 square feet with a minimum horizontal dimension of 5 feet;** ***Ground floor units:*** ~~150 A~~ 120 ~~square feet patio with a minimum horizontal dimension of 10 feet~~ for each unit ~~or a~~72 60 ~~square foot deck for each unit with a minimum horizontal dimension of six feet;~~ and

2. ***2-bedrooms units or more~~Upper level units~~:*** ~~72~~ 10060 square feet with a minimum horizontal dimension of 5~~six~~ feet.

C.D. **Common open space**. A minimum of ~~65~~ 6530 percent of the required ~~outdoor living area~~open space shall be provided as common open space, which can include recreational amenities within a building. ~~with a minimum horizontal dimension of 20 feet.~~ This common open space shall be a well-designed, coherent area that is an essential component of the project's design, not merely space left over after the building mass is placed.

1. Landscape areas having minimum dimensions of less than 20 feet but at least five feet at any point which are contiguous with and an integral part of the common open space or are connected to the common open space by walkways, may be included in calculating the area of such space. Non-contiguous landscape areas proposed to be included shall not exceed 20 percent of the total area of common open space.

2. Up to one-half of covered patio areas designed to be commonly used by residents of a development may be included in calculation of common open space provided such area does not comprise more than 25 percent of the total common open space.

3. Up to 15 percent of the required common open space area may be provided within a recreational building or on a rooftop.

D.E. **Usability.** A surface shall be provided that allows convenient use for outdoor living and/or recreation. Such surface may be any practicable combination of lawn, garden, flagstone, wood planking, concrete, or other serviceable, dust-free surfacing. The maximum slope shall not exceed 10 percent.

E.F. **~~Accessibility~~ Connectivity.**

1. ***Private Open Space.*** The space shall be ~~accessible~~connected to only one living unit by a doorway to a habitable room or hallway. Any adaptable or mobility units shall comply with the current edition of the California Building Code.

2. **Common Open Space**. The space shall be ~~accessible~~ connected to the living units on the lot. It shall be served by any stairway or other accessway qualifying as an egress facility from a habitable room. Accessible routes from adaptable or mobility units shall comply with the current edition of the California Building Code.

~~F.~~G. **Recreational facilities requirements**. In ~~high density~~ multi-family or mixed use development with a minimum density of ~~25~~26 dwelling units per gross adjusted acre, essential recreational facilities, as prescribed below, may be proposed in lieu of the requirements of major and minor facilities in Section 20.507~~17~~.050 (D) (Recreation Facilities Requirements) which require more land than may be available in a ~~high density~~housing project in the affordable housing overlay districts. These essential recreational facilities may include: 1) a gym or fitness room, 2) space for yoga, dance, or other instruction, 3) enclosed or outdoor space for playing courts or games, 4) children's play area, 5) picnic and barbeque area, or 6) children's daycare space.

1. *Amount of space required.* At least 250 square feet per unit shall be provided for these recreational facilities.

2. *Number of facilities required.* There shall be a minimum of two of these facilities in projects with 10-50 units, three of these facilities in projects with 51-100 units, and four or more of these facilities in projects with more than 100 units. No essential recreational facilities are required in a small project, with less than 10 dwelling units.

3. *Credit for Common Open Space.* The space allocated for recreational facilities shall count toward the requirement for common open space, and this space may be within buildings or on a rooftop.

20.306.100 – Alternatives

In lieu of providing the affordable units in the housing development project required by Section 20.~~09~~306.050 ~~(D)~~ and 20.306.040 (~~I~~), the requirements of those subsections may be satisfied through one or more of the alternatives set forth below.

A. **In-Lieu Fee**.

1. For housing development projects proposing up to 20 units, the developer may, by right, pay a fee in lieu of providing affordable units on site.

2. For housing development projects proposing more than 20 units, the developer shall only be allowed to pay in-lieu fees if the Planning Commission makes a finding that providing affordable units on-site would result in an extreme financial hardship to the developer and make the proposed project financially infeasible. The developer shall submit a request to pay a fee in lieu of providing affordable units on site as part of the project application. Such request shall include sufficient documentation and financial analysis to allow the Planning Commission to make the required findings. At the City's discretion, the City may contract with a third-party financial consultant to evaluate the documentation and analysis submitted by the applicant and make a recommendation to the City regarding the issues of extreme financial hardship and financial infeasibility. The developer shall be required to reimburse the City for all costs related to hiring any such third-party consultant, which shall be in addition to any other required application fees. The demonstration of financial hardship and infeasibility may be based on, among other things, such factors as project size, site constraints, and/or excessively large

affordability gaps, or upon a demonstration that in the absence of allowing for payment of in-lieu fees, the imposition of the affordable housing production requirements in this Section would violate the California and/or United States Constitutions because it would be a regulatory taking of property without fair and just compensation.

3. In-lieu fees shall be paid as follows:

   a. The amount of the fee shall be calculated using the fee schedule established by resolution of the City Council at the time the fee is paid.

   b. One-half of the in-lieu fee required by this subsection shall be paid (or a letter of credit posted) prior to issuance of a building permit for all or any part of the housing development project. The remainder of the fee shall be paid before a certificate of occupancy is issued for any unit in the housing development project. In a phased project, payment of fees also may be allowed in phases, corresponding to the number of units in each phase.

   c. The fees collected shall be deposited in the Overlay District Affordable Housing Fund established by Section 20.305.13009 (M).

B. **Land Dedication.** In lieu of providing affordable units on-site, a developer may request City Council approval to dedicate land to the City or to a City-approved affordable housing developer that the Director of Development Services determines is suitable for the construction of the required number of affordable units and is within one mile of the project site. To accept a land dedication in lieu of on-site affordable units, the City Council must determine the fair market value of the dedicated land is equivalent to or greater than the amount of in-lieu fees that would have been needed to satisfy the housing development project's affordable housing obligation and that the required number of units for very low income residents will be built on this land based on a proposed conceptual site plan and proforma financial analysis demonstrating project feasibility with available funding.

1. The developer must submit evidence that the land proposed to be dedicated is under the developer's control, will be conveyed at no cost to the City or a City-approved affordable housing developer with experience building rental housing for very low income households, is free of any liens, all property taxes and special taxes have been paid, does not contain any hazardous materials, has the appropriate General Plan designation and zoning to allow construction of the required number of units, and has the necessary infrastructure and public improvements to support the required number of affordable units. Only sites within an AHO or MUO district that are within one mile of the project site can be considered for land dedication.

2. The developer must disclose whether any hazardous materials were previously contained on the site; and hazardous materials were previously remediated, the developer must provide evidence that the cleanup was performed in accordance with applicable law.

3. The land proposed for dedication cannot have been improved with any residential use for at least five years prior to the submission of a land dedication proposal.

4. The affordable units to be constructed on the dedicated land shall be at least 20 percent of the total number of units in the project, and these units must be rental units affordable to very low income households.

C. **Off-site Construction**. A market-rate developer may enter into an agreement with an affordable housing developer to construct, own, and operate affordable rental housing units required by Sections 20.~~09.090~~306.050 (~~D~~) and 20.306.040 (~~I~~), provided:

1. The affordable housing developer is approved by the Director of Development Services on the basis of recent relevant experience;
2. The affordable housing developer does not request any financial assistance from the City;
3. The affordable rental housing units shall be constructed prior to or concurrently with the market-rate development triggering the affordable housing requirement; and
4. At least 20 percent of the total number of units to be built on the site shall be rental units affordable to very low income residents.

20.306.110 – Review Procedures

A. Preliminary Review. A developer requesting additional density above 26 units per adjusted gross acre for a rental project under Section 20.~~09~~.~~090~~ 20.306.040 (~~D~~) shall submit an application for preliminary review, accompanied by the required application fee, for feedback prior to the submittal of any formal requests for approval of additional density. The purpose of the preliminary review is to determine whether the proposed development is in substantial compliance with applicable planning regulations and to establish the basis and procedures for granting the additional density. The following information is required to be submitted for preliminary review in the form of a proposed affordable housing plan in addition to information required by the Department's preliminary review checklist:

1. Evidence that the project includes the qualifying percentages of affordable units set forth in Section ~~20.09.090(D)~~20.306.040 to justify the additional density requested;
2. Calculations showing the maximum base density and the density with the additional units;
3. Number and percentage of total units that are proposed to meet affordability criteria and the income level to which the units will be restricted; and
4. A description of any proposed waivers or reductions of development standards or other zoning requirements, consistent with the provisions of Government Code Section 95915 (k).

B. Site approval required. All residential development or mixed use development with residential units in an AHO or MUO district shall require approval of a Site Approval application as outlined under Section 20.~~23.090~~603.070 (Site Approvals). For residential development and mixed use development with residential units, design review by the Planning Commission shall be undertaken only to determine compliance with the City's objective design standards using the Site Approval process.

C. Additional findings for approval. The Planning Commission shall grant a Site Approval if it makes the findings required by Section 20.~~23.090~~603.070 (Site Approvals) and the following additional findings:

1. The proposed development meets the affordability criteria for the requested density in accordance with the requirements of subsection (D) and (I); and
2. The increased density would not have a specific adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5 of the Government Code, upon public health and safety or

the physical environment or on any real property listed in the California Register of Historic Resources.

D. Conditions of approval. The Planning Commission has the authority to impose reasonable conditions that are related and proportionate to what is being requested by the applicant, as deemed necessary and appropriate to ensure that the provisions of the General Plan, any applicable specific plan adopted by the City Council, and this Title are met, including requirements for needed off-site public improvements. The Commission may require reasonable guarantees and evidence that such conditions are being, or will be, met.

20.306.120 – Required Affordable Housing Agreement for Continued Affordability

Prior to the issuance of a building permit for any residential development project with affordable housing units in an AHO or MUO district, the applicant shall enter into a written agreement with the City ensuring the continued affordability of the affordable dwelling units for a period of not less than 75 years or as long as the property is in residential use, whichever is greater, for rental units and 45 years for for-sale units. The terms and conditions of the agreement shall be binding upon the successor in interest of the developer and shall be recorded in the main office of the San Bernardino County Assessor-Recorder-Clerk. The agreement shall be executed by the City Manager, be in a form acceptable to the City Attorney, and include provisions for the following:

A. The number and proportion of housing units affordable to moderate-income, low-income, and very-low income households by type, their location, and the number of bedrooms in each one;

B. Standards for maximum qualifying household incomes and maximum rents or sale prices;

C. Minimum home buyer payments and sources of funds for them;

D. The party responsible for certifying rents and sales prices of affordable housing units and reporting this information to the City;

E. The process that will be used to certify incomes of tenants or purchasers of the affordable housing units;

F. The manner in which vacancies will be marketed and filled, including the screening and qualifying of prospective renters and purchasers of the affordable units;

G. Deed restrictions on the affordable housing units binding on property upon sale or transfer and any subsequent sale or transfer;

H. Enforcement mechanisms to ensure that the affordable rental units are continuously occupied by eligible households and are not rented, leased, sublet, assigned, or otherwise transferred to non-eligible households, with reasonable allowances for inherited units and units initially occupied by very low income individuals who incomes may increase to a low income level;

I. Provisions allowing moderate income homebuyers to resell the unit at fair market value in return for the City receiving payment equal to the original Affordability Gap plus a defined share of the equity appreciation achieved on sale, which shall be deposited in the City's Overlay District Affordable Housing Fund and used within three years for any of the purposes described in subdivision (e) of Section 33334.2 of the Health and Safety Code that promote homeownership; and

J. Project phasing, including the timing of completions, and rental or sale of the affordable housing units, in relation to the timing of the market-rate units.

20.306.130 – Overlay District Affordable Housing Fund

There is a separate fund of the City known as the Overlay District Affordable Housing Fund, and all in-lieu fees or other funds collected under this section shall be deposited into the Overlay District Affordable Housing Fund. Additional funds from other sources also may be deposited in the Overlay District Affordable Housing Fund. This fund is separate from the fund established by Chapter 3.46 (The Preserve Affordable Housing In Lieu Fee).

A. Money deposited in the Overlay District Affordable Housing Fund may be used to pay for the direct costs associated with administration and enforcement of the affordable housing program established for the AHO and MUO districts.

B. After payment of expenses, at least 70 percent of the remaining money shall be expended to provide housing affordable to low income and very low income housing holds; the remaining money may be expended to provide housing affordable to moderate-income households.

C. The fund shall be administered by the Director of Development Services.

D. A developer receiving funding from the fund shall implement a local preference in their resident selection criteria.

Table of Contents

Chapter 20.401 – General Provisions 1
20.401.010 – Purpose and Applicability 1
20.401.020 – Preparation, Adoption, and Amendment 1
20.401.030 – Post-Approval Administration 1

400 Series Specific Plans

Chapter 20.401 – GENERAL PROVISIONS

Sections:

20.401.010 – Purpose and Applicability
20.401.020 – Preparation, Adoption, and Amendment
20.401.030 – Post-Approval Administration

20.401.010 – Purpose and Applicability

Specific plans are regulatory documents established by the City to carry out specific purposes, as authorized by the Government Code Section 65450 et. seq., for specific geographic areas shown on the Zoning Map. They are governed by a set of regulations, which address specific subjects, such as land use, physical development, community design, transportation, and public improvements, or impose requirements for detailed master plans that may be applicable in sub-areas within the specific plan area. The provisions of a specific plan may be combined with provisions of base or overlay zoning districts for the area to which the specific plan applies, and the more restrictive provisions will govern. Specific plan provisions also may be substituted for citywide provisions included in the Zoning Code or Title 19 (Subdivisions), as more specifically specified in the specific plan.

20.401.020 – Preparation, Adoption, and Amendment

A. A specific plan shall be prepared, adopted, amended, and repealed as specified in Section 20.603.020 (Preliminary Review) of this Code, except that a specific plan shall be adopted by resolution and may be amended as often as deemed necessary by the City Council.
B. Specific plans may be repealed when they are no longer needed, either because an area has been developed as originally envisioned or because General Plan policies and citywide regulations provide an appropriate framework for development review. Periodic review of specific plans and repeals of out-of-date plans will streamline zoning administration.

20.401.030 – Post-Approval Administration

A. Specific plan areas shall be designated on the Zoning Map by number (SP-#) with a reference to the adopting resolution.
B. A specific plan adopted by resolution of the City Council shall be administered as prescribed by the Council, consistent with the Government Code Section 65450-65457.

Note to reviewers: Individual specific plans need not be codified as was done with the Central Avenue Specific Plan. They can be stand-alone documents approved by resolution.

Table of Contents

Chapter 20.501 – Standards for All Development and Land Uses 1

20.501.010 – Purpose 1

20.501.020 – Performance Requirements 1

20.501.030 – General Site Regulations 2

20.501.040 – Refuse and Recycling Facilities 4

20.501.050 – Renewable Energy Structures 6

20.501.060 – Walls and Fences 8

20.501.070 – Screening and Landscape Buffers on Common Lot Lines for Certain Uses 13

20.501.080 – Outdoor Lighting 15

20.501.090 – Recreational Vehicles and Campers 18

20.501.100 – Metal Buildings 20

20.501.110 – Visibility at Intersection and Driveways 20

Chapter 20.502 – Accessory Structures 22

20.502.010 – Purpose 22

20.502.020 – Habitable Accessory Structures 22

20.502.030 – Non-Habitable Accessory Structures 23

20.502.040 – Prefabricated Metal Buildings 26

Chapter 20.503 – Accessory Dwelling Units 28

20.503.010 – Purpose 28

20.503.020 – General Requirements and Development Standards 28

20.503.030 – Approvals Required. 33

Chapter 20.504 – Temporary Uses and Structures 37

20.504.010 – Purpose 37

20.504.020 – Temporary Uses 37

20.504.030 – Temporary Recreational Vehicle Living Units 39

20.504.040 – Commercial Delivery Van Parking 40

Chapter 20.505 – Small Lot Residential Subdivisions 41

20.505.010 – Purpose 41

20.505.020 – Location 41

20.505.030 – Permits Required; Prohibition of Urban Lot Splits 41

20.505.040 – Use Regulations 41

20.505.050 – Development Standards 42
Chapter 20.506 – Starter Home Residential Development 48
20.506.010 – Purpose 48
20.506.020 – Permits Required 48
20.506.030 – Qualifying Criteria 49
20.506.040 – Use Regulations 52
20.506.050 – Development Standards for Starter Home Subdivisions 52
20.506.060 – Development Standards for Starter Home Housing Development 52
Chapter 20.507 – Design Standards 54
20.507.010 – Purpose 54
20.507.020 – Applicability 54
20.507.030 – Design Standards that Apply to All Uses 54
20.507.040 – Single-Family Residential Design 56
20.507.050 – Multiple-Family Residential Design Standards 57
20.507.060 – Mixed Use Design Standards 61
20.507.070 – Commercial Design Standards 62
20.507.080 – Office Design Standards 63
20.507.090 – Industrial Design Standards 65
Chapter 20.508 – Landscaping 67
20.508.010 – Purpose 67
20.508.020 – Applicability 68
20.508.030 – Landscape Documentation Package 69
20.508.040 – Landscape Design Standards 78
20.508.050 – Parking Lot Landscape Standards 88
20.508.060 – Public Education 90
20.508.070 – Prescriptive Compliance Option 91
Chapter 20.509 – Measure M General Plan Initiative 93
20.509.010 – Purpose 93
20.509.020 – General Requirements 93
20.509.030 – Voter Authorization to Rezone Specified Land No. 1 94
20.509.040 – Voter Authorization to Rezone Specified Land No. 2 94
20.509.050 – Voter Authorization to Rezone Specified Land No. 3 95
20.509.060 – Voter Authorization to Rezone Specified Land No. 4 95

20.509.070 – Voter Authorization to Rezone Specified Land No. 5 95
20.509.080 – Voter Authorization to Rezone Specified Land No. 6 95
20.509.090 – Voter Authorization to Rezone Specified Land No. 7 95
20.509.100 – Voter Authorization to Rezone Specified Land No. 8 96
20.509.110 – Voter Authorization to Rezone Specified Land No. 9 96
20.509.120 – Voter Authorization to Rezone Specified Land No. 10 96
20.509.130 – Voter Authorization to Rezone Specified Land No. 11 97
20.509.140 – Voter Authorization to Rezone Specified Land No. 12 97
20.509.150 – Voter Authorization to Rezone Specified Land No. 13 97
20.509.160 – Voter Authorization to Rezone Specified Land No. 14 98
20.509.170 – Voter Authorization to Rezone Specified Land No. 15 99
Chapter 20.510 – Nonconforming Uses, Structures, and Parcels 100
20.510.010 – Purpose 100
20.510.020 – Applicability 100
20.510.030 – Nonconforming Uses 101
20.510.040 – Nonconforming Structures 101
20.510.050 – Nonconforming Lots 103
20.510.060 – Findings 103
20.510.070 – Removal of Illegal Nonconforming Uses and Structures 103
Chapter 20.511 – Parking and loading 104
20.511.010 – Purpose 104
20.511.020 – Applicability 105
20.511.030 – Number of Parking Spaces Required 105
20.511.040 – General Parking Regulations 115
20.511.050 – Parking Design Standards 120
20.511.060 – Alternative Compliance with Parking Requirements 127
20.511.070 – Bicycle Facilities 127
20.511.080 – Parking Structures 128
20.511.090 – Off-Street Loading 129
20.511.100 – Electric Vehicle Charging Readiness 131
Chapter 20.512 – Residential Density Bonuses 133
20.512.010 – Compliance with State Law 133
20.512.020 – Definitions 133

20.512.030 – Application and Review 133
20.512.040 – Density Bonus Agreement 134
20.512.050 – Standards for Qualifying Units 135
Chapter 20.513 – Right to Farm 136
20.513.010 – Purpose 136
20.513.020 – Applicability 136
20.513.030 – General Requirements 136
Chapter 20.514 – Standards for Specific Land Uses 138
20.514.010 – Purpose 139
20.514.020 – Agricultural Product Stands and Crop Production 139
20.514.030 – Alcoholic Beverage Sales, Micro-breweries, and Micro-distilleries 140
20.514.040 – Ancillary Industrial Facilities 142
20.514.050 – Animal Keeping 143
20.514.060 – Automobile Rental and Truck Rental 146
20.514.070 – Automobile Sales and Services 148
20.514.080 – Caretakers Quarters 148
20.514.090 – Cigar Lounges and Hookah Bars 150
20.514.100 – Commercial Nurseries and Garden Centers 151
20.514.110 – Commercial Recreation 151
20.514.120 – Convenience Markets and Grocery Stores 153
20.514.130 – Conversion of Residential Structures 154
20.514.140 – Data Centers 154
20.514.150 – Day Care Centers and Family Day Care Homes 155
20.514.160 – Drive-Through Food and Beverage Facilities 157
20.514.170 – Emergency Shelters 158
20.514.180 – Equipment Rental and Sales 159
20.514.190 – Farm Employee Housing 159
20.514.200 – Farmers' Markets and Open Air Markets 162
20.514.210 – Group Homes 164
20.514.220 – Gun and Ammunition Stores 165
20.514.230 – Gym/Athletic Instruction 165
20.514.240 – Hazardous Materials Use and Storage 166
20.514.250 – Health Care Offices and Clinics 167

20.514.260 – Home Occupations 167
20.514.270 – Hotels, Motels, and Bed and Breakfast 169
20.514.280 – Live Entertainment 169
20.514.290 – Live/Work Units 170
20.514.300 – Low Barrier Navigation Centers 171
20.514.310 – Manufactured Housing 172
20.514.320 – Massage Establishments 172
20.514.330 – Mobile Home Parks 175
20.514.340 – Nightclubs, Bars, and Cocktail Lounges 176
20.514.350 – Non-Traditional Financial Institutions 176
20.514.360 – Offices 177
20.514.370 – Outdoor Displays and Sales 178
20.514.380 – Outdoor Manufacturing and Processing 180
20.514.390 – Outdoor Seating Areas 180
20.514.400 – Outdoor Storage and Storage Containers 182
20.514.410 – Outdoor Vendors (Carts, Kiosks, and Mobile Food Vendors) 183
20.514.420 – Places of Worship 185
20.514.430 – Portable Toilets 186
20.514.440 – Public Storage and Self-Storage Facilities 187
20.514.450 – Recording/Podcast Studios 189
20.514.460 – Recycling Facilities 189
20.514.470 – Residential Care Facilities, Large 193
20.514.480 – Retail Sales in Conjunction with a Warehousing or Manufacturing Use 194
20.514.490 – Schools for Personal Enrichment 195
20.514.500 – Senior Housing Projects 195
20.514.510 – Service Stations 195
20.514.520 – Smoke Shops and Retail Tobacco Sales 196
20.514.530 – Supportive Housing 199
20.514.540 – Tattooing, Body Piercing, and Body Art 200
20.514.550 – Transitional Housing 201
20.514.560 – Vehicle Parts and Accessories Sales 202
20.514.570 – Vehicle Repair Garages 202
20.514.580 – Vehicle Towing Services and Towed Vehicle Storage 202

20.514.590 – Warehouses and Logistics Uses 203
Chapter 20.515 – Wireless Telecommunications Facilities on Private Property 209
20.515.010 – Purpose and Intent 209
20.515.020 – Definitions 210
20.515.030 – Applicability 211
20.515.040 – Required Permits and Other Approvals 213
20.515.050 – Other Permits and Regulatory Approvals 213
20.515.060 – Permit Applications 214
20.515.070 – Pre- and Post-Decision Notices Required 215
20.515.080 – Approvals; Denials 215
20.515.090 – Location Standards 216
20.515.100 – Design Standards 218
20.515.110 – Standard Conditions for Approved Permits 222
20.515.120 – Legal Nonconforming Wireless Telecommunications Facilities on Private Property 227
20.515.130 – Special Exceptions for Federal or State Preemption. 227

List of Tables

Table 20.501-1 Maximum Height of Fences 9
Table 20.501-2 Required Screening and Landscape Buffers 13
Table 20.501-3 Screening and Buffer Types Requirements 14
Table 20.502-1 Types of Accessory Structures 22
Table 20.502-2 Development Standards For Habitable Accessory Structures Greater Than 120 Square Feet In Area 23
Table 20.502-3 Development Standards For Small Non-Habitable Accessory Structures 120 Square Feet or Less In Area 24
Table 20.502-4 Development Standards For Large Non-Habitable Accessory Structures Greater Than 120 Square Feet In Area, Excluding Patio Enclosures 24
Table 20.502-5 Development standards for Patio Covers and Patio Enclosures 25
Table 20.503-1 Development Standards for Accessory Dwelling Units and Junior Accessory Dwelling Units 30
Table 20.505-1 Development Standards for Small Lot Residential Subdivisions - Traditional 43
Table 20.505-2 Development Standards for Small Lot Residential Subdivisions - Alley Loaded 44
Table 20.505-3 Development Standards for Cluster and Courtyard Homes 45
Table 20.505-4 Minimum Requirements for Common Recreation Amenities 47
Table 20.507-1 Schedule for Architectural Variation 56

Table 20.507-2 Minimum Recreation Facilities for Multi-Family Developments 59
Table 20.508-1 Minimum Tree Size Mix 79
Table 20.508-2 Minimum Tree Species Mix 79
Table 20.508-3 Minimum On-site Tree Requirements of Residential Projects 83
Table 20.508-4 Minimum Landscape Coverage in Residential Districts 83
Table 20.508-5 Minimum On-site Tree Requirements in Mixed USE, commercial and industrial 84
Table 20.508-6 Minimum Tree Size Specifications 85
Table 20.508-7 Minimum Size of Replacement Tree 87
Table 20.508-8 Street Frontage Landscape Requirements 88
Table 20.508-9 Residential/Commercial Interior Parking Lot Landscape Requirements 89
Table 20.508-10 Industrial Interior Parking Lot Landscape Requirements 89
Table 20.510-1 Types of Nonconformities 100
Table 20.511-1 Off-Street Parking Requirements 106
Table 20.511-2 Minimum Number of Required Accessible Parking Spaces 116
Table 20.511-4 Minimum Angled and Parallel Parking Stall Dimensions 121
Table 20.511-5 Parking and Drive Aisle Setbacks, Minimum 123
Table 20.511-7 Required Loading Spaces 129
Table 20.514-1 Maximum Number Of Animals for Noncommercial Uses 144
Table 20.514-2 Development Standards for Chicken Coops 145
Table 20.514-3 Maximum Number of Animals for Commercial Uses 146

List of Figures

Figure 20.501-1 Tree Spacing 14
Figure 20.501-A Visibility at Street Intersections 21
Figure 20.501-B Visibility at Driveways 21
Figure 20.507-1 Required Storefront Transparency 61
Figure 20.511-1 Minimum Angled Parking Stall Dimensions 122
Figure 20.511-2 Minimum Parallel Parking Stall Dimensions 122
Figure 20.514-1 Location of Outdoor Seating 181

Chapter 20.501 – STANDARDS FOR ALL DEVELOPMENT AND LAND USES

Sections:

20.501.010 – Purpose
20.501.020 – Performance Requirements
20.501.030 – General Site Regulations
20.501.040 – Development on Substandard Lots
20.501.050 – Refuse and Recycling Facilities
20.501.060 – Renewable ~~alternative~~ Energy Structures
20.501.070 – Walls and Fences
20.501.080 – Screening and Landscape Buffer Yards on Common Lot Lines for Certain Uses
20.501.090 – Outdoor Lighting
20.501.100 – Recreational Vehicles and Campers
20.501.110 – Metal Buildings
20.501.120 – Visibility at Intersection and Driveways

20.501.010 – Purpose

This chapter establishes uniform, objective, and implementable citywide standards for specific types of structures, activities and development consistent with the General Plan and State law. These standards supplement the zoning-district specific standards in the 200 Series~~Part 2~~ (Zoning Districts). The intent of these standards is to minimize impacts of development and uses~~, clarify rules for measurement~~, reduce the need for discretionary review, ~~-~~and promote economic development and high quality design in Chino.

20.501.020 – Performance Requirements

All uses and structures shall comply with the following performance standards to minimize environmental impacts and conflicts between land uses.

A. No use shall create a nuisance due to ~~noise,~~ odor, dust, mud, smoke, steam, vibration or other similar causes.

B. All uses shall comply with the noise standards in Chapter 9.40 of this Code, unless exempt.~~the.~~

C. All uses or activities shall be conducted within a wholly enclosed building, unless otherwise permitted ~~by~~ in the applicable zoning district. Uses may include outdoor or semi-enclosed activity areas where impacts (noise, odor, dust, glare) are consistent with ~~are by~~ the development ~~standards~~ and performance standards of this Code.

D. Occupancy of any trailer, camper, or other vehicle while parked or stored on any public or private property is prohibited, except as provided by Section ~~20.12.030~~20.501.~~1~~090 (Recreational Vehicles and Campers) of this code and Chapter 8.70 (RV Parking) of ~~this~~ City of Chino Municipal Code.

E. Waste materials that are associated with any use causing fumes or dust, are a fire hazard, or that are edible by, or otherwise attractive to, rodents or insects, shall be stored in closed containers.

F. No use shall cause the emission of any smoke, ash, dust, fumes, vapors, gases or other forms of air pollution that can cause damage to human health, vegetation, or other forms of air pollution that can cause excessive soiling on any other parcel. No emission shall be ~~permitted~~permitted, which exceeds the ~~x~~requirements of the South Coast Air Quality Management District or the requirements of any air quality plan adopted by the City of Chino.

G. No use shall be permitted which emits odorous gases or other odorous matter in such quantities as to be dangerous, harmful, noxious or otherwise objectionable at a level that is detectable with or without the aid of instruments at or beyond the project site boundary.

H. No use shall discharge at any point into any public or private street, public sewer, storm drain, private stream, body of water, or into the ground, any material that can contaminate any water supply, interfere with bacteriological processes in sewerage treatment, or otherwise cause the emission of dangerous or offensive elements, except according to the standards approved by the California Department of Public Health, or any other federal, state or local government agency.

I. No use shall be permitted to cause a steady state, earth-borne oscillation that is continuous and occurring more frequently than ~~one hundred~~100 times per minute beyond the project site. Ground vibration caused by moving vehicles, trains, aircraft, or temporary construction or demolition is exempt from this requirement.

20.501.030 – General Site Regulations~~Height Measurements Limits and Exceptions~~

~~**Height Measurement.** The height of a structure shall be measured as the vertical distance from the average level of the highest and lowest point of the portion of the lot covered by the structure to the highest point of the structure, as shown in Figure 20.10-1.~~

A. **Maximum Height of Structures**. The maximum height of each structure shall not exceed the height limit established for the applicable zoning district in 200 Series (Zoning Districts). No structure shall be constructed or altered to exceed the height limit established in the 200 Series except as otherwise provided by this section.

B. **Height Limit Exceptions.**

1. Towers, spires, cupolas, chimneys, elevator penthouses, water tanks, flagpoles, monuments, antennas, ~~and~~or similar structures, and necessary mechanical appurtenances may exceed the maximum permitted height in the applicable district.

2. No portion of a structure that exceeds the height limit shall cover an area greater than 15 percent of the building footprint area.

3. Structures may exceed the height limit set forth in each district subject to the following:

   a. ~~10~~Ten feet or less shall be subject to an Administrative Approval.

   b. More than 10 feet shall be subject to approval of a Site Approval by the Planning Commission.

~~Setback Requirements and Allowed Projections into Yards~~

~~**Setbacks Measurement.** Setbacks shall be measured as the distance between the property line and the nearest point of the wall of the structure along a line at a right angle to the property line, as shown in Figure 20.10-2.~~

C. **Minimum Setbacks.** The minimum setbacks of structures from property lines shall be as established for the applicable zoning district in the 200 Series (Zoning Districts). No structure shall encroach into required setbacks except as otherwise provided by this section.

D. ~~**Allowed** **Building** **Projections** **in Yards**~~. Building projections may extend into required yards. The following exceptions shall apply to minimum setback requirements:

1. Eaves, canopies, or other similar roof projections may extend a maximum of four~~4~~ feet into a required front or rear yard, and a maximum of two~~2~~ feet six~~6~~ inches into a required side yard.

2. Cornices, fireplaces, sills, built-up reveals and other similar architectural features may extend a maximum of two~~2~~ feet into a required front, rear, or side yard. However, in no case shall the side yard width be reduced to less than three~~3~~ feet.

3. Bay windows may extend three~~3~~ feet into a required front or rear yard and two~~2~~ feet into a required side yard; however, in no case shall the side yard width be reduced to less than three~~3~~ feet.

4. Open, unenclosed stairways, fire escapes, and balconies, not covered by a roof or canopy, may extend a maximum of four~~4~~ feet into a required front or rear yard.

5. Fences, hedges and walls may be permitted in any required yard, subject to the provisions of Section ~~20.10.80~~20.501.060 (Walls and Fences) of this Code.

6. No portion of a structure shall extend ~~beyond a property line or~~into a ~~street~~ public right-of-way without an encroachment ~~permit~~license agreement.

E. **Signs.** Signs and advertising structures may be permitted ~~within a required yard~~ on public and private property, subject to the provisions of the City's Sign Code (Title 16 of the Chino Municipal Code).

~~Projections over Property Lines.~~

~~No portion of a structure shall extend beyond a property line or street right-of-way without an encroachment permit.~~

~~Mechanical Equipment~~

~~Mechanical equipment shall comply with the following regulations:~~

F. **Mechanical Equipment.**

1. Any mechanical equipment (e.g. HVAC, fans, blowers, etc.), or any other similar equipment ~~appurtenant~~accessory to a structure, whether located on the roof, side of a structure, or on the ground, shall be completely screened from public view. ~~The Director may approve partial screening where full screening is not technically feasible or the costs of full screening are excessive.~~
2. The method of screening mechanical equipment shall be architecturally compatible with the ~~serviced~~ building in terms of materials, size, color, and design~~shape and size~~.
3. A continuous screen shall be provided where a number of individual pieces of equipment are used over a single area.
4. Large ground-mounted equipment, such as silos and/or dust collectors, shall be appropriately located as far back from the front public right-of-way as possible, and in the best location ~~so as~~ to minimize visibility, dust, noise, steam, vibration, vectors or other similar impacts on surrounding properties.

20.501.040 – Refuse and Recycling Facilities

A. **Purpose and Intent.** This section establishes standards for refuse and recycling facilities in order to:

1. Reduce solid waste generation in the City~~Chino~~, including organic waste, and increase levels of recycling, including organic waste recycling.
2. Ensure the high-quality design of refuse and recycling areas.
3. Minimize the impacts on refuse and recycling areas on residents, tenants and adjacent uses.

B. **Applicability.**

1. The refuse and recycling facility standards for ~~single family~~single-family uses contained in this section apply to all ~~single family~~single-family uses, including those established prior to the adoption of this Code.
2. Refuse and recycling standards for multiple family and non-residential uses contained in this section apply to:
   a. All new multiple family and non-residential development projects.
   b. Modifications to existing multiple family and non-residential uses that add 30 percent or more to the existing floor area of the principal structure, either through a single alteration or through multiple alterations within a 12-month period.

C. **Single-Family Uses.**

1. Refuse, recycling and organic waste bins, ~~including green bins,~~ shall be stored out of public view, either behind a fence or within a garage or other enclosure. If storing bins out of public view is physically impossible, bins may be stored adjacent to the side of the house or garage in an area behind the front yard setback that is specifically designed to accommodate the bins.

2. For developments designed to store refuse, ~~and~~ recycling, and organic waste bins within the garage, the bins shall be stored in an area outside of the required 20-foot by 20-foot clear area for parking.

3. Refuse, ~~and~~ recycling, and organic waste bins, ~~-~~may not be placed for collection before 12:00 p.m. on the day preceding scheduled collection, and must be removed no later than 12:00 p.m. on the day following the scheduled collection. Containers must be placed for collection along the curb in front of the dwelling where the refuse was generated.

4. Enclosures for refuse, ~~and~~ recycling, and organic waste bins visible from public view shall be softened with landscaping to the greatest extent possible.

5. Enclosures shall be located so that refuse, ~~and~~ recyclables, and organic waste collection activities do not block driveways accessing the property.

D. **Multiple-Family and Non-Residential Uses.** The following standards apply to multiple-family and non-residential uses that provide large refuse, ~~and~~ recycling, and organic waste bins for the joint use of multiple occupants or tenants. Multiple-family and non-residential uses that do not provide such joint-use bins shall comply with Section C (Single-Family Uses), above.

1. All uses and structures shall provide separate bins for the collection of refuse, ~~and~~ recyclable materials and for organic waste.

2. The minimum number of bins shall be as determined by the Director of ~~Community~~ Development Services, based upon the type, size and intensity of development, ~~and~~ the anticipated frequency of trash/recyclables pick-up, and the requirements of the Business and Multi-family Organic Waste Recycling Law, as amended.

3. Bin design.

   a. Bins shall be designed in accordance with standard drawings and the California Building Code Chapters 11A and 11B and ~~as~~ approved by the ~~Planning Commission.~~Building Official.

   b. Bins containing recyclable materials shall provide covers or lids to protect against weather conditions that might render the materials unmarketable.

4. Bin enclosures.

   a. Bins shall be enclosed by a 6-foot-high decorative masonry block walls and solid gates to entirely obscure bins from view.

   b. Gates shall be fitted with self-closing door devices with cane bolts in front of the masonry block walls to secure the gates when in the open position. Gates should be equipped with rod locks and corresponding rod holes to secure gates in both the open and closed gate positions.

   c. Enclosures for refuse and recyclable materials bins shall be provided with a separate walk-in entrance no greater than 4 feet in width.

d. For multiple-family, commercial, and ~~business park~~industrial uses, a ~~shade~~ roof structure shall be provided and designed so as to be compatible with surrounding buildings and structures.

e. All bin enclosures shall be surrounded by a minimum 18-inch wide planter area, exclusive of any required curb, for the purpose of providing landscape material, with the exception of the gate area. The landscape requirement shall not apply to enclosures located within private yard areas for industrial zoned property.

5. Bin enclosure location.

a. Refuse~~,/~~recycling, and organic waste enclosure shall be located outside of all required setback areas.

b. For multiple family uses, enclosures shall be located so as to minimize noise, odor and aesthetic impacts on dwelling units.

c. A sign clearly identifying all refuse ~~and,~~ recycling and organic waste collection areas shall be posted adjacent to all points of access to the enclosure.

6. As a condition of permit approval, a project applicant may be required to develop a written recycling plan, including organic waste diversion per State recycling standards, to be reviewed and approved by the Director of ~~Community~~ Development Services. At a minimum, the recycling plan shall include:

a. Identification of targeted materials to be recycled;

b. Collection frequency of refuse collection and recycling service;

c. Refuse collection and recycling company authorized by the City to provide solid waste handling services; and

d. Method of recycling program promotion and communication with tenants, business owners and their employees.

7. Refuse storage~~, and~~ recycling, and organic waste areas shall be used only for the storage of refuse ~~and,~~ recycling materials, and organic waste.

8. Refuse storage ~~and,~~ recycling, and organic waste areas shall be kept in a neat and orderly condition and in good repair at all times.

20.501.050 – ~~Alternative~~ Renewable Energy Structures

~~Alternative~~ Renewable energy structures shall comply with the following regulations:

A. **Solar Panels.**

1. All photovoltaic solar panel systems shall meet all applicable safety and performance standards established by the National Electrical Code, the Institute of Electrical and Electronics

Engineers, and other accredited testing laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.

2. Roof and ground mounted solar panels are permitted, and no zoning clearance is required. ~~with a zoning clearance~~, ~~subject to the regulations in Section 20.10.070.A~~. ~~Ground-mounted solar panels are permitted as an accessory use with an Administrative Approval~~a zoning clearance. An expedited review process shall be provided for small residential rooftop solar systems as required by Government Code Section 65850.5.

3. Solar panel systems servicing multi-family residential and non-residential uses shall comply with the following standards:

   a. Ground-mounted solar panels may not be located in a front setback area and shall not exceed ~~8~~eight feet in height above the ground.

   b. Roof-mounted solar panels may extend ~~6 feet~~ above the height requirements of the applicable zoning district as required for optimal operation.

   c. Roof-mounted solar energy systems shall be located to ensure emergency access to the roof and provide emergency egress from the roof.

   d. Solar panels may be located on carports and parking lot shade structures in industrial, commercial and multi-family residential areas.

4. Solar panel systems servicing a single-family residential home shall comply with the following standards:

   a. All equipment except for solar panels and conduit shall be screened from view along the front elevation.

   b. Solar energy equipment shall be installed in the location that is least visible from adjacent streets so long as this does not significantly decrease energy performance or significantly increase costs.

   c. Solar panels shall be integrated into the design of the structure as an architectural element to the greatest extent possible.

B. **Wind Turbines.**

1. Turbines shall only be allowed on parcels one acre or larger in size.

2. Turbines shall be painted a neutral, non-reflective color, such as beige or white.

3. Power lines shall be placed underground when feasible to reduce the number of overhead lines.

4. A turbine shall be designed and appropriately sized to serve the needs of a home, small business, or farm.

5. The turbine and tower shall not exceed the maximum building height for the zone in which they are located, as measured when rotor blades are in vertical (or highest) position.

6. The wind energy system structure or anchoring system shall be set back from all property lines by one foot in distance for every one foot in height of turbine tower.
7. Appropriate warning signs shall be placed on or near wind turbines.
8. Noise levels resulting from normal operation of the wind turbine shall not exceed 40 decibels.
9. When appropriate or necessary, climb lock or prevention measures should be taken to avoid potential safety hazards.
10. The turbine shall be placed and oriented to avoid casting shadow or causing "flicker" on any buildings of adjacent landowners, especially windows.

20.501.060 – Walls and Fences

Walls and fences shall comply with the following regulations:

~~A. Measurement of Fence or Wall Height.~~

1. ~~The height of a fence, wall or other similar structure shall be measured from the finished grade at the base to the top edge of the fence material, as shown in Figure 20.10-3.~~
2. ~~If the fence is atop a wall, the height shall be measured from the base of the wall.~~
3. ~~If there is a difference from one side of fence to the other within, the height shall be measured from the side with the lowest finished grade.~~
4. ~~The Director of Community Development may permit a wall up to 8 feet in height if the topography of a lot would result in a wall less than 5 feet in height on a residential lot.~~

A. **Height Limits.** A fence, wall or other similar structure shall not exceed the height limits in Table 20.~~10~~501-1 (Maximum Height of Fences) unless a different height limit is established for a specific use or a specific base district or overlay district.

TABLE 20.501-1 MAXIMUM HEIGHT OF FENCES

Location	*Maximum Height*	*Additional Regulations*
Residential Walls and Fences		
Property Line	6 feet	The Director of ~~Community~~ Development Services may permit a wall in excess of 6 feet in height along an interior property line if additional height is requested for security, noise attenuation purposes, or to achieve at least 6 feet for both properties where the adjoining properties have different grades.
Perimeter	6 feet.	The Director of ~~Community~~ Development Services may permit a wall up to 8 feet in height along the perimeter of a residential subdivision for security, noise attenuation, or if the topography would result in a wall less than 6 feet high on a residential lot. Along the portions of a street-facing perimeter wall that exceeds 6 feet in height, an additional 1-foot of setback from the property line shall be provided for each 1-foot of wall height above 6 feet
Within any required front yard	4 feet	Solid pilasters are allowed up to 6 inches above 4 feet. The Director of ~~Community~~ Development Services may permit additional height to accommodate placement of fences atop retaining walls.
Security	10 feet	Walls/fences in excess of 6 feet in height shall be the minimum height necessary to ensure the security of a property, as determined by the Director of ~~Community~~ Development Services.
Noise Attenuation	The minimum height necessary to ensure adequate noise attenuation.	
Walls located within the buildable area of a lot or parcel	Subject to the height limitations of the zoning district within which it is located	
Commercial and Industrial Walls and Fences		

TABLE 20.501-1 MAXIMUM HEIGHT OF FENCES

Location	*Maximum Height*	*Additional Regulations*
Property Line	6 feet;	The Director of ~~Community~~ Development Services may permit a wall in excess of 6 feet in height along an interior property line if additional height is required for security or noise attenuation purposes or to meet "good neighbor" standards for logistics uses; see Section 20.514.590 (Warehouses and Logistics Uses).
Within any required front or street side yard	3 feet	Within industrial zoning districts, security fences and screen walls up to 6 feet in height shall be permitted, provided the fence/wall is located a minimum of 10 feet behind the street property line.
Security	10 feet	Walls/fences in excess of 6 feet in height shall be the minimum height necessary to ensure the security of a property, as determined by the Ddirector of ~~Community~~ Development Services.
Screen	14 feet	
Noise Attenuation	The minimum height necessary to ensure adequate noise attenuation, as determined by a noise impact analysis.	

~~C.~~B. **Location Standards.**

1. No fence shall be constructed within the public right-of-way, without an encroachment license agreement.
2. No fence shall be constructed within 3 feet of the center of any fire protection hydrant.
3. There shall be a 12-inch minimum clearance around all meter boxes.
4. There shall be a 2-foot minimum clearance around street lights.
5. There shall be a 3-foot minimum clearance around sign posts.
6. On an interior lot where the side or rear property line of the lot is common with another lot's side or rear property line, a wall or fence may be constructed along the common property line for purposes of property division and/or security.
7. On a corner lot where the rear property line of a lot is common with another lot, a wall or fence may be constructed on the lot at least eighteen inches from the street side property line. The area between the wall or fence and the sidewalk (or curb) shall be fully landscaped and maintained.

~~D.~~C. **Materials Standards.**

1. Walls or fences shall be constructed of decorative masonry, ornamental steel or iron, or wood and shall be of a complementary color and/or material with adjacent buildings. Other materials may be considered if the Director determines the design to be compatible with adjacent structures and its surrounding neighborhood.

2. Chain link or wire mesh fences are prohibited in areas visible from a public or private street~~, or a main drive aisle serving a complex or center of three or more units~~.

3. Fences shall be constructed so that no hazards, such as nails, spikes, wires or other sharp or pointed objects, protrude from or exist upon the fence, excluding decorative spires. The use of barbed wire, razor wire and other similar materials is prohibited, unless deemed necessary for safety by the Director of Development Services.

4. Long expanses of fence or wall (~~50~~ 125 or more feet in length or as specified in the development standards for the Base Districts) adjacent to a public right-of-way shall have offset areas (decorative pilasters or a jog in the wall) ~~of a minimum of 3 to 4 feet~~ along its length and shall be architecturally designed to prevent monotony. The number and spacing of the offset areas shall be determined during design review by the length and location of the wall to achieve an aesthetically pleasing design. An eight-inch gap shall be provided between the top of wall or fence and pilaster cap.

5. For new perimeter walls, pilasters shall be decorative in nature, shall occur at angled turns in wall directions, vertical grade changes of wall height, and end wall transitions to fencing. Pilasters shall be a minimum 24" square and provided along all street frontages and areas visible from public view. The number and spacing of the pilasters shall be determined by the length and location of the wall to achieve an ~~aesthetically-pleasing~~aesthetically pleasing design. An ~~8"~~eight inch gap shall be provided between the top of wall or fence and pilaster cap.

~~E.~~D. **Protection of Visibility.**

1. There shall not be visual obstruction in the form of any wall, fence, obstacle, mature landscaping, or object allowed, installed, set out, or maintained, which exceeds a height of 3 feet above the nearest street pavement surface or, if there is no pavement, the existing traveled roadway; excepting existing or future permanent buildings which are otherwise constructed or maintained in accordance with applicable zoning and building regulations, public utility poles, trees trimmed at the trunk to a point at least 8 feet above the level of the street or traveled roadway (provided that trees are spaced so that trunks do not create a visual barrier), and official traffic or other governmental signs.

2. Intersecting Streets, Intersecting Alleys and Alleys Intersecting Streets. At intersecting streets, intersecting alleys and alleys intersecting streets, a certain area shall be maintained free of visual obstructions (corner cutoff) to assure adequate sight distance for vehicular and/or pedestrian traffic. The corner cut-off shall be provided pursuant to standard drawings established by the C~~c~~ity ~~c~~Engineer.

~~F.~~E. Required Walls and Fences.

1. ***Zone Boundary Separation***. An eight~~-A six-~~foot-high solid masonry block wall shall be constructed along interior property lines and/or zone boundary lines that separate industrial and commercial zoning districts from adjoining residential zoning districts. A higher height is required for logistics uses; see Section 20.514.590 (Warehouses and Logistics Uses). ~~The wall shall be reduced to three feet in height within any required front yard. Walls that face a street or are in full public view shall be decorative.~~

2. ***Unsafe Areas and Vacant Lot.*** A six-foot-high wall or fence shall be constructed along the perimeter of all areas determined by the ~~d~~Director of ~~Community~~ Development Services, the B~~b~~uilding ~~o~~Official, or the ~~c~~City ~~e~~Engineer, to pose a danger to the public health or safety. Temporary fencing ~~also~~ may also be ~~r~~required for vacant lots as determined be the Director of Development Services.

3. ***Swimming Pools.*** Fencing shall be provided as required by the Swimming Pool Safety Act, Health & Safety Code Section 115922, and the Building Code.

   ~~a. Areas surrounding a swimming pool shall be fully enclosed by a minimum five-foot-high non-climbable fence.~~

   ~~b. All entrances and exits from an enclosed swimming pool area shall have self-closing, self-latching closures installed. All latches shall be located at least four and one-half feet above finish grade.~~

4. ***Residential Developments***. The following shall apply to all new and move-on residential development projects:

   a. Residential developments of two or more dwelling units shall provide six-foot-high walls as follows:

      i. *Perimeter Walls.* A decorative masonry wall (slump or split-face block, or plaster/stucco finish only) with pilasters and a decorative cap shall be constructed along the perimeter of all new residential developments. For the purposes of this section, "perimeter" shall mean interior side and rear project boundaries, and street frontages without front-on units.

      ii. *Interior Walls and Fences.* A six-foot-high masonry wall shall be constructed along interior side and rear yards, and connecting between property line walls and dwellings with appropriate gates for rear yard access. Vinyl or other materials are allowed where the wall or fence is not visible from the street.

      iii. *Retaining Walls.* If any part of a perimeter wall retains earth on either side of the property line, the required height of the wall shall be six feet, measured from the side of the wall adjacent to the residential property. If the retaining portion of the wall is taller than two feet, measured from the side of the wall adjacent to the street, a second wall shall be constructed on the side adjacent to the street, at least two feet from the retaining wall.

iv. *Street-Facing Walls*. A six-foot-high decorative masonry wall (slump or split-face block, or plaster/stucco finish only) shall be constructed along all street side yards, and shall be set back at least eighteen inches from the property line or the sidewalk if the sidewalk is not at the property line. The area between the wall or fence and the sidewalk (or curb) shall be fully landscaped and maintained.

b. A development consisting of one single-family dwelling unit, including move-on houses, shall provide a six-foot-high decorative wood fence or masonry block wall at the rear and side property lines, where such fencing is visible from adjacent development, and across the side yards to fully secure the rear yard.

20.501.070 – Screening and Landscape Buffers on Common Lot Lines for Certain Uses

Unless otherwise required by specific plans or specific standards for certain land uses (e.g., warehouses and logistics uses development), screening and landscaped buffer yards must be provided in accordance with this Section at the time of new construction or expansion of multi-family and non-residential buildings, or a change from one use classification to another non-residential use classification. These buffer yard standards are intended to provide additional landscaping and screening for residential areas, parks, and recreational open space when adjoining uses are non-residential and to ensure land use compatibility between non-residential zoning districts. These regulations do not apply to single-family development. Screening and buffer yards must be installed and maintained along interior side and rear lot lines between differing land uses.

A. **Applicability.** The standards in this section apply to development in the RD 20, RD 30, Mixed Use, Commercial, and Industrial zoning districts. Additional buffering and screening standards for warehouses and logistics uses are established in Section 20.514.590 (Warehouses and Logistics Uses).

B. **Required Screening and Landscape Buffer Yards.** Table 20.501-2, Required Screening and Landscape Buffers, shows when a buffer and screening treatment is required, and of what type, based on the proposed and the adjoining use. Only the proposed use is required to provide the screening and buffer yard. Adjoining uses are not required to provide the screening and buffer yard. The type of screening buffer yard required refers to screening and buffer yard-type designations, as shown in Table 20.501-3, Screening and Buffer Yard Requirements. The designation "-" means that screening and a buffer yard are not required.

TABLE 20.501-2 ÷REQUIRED SCREENING AND LANDSCAPE BUFFERS

Proposed Use	*Buffer Type Required for Adjoining Use*				
	Park or Open	*Single-Unit Residential*	*Multiple-Unit Residential*	*Commercial and Office*	*Industrial*
Multiple Unit Residential	Type 1	Type 1	Type 1	-	-
Commercial	Type 2	Type 2	-	-	Type 1

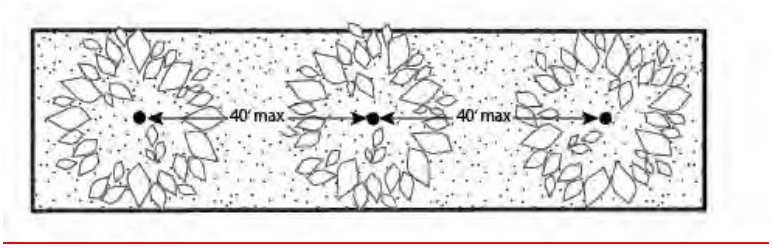
Office	Type 2	Type 2	Type 2	-	Type 2
Industrial	Type 2	Type 2	Type 2	Type 2	-

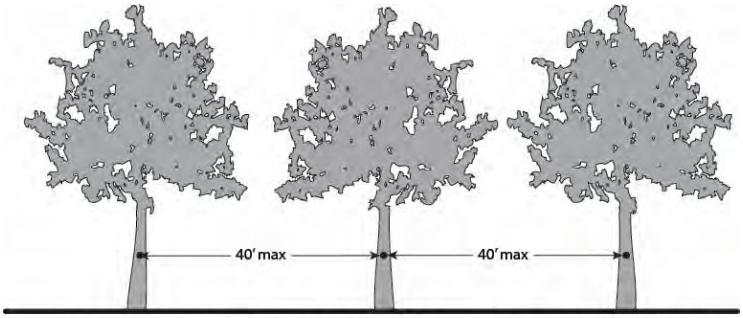
C. **Screening and Buffer Types.** Table 20.501-3, Screening and Buffer Type Requirements, describes the minimum width, plant materials, and wall requirements for each type of screening and buffer yard. The listed number of trees and shrubs are required for each 100 linear feet of buffer yard. Trees must be planted at no more than 40 feet from center of tree to center of tree, with an average spacing of 30 feet on center; see Figure 20.501-1. Natural areas with native vegetation or alternative planting materials that achieve equivalent buffering effects may be approved by the Director of Development Services.

TABLE 20.501-3 ~~2:~~ SCREENING AND BUFFER TYPES REQUIREMENTS

		Trees		*Shrubs*		
Buffer Yard Type	*Minimum Width (ft.)*	*Mature height of 40 ft. or more*	*Mature height of less than 40 ft.*	*Mature spread of 2 ft. or more*	*Mature spread of less than 2 ft.*	*Screening Wall Height (ft.)*
Type 1	5	2	2	4	8	None required
Type 2	10	2	3	6	8	3 within the front setback, 6 otherwise. Only required when abutting an R District

FIGURE 20.501-1 TREE SPACING





Distance between tree plantings is measured from center of trunk to center of trunk.

D. **Width Reduction for Adjacent Landscaped Buffer**. If an equivalent landscape buffer exists on the adjacent lot, the width of the required buffer may be reduced 50 percent provided that the abutting property owners have provided and recorded a written agreement restricting the use of the adjacent landscape buffer. No reduction, however, is allowed where the proposed development is a warehouse or logistics use.

E. **Location.** Screening walls and buffer yards must follow the lot line of the lot to be screened or be so arranged within the boundaries of the lot so as to substantially hide from adjoining lots, the building, facility, or activity required to be screened. Openings in screening walls are allowed for pedestrian access.

F. **Screening Wall Materials**. Industrial uses must provide a solid screening wall of stucco, decorative block, or concrete panel. Screening walls for other uses may be constructed of stucco, decorative block, concrete panel, wood or other substantially equivalent material. Chain-link fencing is prohibited.

G. **Berms**. A vegetated earthen berm may be used in combination with the above types of screening walls, but not more than two-thirds of the required height of such screening may be provided by the berm.

H. **Alternative Screening and Buffering**. Applicants may propose equivalent screening and buffering using reduced width, green walls, or acoustic fencing, subject to Director verification of equivalent mitigation and an administrative approval.

20.501.080 – Outdoor Lighting

Outdoor lighting shall comply with the following regulations.

A. **Illumination.**

1. Lighting on private and public property shall be designed to provide safe and adequate lighting while minimizing light spillage to adjacent properties.

2. Outdoor lighting shall utilize energy-efficient fixtures and lamps.

3. All areas with frequent vehicular and pedestrian traffic shall have lighting providing a minimum 1-foot candle of light at ground level during the hours of darkness.

4. Lighting for parking facilities shall be designed to provide a minimum average illumination of 1.5-foot candles of light, measured at ground level. However, maximum average illumination shall not exceed 3-foot candles for commercial developments and two-foot candles for multi-family residential and industrial developments, measured at ground level.

5. No lighting on private property shall produce an illumination level greater than 1-foot candle on any property within a residential zoning district.

6. Permanently installed lighting shall not blink, flash, revolve, flicker, or be of unusually high intensity or brightness. ~~This prohibition does not apply to digital signs or holiday lights.~~

7. Lighting within and adjacent to the OS 2 zoning district shall be full cut-off fixtures, shall be designed so as to minimally impact habitat areas and shall not exceed 10.5-foot candles.~~.~~

8. Outdoor Commercial Patio seating area lighting shall be fully shielded and directed downward to prevent light trespass, meaning light spilling onto adjacent property or public sidewalks.

9. ~~Holiday lighting and s~~String lighting for outdoor seating areas ~~are~~is allowed, ~~-~~provided that no~~n~~ individual lamp exceeds 10 watts or ~~six~~6 foot-candles and~~,~~ on commercial property.~~, flashing holiday lights are prohibited.~~

B. **Fixtures.**

1. Maximum height of free standing outdoor light fixtures shall be as follows: For residential property with non-residential uses, the maximum height shall be twelve (12') feet. For non-residential property adjacent to residential development, the maximum height shall be fourteen (14') feet. Otherwise the maximum height shall be twenty-five (25') feet. Overall, light fixtures shall be the minimum height necessary to maintain the average illumination requirement.

2. Light fixtures shall be shielded, recessed, and directed downward and away from adjoining properties and public rights-of-way to reduce light spillage.

C. **Prohibitions.**

1. ***Searchlights.*** The operation of searchlights for advertising purposes.

2. ***Laser Source Light.*** The use of laser source light or any similar high intensity light for outdoor advertising or entertainment, when projected above the horizontal, is prohibited.

3. ***Advertising Sign or Landscape Illumination.*** The unshielded outdoor illumination of any outdoor advertising sign or landscaping. However, low voltage accent landscape lighting is allowed.

4. ***Mercury Vapor.*** The installation of new mercury vapor fixtures is prohibited. Existing mercury vapor fixtures must be removed and replaced with compliant lighting fixtures wherever substantial alterations and additions are undertaken, exclusive of ordinary maintenance and repair.

D. **Exemptions.**

1. ***Swimming Pool and Fountain Lighting.*** Underwater lighting used for the illumination of swimming pools and fountains is exempt from the lamp type and shielding standards.

2. ***Solar-powered Lighting.*** Solar-powered lights of 5 watts or less per fixture used in residential landscaping applications and to illuminate walkways are exempt from applicable lamp type and shielding standards.

3. ***Temporary Exemptions.*** Any individual may submit a written request to the Director for a temporary exemption from the requirements of this Chapter. If approved, such exemption will be valid for up to 30 days and is renewable at the discretion of the Director. The request for a temporary exemption must describe:

   a. Specific exemptions requested;

   b. Type and use of exterior light involved;

   c. Duration of time for requested exemption;

   d. Type of lamp and calculated lumens;

   e. Total wattage of lamp or lamps;

   f. Proposed location of exterior light;

   g. Previous temporary exemptions, if any; and

   h. Physical size of exterior light and type of shielding provided.

E. **Outdoor Recreational Facilities.**

1. Light fixtures in outdoor recreational facilities such as ball fields, and other outdoor nighttime facilities and lighting for sports courts in backyards may exceed the height limits of the zoning district with administrative approval to ensure that the standards of this section are met.

2. ~~Shielding.~~ Fully shielded lighting is required for all fields, unless another type of luminaire will not cause light trespass in adjacent residential neighborhoods.

3. ~~Illuminance.~~ All lighting installations shall be designed to achieve no greater than the minimal illuminance levels for the activity as recommended by the Illuminating Engineering Society of North America (IESNA), with adjustments allowed, as appropriate, for the level of play, the most light-demanding sport in a multi-sport venue, and the maximum number of attendees.

4. ~~Off-Site Spill~~over Light. ~~The~~ installation shall also limit off-site spill (off the site containing the sports facility) to the maximum extent possible consistent with the illumination constraints of the design.

5. ~~Certification.~~ Every such lighting system design and installation shall be certified by a registered engineer as conforming to all applicable restrictions of this ~~Article~~section~~Article~~ section.

~~5.~~6. Light poles can be utilized as wireless cellular facilities subject to the requirements of Chapter 20.515 (Wireless Telecommunications Facilities on Private Property).

F. **Exterior Display/Sales Areas**.

1. Lighting levels on exterior display/sales areas must be adequate to facilitate the activities taking place in such locations and cannot be used to attract attention to the business.

2. ~~Shielding.~~ All display ~~lot~~ lighting shall utilize fully shielded luminaires that are installed in a fashion that maintains the fully shielded characteristics.

3. ~~Illuminance.~~ The display~~lot~~ shall be designed to achieve no greater than the minimal illuminance levels for the activity as recommended by the Illuminating Engineering Society of North America (IESNA).

4. ~~Off-Site Spill.~~ The display ~~lot~~ shall limit off-site spill (off the parcel containing the display lot) to a maximum of ~~5 lux (~~0.5 foot-candles~~ fc)~~ at any location on any non-residential property, and ~~0.5 lux (~~0.05 ~~fc)~~foot-candles at any location on any residential property, as measurable from any orientation of the measuring device.

5. ~~Curfew.~~ Display ~~lot~~ lighting shall be turned off or within thirty minutes after closing of the business. This restriction does not apply to auto malls, auto dealers, and shopping centers and to digital signage meeting the standards of Title 16.

G. **Gasoline Station/Convenience Store Aprons and Canopies**. Lighting levels on gasoline station/convenience store aprons and under canopies must be adequate to facilitate the activities taking place in such locations.

1. ~~Shielding.~~ Light fixtures mounted on canopies must be recessed so that the lens cover is recessed or flush with the bottom surface of the canopy and/or shielded by the fixture or the edge of the canopy.

20.501.090 – Recreational Vehicles and Campers

The parking and storage of recreational vehicles and campers on ~~single family~~single-family residential lots shall comply with the following regulations.

A. **Permanent Residences.** Mobile homes, travel trailers, motor homes, and campers used as permanent residences shall be located only in officially designated mobile home parks. Recreational vehicles used as temporary living units shall comply with ~~Chapter 20.12.030~~ Section 20.504.030 (Temporary Recreational Vehicle Living Units).

B. **Parking and Storage.**

1. A recreational vehicle shall only be stored on property owned by the owner of the recreational vehicle, or on property where the registered owner resides.

~~2. A stored recreational vehicle shall bear current vehicle registration (if required by state law).~~

~~3.~~2. Recreational vehicles shall not be stored on ~~the street in front of a lot~~any public or private streets or within any required front ~~or street side~~ setback area. For the purposes of th~~eis~~

provisions, the term "stored" means continuously parked in front or on the same ~~in the same location~~ lot for more than 72 hours.

~~4.~~3. All stored recreational vehicles shall be screened from public view by building walls, decorative screen walls or fences and landscaping to the greatest extent possible.

~~5.~~4. A stored recreational vehicle shall bear current vehicle registration as required by State law.

~~6.~~5. Vehicles may be stored within an interior side yard without screening if the vehicle is placed upon a paved surface.

~~7.~~6. Recreational vehicles stored within an interior side yard area shall not be stored in a wrecked, dismantled or inoperative condition.

~~8.~~7. A recreation vehicle may be stored within a street side yard, provided it does not encroach over a sidewalk or other parts of the public right-of-way and the vehicle is screened from view of the street by a minimum 56-foot-high decorative wall or fence.

~~9.~~8. A recreational vehicle may be parked for a maximum of 72 hours in the driveway or on a paved surface in the front yard area, provided the vehicle is parked perpendicular to the street and does not encroach over a sidewalk or other part of the public right-of-way.

~~10.~~9. For the purposes of this section, the term "recreational vehicle" shall also include boats, horse trailers, tractors, ~~and~~ farm equipment, and any other type of trailer, except for legal-nonconforming agricultural properties.

C. Exemption for ~~Disabled~~ Persons with Disabilities. The intent of this exemption is to provide emergency shelter and convenience for ~~disabled~~ persons with disabilities.

1. The recreational vehicle storage requirements stipulated by this section shall not be applicable to any recreational vehicle dwelling unit as defined by Section ~~20.24.020~~ 20.504.030 (Temporary Recreational Vehicle Living Units) of this code, that is owned and operated by a ~~disabled~~ person with a disability provided the ~~disabled~~ person can present evidence of issuance of a special license plate ~~for the disabled persons~~ issued under Section 5007 of the California Vehicle Code or a distinguishing placard or temporary distinguishing placard as defined by Section 22511.55 or 22511.59 of the California Vehicle Code for at least one fully operable vehicle owned ~~and~~, operated, ~~by the disabled person~~ and registered to the person at the same address or location.

2. A person using a distinguishing placard issued under Section 22511.55 or 22511.59 of the California Vehicle Code, or a special license plate issued under Section 5007 of the California Vehicle Code for~~of~~ the purposes of this exemption, shall, upon request of a peace officer or person authorized to enforce parking laws, ordinances, or regulations, present identification and evidence of the issuance of that placard or plate to that person. Failure to present the requested identification and evidence of the issuance of that placard or plate shall be a rebuttable presumption that the placard or plate is being misused. In addition to any other applicable penalty for the misuse of a distinguishing placard or special license plate, the exemption from the recreational vehicle storage requirements shall be voided.

3. Certain specialized trailers used for the transportation of a wheelchair, electric cart, or similar ~~transportation~~ mobility device used by a ~~disabled~~ person with a disability, may also qualify for this exemption as determined by the Director of ~~Community~~ Development Services.

4. Camper shells, whether mounted on a truck or not, or boats/watercraft of any kind, shall not be allowed to utilize this exemption.

20.501.100 – Metal Buildings

The use and construction of metal buildings is generally discouraged throughout the City, except where the characteristics of a use necessitate the use of metal buildings, such as aircraft hangars and industrial structures. Prefabricated metal buildings for use in residential zoning districts shall be regulated by the provisions of ~~Chapter 20.11.050~~ Section 20.502.040 (Prefabricated Metal Buildings) of this Code. Prefabricated metal buildings are allowed in industrial zones ~~and in the CG and CS zones~~, subject to the design standards in Chapter 20.506 (Design Standards).

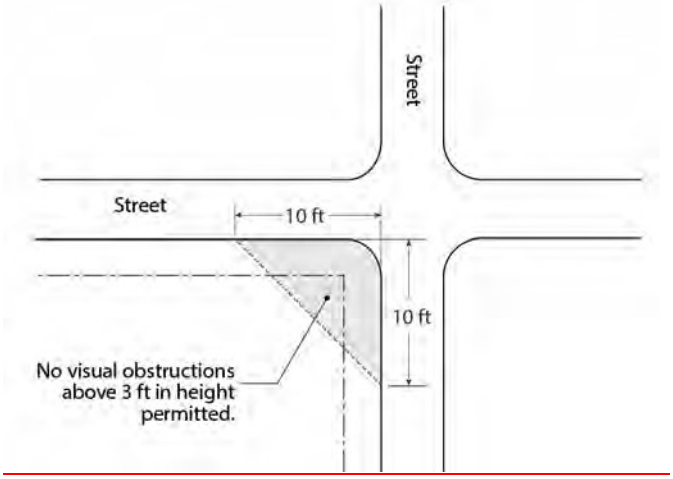
20.501.110 – Visibility at Intersection and Driveways

A. **Street Intersections**. At fully-signalized intersections, vegetation and structures must not exceed a height of three feet within the sight distance triangular area formed by the intersecting curb lines (or edge of pavement when no curbs exist) and a line joining points on these curb lines at a distance of 10 feet along both lines from their intersection, unless there is a "transparency" feature, such as open railings or well-pruned climbing plants, allowing for sight visibility.

1. Trees that are located within this sight distance triangle must have a minimum clearance of 13 feet high between the lowest portion of the canopy and street.

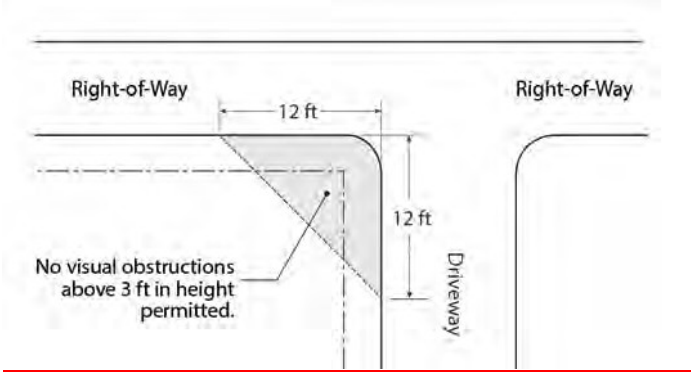
2. At unsignalized intersections, greater line-of-sight distances are established in the Standard Drawings of the Department of Public Works. The City Engineer shall make the final determination of these sight distances.

FIGURE 20.501-A VISIBILITY AT STREET INTERSECTIONS



B. **Driveways and Alleys.** Visibility of a driveway crossing a street lot line must not be blocked above a height of three feet within the sight distance triangular area formed by the intersecting curb lines (or edge of pavement when no curbs exist) and a line joining points on these curb lines at a distance of 12 feet along both lines from their intersection. Street trees that are pruned at least seven feet above the established grade of the curb so as not to obstruct clear view by motor vehicle drivers are permitted.

FIGURE 20.501-B VISIBILITY AT DRIVEWAYS



C. **Exempt Plantings**. The regulations of this subsection do not apply to existing buildings; public utility poles; saplings or plant species of open growth habits and not planted in the form of a hedge that are so planted and trimmed as to leave at all seasons a clear and unobstructed cross view; official warning signs or signals; or places where the contour of the ground is such that there can be no cross visibility at an intersection.

Chapter 20.502 – ACCESSORY STRUCTURES

Sections:

20.502.010 – Purpose
~~20.502.020 – Accessory Dwelling Units and Junior Accessory Dwelling Units~~
20.502.020 – Habitable Accessory Structures
20.502.030 – Non-Habitable Accessory Structures
20.502.040 – Prefabricated Metal Buildings

20.502.010 – Purpose

This chapter provides standards for accessory structures that are secondary and subordinate to the primary structure on the site. ~~The three (3)~~Two types of accessory structures are defined in Table 20.~~11~~502-1 (Types of Accessory Structures). Regulations for accessory dwelling units are in Chapter 20.503 (Accessory Dwelling Units).

TABLE 20.502-1 TYPES OF ACCESSORY STRUCTURES

~~Accessory Dwelling Unit~~	~~A dwelling unit with complete independent living facilities that is subordinate to a primary residential dwelling on the same lot.~~
Habitable Accessory Structure	A structure that is habitable but does not contain a kitchen and is subordinate to a primary structure on the same lot.
Non-habitable Accessory Structure	A structure that is not habitable, including sheds, detached garages, patio enclosures and structures used solely for animal keeping, and is subordinate to a primary structure on the same lot.

20.502.020 – Habitable Accessory Structures

A. Habitable accessory structures shall comply with the following standards:

1. The structure shall be located on the same lot as the primary structure.
2. The structure shall only be for the use of the occupants of the primary structure, their non-paying guests or domestic employees.
3. Accessory structures shall not be rented for use independent of the primary structure.
4. The structure shall not contain a kitchen or an area that can be easily converted into a kitchen.
5. The structure shall comply with all requirements of this Code that are applicable to the main dwelling, including, but not limited to, building setbacks, lot coverage, building height and architectural design.

6. Minimum setbacks and maximum height for habitable accessory structures shall be as provided in Table 20.~~11~~5023~~-~~-2.

TABLE 20.502-2 DEVELOPMENT STANDARDS FOR HABITABLE ACCESSORY STRUCTURES GREATER THAN 120 SQUARE FEET IN AREA

	~~*Single-Family*~~*Single-Family Zoning Districts (RD1 and RD2)*	~~*Single-Family*~~*Single-Family Zoning Districts (RD4.5 and RD8)*	*Multi-Family Zoning Districts (RD8, RD12, RD14, and RD20)*
Setbacks, Minimum			
Front	Same as main building	Same as main building	Same as main building
Rear			
Interior side	Same as main building	5 feet	
Street side	Same as main building	Same as main building	
Height, Maximum	1 story and up to 16 feet[1]	1 story and up to 16 feet[1]	1 story and up to 16 feet[1]
Maximum Size Structure	1,200 square feet[2]	1,200 square feet[2]	None

[1] A habitable accessory structure may be built on top of a one story detached garage or other detached structure in the RD 8, RD 12, RD 14, RD 20, and Mixed Use zoning districts. A habitable accessory structure may not be built on top of a detached garage or any other detached structure in the RD 1, RD 2, RD 4.5, or AG zoning districts.

[2] The structure must also comply with the floor area ratio requirement in Section 20.~~11~~502.~~030~~020(A)(9) (Habitable Accessory Structures). The planning commission may approve a structure larger than 1,200 square feet by granting a special conditional use permit pursuant to Section 20.~~11~~502.~~030~~020(A)(8) (Habitable Accessory Structures).

7. Habitable accessory structures shall not require off-street parking. If an existing garage of a primary residence is being converted to a habitable accessory structure, parking shall be replaced as required by ~~Subsection 20.18.020~~ Section 20.511.030 (Number of Parking Spaces Required) of this code.

8. The maximum size of the structure shall be one thousand two hundred (1,200) square feet, except that the P~~p~~lanning ~~c~~Commission may approve a larger structure with a special conditional use permit.

9. The total floor area of a detached habitable accessory structure shall not exceed 80 percent of the total floor area of the primary structure, excluding any attached or detached garage.

20.502.030 – Non-Habitable Accessory Structures

A. **General Requirements.** The following standards shall apply to all non-habitable accessory structures:

1. The structure shall be located on the same lot as the main building.

2. The structure shall not contain a kitchen, cooking facilities, or any habitable area, but may include restroom facilities.

3. The structure shall not be rented for use independent of the primary structure on the site.
4. Structures not attached to the main dwelling shall be located on the rear half of the lot, except that detached garages provided in fulfillment of the requirements of Section 20.5104~~18~~ (Parking) of this chapter may be located on the front one-half of the lot.
5. The structure shall not be located on the property so as to block free and clear access to the rear yard.
6. The use of shipping, storage or sea cargo containers as a permanent accessory structure shall be prohibited.
7. Small non-habitable accessory structures 120 square feet or less in area shall not be located in the front yard of a property or within the front setback.
8. Minimum setbacks and maximum height for small non-habitable accessory structures less than 120 square feet in area shall be as provided in Table 20.~~11~~5023~~-~~3. Minimum setbacks, maximum height, and maximum size for large non-habitable accessory structures greater than 120 square feet in area shall be as provided in Table 20.~~11~~5023~~-~~4. Minimum setbacks, maximum coverage, and maximum height for patio covers and enclosures shall be as provided in Table 20.~~11~~5023~~-~~5.
9. The maximum size of the structure shall be 1,200 square feet, except that the Planning Commission may approve a larger structure with a Special Conditional Use Permit.

TABLE 20.502-3 DEVELOPMENT STANDARDS FOR SMALL NON-HABITABLE ACCESSORY STRUCTURES 120 SQUARE FEET OR LESS IN AREA

	~~Single-Family~~Single-Family Zoning Districts (RD1, RD2, RD4.5, and RD8)	*Multi-Family Zoning Districts (RD12, RD14, and RD20)*
Setbacks, Minimum [1]		
Front	Same as main building	
Rear	As Required by the Building Code	
Interior side	As Required by the Building Code	Same as main building
Street side	As Required by the Building Code	
Height, Maximum	14 feet (one story only)	

TABLE 20.502-4 DEVELOPMENT STANDARDS FOR LARGE NON-HABITABLE ACCESSORY STRUCTURES GREATER THAN 120 SQUARE FEET IN AREA, EXCLUDING PATIO ENCLOSURES

	~~Single-Family~~Single-Family Zoning Districts (RD1, RD2, RD4.5, and RD8)	Multiple Family -Zoning Districts (RD12, RD14, and RD20)

Setbacks, Minimum		
Front	Same as main building [1]	Same as main building
Rear, no habitable space	One Story—5 feet [4] Two Story—10 feet [2][4]	
Interior/Alleyway, no habitable space	5 feet [3][4]	
Street side	Same as main building	
Height, Maximum	2 stories or 20 feet	
Size, Maximum	1,200 square feet	None

[1] Detached structures shall be located in the rear ½ of the lot.

[2] A building exceeding 14 feet in height, measured from finished floor to the highest point of the structure, shall be considered a two-story structure.

[3] A building or structure with a legal nonconforming side yard setback may be added to, extended or enlarged, provided that a side yard setback equal to or greater than the existing side yard setback is provided, and that the setback is consistent with the predominant interior side yard setbacks within the surrounding neighborhood.

[4] Reference 20.507~~17~~.040.B.2 for driveway length requirements.

TABLE 20.502-5 DEVELOPMENT STANDARDS FOR PATIO COVERS AND PATIO ENCLOSURES

	~~Single Family~~Single-Family Zoning Districts (RD1, RD2, RD4.5, and RD8)	Single-Family Small Lot Residential Subdivisions (RD4.5, RD8, RD12, and RD14)	Multiple Family Zoning Districts (RD12, RD14, and RD20)
Patio Covers[1]			
Setback, Minimum			
Front	Same as main building	Same as main building	Same as main building
Rear	5 feet	5 feet	
Interior Side			
Street Side			
Rear Yard Coverage, Maximum	50%	50%	N/A
Height, Maximum	14 feet	14 feet	Same as main building
Patio Enclosures			
Setbacks, Minimum [1]			
Front	Same as main building	Same as main building	Same as main building

	~~Single-Family~~Single-Family Zoning Districts (RD1, RD2, RD4.5, and RD8)	Single-Family Small Lot Residential Subdivisions (RD4.5, RD8, RD12, and RD14)	Multiple Family Zoning Districts (RD12, RD14, and RD20)
Rear	10 feet	10 feet	
Interior Side	5/10 feet	5 feet	
Street Side	15 feet	15 feet	
Rear Yard Coverage, Maximum	50%	50%	N/A
Height, Maximum	14 feet	14 feet	Same as main building

[1] Lattice patio covers and non-solid patio covers (minimum 50 percent open) shall not count towards lot coverage.

[2] Within ~~single-family~~single-family zoning districts, a minimum 10-foot-wide clear access shall be provided to the rear yard along at least one of the required side yards, excluding the RD8 zone and single-family small lot residential subdivisions in any zone for which no such requirement exists.

B. **Large Structures.** Non-habitable structures greater than 120 square feet in area shall comply with the following standards:

1. The size, footprint, height, bulk and scale of the structure shall be compatible with the primary structure and other structures in the surrounding area.
2. The structure shall be consistent~~match~~ with the main dwelling with respect to architectural design and detailing, roof material, exterior color and exterior finish materials, excepting prefabricated metal buildings. Structures visible from a public street shall be required to provide additional architectural detailing where visible.
3. If, in the opinion of the Director, an accessory structure is designed such that conversion to a secondary dwelling and/or ADU could easily occur without benefit of city knowledge or approval, recordation of a covenant or restriction against the title of the property upon which the structure is proposed shall be required. The covenant or restriction shall describe the location, size and use of the accessory structure, state that the accessory structure shall not be converted to a secondary unit without all required City approvals, and shall be recorded prior to the issuance of a building permit for the structure.

20.502.040 – Prefabricated Metal Buildings

Prefabricated metal buildings are classified as non-habitable accessory structures and shall comply with the following regulations:

A. **Metal Buildings in Residential Zones.**

1. Buildings and structures with a gross floor area of 120 square feet or less are permitted in all residential zoning districts and shall comply with the following:

a. The building or structure shall be located out of view of the public street to the greatest extent possible.

b. The building or structure shall not exceed 8 feet in height.

c. Metal roofing or siding/panels shall have a factory applied color finish.

d. The color shall be compatible with the main residence.

2. Buildings and structures with a gross floor area greater than 120 square feet are administratively permitted in the RD 1 and RD 2 zoning districts and shall comply with the following:

a. The building or structure shall only be used for the purposes of animal keeping, housing agricultural equipment, or housing a recreational vehicle owned by the property owner.

b. Metal siding/panels visible from the public street and adjacent properties shall have additional architectural detailing.

c. A factory applied color finish compatible with the existing main residence shall be provided.

d. The building or structure shall only be located behind the main residence of the rear one-half of the lot out of view from surrounding public streets to the greatest extent possible.

e. The building or structure shall maintain all required setbacks, however, a prefabricated metal building may utilize a three-foot setback along the side and/or rear property lines if all Uniform Building Code requirements are met.

f. A minimum 10-foot-wide access drive shall be provided to the structure from the front or corner side yard of the lot.

g. The building or structure shall be maintained in good condition, with a clean and undamaged appearance at all times.

h. A maximum of one metal building or structure shall be permitted per lot.

i. All current Uniform Building and Fire Department Code requirements shall be met.

j. If the building or structure is used to store a recreational vehicle, it shall be sized proportional to the recreational vehicle it is housing.

Chapter 20.503 – ACCESSORY DWELLING UNITS

Sections:

20.503.010 – Purpose
20.503.020 – General Requirements and Development Standards
20.503.030 – Approvals Required

20.503.010 – Purpose

This section is intended to implement the provisions of Sections ~~65852.2~~66310 through 66342 ~~6852.2 and 6582.22 and 65852.22~~ of the Government Code and, in case of ambiguity, shall be interpreted to be consistent with such provisions.

20.503.020 – General Requirements and Development Standards

A. **General Requirements.** Accessory dwelling units and junior accessory dwelling units shall comply with the following requirements:

1. ***Location***.

   a. An accessory dwelling unit may either be attached to, located within, or detached from a proposed or existing single-family or multifamily dwelling structure or in or above a detached garage.

   b. An accessory dwelling unit located within a multifamily dwelling structure shall be located within a portion of the structure not used as livable space, including, but not limited to, a storage room, boiler room, passageway, attic, basement, or garage, provided that each unit shall comply with state building standards for dwellings.

   c. A junior accessory dwelling unit shall be located within or attached to a proposed or existing single-family dwelling structure. It may only be created on a lot zoned for single-family residences.

2. ***Number of accessory dwelling units per lot.***

   a. No more than one accessory dwelling unit and one junior accessory dwelling unit are allowed on any lot with one or more existing or proposed single-family residence(s).

   b. ~~One, but not both, of the One, but not both, of the~~ The following options ~~is~~ are permitted on a lot with an existing or proposed multifamily residence:

      i. The ~~amount amount~~ number of accessory dwelling units allowed within the portion of an existing multifamily dwelling structure that is not livable space shall be equal to 25 percent of the ~~amount~~ number of units in the multifamily dwelling structure, provided that fractional units shall be rounded down and at least one accessory

dwelling unit shall be allowed in each multifamily dwelling structure. For example, one accessory dwelling unit is allowed in a multifamily dwelling structure with seven or fewer units; two accessory dwelling units are allowed in a multifamily dwelling structure with eight to eleven units; and three accessory dwelling units are allowed in a multifamily dwelling structure with twelve units.

ii. No more than ~~two~~ eight detached accessory dwelling units are allowed on a lot with an existing multifamily residence, provided the number of accessory dwelling units does not exceed the number of existing units on the lot.

iii. On a lot with a proposed multifamily dwelling, not more than two detached accessory dwelling units are permitted.

c. Notwithstanding any other provision in this section, the number of accessory dwelling units and junior accessory dwelling units permitted on a parcel that was created through an urban lot split shall be limited as described in Section 19.04.110.G.

3. ***Required facilities.***

a. Accessory dwelling units shall include complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation, including a kitchen and full bathroom.

b. Junior accessory dwelling units shall include living facilities for one or more persons, including permanent provisions for living, sleeping, eating, and cooking, including an efficiency kitchen. Junior accessory dwelling units may include separate sanitation facilities or may share sanitation facilities with the primary residence.

4. ***Separate entrances***.

Junior accessory dwelling units and accessory dwelling units located within a primary residence or attached to a primary residence shall include a separate entrance from the main entrance to the primary residence. However, no passageway to the unit is required.

B. **Development standards.**

1. An accessory dwelling unit shall comply with the development standards in Table 20.~~11~~503-1~~2~~ (Development Standards for Accessory Dwelling Units). No minimum lot size is required.

TABLE 20.503-1 DEVELOPMENT STANDARDS FOR ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

Feature	*Standard*
Maximum Size – Attached or Within the Primary Dwelling[1]	
Accessory Dwelling Units	50% of the existing primary dwelling structure, ~~of 1,200 of 1,200 square feet~~, or 1,600 square feet for units in the RD1 and RD2 zones and 1,200 square feet in other zones ~~whichever is less, whichever is less~~
Junior Accessory Dwelling Units	~~50% of the existing primary dwelling structure or~~ 500 square feet~~, whichever is less~~
Maximum Size – Detached[1][2]	~~1,200 square feet~~ 1,600 square feet for units in the RD1 and RD2 zones and 1,200 square feet in other zones ~~1,200 square feet~~
Setback – Front/Street Side[3]	Same as main building
Setback – Interior Side/Rear[3]	4 feet
Maximum Height	**Detached**: 1 story and up to 16 feet or 18 feet if within a ~~half~~half-mile walking distance of a major transit stop or a high-quality transit corridor plus two feet if necessary to allow with the roof pitch of the primary dwelling; **Attached**: two stories and 25 feet or the height of the primary dwelling unit height limit if less than 25 feet; **On a Multi-family lot**: if within an existing or proposed multi-family structure: 18 feet [4]
Minimum Lot Size	None

[1] Maximum size requirements for an accessory dwelling unit or junior accessory dwelling unit apply to the entire structure, including a garage, exterior storage space, or other structure that is attached to the unit but is not intended for use as livable space.

[2] Not applicable to junior accessory dwelling units.

[3] Setback requirements only apply to construction of new buildings, whether attached to or detached from the primary dwelling. No setback is required for the conversion of an existing living area, garage, or accessory structure to an accessory dwelling unit where the unit will not change the dimensions of the existing structure.

[4] An accessory dwelling unit may be built on top of a one story detached garage or other detached structure in the RD 8, RD 12, RD 14, RD 20, and Mixed Use zoning districts. An accessory dwelling unit may not be built on top of a detached garage or any other detached structure in the RD 1, RD 2, RD 4.5, or AG zoning districts.

a. Except as provided in Table 20.~~11~~503-1~~2~~, accessory dwelling units shall comply with all building and development standards applicable to the primary residence, including maximum lot coverage requirements except that the maximum lot coverage in the RD1 and RD2 is increased to 30 percent, subject to subsection (d).

b. ~~The total floor area of a detached accessory dwelling unit shall not exceed 80 percent of the total floor area of the primary structure, excluding any attached or detached garage.~~ When an accessory dwelling unit is created from an existing accessory structure, up to 150 square feet may be added beyond the physical dimensions of the existing accessory structure to provide for ingress and egress.

c. If the applicable maximum lot coverage requirement, or the floor area ratio requirement in subsection (c), would prevent the approval of an attached or detached accessory dwelling unit that is at least 800 square feet, an applicant shall, nonetheless, be permitted to construct an attached or detached accessory dwelling unit that is up to 800 square feet, provided that the unit complies will all other development standards.

d. The architectural design and detailing, roof material, and exterior color and finish materials of an accessory dwelling unit shall ~~match~~be consistent with the objective standards for the design of ~~-~~the primary dwelling.

e. An accessory dwelling unit may be manufactured housing, provided the development standards of this section and of Section 20.514.310 (Manufactured Housing) are met.

~~e. Accessory dwelling units are not required to have fire sprinklers if they are not required for the primary residence.~~

f. Efficiency units, as defined in Section 17958.1 of the Health and Safety Code, and manufactured homes may be used as accessory dwelling units, subject to compliance with the requirements of this code.

g. The correction of nonconforming zoning conditions shall not be required as a condition of approval for the creation of an accessory dwelling unit or a junior accessory dwelling unit.

2. ***Sale and rental of units.***

a. Accessory dwelling units and junior accessory dwelling units may not be sold or otherwise conveyed separate from the primary residence.

b. An accessory dwelling unit or junior accessory dwelling unit may be rented separate from the primary residence if the owner has a business license unless the City Manager has granted an exemption for having one pursuant to Section 5.04.070 but may not be rented for a term of less than 31 consecutive days.

3. ***Parking requirements***.

a. One on-site parking space shall be provided for each accessory dwelling unit bedroom on a lot, consistent with the parking requirements in Chapter 20.~~18~~511 (Parking and Loading)~~9~~18 of the ~~is~~ C~~e~~ode, except as otherwise provided in subsection (c).

b. No additional parking spaces are required for a junior accessory dwelling unit.

c. Tandem parking is permitted.

d. Notwithstanding subsection (a), no additional parking is required for accessory dwelling units in the following circumstances:

i. The accessory dwelling unit is located within one-half mile walking distance of public transit.

ii. The accessory dwelling unit is located within an architecturally and historically significant historic district.

iii. The accessory dwelling unit is located entirely within the proposed or existing primary residence or an accessory structure.

iv. When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.

v. When there is a car share vehicle located within one block of the accessory dwelling unit.

vi. When a permit application for an ADU is submitted with a permit application to create a new single-family dwelling or a new multifamily dwelling on the same lot, provided that the ADU or the parcel satisfies any other criteria listed in Government Code section 66322, subdivision (a)(1)-(5).

e. Any required parking for an accessory dwelling unit may be provided as tandem parking on an existing driveway or in setback areas, unless the director of development services, or the director's designee, finds that tandem parking and/or parking in setback areas is not feasible based upon specific site or regional topographical or fire and life safety concerns.

f. Pursuant to Government Code Section (65852.2a)(1)(D)(xi), ~~Offstreet~~Off-street parking spaces do not need to be replaced when a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or is converted to an accessory dwelling unit.

4. ***Fire Sprinklers.***

Fire sprinklers are required if they are required by the City's Building Code for the primary residence.~~;~~

~~4.~~5. ***Utilities.***

An accessory dwelling unit may share utility connections with the main dwelling or be metered separately from the main dwelling for gas, electricity and water services. A sewer connection separate from the main dwelling may also be provided.

~~5.~~6. ***Junior accessory dwelling units – owner occupancy***.

The property owner must reside in any single-family residence that includes a junior accessory dwelling unit. The owner may reside in either the junior accessory dwelling unit or the remaining portion of the structure. However, owner-occupancy is not required if the owner is a government agency, land trust, or housing organization.

~~6.~~7. ***Junior accessory dwelling units – deed restriction.***

The approval of a junior accessory dwelling unit will be conditioned on the recordation of a deed restriction, which shall run with the land, and will be recorded by the ~~city~~ City on the property where unit is, or will be, located. The deed restriction will include the following:

a. A prohibition on the sale of the junior accessory dwelling unit separate from the sale of the single-family residence, including a statement that the deed restriction may be enforced against future purchasers~~.~~; and~~]~~

b. A restriction on the size and attributes of the junior accessory dwelling unit that conforms with Government Code sections ~~6852.222~~ ~~65852.22~~66333 through 66339.

c. The deed restriction may be removed if the owner eliminates the junior accessory dwelling unit, as evidenced by, for example, removal of the kitchen facilities. To remove the deed restriction, an owner must send a written request to the Director, providing evidence that the junior accessory dwelling unit has been eliminated. The Director shall then determine whether the evidence supports the claim that the junior accessory dwelling unit has been eliminated. The Director's determination may be appealed; see Section 20.602.13~~2~~0 (Appeals)~~.~~

20.503.030 – Approvals Required.

A. The following approvals apply to ADUs and JADUs under this chapter:

1. ***Building Permit Only.*** If an ADU or JADU complies with each of the general requirements below, the ADU or JADU is allowed with only a Building Permit under this section as follows:

a. *Converted on Single-Unit Lot.* One ADU and one JADU on a lot with a proposed or existing single-unit dwelling on it, where the ADU or JADU:

i. Is either: within the space of a proposed single-unit dwelling; within the existing space of an existing single-unit dwelling; or

ii. Has exterior access that is independent of that for the single -unit dwelling; and

iii. Has side and rear setbacks sufficient for fire and safety, as dictated by applicable building and fire codes.

iv. The JADU complies with the requirements of Government Code Sections 66333 through 66339.

b. *Limited Detached on Single-Unit Dwelling Lot.* One detached, new-construction ADU on a lot with a proposed or existing single-unit dwelling in addition to any JADU that might otherwise be established on the lot if the detached ADU satisfies each of the following limitations:

i. The side and rear setbacks are at least four feet;

ii. The floor area is 800 square feet or smaller; and

iii. The height does not exceed the applicable height limit established in this section.

c. *Converted on Multi-Family Dwelling Lot.* One or more ADUs within portions of existing multi-family dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each converted ADU complies with the City's Building Code standards for dwellings. Under this subsection at least one converted ADU is allowed within an existing multi-family dwelling, up to a quantity equal to 25 percent of the existing multi-family dwelling units.

d. *Limited Detached on Multi-Family Dwelling Lot.* No more than two detached ADUs on a lot with a proposed multi-family dwelling, or up to eight detached ADUs on a lot with an existing multi-family dwelling, if each detached ADU satisfies all of the following:

i. The side and rear setbacks are at least four feet. If the existing multi-family dwelling has a rear or side yard setback of less than four feet, the City will not require any modification to the multi-family dwelling as a condition of approving the ADU.

ii. The height does not exceed the applicable height limit provided in subsection 20.~~(E)(2) below~~503.020 (B) (Development Standards).

iii. If the lot has an existing multi-family dwelling, the quantity of detached ADUs does not exceed the number of primary dwelling units on the lot.

2. ***Director's Ministerial Approval.*** Except as allowed above, no ADU may be constructed or legalized without a building permit and the Director's ministerial approval under Section 20.603.090 (D) (Application Submittal, Review, and Action) determine compliance with the standards of this chapter.

3. ***Process and Timing***. The City must approve or deny an application to create an ADU or JADU within 60 days from the date that the City receives a completed application or 30 days if the application is for a pre-approved ADU plan (see Section 20.503.030 (B) (Pre-Approved ADU Plans). If the City has not approved or denied the completed application within these time periods, the application is deemed approved unless either:

a. The applicant requests a delay, in which case the time period is tolled for the period of the requested delay; or

b. When an application to create an ADU or is submitted with a permit application to create a new single-unit dwelling or multi-family dwelling on the lot, the City may delay acting on the permit application for the ADU or JADU until the City acts on the permit application to create the new single- unit dwelling or multi-family dwelling, but the application to create the ADU or JADU will still be considered ministerially without discretionary review or a hearing.

4. ***Denials.*** If the City denies an application to create an ADU or JADU, the City must provide the applicant with written comments that include, among other things, a list of all the defective or deficient items and a description of how the application may be remedied by the applicant. Notice of the denial and corresponding comments must be provided to the applicant within the time periods established above.

B. **Pre-Approved ADU Plans**. The Development Services Department has developed a program for the preapproval of accessory dwelling unit plans, as required by Government Code Section 65853.27. The program shall continue to comply with all of the following:

1. The program shall include a procedure for obtaining pre-approval of accessory dwelling unit ~~plans, a~~plans, a review schedule, and fees for submission and review of pre-approved plans for accessory dwelling units that meet the standards of this chapter and the applicable standards of the California Building Code or the California Residential Building Code, as adopted by the City. The pre-approved plans submittal package shall include:

   a. Architectural information (e.g. plans, sections, elevations, design and structural details, and construction specifications);

   b. Structural information and calculations;

   c. Title 24 energy documents and energy efficiency verifications, as applicable;

   d. Truss plans and calculations, as applicable;

   e. Information on fire sprinklers and compliance with requirements of the Chino Valley Fire District as applicable;

   f. Geotechnical and soils information for foundation design or pre-approved footing sizes~~.~~; and

   g. A template for a standard site plan.

2. The pre-approved plan submittal package may include a checklist with instructions for individual property owners to complete the plans, adding site-specific information, such as parcel boundaries, dimensions of the primary residence, and distances to the accessory dwelling unit, street name(s), information on roofing, attic vents, exterior finishes, and verification of energy efficiency according to the California Home Energy Information System, location of utilities and easements, details on proposed solar panels, if applicable, and foundation information.

3. The Director shall review plans and optional checklist submitted, and those that meet the standards of this chapter and the requirements of Government Code sections 66314 through 66332 shall be submitted to the Planning Commission for approval. If no checklist is submitted with the plans, the City shall prepare an application checklist describing the additional information required in an application for use of pre-approved plans for the Commission's review.

4. Accessory dwelling unit plans that are pre-approved by the Planning Commission pursuant to this section shall be posted on the City's website along with an application checklist for finalizing the plans for submission to the City and contact information for the designer of record for applicants' use.

5. Individual applicants should be informed that they may need to work with contractors, structural engineers, or design professionals to complete the plans for submission for specific sites.

6. Pursuant to Section 20.603.090 (Zoning Clearance), the Director of Development Services shall ministerially approve or deny an application without discretionary review based on a pre-approved plan for a detached accessory dwelling unit plus required site-specific information and other details listed in the City's checklist for submission of applications with pre-approved plans within 30 days from the date the City receives a completed application accompanied by the required fee.

C. **Demolition Permits**

The City shall review and issue a demolition permit for a detached garage that is to be replaced with an accessory dwelling unit at the time that it reviews and issues a permit for construction of the accessory dwelling unit. Furthermore, applicants are not required to provide written or posted notice for the demolition of a detached garage unless the property is located in a designated historic district.

D. **Fee Waivers**

1. As required by State law, the City shall waive development impact fees established by the City, special districts, or water purveyors, including Quimby Act fees and Inland Empire Utilities Agency fees, for proposed accessory dwelling units or junior accessory dwelling units that are less than 750 square feet.

2. The City shall waive school impact fees for proposed accessory dwelling units or junior accessory dwelling units that are less than 500 square feet.

E. **Nonconforming Zoning Code Conditions, Building Code Violations, and Unpermitted Structures.**

1. The City shall not deny an ADU or JADU application due to a nonconforming zoning condition, building code violation, or unpermitted structure on the lot that does not present a threat to the public health and safety and that is not affected by the construction of the ADU or JADU. This provision does not apply to a building that is deemed to be substandard and does not comply with the standards specified in California Health and Safety Code Section 17920.3.

2. Upon request, the City shall allow the owner of a qualifying substandard unit up to five years to correct the violation so long as the violation is not a health or safety issue, as determined by the Director of Development Services.

~~a.~~F. **-Discretionary Review for Waivers and Exceptions to Standards.** Any proposed ADU or JADU that does not conform to all of the objective standards set forth in this Section may be allowed through a variance process under Section 20.603.080 (Variances), which requires discretionary review and approval by the Director for minor variances and the Planning Commission for major variances. Conditions of approval and performance guarantees may be imposed to ensure land use compatibility.

Chapter 20.504 – TEMPORARY USES AND STRUCTURES

Sections:

20.504.010 – Purpose
20.504.020 – Temporary Uses
20.504.030 – Temporary Recreational Vehicle Living Units
20.504.040 – Commercial Delivery Van Parking

20.504.010 – Purpose

This chapter establishes regulations, approval procedures and standards for temporary uses and recreational vehicles used as living units for a limited duration.

20.504.020 – Temporary Uses

A. **Temporary Uses Exempt from Permits.** The following uses are exempt from the requirements of this chapter.

1. ***Yard Sales.*** Yard sales in residential zones, or those conducted by a school or bona-fide non-profit organization, subject to the requirements of Title 5, Chapter 5.40 of the Chino Municipal Code.

2. ***Emergency Facilities.*** Public emergency facilities established for the purposes of health and public safety during a declared emergency.

3. ***City Events and Facilities.*** Activities conducted on public property as approved by the City Council and/or City Manager as necessary for certain events.

4. ***Temporary Construction, On-Site.*** Construction yards located on-site and less than one acre in size established in conjunction with an approved project. The construction yard shall be immediately removed within 10 days of completion of the construction project or expiration of the building permit.

5. ***Portable Toilets.*** Portable toilets shall only be permitted on a temporary basis pursuant to the requirements of Section ~~20.21.480~~ 20.514.430 (Portable Toilets) of this Code.

6. ***Temporary work trailers.*** A trailer or mobile home used as a temporary work site for employees of a business working on a development project for a maximum of 12 months or the expiration of the building permit

B. **Temporary Uses Requiring Permits.** The following temporary uses are permitted subject to issuance of ~~an Administrative Approval~~a Temporary Use Permit as provided by Chapter 20.~~23~~ 603 (Specific Procedures for Approvals and Permits) of this Code.

1. ***Contractor' construction yards, off-site.*** Construction yards located off-site in conjunction with an approved project for a maximum of 12 months or the expiration of the building permit.

~~2. ***Temporary work trailers.*** A trailer or mobile home used as a temporary work site for employees of a business for a maximum of 12 months or the expiration of the building permit.~~

~~3.~~2. ***Temporary storage containers.*** Storage containers shall be permitted in commercial zones from October 15 through January 15. Such facilities shall not be located in an area that is visible from the public street, within any required parking space, drive aisle, fire lane, or required landscape area.

~~4.~~3. ***Temporary structures.*** A temporary trailer or similar structure used as a classroom or office for a maximum of 12 months.

~~5.~~4. ***Temporary real estate office.*** A temporary real estate office used exclusively for the sale of homes for a maximum of 12 months, or as otherwise permitted by the Director of ~~Community~~ Development Services unless ~~already~~ approved as part of a model home complex.

~~6.~~5. ***Temporary parking lot.*** Unpaved parking areas on the same parcel or contiguous parcel as the principal use for up to two years.

~~7.~~6. ***Open air~~Farmer's~~ market.*** ~~Farmer's~~ Open air markets for a maximum of three days per week. This time limit does not apply to certified farmers markets.

~~8.~~7. ***Other similar uses.*** Similar temporary activities determined by the Director of ~~Community~~ Development Services to be compatible with the applicable zoning district and surrounding uses.

C. **Temporary Uses Requiring a Special Conditional Use Permit.**

1. Temporary buildings and facilities located below the 566-foot flood inundation line may be approved for an indefinite period of time in conjunction with a permitted or conditionally permitted use in an Agricultural zoning district with the approval of a ~~Special~~ Conditional Use Permit.

2. Any other temporary use not listed in subsections (A) or (B) above may be permitted with a Special Conditional Use Permit as long as the use is compatible with the applicable zoning district and surrounding uses.

D. **Application.** An application for ~~an Administrative Approval or Special Conditional Use Permit for a temporary use~~a Temporary use Permit or Conditional Use Permit shall be submitted with the ~~Community~~ Development Services Department pursuant to the requirements contained in Chapter 20.~~23~~603 (Specific Procedures for Approvals and Permits) of this Code. The temporary use shall not be permitted to commence until approval of the required ~~Administrative Approval or Special Conditional Use Permit~~Temporary Use Permit or Conditional Use Permit.

E. **Additional Requirements.** Temporary uses shall comply with the following additional requirements:

1. Upon, or prior to, the expiration of temporary use approval, any temporary structure, and all appurtenances thereto, shall be removed from all affected property.

2. The site shall be cleared of debris, litter and other trash upon expiration of temporary use approval.

3. To ensure removal of temporary structures, the Director may require a project proponent provide a performance security (bond, cash deposit or other method acceptable to the City) to ensure removal of the structure or facility at the end of the approved period. The performance security shall be equal to the estimated legal fees that would be incurred by the City if the structure or facility were not removed at the end of the approved period.

4. Should the temporary structure or facility not be removed within the approved period, any performance security, if required, shall be forfeited to the City.

F. **Extensions.** Extensions of the time period for the temporary use may be permitted by the body granting the original approval.

20.504.030 – Temporary Recreational Vehicle Living Units

A. **Purpose.** The purpose of these provisions is to provide a procedure by which recreational vehicles may be utilized by senior citizens as an affordable temporary living facility on a short-term basis.

B. **Applicability.** A temporary recreational vehicle living unit occupied by a senior citizen shall be permitted on any parcel occupied by a single-family residence, subject to the requirements of this section.

C. **Zoning Clearance.** The temporary occupancy of a recreational vehicle shall require issuance of a Zoning Clearance consistent with Section ~~20.23.110~~20.603.090 (Zoning Clearance).

D. **Duration.** A temporary recreational vehicle living unit may be occupied for a continuous 90-day period. The Director of ~~Community~~ Development Services may issue a one-time 30-day time extension, provided all requirements of this section have been met.

1. Not more than one temporary recreational vehicle living unit may be permitted on any lot or parcel at any one time.

2. At least one occupant of a temporary recreational vehicle living unit shall be fifty-five years of age or older.

3. Camper shells, whether mounted on a truck or not, or boats/watercraft of any kind, shall not be used as a temporary recreational vehicle living unit.

4. Temporary recreational vehicle living units shall only be permitted within a side or rear yard, and shall comply with all setback and building height limitations of the zone in which it is located.

5. Temporary service connections for water (garden hose) and electricity (extension cord) shall be permitted. Sewer service shall be self-contained within the temporary recreational vehicle living unit. No dumping of sewage on a lot or parcel upon which a temporary recreational vehicle living unit is located is permitted.

20.504.040 – Commercial Delivery Van Parking

A. **Purpose.** The purpose of these provisions is to provide a procedure by which temporary parking may be utilized for commercial delivery vans on a short-term basis.

B. **Applicability.** Temporary commercial delivery van parking shall be permitted citywide, subject to the requirements and findings of this section.

C. **Administrative Approval.** The temporary parking of commercial delivery vans shall require issuance of an Administrative Approval consistent with Section ~~20.23.120~~20.603.100 (Administrative Approval) of this Code. To understand the traffic level and potential impacts to roadways and/or intersections, a traffic trip generation study shall be required, and approved by the City~~'s Transportation Manager~~Traffic Engineer.

D. **Duration.** Temporary parking of commercial delivery vans shall be allowed for a maximum of 12 months. Applications for time extensions may be granted by the Director and shall be submitted to the City at least 30 days prior to expiration.

E. **Use Standards.**

1. No more than 75 vans may be parked on the site at any time.
2. Proposed parking areas shall be temporary in nature and are subject to the provisions in Subsection 20.~~12.020.F~~ 504.020 (Temporary Uses) of this Code.
3. Proposed parking areas shall not be located within 300 feet of any residentially zoned property, nor within 100 feet from any public street.
4. Ingress and egress of delivery vans from parking areas shall be conducted in a safe manner, in ~~accordance~~accordance with any conditions placed on the Administrative Approval by the City~~'s Transportation Manager~~Traffic Engineer.
5. No long-term storage of inoperable vehicles or maintenance of vans shall occur in any temporary parking areas.
6. The site shall have frontage on primary and/or secondary arterials, as determined by the Director of Development Services.
7. The site shall have adequate security at all times, as determined by the Director of Development Services.
8. A deviation from the above use standards may be permitted through approval of a special conditional use permit by the Planning Commission.

Chapter 20.505 – SMALL LOT RESIDENTIAL SUBDIVISIONS

Sections:

20.505.010 – Purpose
20.505.020 – Location
20.505.030 – Permits Required; Prohibition of Urban Lot Splits
20.505.040 – Use Regulations
20.505.050 – Development Standards

20.505.010 – Purpose

The purpose of the small lot residential subdivision standards are to:

A. Provide a unique and high-quality development by allowing for deviations from the base zoning standards to achieve variation in the design, orientation, and location of the unit on the lot.

B. Provide flexibility for infill development by permitting a variety of housing types, such as small lot detached homes, cluster homes, and courtyard homes, as traditional development is often constrained on infill sites by irregular lot shapes and sizes, and existing surrounding development.

C. Ensure that infill development is compatible with adjacent existing development.

D. Ensure adequate passive and active common open space and recreational amenities are provided within small lot residential developments.

20.505.020 – Location

A small lot residential subdivision may be proposed in RD 4.5, RD 8, and RD 12 zoning districts. The City may determine that a proposed small lot residential subdivision is not allowed where public facilities and services are insufficient for the proposed development.

20.505.030 – Permits Required; Prohibition of Urban Lot Splits

Approval of a ~~Special~~ Conditional Use Permit and a Tentative Map for a common interest or fee simple subdivision are required for a small lot subdivision. Urban lot splits proposed under Section 19.04.110 on a small lot parcel created under this section are not allowed on the small lots created under this chapter.

20.505.040 – Use Regulations

A small lot residential subdivision may be developed with only those uses allowed in the zoning district applicable to the site.

20.505.050 – Development Standards

This section establishes objective development standards for small lot residential subdivisions.

A. Table 20.~~13~~505-1 (Development Standards for Small Lot Residential Subdivisions - Traditional), Table 20.~~13~~505-2 (Development Standards for Small Lot Residential Subdivisions – Alley Loaded), and Table 20.~~13~~505-3 (Development Standards for Cluster and Courtyard Homes) identify development standards that apply to all lots and structures located in a small lot residential subdivision.

B. The unit types, architectural design and building orientation shall be varied to achieve an efficient and unique site design.

C. Setbacks, unit placement and building massing shall be varied and quality architectural design shall be utilized to provide a high-quality streetscape.

D. Alleys not required for fire access shall be a minimum of 24 feet wide, with a minimum of 3 feet of landscape setback between the edge of the pavement and building, fences or walls. Garages with alley access shall have a minimum setback of 3 feet from the curb. One tree for each unit shall be planted adjacent to the alley.

E. The driveway length for each unit shall either be less than 5 feet in length or greater than 19 feet.

F. Garages shall be of sufficient size to accommodate the required twenty-foot by twenty-foot clear parking area as well as additional area for trash receptacles, unless another location within the lot/site is designated. The developer shall provide a plan delineating the probable location of all trash receptacles on trash pick-up day to show potential on-street parking conflicts.

G. In addition to all other requirements of this section, small lot residential subdivisions consisting of five or more attached or detached dwelling units shall comply the following:

1. Decorative elements such as intensified landscaping, garden walls, gazebos and trellis features, and lighting shall be provided to enhance the project.

2. At primary and secondary site entries, a minimum of 15 feet of parkway shall be provided on both sides of the roadway. The enhanced parkway shall include a corner treatment consisting of landscaping and identification, i.e. signs, monuments, etc.

3. All sidewalks within the development shall be separated from the curb by a landscaped parkway. Sidewalks ~~may~~ shall be installed on ~~only one~~both sides of the street ~~at the discretion of the Director of Community Development~~ Services.

4. All streets within the development, with the exception of alleys, shall be a minimum of 36 feet wide, or the width necessary to accommodate parking on both sides of the street.

5. A total ratio of three spaces per unit, including both on and off-street parking, shall be provided. However, parking requirements for individual units shall comply with the appropriate parking standard for off-street parking within this code.

6. On-street parking shall be distributed throughout the project so that some parking for guests and residents is in close proximity to all units.

7. A parking plan shall be prepared and be coordinated with the Chino Valley Independent Fire District, United States Postal Service, and the City's Public Works Department for the purpose of establishing that on-street parking locations do not conflict with mailboxes, fire hydrants, fire lanes, 20' from the end of a corner radius, and any other utilities that require vehicular access. The parking plan shall clearly show the following and be subject to the review and approval of the Planning Commission:

   a. The number and location of all off-street parking spaces located in garages, on driveways, and in designated parking lots.

   b. The number and location of all on-street parking spaces.

   ~~b.~~c. The number and location of accessible parking spaces.

   ~~c.~~d. Locations where parking is prohibited or restricted to guests only.

8. The approved parking plan and CC&R provisions related to parking, access to parking, and garage use shall be disclosed to each prospective buyer and included in the purchase and sale agreement as a separate and distinct disclosure form. Additional disclosures may be required at the discretion of the Planning Commission.

TABLE 20.505-1 DEVELOPMENT STANDARDS FOR SMALL LOT RESIDENTIAL SUBDIVISIONS - TRADITIONAL

Item	*Zoning Districts*			*Additional Standards*
	RD 4.5	*RD 8*	*RD 12*	
Site Requirements				
Project Area, Minimum	15,000 SF	n/a	n/a	
Lot Area Minimum [1]	5,500 SF	2,500 SF	2,500 SF	
Density, Max [	4.5 du/acre	8 du/acre	12 du/acre;	
Landscape Coverage Min	40%	35%	30%	Based on the total project area
Building Coverage Max	60%	65%		
Off-Street Parking and Loading	2 car garage plus one guest parking space per unit			Guest parking may be on or off-street (interior streets)
Building Requirements				
Front Setback (Main Residence) [2]	15 feet	10 feet	10 feet	
Front Setback (Garage)	19 feet	19 feet	19 feet	
Rear Setback	10 feet	10 feet	10 feet	
Interior Side	5 feet	4 feet	4 feet	Zero lot lines may be permitted with a

				minimum building separation of 8 feet
Street Side (Project boundary)	15 feet	15 feet	10 feet	
Street Side (Interior streets)	5 feet	10 feet	10 feet	Letter lots may be counted towards the required street side yard setback
Building Height	2 stories/35 feet	2 stories/35 feet		

[1] Minimum lot area requirements apply only to the creation of new lots.

[2] Setbacks, unit placement, and building massing shall be varied and enhanced architectural design shall be utilized to provide a high-quality streetscape. For projects consisting of 5 or more units, the front yard setback may be reduced up to 20 percent, provided the minimum required front yard setback is maintained on average for all units within the development.

TABLE 20.505-2 DEVELOPMENT STANDARDS FOR SMALL LOT RESIDENTIAL SUBDIVISIONS - ALLEY LOADED

Item	*Zoning Districts*			*Additional Standards*
	RD 4.5	*RD 8*	*RD 12*	
Site Requirements				
Project Area, Minimum	15,000 SF	n/a	n/a	
Lot Area Min [1]	5,500 SF	2,500 SF	2,500 SF	
Density, Max.	4.5 du/acre	8 du/acre	12 du/acre	
Landscape Coverage Min	40%	35%	30%	Based on total project area
Building Coverage Max	60%	65%	65%	
Off-Street Parking and Loading	2 car garage plus one guest parking space per unit	Guest parking may be on or off-street (interior streets)		
Building Setbacks				
Front (Main Residence) [2]	15 feet	10 feet	10 feet	
Front (Open Porch)	8 feet	5 feet	5 feet	
Garage (Drive or Alley Access)	3 feet	3 feet	3 feet	
Garage (Side Yard)	5 feet	5 feet	5 feet	
Rear Yard	15 feet	10 feet	10 feet	
Interior Side Yard	5 feet	5 feet	5 feet	
Corner/Street Side Yard	10 feet	10 feet	10 feet	

TABLE 20.505-2 DEVELOPMENT STANDARDS FOR SMALL LOT RESIDENTIAL SUBDIVISIONS - ALLEY LOADED

Item	*Zoning Districts*			*Additional Standards*
	RD 4.5	*RD 8*	*RD 12*	
Corner/Street Side Yard (Open Porch)	5 feet	5 feet	10 feet	
Building Height	2 stories/35 feet	2 stories/35 feet	2 stories/35 feet	

[1] Minimum lot area requirements apply only to the creation of new lots.

[2] Setbacks, unit placement, and building massing shall be varied and enhanced architectural design shall be utilized to provide a high-quality streetscape. For projects consisting of 5 or more units, the front yard setback may be reduced up to 20 percent, provided the minimum required front yard setback is maintained on average for all units within the development.

TABLE 20.505-3 DEVELOPMENT STANDARDS FOR CLUSTER AND COURTYARD HOMES

Item	*Zoning Districts*			*Additional Standards*
	RD 4.5	*RD 8*	*RD 12*	
Site Requirements				
Project Area, Minimum		n/a	n/a	
Density, Max		8 du/acre	12 du/acre	
Building Coverage Max		70%	70%	
Off-Street Parking and Loading		2-car garage plus one guest parking space per unit		Guest parking may be on or off-street (interior streets)
Building Requirements				
Front Setback, main residence		6 feet	6 feet	Front yard setback from public or private street is measured from back of sidewalk on streets with curb adjacent landscape parkway.
Open Porch		5 feet	5 feet	
Garage, front access		18 feet	18 feet	
Garage, alley or drive access		3 feet	3 feet	

Side yard setback, interior		4 feet	4 feet
Side yard, corner/street		6 feet	6 feet
Garage (where present)		6 feet	6 feet
Building Separation			
Front façade to any other façade		8 feet	8 feet
Side façade to side or rear façade		8 feet	8 feet
Rear façade to rear façade		8 feet	8 feet
Building height		2 stories/35 feet	2 stories/35 feet

H. Open Space Requirements

1. Active open space containing recreation facilities shall be provided pursuant to Table 20.~~13~~505-4 (Minimum Requirements for Common Recreation Amenities). For the purpose of this provision, required recreation facilities shall be categorized as follows:

   a. ***Major Recreation Facilities:*** A major recreation facility is intended to be a significant recreation node or focal point for residents, and include recreation buildings, swimming or wading pools, splash pads, tennis or pickleball courts, childcare facilities, and other major amenities requiring significant investment and appropriate to serve project residents~~, as determined by the City~~. For projects consisting of ~~70 or fewer~~71-100 dwellings, two minor recreation facilities may be provided in place of one major recreation facility.

   b. ***Minor Recreation Facilities:*** A minor recreation facility is intended to augment the variety and availability of recreation facilities, and include tot lots, spas or saunas, picnic and barbeque areas, basketball courts, volleyball courts, yoga or dance studios, fitness rooms, community gardens and other similar amenities requiring significant investment and appropriate to serve project residents~~, as determined by the City~~..

2. For cluster and courtyard projects, a minimum of twenty percent of the net project area shall be dedicated to improved permanent open space, exclusive of driveways, parking areas, dwellings and non-recreation building areas.

3. A minimum of ~~300~~ 200 square feet of usable open space, with a minimum dimension of 10 feet shall be provided ~~on~~ for each unit, which may be private or common open space. If common open space is provided, the minimum private open space shall be 150 square feet on each lot.

TABLE 20.505-4 MINIMUM REQUIREMENTS FOR COMMON RECREATION AMENITIES

Type	Number of Dwelling Units							
	<10	10-70	71-100	101-150	151-200	201-250	251-300	>300
Major Facilities	0	~~1~~0	1	1	2	2	3	One per 100 DUs
Minor Facilities	1	~~0~~1	1	2	2	3	3	One per 50 DUs

Chapter 20.506 – STARTER HOME RESIDENTIAL DEVELOPMENT

Sections:

20.506.010 – Purpose
20.506.020 – Permits Required; Findings for Denial
20.506.030 – Qualifying Criteria and Prohibitions
20.506.040 – Use Regulations
20.506.050 – Development Standards for Starter Home Subdivisions
20.506.060 – Development Standards for Starter Home Housing Developments

20.506.010 – Purpose

The purpose of the Starter Home residential development regulations is to:

A. Implement the Starter Home Revitalization Act, including Government Code Section 66499.41, as amended.

B. Provide for unique, high-quality and affordable development by allowing for deviations from the base zoning standards to achieve variation lot size and in the design, orientation, and location of the unit on the lot.

C. Provide flexibility for infill development by permitting a variety of housing types, such as small lot detached homes, cluster homes, and courtyard homes.

20.506.020 – Permits Required

A. **Applications Required.** Applications for a ministerial zoning clearance and a parcel map or tentative map for a common interest or fee simple subdivision are required for a Starter Home residential development. An owner or qualified applicant may submit these concurrently. A complete application will be reviewed for conformance with this chapter and the applicable standards of this chapter, the Design Standards in Chapter 20.507 and the Government Code Section 66499.41 by the Director of Development Services.

B. **Application fee.** The owner shall pay an application fee in the amount established by City Council resolution.

C. **Ministerial Review.** The Director shall review each application ministerially through the zoning clearance procedure in Section 20.603.090 to determine if the development conforms to the standards of this chapter and, as applicable, of the Design Standards in Chapter 20.507. The Director will review the application without notice or public hearing and shall approve the application of the application

meets the applicable requirements of this chapter within the 60-day time limits established in Government Code Section 66499.41(c).

D. **Subdivision Map Act.** An application for a parcel map or tentative map must adhere to the requirements outlined in the Subdivision Map Act (Division 2 (commencing with Section 66410)) and in Chapter 19, except as otherwise expressly provided in this section.

E. **Inconsistencies.** If the proposed Starter Home subdivision or Starter Home housing development is inconsistent with applicable requirements mor with Government Code Section 66499.41, the Director shall provide the applicant notice describing the inconsistency(ies) as required by the Government Code.

F. **Decision and Conditions.** The Director shall render a decision in writing and shall state the reasons for approval or denial. Reasonable conditions of approval may be imposed to ensure compliance with objective standards and Government Code Section 66499.41. The decision of the Director shall be final. The City may deny an application only on grounds authorized by Government Code Seciton 66499.41.

G. **Prohibition of Urban Lot Splits.** A lot created under this chapter shall not be further subdivided pursuant to an urban lot split under Section 19.04.110 or Government Code Section 66411.7.

20.506.030 – Qualifying Criteria

A small lot residential subdivision and small lot housing development may be proposed in the RD 4.5, RD 8, RD 12, RD 14, and RD 20 zoning districts. In the RD 4.5 and RD 8 zoning districts, only vacant land that is substantially surrounded by urban uses may be subdivided into small lots under this division. This restriction does not apply in in the RD 12, RD 14, and RD 20 zoning districts.

A. **Specific Criteria.** A parcel map or tentative and final map for a Starter Home subdivision must meets all the following requirements:

1. The proposed subdivision will result in ten or fewer parcels and the housing development project on the lot proposed to be subdivided will contain ten or fewer residential units.

2. The site is no larger than 1.7 acres in the RD 4.5 and RD 8 zoning districts and five acres in the RD 12, RD 14, and RD 20 zoning districts and substantially surrounded by qualified urban uses. In RD 4.5 and RD 8 zoning districts the site must be vacant, meaning having no permanent structure, unless the permanent structure is abandoned and uninhabitable.

3. The lot was not an urban lot split created pursuant to Government Code Section 66411.7 and Section 19.04.110.

4. The newly created lots are no smaller than 1,200 square feet in the RD 4.5 and RD 8 zoning districts and 600 square feet in the RD 12, RD 14, and RD 20 zoning districts.

5. The housing units on the lot proposed to be subdivided will be one of the following:

   a. Constructed on fee simple ownership lots;

   b. Part of a common interest development;

   c. Part of a housing cooperative, as defined in Civil Code Section 817; or

   d. Owned by a community land trust meeting the requirements of Government Code Section 66499.41.

   e. Formation of a homeowners' association is not required.

6. The proposed development must meet one of the following:

   a. If the site is identified in the General Plan Housing Element for the current planning period, the development must result in at least as many units as projected for the parcel in the Housing Element. If the site is identified to accommodate low- or very-low income households, the development must result in at least as many low- or very-low income units as projected in the General Plan Housing Element. These units shall be subject to a recorded affordability restriction of at least 45 years if for-sale units and 55 years if rental units.

   b. If the site is not identified in the Housing Element for the current planning period, the development must result in at least as many units as the maximum allowable residential density for the site.

7. The average total area of floorspace for each of the proposed housing units on the lot proposed to be subdivided does not exceed 1,750 net habitable square feet.

8. The housing development project on the site proposed to be subdivided complies with Section 20.501.060 and all applicable standards in Chapter 20.507, Design Standards, that do not physically preclude a Starter Home development.

9. The housing development project on the site proposed to be subdivided would not require demolition or alteration of any of the following types of housing:

   a. Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of low-, very low-, or extremely low-income.

   b. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.

c. Housing occupied by tenants within the five years preceding the date of the application, including housing that has been demolished or that tenants have vacated prior to the submission of the application for a development permit.

d. A parcel on which an owner of residential real property has exercised the owner's rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 of the Government Code to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.

10. The site being subdivided is not located on any of the following:

a. A very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code. This subparagraph does not apply to sites excluded from the specified hazard zones by a local agency, pursuant to subdivision (b) of Section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.

b. A hazardous waste site, as defined by Government Code Section 65913.4(a)(6)(H).

c. Within a special flood hazard area subject to inundation by the one percent annual chance flood (one hundred (100)- year flood) or a regulatory floodway as defined by the Government Code.

11. The parcels created pursuant to this chapter must be served by a public water system and a municipal sewer system.

12. If any existing dwelling unit is proposed to be demolished, the applicant will comply with the replacement housing provisions of Government Code Section 66300(d).

13. At least one residential structure must be developed on each resulting parcel that does not already contain an existing legally permitted residential structure or is reserved for internal circulation, open space, or common area.

14. If any existing housing is proposed to be demolished, the owner of the property proposed for the subdivision shall sign an affidavit, in the form approved by the Director, stating that none of the conditions listed above exist and shall provide a comprehensive history of the occupancy of the units to be altered or demolished for the past five years on a form approved by the Director. This affidavit requirement is ministerial and limited to the information necessary to verify statutory eligibility.

20.506.040 – Use Regulations

A small lot residential development may be developed with only those residential uses allowed in the zone applicable to the site.

20.506.050 – Development Standards for Starter Home Subdivisions

Starter Home residential subdivisions must conform to the applicable standards of the Chapter 20.507, Design Standards, the zone standards for development established in the 200 Series of this title and any applicable overlay district standards in the 300 Series, and the following additional standards. Allowable housing types include detached or attached single family residences, cluster housing, and courtyard housing.

A. **Minimum Lot Area.**

1. ***RD 4.5 and RD 8 Zoning Districts:*** 1,200 square feet.

2. ***RD 12, RD 14, and RD 20 Zoning Districts:*** 600 square feet.

B. **Lot Configuration.**

1. ***Access to Public Right-of-Way.*** All lots shall have vehicular access to the public right-of-way, either through direct lot frontage or an easement through the existing parcel with the minimum access width necessary to meet Fire and Building Code requirements.

2. ***Lot Frontage.*** Each lot shall have a minimum frontage of 30 feet, unless the frontage requirement precludes the development of a lot containing 1,200 square feet in the RD 4/5 and RD 8 zoning districts and 600 square foot in the RD 12, RD 14, and RD 20 zoning districts.

3. ***Lot Configuration.*** The side line of all lots shall be at right angles to the street which the lot faces, or approximately radial to the center of the curvature, if the street is curved. Side lines of lots shall be approximately radial to the center of the curvature of a cul-de-sac on which the lot

C. **Utilities.**

1. Each lot shall have utilities, including but not limited to electric, gas, water, and sewer. There may be separate or shared. The new parcel shall adhere to the standards outlined in the City's Public Works Standards.

2. Utility easements shall be recorded prior to final map recordation.

20.506.060 – Development Standards for Starter Home Housing Development

Starter Home housing development must conform to the applicable standards of Chapter 20.507, Design Standards, the zoning district standards for development established in the 200 Series and any applicable overlay district standards in the 300 Series, and the following additional standards.

A. **Setbacks.**

1. ***Minimum frontage setback***: 10 feet.

2. ***Side yard and rear yard setbacks:*** 4 feet from the original exterior lot lines. No interior setbacks are required, except as needed to comply with the California Building Code. Zero-side yard development for single family residences is allowed.

B. **Maximum Floor Area Ratio.**

1. ***RD 4.5 and RD 8 Zoning Districts:*** 1.0 for 3 to 7 units; 1.2 for 8-10 units.

2. ***RD 12, RD 14, and RD 20 Zoning Districts***: 1.25

C. **Height.** The applicable zoning district standards apply

D. **Landscaping and lot coverage.** The applicable zone standards apply.

E. **Parking.**

1. No more than one space per unit, which may be uncovered or not enclosed except where parking reductions are required by State law.

2. Tandem spaces are permitted.

F. **Waivers of standards.**

An applicant may request a waiver from the development standards provided in this division if the following criteria are met:

1. ***Application.*** The applicant requests an exception as a part of the application materials.

2. ***Approval Authority.*** The exception request shall be submitted to the Director for review. The Director shall determine if the exception meets the standards for approval.

3. ***Standards for Approval.*** An exception from a development standard shall be granted if the standard would have the effect of physically precluding: (1) development at least as many units as projected for the site in the General Plan Housing Element; or (2) if the site is not identified in the Housing Element for the current planning period, development of at least as many units as the maximum allowable residential density for the site, where the resulting lot sizes of at least 1,200 square feet in the RD 4.5 and RD 8 zoning districts and 600 square feet in the RD 12, RD 14, and RD 20 zoning districts. Waivers from zoning standards for accessory structures, such as decks and garages, shall be only for the minimum size structure required to serve each housing unit according to state law and Building Code standards. A waiver cannot be approved for an application that proposes new construction within four feet of the original exterior lot lines.

Chapter 20.507 – DESIGN STANDARDS

Sections:

20.507.010 – Purpose
20.507.020 – Applicability
20.507.030 – Design Standards that Apply to All Uses
20.507.040 – Single-Family Residential Design Standards
20.507.050 – Multiple-Family Residential Design Standards
20.507.060 – Mixed Use Design Standards
20.507.070 – Commercial Design Standards
20.507.080 – Office ~~and Industrial~~ Design Standards
20.507.090 – Industrial Design Standards

20.507.010 – Purpose

The purpose of these standards is to promote high quality development that will enhance the design character of Chino, enable streamlined project review for development in opportunity areas, and implements the General Plan. Objective design standards promote innovation, flexibility, and compatibility across all development types and provide an objective basis for project approval.~~.~~

20.507.020 – Applicability

A. These standards apply to all new and substantially renovated residential, commercial and industrial, and office uses throughout the city.

B. All development shall comply with the City of Chino Design Guidelines, established by City Council Resolution, in addition to the standards contained in this chapter unless compliance would physically preclude development of affordable housing or other qualifying development under Government Code 66499.41.

20.507.030 – Design Standards that Apply to All Uses

A. **Siting and Orientation**. Building entrances shall be oriented towards the street or to courtyards and plazas within a development.

B. **Building Massing**. Entries shall be visually and functionally distinct, pedestrian-oriented and visible from the adjacent street system. This may be achieved by recessing the entry, providing a covered porch or entry canopy, creating an arcade, by the use of bollards and accent materials, provision of seating areas, varying the roof plane and roof height, by providing ~~lush~~ landscaping in combination with ~~enhanced~~ hardscape materials, or by the addition of a compatible entry structure.

C. **Building Façade**. Long, flat building facades, exceeding 125 feet in length along streets, shall ~~be avoided to the extent possible~~provide visual interest with changes in materials, texture, and/or color, or offsets of recesses two to three feet in depth for one story at least every 50 feet of façade length.

The planes along an exterior wall elevation shall be staggered to create pockets of light and shadow, and to provide relief from monotonous, uninterrupted expanses of wall.

D. **Architectural Details.**

1. All windows within a building and across a façade shall be related in design, operating type, proportions and trim.

2. All building elevations adjacent to a street or highway or visible from parks, playing fields and public open space shall provide architectural detail and relief intended to break up building mass and roof lines, and provide ~~architectural~~ visual interest. Relief may be provided by building pop-outs or recesses, balconies and bay windows, dormers and gable roofs, roof overhangs and deep eaves, Juliet balconies, corner-wrapping windows, columns, entry doors and garage doors with glass windows, decorative cornice trim, and decorative tiles.

3. Simulated non-natural finishes (e.g. artificial stone using concrete form liners simulating naturalistic lines and shapes such as rubblestone) shall be of a high quality that successfully mimic the natural material.

4. Roof materials shall relate to the design and architectural style of the building.

E. **Lighting.**

1. The location of light fixtures should correspond to anticipated use. Lighting of pedestrian movement paths ~~should~~ shall illuminate changes in grade, path intersections, seating areas and any other uses along the movement path that, if left unlighted, would create an unsafe situation.

2. All lighting fixtures shall be shielded to confine light spread on-site.

3. All lighting fixtures shall be decorative in design, consistent with the architectural style of the building.

F. **Equipment and Systems.**

1. All building drainage gutters, down spouts, vents, etc., located on the exterior walls shall ~~be~~ installed with ~~architecturally~~ ~~compatible~~ materials, finishes and colors that are consistent with the exterior building design and color, or shall be completely concealed from view.

2. All mechanical equipment and appurtenances of any type (including, but not limited to, skylights, stack vents or fans), whether located on rooftops, ground level or anywhere on the building structure, shall be completely screened so as not to be visible from any public street and/or adjacent property. The parapet wall ~~should~~ shall serve as the primary method of screening, or the facilities shall be enclosed. Such enclosure of facilities shall be of compatible design in terms of materials, finishes and colors that are consistent with those on ~~related to~~the building structure for which such facilities are intended to serve.

3. Ladders for roof access shall be mounted on the inside of the building, or shall be completely concealed from view.

20.507.040 – Single-Family Residential Design ~~Standards~~

A. **Lot Access**.

1. Lots with no street frontage may be accessed from an alley as the primary means of access.

2. Each lot taking access from a primary or secondary arterial street as specified in the circulation element of the C~~e~~ity's G~~g~~eneral P~~p~~lan shall provide a circular driveway or other acceptable drive which will allow vehicles to enter traffic safely in a forward motion.

B. **Driveways**. Each lot shall be provided with a concrete (or equal material, subject to approval by the Director of ~~Community~~ Development Services) driveway between the street/alley and the garage/carport. The design and section of the driveway shall ~~be subject to review and approval by the city~~meet the City's objective design and engineering standards established in Chapter 20.511 (Parking and Loading).

1. Driveways accessed from streets shall be 20 feet or greater in length, measured from the back of sidewalk to the garage/carport opening.

2. Driveways accessed from alleys shall be 5 feet or less in length or 20 feet or greater in length, measured from the property line to the garage/carport opening.

C. **Entries.** At least ~~25~~30 percent of the homes shall include a covered entry or porch.

~~C.~~D. **Floor Plans and Elevations**. A variety of floor plans and building elevations with different color schemes shall be provided. All developments shall comply with Table 20.~~17~~507-1 (Schedule for Architectural Variation).

TABLE 20.507-1 SCHEDULE FOR ARCHITECTURAL VARIATION

No. of Dwelling Units Proposed	*Minimum No. of Differing Floor Plans Required*[1]	*Minimum No. of Elevations and Schemes for Each Floor Plan Required*
5-10	As required by the Planning Commission	
11 – 25	2	~~3~~2 + 2 color schemes per elevation
26 – 50	3	~~3~~2 + 2 color schemes per elevation
51 – ~~75~~100	3	~~4~~3 +3 color schemes per elevation
~~76 – 100~~	~~4~~	~~4~~
Over 100	~~4~~ 3 plus one additional floor plan with one~~4~~ elevation and one color scheme for each additional 25 units exceeding 100	

~~D.~~E. **Building Foundations**. All dwellings and accessory structures shall be affixed to a permanent, continuous perimeter foundation, consistent with the requirements of the city's building code.

~~E.~~F. ~~**Type V** **Electric** **Wiring**~~. All new single-family and duplex dwelling units shall have ~~Type V~~ wiring ~~or similar~~ that meets the California Electrical Code for a home data-transfer/network wiring system installed throughout the unit. Category 6 or 6A wiring is preferred~~; Category 5 wiring is not required.~~.

~~F.~~G. ~~**Neighborhood Context**~~**Roof Plans**. The main roof plan should accommodate laying out an efficient photo-voltaic panel system. Smaller roofed areas, such as dormers, sheds, and gabled or hipped entries shall reflect and be consistent with the architectural style of the home. ~~Roof forms and pitches shall be consistent with those that are found on surrounding homes.~~

~~G.~~H. **Massing and Scale.** Entries shall not be the tallest feature of the façade and shall not dominate the structure.

~~H.~~I. **Roof Materials.**

1. Roofing material used on new home construction shall be of clay or concrete tile with a Class A fire rating. Developments consisting of four or fewer homes may use a thirty-year laminated composition dimensional shingle with a Class A fire rating, provided the roofing material of homes within the immediate neighborhood are a material other than clay or concrete tile.
2. When replacing a roof, the roofing material that is to be replaced shall be of a material that is equal to, or better than the material to be removed~~, as determined by the Director of Community Development~~ Services~~.~~. If the roofing material to be replaced is wood shake/shingle, a thirty-year laminated composition dimensional shingle with a Class A fire rating shall be used at a minimum. The Director of ~~Community~~ Development Services may grant exceptions from this provision if it can be shown that its application would require significant structural alteration to a roof's supporting members, thereby adding significantly to the cost of the replacement roof.
3. Roof material color shall be compatible with the ~~surrounding neighborhood~~the floor scheme of the home. ~~.~~

~~I.~~J. **Façade.**

1. Residential entries shall be located on the front façade and shall directly access the sidewalk or street.
2. Roof flashings, rain gutters and downspouts, vents and similar features shall be finished to coordinate with adjacent finish materials and/or colors.

20.507.050 – Multiple-Family Residential Design Standards

A. **Massing and Scale.**

1. The massing of apartment buildings larger than 4 units shall incorporate architectural features that help to individually distinguish them, such as wall breaks, projections~~, distinct color~~ cantilever massing of three feet of more, ~~schemes~~ and ~~individual~~ varied roof ~~treatments~~planes and roof heights.

2. Access points to units shall be clustered in groups of four or less. The use of distinctive architectural elements and materials to denote entrances is encouraged.

B. **Architectural Enhancements.** At least three of the following enhancements shall be included in the design of each multi-family building:

1. Combinations of horizontal and vertical siding or stucco with wood siding or stone and tile
2. Balconies and ground floor decks exceeding minimum area standards by 20 percent
3. Bay windows
4. Porches and entries exceeding 60 square feet.
5. Window shutters.
6. Dormers
7. Roof or garage overhangs of two feet or more
8. Varied garage entry placement
9. Recessed windows
10. Decorative ceramic tile or brick accent
11. Decorative cornice trim
12. Columns or railings on porches or decks.

~~B.~~C. **Open Space.**

1. Open space areas between buildings shall be scaled to the size of the buildings so that the height of exterior walls of buildings facing ~~does not overwhelm the~~ adjacent open space, exclusive of upper-story ~~s~~setbacks ~~tepbacks~~, is no greater than the perpendicular horizontal dimension of the open space.
2. A minimum of 40 percent of the net lot area shall be dedicated to improved permanent open space, exclusive of driveways, parking areas, dwellings and non-recreation building areas. Open space areas shall be provided as follows:
   a. 35 percent of the net lot area shall be devoted to common open space area, including recreation facilities and accessory structures and buildings. All projects shall provide a flat, open play field within the common area.
   b. Common open space shall not be less than 5 feet in width at its narrowest dimension.
   c. Up to 15 percent of the required common open space may be provided within a recreational facility on the roof of a multi-story building.
3. Each dwelling unit within a multiple unit residential development shall be provided a private open space area, free and clear of any attached or detached accessory structure as follows:
   a. Ground level units shall be provided a ~~200~~120-square foot private yard at grade level with a minimum interior dimension of 10 feet or a~~.~~ 100-square foot deck directly

~~accessible~~accessed from the unit with a minimum interior dimension of 8 feet may be substituted.

b. Upper level units shall be provided a ~~100~~60-square foot balcony with a minimum interior dimension of ~~8~~ 6 feet.

~~C.~~D. **Recreation Facilities Requirements.**

1. All multi-family residential developments shall provide accessible major and minor recreation facilities in accordance with Table 20.~~17~~507-2 (Minimum Recreation Facilities for Multi-Family Developments). For the purpose of this provisions, recreational amenities shall be categorized as follows:

TABLE 20.507-2 MINIMUM RECREATION FACILITIES FOR MULTI-FAMILY DEVELOPMENTS

Type	*4 or less*	*5-25*	*26-100*	*101-150*	*151-200*	*201-250*	*251-300*	*301+*
Major Facilities:	0	0	~~1~~0	1	2	2	3	One/100 DU's
Minor Facilities:	0	1	~~1~~2	2	2	3	3	One /50 DU's

a. A major recreation facility is intended to be a significant recreation node or focal point for residents and include recreation buildings, swimming pools, tennis or pickle ball courts, basketball courts,~~-~~ child care facilities and ~~other such~~similar amenities ~~requiring the significant investment and appropriate to serve project residents, as determined by the city~~.

b. A minor recreation facility is intended to augment the variety and availability of recreation facilities and include children's play areas, gym or fitness room, space for yoga, dance or other instruction, spas or saunas, picnic and barbecue areas, volleyball courts and ~~other such~~similar amenities. ~~requiring significant investment and appropriate to serve project residents as determined by the city.~~

~~D.~~E. **Minimum Dwelling Amenities.**

1. At a minimum, each unit shall be provided with the following amenities:

a. Wall to wall carpeting.

b. Curtains, drapes, mini-blinds or an equivalent covering for all windows and glass doors. This requirement may be waived by the planning commission when the dwelling unit is for sale and will be owner occupied.

c. Central heating and air conditioning.

d. Built-in dishwashers.

e. Fully enclosed, securable storage closet not less than 120 cubic feet in area and ~~accessible~~accessed from a patio or balcony of a dwelling unit. This requirement shall only

apply to units that do not include garages or carports with fully enclosed, securable storage closets not less than 120 cubic feet in area.

f. Clothes washer and dryer electrical gas hookups for standard side-by-side washer and dryer appliances, except that a bachelor/studio unit may provide facilities for stackable washer/dryer appliances.

~~E.~~F. **Architectural Style.**

1. At least two different architectural styles are required for individual neighborhoods and projects with more than 100 units; three are preferred.

2. If a unified theme is proposed for a "village" community or neighborhood, then a single architectural style may be proposed with one color scheme per 100 units.

~~1.~~3. ~~A variety of~~At least two different exterior ~~-~~materials and three colors shall be used within an architectural theme ~~that emphasizes a differentiation~~to differentiate between the various components of the building.

~~2.~~4. Windows shall be used as architectural elements that add relief to the façade and wall surface. Window trim is required is required for the top, bottom, and sides of windows; the window itself may be recessed.

~~F.~~G. **Roof Material.**

1. Roofing material used on new home construction shall be of clay or concrete tile with a Class A fire rating. Developments consisting of four or fewer homes may use a thirty-year laminated composition dimensional shingle with a Class A fire rating, provided the roofing material of homes within the immediate neighborhood are a material other than clay or concrete tile.

2. When replacing a roof, the roofing material that is to be replaced shall be of a material that is equal to, or better than the material to be removed, as determined by the Director of ~~Community~~ Development Services. If the roofing material to be replaced is wood shake/shingle, a 30-year laminated composition dimensional shingle with a Class A fire rating shall be used at a minimum. The Director of ~~Community~~ Development Services may grant exceptions from this provision if it can be shown that its application would require significant structural alteration to a roof's supporting members, thereby adding significantly to the cost of the replacement roof.

3. Roof material color shall be compatible with the surrounding neighborhood.

~~G.~~H. **Off-Street Parking Accessibility.** Off-street parking spaces shall ~~be located within 150 feet from the dwelling unit (front or rear door) for which the parking space is provided~~provide pedestrian access as required by Chapter 20.511 (Parking and Loading).

~~H.~~I. **Driveway Approaches.** Driveway approaches serving developments of five or more units shall be delineated with enhanced paving treatment, such as interlocking pavers, textured and color pigmented concrete, or stamped concrete.

~~I.~~J. ~~**Paved Access.** All parts of all structures shall be located within 150 feet of paved vehicular access~~.

~~J.~~K. **Exterior Building Color.** The exterior building color shall be ~~reviewed and approved by the Ddirector of Community Development Services prior to application. Colors shall be color coordinated between structures utilizing compatible hues and intensities~~consistent with the architectural style proposed. ~~. Final review and approval of paint colors utilizing a color test shall take place prior to painting a building.~~

~~K.~~L. **Security Plan.** Prior to the issuance of building permits, the developer or owner shall provide a detailed security plan outlining private and common security measures to be~~eb~~ reviewed by the Police Department. The analysis shall include assessment of defensible space, visual line-of-sight limitations, screening effects of buildings, fencing and landscaping, exterior illumination and building and unit address visibility. Access ways with security gates shall be provided with a Knox Box or Knox lock assembly to allow entry of emergency equipment and personnel.

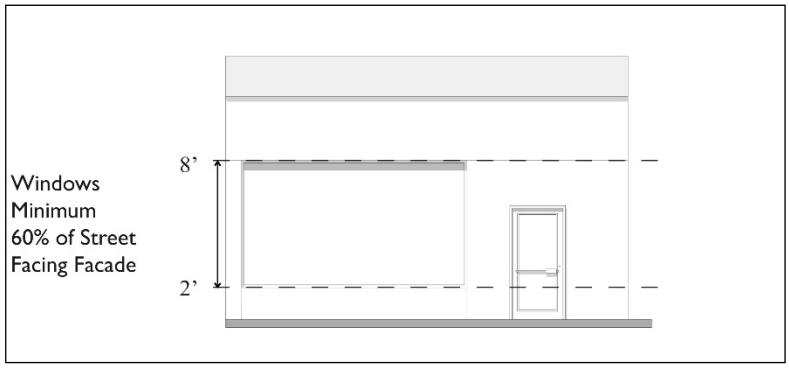
~~L.~~M. **Façade.** Facades shall be designed so as to include entries, porches, roof and garage overhangs, cantilevered floor space, and other architectural elements that ~~relate to the human scale~~are consistent with the architectural style of the building.

20.507.060 – Mixed Use Design Standards

A. **Transparency.**

1. A minimum of 60 percent of the street-facing building façade between 2 feet and 8 feet in height shall be comprised of clear windows that allow views of indoor space or product display areas, as shown in Figure 20.507-1 (Required Storefront Transparency).

FIGURE 20.507-1 REQUIRED STOREFRONT TRANSPARENCY



2. The bottom of any window or product display window used to satisfy the transparency standard of section (1) above may not be more than 3 feet above the adjacent sidewalk.

3. Product display windows used to satisfy these requirements shall have a minimum height of 4 feet and be internally lighted.

B. **Entrances.** Buildings shall have a primary entrance door facing a public sidewalk with an accessible route. Entrances at building corners adjacent to a public sidewalk may be used to satisfy this requirement.

20.507.070 – Commercial Design Standards

A. **Applicability.** The commercial design standards shall only apply in the CN, and CG ~~and CO~~ districts.

B. **Siting and Orientation.**

1. Structures shall be clustered, creating plazas or pedestrian malls, and preventing long linear expanses of building or long "barracks-like" rows of structures.

2. Structures and on-site circulation systems shall be located to ~~minimize~~ separate pedestrian and ~~/~~vehicle ~~conflicts~~circulation. Structures shall be linked to the public sidewalk with walkways, where possible.

3. Single, freestanding commercial structures shall be oriented with the major entry toward the street where primary site access is provided.

4. Loading facilities shall be located ~~at the rear of the site~~on the interior side or rear of buildings, screened from view of the public street by the structure it serves or by a fence of wall.

C. **Pedestrian Orientation.**

1. Commercial ~~mixed-use~~mixed use areas shall ~~emphasize pedestrian orientation by creating~~create attractive pedestrian spaces which utilize such features as plazas, interior walkways and paseos, ornamental gates, trellises, lighting, plant materials, seating, fountains, etc.

2. ~~Attractive well-marked~~ Ppedestrian ~~links~~ routes shall be provided between parking areas and buildings. These connections shall be designed as safe, clearly marked and ~~attractive~~ well-lit pedestrian walkways across parking spaces and landscaped areas.

3. All commercial buildings shall be publicly accessible via a path or walkway from a public sidewalk.

4. Parking area design shall include provisions for pedestrian access from parking areas to building entrances.

D. **Building Massing.**

~~1. Variety in building forms (2 feet of every 40 feet for one story)hall be used to create visual character and interest.~~

~~2.~~1. Buildings shall be architecturally subdivided into horizontal increments at both the ground floor and upper stories.

~~3.~~2. ~~Avoid long,~~ Fflat building facades over 100 feet in length are not allowed along streets without recesses, offsets or other architectural relief. The staggering of planes along an exterior wall elevation shall be employed ~~in a sensitive manner~~ to create pockets of light and shadow, and to provide relief from monotonous, uninterrupted expanses of wall.

E. **Building Façade.**

1. Buildings shall have a clearly defined base and roof edge so that the façade has a distinct base, middle and top at a scale that relates to an individual person.
2. Where multiple tenant spaces are incorporated into a building, individual tenant spaces shall be located within the building bays. This can be achieved by any of the following:
   a. Placing a column, pier or pilaster between façade elements.
   b. Applying a vertical slot or recess between façade elements.
   c. Providing variation in plane along the building wall.
   d. Varying the building wall by recessing the storefront entrance or creating a niche for landscaping or for a pedestrian area.
3. All façades shall emphasize three-dimensional detailing such as cornices, window moldings, textures and reveals to cast shadows and create visual interest on the façade.

F. **Roofs.**

1. Variations in building rooflines, roof planes, and roof form shall be provided to reduce the massive scale of the building and add visual interest.
2. The form, color and texture of the roof shall be an integral component of the building design and consistent with the architectural style of the building.

G. **Architectural Details.**

1. Monotony among colors throughout the project site shall be avoided by use of at least three different colors or hues for walls, windows and doors, cornices and trim
2. Entries into buildings shall portray ~~a quality~~an appearance consistent with the architectural styles of the building and shall not appear as an added-on or unrelated element. Customer entrances shall be clearly defined and highly visible.

H. **Lighting.**

1. Lighting shall ~~be used to~~ provide illumination for the security and safety of on-site areas, such as parking and loading areas, pathways and working areas.
2. Exterior lighting shall be designed as an integral part of the building and landscape design.
3. All lighting fixtures shall be shielded to confine light spread on-site.

20.507.080 – Office ~~and Industrial~~ Design Standards

A. **Siting and Orientation.**

1. Where office~~industrial~~ uses are adjacent to ~~non-industrial~~residential uses, ~~appropriate buffering techniques (such as increased setbacks, screening and dense landscaping) shall be provided to mitigate any negative effects of industrial operations.~~the screening and buffering standards of

Section 20.501.070 (Screening and Landscape Buffers on Common Lot Lines for Certain Uses) apply.

2. Loading docks, truck doors and service areas shall not be located between the primary building and the street where the building entrance faces.

3. Loading docks, truck doors and service areas shall be screened from public view from the adjacent street.

4. Loading areas shall be located so that trucks that are being loaded or unloaded do not disrupt the flow of traffic within the ~~project area~~site.

~~5. Loading docks and/or truck doors shall be located within the interior side and rear yard area with two exceptions, which the Planning Commission may approve through the issuance of a Special Conditional Use Permit:~~

~~a. Loading docks/truck doors may face a local or collector street for buildings designed for rail service, provided that the loading docks/truck doors are set back a minimum of 150 feet from the street property line and are completely screened from view from the street by a decorative wall.~~

~~b. Loading docks/truck doors on non-rail served properties may face a street in the M2 zoning district provided that they are set back a minimum of 150 feet from the street property line and are completely screened from view from the street by a decorative wall. However, they shall not be permitted to face the following streets: Central, Edison, Eucalyptus, Euclid, Kimball, Ramona, and Schaefer Avenues, El Prado Road, or Chino Hills Parkway.~~

B. **Lighting.** All lighting fixtures must be shielded to confine light spread on-site.

C. **Building Massing and Amenities.**

1. Buildings shall be designed with at least three of the following elements~~ that relate to the human scale and incorporate the following components:~~

a. Outdoor patios ~~for passive or active recreation~~.

b. Awnings or overhangs at the front entry.

c. Changes in building massing (e.g. change in wall planes or varying height).

d. Changes in building materials and colors.

e. ~~Unbroken F~~facades in excess of 125 feet, with~~out~~ changes in wall planes~~, shall be avoided by~~ providing a minimum offset of 3 feet for one story.

~~f. Changes in the façade plane shall be employed to add shade and shadow patterns that will render the façade more interesting and aesthetically pleasing.~~

~~g.~~f. ~~For industrial developments, outdoor employee break areas which include permanent seating and tables, enhanced paving, decorative trash receptacles, hose bibs, and shade structures and/or shade trees, to the satisfaction of the Director of Development Services~~.

D. **Building Façade.**

1. Variety in building and roof forms with at least three changes in architectural elements that~~shall be used to~~ create visual character and interest.

2. All building elevations adjacent to a street or highway shall provide transparency at the ground level with views into the interior for at least 40 percent of the façade between two feet and eight feet above the sidewalk and architectural detail and relief ~~intended~~ designed to break up building mass and roof lines and provide architectural interest.

20.507.090 – Industrial Design Standards

The following standards apply to all industrial development. Warehouses and logistics use development also are subject to Section 20.514.590 (Warehouses and Logistical Uses), and the standards in that section shall govern in case of conflicts with the standards below.

A. **Siting and Orientation.**

1. Where industrial uses are adjacent to non-industrial uses, the screening and buffering standards of Section 20.501.070 (Screening and Landscape Buffers on Common Lot Lines for Certain Uses).

2. Loading docks, truck doors and service areas shall not be located between the primary building and the street where the building entrance faces.

3. Loading docks, truck doors and service areas shall be screened from public view.

4. Loading areas shall be located so that trucks that are being loaded or unloaded do not disrupt the flow of traffic within the site.

5. Loading docks and/or truck doors shall be located within the interior side and rear yard area with two exceptions:

   a. Loading docks/truck doors may face a local or collector street for buildings designed for rail service, provided that the loading docks/truck doors are set back a minimum of 50 feet from the street property line and are completely screened from view from the street by a decorative wall.

   b. Loading docks/truck doors on non-rail served properties may face a street in the M2 zoning district provided that they are set back a minimum of 50 feet from the street property line and are completely screened from view from the street by a decorative wall. However, they shall not be permitted to face the following streets: Central, Edison, Eucalyptus, Euclid, Kimball, Ramona, and Schaefer Avenues, El Prado Road, or Chino Hills Parkway.

B. **Lighting.** All lighting fixtures must be shielded to confine light spread on-site.

C. **Building Massing and Amenities.**

1. Buildings shall be designed with at least four of the following elements:

a. Outdoor patios.

b. Awnings or overhangs at the front entry.

c. Changes in building massing (e.g. change in wall planes or varying height).

d. Changes in building materials and colors.

e. ~~Changes in the façade plane that provide offsets or recesses every 50 feet for one story~~Unbroken facades in excess of 125 feet, without changes in wall planes, shall be avoided by providing a minimum offset of 3 feet for the height of the building.

f. Outdoor employee break areas which include permanent seating and tables, enhanced paving, decorative trash receptacles, hose bibs, and shade structures and/or shade trees.

D. **Building Façade.**

1. All building elevations adjacent to a street or highway shall provide architectural detail and relief intended to break up building mass and roof lines and provide architectural interest.

Chapter 20.508 – LANDSCAPING

Sections:

20.508.010 – Purpose
20.508.020 – Applicability
20.508.030 – Landscape Documentation Package
20.508.040 – Landscape Design Standards
20.508.050 – Parking Lot Landscape Standards
20.508.060 – Public Education
20.508.070 – Prescriptive Compliance Option

20.508.010 – Purpose

This Chapter implements the California Department of Water Resources Model Water Efficient Landscape Ordinance (MWELO) as adopted by the California Water Commission. In the event of any conflict between this chapter and objective standards in the latest version of the MWELO, the provisions of the State adopted ordinance shall apply. The landscaping provisions contained in this chapter are provided to:

A. Enhance the aesthetic appearance of development in all areas of the City by providing standards relating to the quality, quantity, and functional aspects of landscaping and the efficient use of water;

B. Help mitigate land use compatibility conflicts between different land uses;

C. Preserve natural vegetation and incorporate native plants, plant communities, and ecosystems into landscape design;

D. Protect the environment by increasing on-site infiltration, controlling soil erosion, and reducing runoff;

E. Protect wildlife habitat and foster biodiversity;

F. Reduce heat and glare generated by development and promote planting climate-appropriate shade trees in urban areas;~~.~~

G. Promote public health, safety and welfare by minimizing the impacts of all forms of physical and visual pollution, preserving the integrity of neighborhoods, and enhancing pedestrian and vehicular traffic safety;

H. Promote the conservation of potable and recycled water by encouraging the preservation of existing plant communities, encouraging the planting of natural or uncultivated areas, and encouraging the appropriate design, installation, maintenance, and management of landscape areas so that water demand can be decreased, runoff can be minimized, and flooding can be reduced with-out a decline in the quality or quantity of landscape areas;

I. Retain the land's natural hydrological role within the Santa Ana Watershed and promote the infiltration of surface water into the groundwater in the Chino Basin by reducing compaction, and incorporating organic matter that increases water retention;

J. Promote productive plant growth that leads to more carbon storage, oxygen production, and shade;

K. Conserve water by capturing and reusing rainwater and graywater wherever possible and selecting climate appropriate plants that need minimal supplemental water after establishment and using water-efficient irrigation systems;

L. Acknowledge that landscape water use accounts for more than 60% of all domestic water use in the Chino Basin;

M. Promote and encourage the inclusion of low water use plants in landscape design plans;

N. Minimize the use of cool season turf;

O. Maximize the use of recycled water and other water conserving technology for appropriate applications;

P. Promote public education about water conservation and efficient water management;

Q. Reduce or eliminate water waste; and

R. Be at least as effective in conserving water as the model ordinance adopted pursuant to Government Code Section 65595.

20.508.020 – Applicability

A. The provisions of this chapter shall apply to all landscape projects that meet the following requirements:

1. New construction projects with an aggregate landscape area equal to or greater than 500 square feet requiring a building or landscape permit, plan check or design review.

2. Rehabilitated landscape projects with an aggregate landscape area equal to or greater than 2,500 square feet requiring a building or landscape permit, plan check or design review.

3. Rehabilitated landscape projects with an aggregate landscape area of 2,500 square feet or less which require a building or landscape permit, plan check or design review may comply with the performance requirements of this ~~ordinance ordinance~~ chapter by either completing the landscape document package or conform to the prescriptive measures contained in Section 20.~~19.19~~508.070 (Prescriptive Compliance Option).

4. For projects using treated or untreated graywater or rainwater captured onsite, any lot or parcel within the project that has less than 2,500 square feet of landscape and meets the lot or parcel's water requirement (Estimated Total Water Use) entirely with treated or untreated graywater or through stored rainwater captured on site is subject only to Section 20.~~19 19~~508~~506~~.070.

B. All landscape areas that were approved pursuant to the requirements of subdivision A and were installed after December 1, 2015 are subject to programs/audits by the City to ensure the applied water does not exceed the approved Maximum Applied Water Allowance (MAWA).

1. Existing residential properties not subject to the requirements of subdivision A shall comply with minimum landscape requirements and the minimum on-site landscape planting requirements in Section 20.~~19~~ 19508.040.B.~~7.~~

C. All rehabilitated landscape areas that are one acre or more and were installed before December 1, 2015 are limited to preparing the Water Efficient Landscape Worksheet for Existing Landscape Areas in Section 20.~~19~~508.~~19~~.030.C.

D. The use of artificial turf is permitted within the City of Chino. Any installation of artificial turf shall comply with Section 20.~~19~~ 19508.040.B.

E. The provisions of Section 20.~~19~~ 19508..060 shall apply to all new or rehabilitated development projects.

F. The provisions of this chapter shall not apply to:

1. Registered local, state, or federal historical sites;

2. Ecological restoration projects that do not require a permanent irrigation system; and

3. Botanical gardens and arboretums open to the public.

20.508.030 – Landscape Documentation Package

Prior to the installation of landscaping and irrigation systems as required by this chapter, a landscape documentation package shall be submitted to the Director of ~~Community~~ Development Services for review and approval. The documentation package shall be prepared by, and bear the seal of, a landscape architect registered with the State of California, and shall include the following elements:

A. **Water Conservation Concept Statement.** A Water Conservation Concept Statement shall be provided on the cover sheet of each landscape documentation package, which serves as a checklist to verify that all required elements of the landscape documentation package have been provided and that it includes a narrative summary of the project. The water conservation concept statement is available at the ~~Community~~ Development Services Department.

B. **Water Efficient Landscape Worksheet.** A project applicant shall complete the Water Efficient Landscape Worksheet, which contains information on the plant factor, irrigation method, irrigation efficiency, and area associated with each hydrozone. Calculations are then made to show that the evapotranspiration adjustment factor (ETAF) for the landscape project does not exceed a factor of 0.55 for residential areas and 0.45 for non-residential areas, exclusive of Special Landscape Areas (SLA). The ETAF for SLA shall not exceed 1.0. The ETAF for a landscape project is based on the plant factors and irrigation methods selected. The Maximum Applied Water Allowance (MAWA) is calculated based on the maximum ETAF allowed and expressed as annual gallons required. The Estimated Total Water Use (ETWU) is calculated based on the plants used and irrigation method selected for the landscape design. ETWU must be below the MAWA.

In calculating the MAWA, a project applicant shall use the following reference evapotranspiration (ETo)~~;~~

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ETo
2.1	2.9	3.9	4.5	5.7	6.5	7.3	7.1	5.9	4.2	2.6	2.0	54.6

Source: State of California Model Water Efficiency Ordinance *(Historical data extrapolated from 12-month normal year ETo Maps and U.C. publication 21426)*

1. ETWU calculations shall use the following requirements:
   a. The plant factor used shall be from WUCOLS or from horticultural researchers with academic institutions or professional associations as approved by the California Department of Water Resources (DWR). The plant factor ranges from 0.0 to 0.1 for very low water using plants, 0.1 to 0.3 for low water use plants, 0.4 to 0.6 for moderate water use plants, and from 0.7 to 1.0 for high water use. The ranges shall be used to adjust for micro-climate conditions.
   b. All water features shall be included in the high-water use hydro zone and temporarily irrigated areas shall be included in the low water use hydrozone.
   c. All Special Landscape Areas shall be identified and their water use calculated as shown in the Water Efficient Landscape Worksheet.
2. The ETWU shall be calculated for each parcel/lot separately and for the project as a whole.
3. ETAF for new and existing (non-rehabilitated) Special Landscape Areas shall not exceed 1.0.

C. **Existing Landscape Areas.** Per Section 20.~~19~~50~~19~~.020.C., all existing landscape areas of one acre or more and installed before December 1, 2015 are limited to preparing the Water Efficient Landscape Worksheet for Existing Landscape Areas, unless existing landscaping is rehabilitated as described in Section 20.~~19~~ 50~~19~~8.020.A.2. The MAWA for existing landscape areas shall be calculated as: MAWA = (ETo)(0.62)(0.8)(LA). Existing special landscape areas shall be allotted additional water, as appropriate, for the needs of the landscape area.

D. **Landscape Design Plan.** The landscape design plan shall be fully dimensioned and detailed, and shall include the following materials and information:

1. A scaled site plan indicating site perimeter, the geographic features surrounding the site, north arrow, topography, vegetation, hydrozones, regular landscape areas, special landscape areas, and other site features such as approximate slope percentage, solar exposure, and orientation.
2. Location of all buildings, parking areas, lighting fixtures, traffic signal poles, driveway and intersection limited use areas, and any other improvements on the project site.
3. Location and description of all plant material to be installed or preserved (including street trees), light standards, parkway treatments, fences and walls, and curbing and hardscape treatments

(including type and finish), and the plant factor for each hydrozone as very low, low, moderate, high, or mixed water use.~~.~~

4. Identification of mulch and soil amendments, including application depth, and verification that no combustible mulch will be used where prohibited the Chino Valley Independent Fire District Ordinance 2022-01, as amended..

~~4.~~5. A full plant legend calling out all plant types by botanic and common name, number and size of plants, and planting distances. All exotic species shall be identified. Verification shall be provided that none of the species listed by the California Invasive Plant Council as invasive in the area are included in the planting plan and that no combustible vegetation will be planted that is prohibited by the Chino Valley Independent Fire District Ordinance 2022-01, as amended.

~~5.~~6. Location and type of all passive and active recreation equipment and amenities, including outdoor equipment provided for employee welfare (such as benches, tables, etc.).

~~6.~~7. Location of all ground mounted equipment, including transformers, fire equipment, utility boxes, etc.

~~7.~~8. Tree staking, plant installation, soil preparation details, and other applicable planting and installation details.

~~8.~~9. Calculation of the total landscape area to determine water use and a breakdown of turf grass and plant material by hydrozone.

~~9.~~10. Location of any applicable rain harvesting or catchment technologies ~~as discussed in 20.19.040~~.

~~10.~~11. Location of any applicable graywater discharge piping, system components, and area of distribution.

~~11.~~12. Any other such information that may be required by the Director of ~~Community~~ Development Services that is reasonable and necessary to determine that the landscape design plan meets the requirements of this chapter.

~~12.~~13. A statement, signed by the landscape designer of record, that "I have complied with the criteria of the MWELO and applied them for the efficient use of water in the landscape design plan."

E. **Irrigation Design Plan.** This section applies to landscaped areas requiring permanent irrigation, not areas that require temporary irrigation solely for the plant establishment period. The irrigation design plan shall be separate from, but use the same format and scale as the landscape design plan, and shall include the following information:

1. The location and size of separate water meter(s) used for landscape irrigation purposes. Dedicated water service meters for landscaping (dedicated irrigation meters) only shall be installed for all non-residential irrigated landscapes of 1,000 square feet. but not more than 5,000 square feet. (the level at which California Water Code Section 535 applies) and residential landscapes of 5,000 square feet. or greater. A landscape water meter may either be:

   a. A customer service meter dedicated to landscape; or

   b. A privately-owned meter or sub meter.

c. A hydrometer that is a master valve, flow sensor and mechanical meter in one.

2. The location, type, and size of all components of the irrigation system, including automatic controllers, main and lateral lines, valves, sprinkler heads, recycled and graywater water systems, moisture sensing devices, rain cut-off switches, quick couplers, dynamic pressure regulating devices to ensure the dynamic pressure of the system is within the manufacturers recommended pressure range and backflow prevention devices.

3. Hydrozones identified by number, letter, or other designator used on the landscape design plan and the hydrozone irrigated by each valve.

~~3.~~4. The static water pressure at the point of connection to the public water supply.

~~4.~~5. The flow rate in gallons per minute (GPM), application rate in inches per hour (IPH), and design operating pressure in pounds per square inch (PSI) for each station.

~~5.~~6. Flow sensors that detect high flow conditions created by system damage or malfunction are required for all non-residential developments and residential landscapes 5,000 square feet or larger.

~~6.~~7. If the water pressure is below or exceeds the recommended pressure of the specified irrigation devices, the installation of a pressure regulating device is required to ensure that the dynamic pressure at each emission device is within the manufacturer's recommended pressure range for optimal performance.

~~7.~~8. Proposed recycled water irrigation systems.

a. The installation of recycled water irrigation systems shall be required to allow for the current and future use of recycled water to adjacent landscape areas.

b. Irrigation systems shall make use of recycled water unless it is not available. In areas where recycled water is not currently available, but may be available in the foreseeable future, irrigation systems shall be designed to allow for the conversion from potable to recycled water.

c. The recycled water irrigation systems shall be designed and operated in accordance with City and State codes.

d. Landscape areas using recycled water are considered Special Landscape areas. The ET adjustment Factor for new and existing (no-rehabilitated) Special Landscape Areas shall not exceed 1.0.

~~8.~~9. An irrigation schedule that identifies the runtime (in minutes per cycle), suggested number of cycles per day, and suggested number of days per week.

~~9.~~10. The amount of applied water (in 100 cubic feet) recommended on a monthly and annual basis.

~~10.~~11. A regular maintenance schedule for checking, adjusting, and repairing irrigation equipment and resetting automatic controllers.

~~11.~~12. An automatic irrigation system with a smart irrigation controller, utilizing either real time evapotranspiration or soil moisture sensor data, stand alone or in conjunction with historical

date and non-volatile memory shall be provided for all landscape areas for irrigation scheduling in all irrigation.

~~12.~~13. Landscape irrigation systems shall be designed so that, to the greatest extent practical, overspray is eliminated. This can be accomplished through the use of low-trajectory spray nozzles to reduce the effect of wind velocity on the spray system and by placing sprinkler heads to reduce direct overspray onto non-pervious areas.

~~13.~~14. For the purpose of determining Estimated Total Water Use, average irrigation efficiency is assumed to be .075 for overhead irrigation systems and 0.81 for drip irrigation systems.

~~14.~~15. Sprinkler heads and emitters shall have consistent application rates within each control valve circuit. Sprinkler heads shall be selected for proper area coverage, application rate, operating pressure, adjustment capability, and ease of maintenance.

~~15.~~16. All irrigation systems shall be designed to prevent runoff, over-spray, low head drainage, and other similar conditions. Soil types and infiltration rates shall be considered when designing irrigation systems. Irrigation systems shall be designed, constructed, managed, and maintained to achieve as high an overall efficiency as possible.

~~16.~~17. Areas less than 10 feet in width in any direction, shall be irrigated with subsurface irrigation or other means that produces no runoff or overspray.

~~17.~~18. Overhead irrigation shall not be permitted within 24 inches of any non-permeable surfaces. Allowable irrigation within the setback from non-permeable surfaces may include drip, drip line, or other low flow non-spray technology. ~~.~~ Swing joints or other riser-protection components are required on all risers subject to damage that are adjacent to hardscapes or in high traffic areas of turfgrass. The setback area may be planted or unplanted. The surfacing of the setback may be mulch, gravel, or other porous material. These restrictions may be modified if:

a. The landscape area is adjacent to permeable surfacing and no overspray and runoff occurs;

b. The adjacent non-permeable surfaces are designed and constructed to drain entirely to landscape areas; or

c. The irrigation designer specifies an alternative design or technology that will prevent overspray and runoff.

~~18.~~19. Non-turf areas on slopes greater than 25 percent shall be irrigated with drip irrigation or other low volume irrigation technology.

~~19.~~20. Graywater systems promote the efficient use of water and are encouraged to assist in on-site landscape irrigation. All graywater systems shall conform to the California Plumbing Code (Title 24, Part 5, and Chapter 16) and any applicable ordinance standards. See Section ~~20.10.020 (A)(4).~~

~~20.~~21. All irrigation systems shall include:

a. A smart irrigation controller or other equivalent technology which automatically adjusts the frequency and duration of irrigation events in response to changing weather conditions. The planting areas shall be grouped and irrigated in relation to hydro zones based on similarity of water requirements (i.e. turf separate from shrub and groundcover,

full sun exposure areas separate from shade areas, and top of slope separate from toe of slope);

b. Master shut-off valves are required on all projects except landscapes that make use of technologies that allow for the individual control of sprinklers that are individually pressurized in a system equipped with low pressure shut off features;

c. Anti-drain check valves shall be installed on all sprinkler heads and drip emitters where low point drainage could occur;

d. A pressure regulator when the static water pressure exceeds the maximum recommended operating pressure of the irrigation system;

e. A manual shutoff valve(s) to prevent water loss resulting from a leak in the irrigation system;

f. Backflow prevention devices; and

g. All irrigation emission devices must meet the requirements set in the American National Standards Institute (ANSI) standard, American Society of Agricultural and Biological Engineers'/International Code Council's (ASABE/ICC) 802-2014 "Landscape Irrigation Sprinkler and Emitter Standard", all sprinkler heads installed in the landscape must document a distribution uniformity low quarter of 0.65 or higher using the protocol defined in ASABE/ICC 802-2014.

~~21.~~22. A statement, signed by the landscape designer of record, that "I have complied with the criteria of the MWELO and applied them for the efficient use of water in the irrigation design plan."

F. **Grading Plan.**

1. For the efficient use of water, grading of a project site shall be designed to minimize soil erosion, runoff, and water waste. A grading plan shall be submitted as part of the Landscape Documentation Package. A grading plan or subdivision improvement plan for subdivision grading prepared by a California-licensed civil engineer for other City permits or approvals satisfies this requirement with the accompanying statement of paragraph (2) below.

   a. The project applicant shall submit a grading plan that indicates finished configurations and elevations of the landscape area, including:

      i. Height of graded slopes;

      ii. Drainage patterns;

      iii. Pad elevations;

      iv. Finish grade; and

      v. Storm water retention improvements, if applicable.

   b. To prevent excessive erosion and runoff, it is highly recommended that project applicants:

i. Grade so that all irrigation and normal rainfall remains within property lines and does not drain on to non-permeable hardscapes;

ii. Avoid disruption of natural drainage patterns and undisturbed soil; and

iii. Avoid soil compaction in landscape areas.

2. The grading plan or improvement plan must include a statement, signed by the civil engineer of record, that "I have complied with the criteria of the MWELO and applied them for the efficient use of water in the grading design plan."

G. **Soil Management Plan/Report.** In order to reduce runoff and encourage healthy plant growth, a soil management report shall be completed by the project applicant, or his/her designee, as follows:

1. Submit soil samples to a laboratory for analysis and recommendations.

a. Soil sampling shall be conducted in accordance with the laboratory protocol, including protocols regarding adequate sampling depth for the intended plants.

b. The soil analysis shall include:

i. Soil texture;

ii. Infiltration rate determined by laboratory test or soil texture infiltration rate table;

iii. pH;

iv. Total soluble salts;

v. Sodium;

vi. Percent organic matter;

vii. Recommendations.

c. In projects with multiple landscape installations (i.e. production home developments) a soil sampling rate of 1 in 7 lots or approximately 15% will satisfy this requirement. Large landscape projects shall sample at a rate equivalent to 1 sample per acre of landscape area at random locations.

2. The project applicant, or his/her designee, shall comply with one of the following:

a. If significant mass grading is not planned, the soil analysis reports shall be submitted as a part of the Landscape Documentation Package.

b. If significant mass grading is planned, the soil analysis report shall be submitted as part of the Certificate of Completion.

3. The soil analysis report shall be made available, in a timely manner, to the professionals preparing the landscape design plans and irrigation design plans to make any necessary adjustments to the design plan.

4. The project applicant, or his/her designee, shall submit documentation verifying implementation of soil analysis report recommendations with a Certificate of Completion.

H. **Irrigation Schedules.**

1. An irrigation program with monthly irrigation schedules regulated by automatic irrigation controllers shall be required for the plant establishment period, for the established landscape, and for any temporarily irrigated areas. All irrigation schedules shall be developed, managed, and evaluated to utilize the minimum amount of water required to maintain plant health and prevent water waste.

2. The irrigation schedule shall include:

   a. Irrigation interval (days between irrigation);

   b. Runtime (in minutes per cycle), suggested number of cycles per day, and frequency of irrigation for each station;

   c. The amount of applied water (in 100 cubic feet) recommended on a monthly and annual basis within limits set to avoid runoff and prevent water waste;

   d. Amount of applied water scheduled to be applied on a monthly basis;

   e. Application rate setting;

   f. Root depth setting;

   g. Plant type setting;

   h. Soil type;

   i. Slope factor setting;

   j. Shade factor setting; and

   k. Irrigation uniformity or efficiency setting.

3. The total amount of water for the project shall include water designated in the estimated total water use calculation, plus water needed for any water features (considered as a high water using hydro zone).

4. Automated irrigation of landscape areas shall be scheduled between the hours of 8:00 p.m. and ~~66~~10:00 a.m. to avoid irrigating during times of high wind, high temperature, and high-water usage. Automated irrigation outside of the 8:00 p.m. to ~~66~~10:00 a.m. period is allowed for irrigation audits and irrigation system maintenance.

5. Irrigation scheduling shall use automatic irrigation systems and evapotranspiration data such as those from the California Irrigation Management Information System (CIMIS) weather stations or soil moisture monitoring systems to apply the appropriate levels of water for different climates.

6. For implementation of the irrigation schedule, particular attention must be paid to irrigation run times, emission device, flow rate, and current ETo, so that applied water meets the Estimated Total Water Use. Total annual applied water shall be less than or equal to the MAWA. Actual irrigation schedules should be based on current time ETo data (e.g. CIMIS or soil moisture sensor).

I. **Maintenance Schedule.**

1. Landscape irrigation shall be maintained to ensure water efficiency. A regular maintenance schedule shall be submitted with the Certificate of Completion and include, but not be limited to checking, adjusting, and repairing irrigation equipment; resetting automatic controllers; aerating and dethatching turf areas; top dressing with compost, replenishing mulch; fertilizing; and pruning and weeding.
2. Repair of irrigation equipment shall be done with the originally specified materials or their equivalents with components of greater efficiency.
3. A project applicant is encouraged to implement established landscape industry sustainable Best Practices for all landscape maintenance activities.

J. **Certificate of Completion and Required Irrigation Audit.**

1. Upon completion of the installation of landscaping and irrigation systems, a certified landscape irrigation auditor shall conduct an irrigation audit.
2. A licensed landscape architect or contractor, or other licensed or certified professional in a related field, shall conduct a final field inspection and shall prepare a certificate of completion, which shall be filed with the Director of ~~Community~~ Development Services. The certificate of completion shall specifically indicate that plants were installed as specified by the landscape design plan, that the irrigation system was installed as specified by the irrigation design plan, and that an irrigation audit has been performed.
    a. All landscape and irrigation audits shall be conducted by a certified landscape irrigation auditor. Landscape audits shall not be conducted by the person who designed the landscape or installed the landscape.
    b. In projects with multiple landscape installations (i.e. production home developments) a soil sampling rate of 1 in 7 lots or approximately 15% will satisfy this requirement. Large landscape projects shall sample at a rate equivalent to 1 sample per acre of landscape area at random locations.
    c. For new construction and rehabilitated projects installed after December 1, 2015 as described in Section 20.~~19~~508.020, the project applicant shall submit an irrigation audit report with the Certificate of Completion to the City that may include, but not limited to: inspection, system tune-up, system test with distribution uniformity, reporting overspray or run off that causes overland flow, and preparation of an irrigation schedule, including configuring irrigation controllers with application rate, soil types, plant factors, slope, exposure and any other factors necessary for accurate programming.
3. The Certificate of Completion shall include the following:
    a. Date;
    b. Project name;
    c. Project applicant name, telephone, and mailing address;
    d. Project address and location;

e. Property owner name, telephone, and mailing address;

f. Certification by either the signer of the landscape design plan, the signer of the irrigation design plan, or the licensed landscape contractor that the landscape project has been installed per the approved Landscape Documentation Package;

i. Where there have been significant changes made in the field during construction, these "as-built" or record drawings shall be included with the certification.

ii. A diagram of the irrigation plan showing hydro zones shall be kept with the irrigation controller for subsequent management purposes.

g. Landscape and irrigation maintenance schedule;

h. Irrigation Audit Report; and

i. Soil analysis report and documentation verifying implementation of soil report recommendations.

K. **Reporting.** The Director of Development Services shall submit annual reports on implementation and enforcement of this chapter to the California Department of Water Resources with all of the information required by the MWELO. These reports shall state the number and types of completed landscape projects, the total landscape area subject to this chapter, the number of new residential units, non-residential landscape projects, and rehabilitated landscapes for the reporting period, summarize enforcement measures, and describe educational and outreach efforts undertaken to implement the MWELO. The report shall document how the City's regulations are as efficient as those in the MWELO.

20.508.040 – Landscape Design Standards

A. **Storm Water Management and Rainwater Retention.**

1. The applicant shall incorporate 24-hour retention or infiltration capacity of storm water management practices into the project design that minimize runoff, increase on-site rainwater retention and infiltration, and improve water quality as necessary to comply with applicable storm water regulations.

2. The applicant is encouraged to incorporate storm water management practices into the project design that minimize runoff, increase on-site infiltration, and improve water quality if not specifically required by storm water regulations.

3. All planted landscape areas are required to have friable soil to maximize water retention and infiltration as noted in Section 20.~~19~~508.040.B.~~3.~~

B. **Minimum On-Site Planting Requirements.**

1. General Requirements.

a. Trees shall not be placed where they interfere with site drainage or require frequent pruning in order to avoid interference with overhead utilities.

b. Trees should be grouped together to simulate natural tree stands. A design that places trees in a linear or symmetric pattern is not encouraged, with the exception of street trees.

c. When more than 10 trees are to be planted to meet the requirements of this chapter, a mix of tree sizes shall be provided as specified by Table 20.~~19~~5087-1 (Minimum Tree Size Mix).

TABLE 20.508-1 MINIMUM TREE SIZE MIX

Minimum Percent Mix of Required Trees	*Size*
10%	36-inch box or larger
40%	24-inch box
50%	15-gallon

d. When more than 10 trees are to be planted to meet the requirements of this chapter, a mix of tree species shall be provided as specified by Table 20.~~19~~5086-2 (Minimum Tree Species Mix).

TABLE 20.508-2 MINIMUM TREE SPECIES MIX

Number of Required Trees	*Minimum Number of Tree Species Required*
Less than 21	2
21 to 30	3
31 to 40	4
More than 40	5

e. In addition to the on-site trees required by this chapter, street trees of a minimum 15-gallon or larger shall be installed at an average spacing of every 30 feet and shall comply with the applicable standard drawings of the City's Public Works Department.

2. Selection of Plant Materials.

a. Any plant may be selected for the landscape area, providing the ETWU in the landscape area does not exceed the MAWA. Methods to achieve water efficiency shall include one or more of the following:

i. Protection and preservation of native species and natural vegetation;

ii. Selection of water conserving plant, tree, and turf species, especially local native plants;

iii. Selection of trees based on tree shading guidelines, and size at maturity as appropriate for the planting area; and

iv. Selection of plants based on local climate suitability, disease and pest resistance.

b. Each hydro zone shall have plant materials with similar water use except under the following circumstances:

i. Individual hydro zones that mix moderate and low water use plants or moderate and high-water use plants, may be allowed if:

ii. The plant factor calculation is based on the proportions of the respective plant water uses and their plant factor; or

iii. The plant factor of the higher water using plant is used for the calculation.

c. Individual hydro zones that mix high and low water use plants shall not be permitted.

d. Where feasible, trees shall be placed on separate valves from shrubs, groundcovers, and turf to facilitate the appropriate irrigation of trees. The mature size and extent of the root zone shall be considered when designing irrigation for the tree.

e. Plants shall be selected and planted appropriately based upon their adaptability to the climatic, geologic, and topographical conditions of the project site. Methods to achieve water efficiency shall include one or more of the following;

i. Use the Sunset Western Climate Zone System, which takes into account temperature, humidity, elevation, terrain, latitude, and varying degrees of continental and marine influence on local climate;

ii. Recognize the horticultural attributes of plants (i.e. mature plant size, invasive surface roots) to minimize damage to property or infrastructure (e.g. buildings, sidewalks, power lines), allow for adequate soil volume for healthy root growth; and

iii. Consider the solar orientation for plant placement to maximize summer shade and winter solar gain.

f. Plant material should be planted in drifts to appear as filled-in masses, instead of spotty placement of individual shrubs. There should be a minimum of one plant per 25 square feet (one plant per 5 feet by 5 feet).

g. Installation of turf on slopes greater than 25 percent shall not be permitted where 25 percent means 1-foot of vertical elevation change for every 4 feet of horizontal length (rise divided by run x 100 = slope percent).

h. High water use plants, characterized by a plant factor of 0.7 to 1.0, are prohibited in street medians.

i. A landscape design plan for projects in fire-prone areas shall address fire safety and prevention. A defensible space or zone around a building or structure is required per

Public Resources Code Section 4291(a) and (b). Avoid fire-prone plant materials and highly flammable mulches.

j. Invasive species of plants, such as those listed by the California Invasive Plant Council, shall be prohibited.

k. The architectural guidelines of a common interest development, which include community apartment projects, condominiums, planned developments, and stock cooperatives, shall not prohibit or include conditions that have the effect of prohibiting the use of low-water use plants as a group.

3. Soil Preparation, Mulch and Amendments

a. Prior to planting of any materials, compacted soils shall be transformed to a friable condition. On engineered slopes, only amended planting holes need meet this requirement.

b. Soil amendments shall be incorporated according to recommendations of the soil report and what is appropriate for the plants selected.

c. For landscape installations, compost at a rate of a minimum of four cubic yards per 1,000 square feet of permeable area shall be incorporated to a depth of six inches into the soil. Soils with greater than 6% organic matter in the top 6 inches are exempt from adding compost and tilling.

d. A minimum of three-inch (3") layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated.

e. Stabilizing mulching products shall be used on slopes that meet current engineering standards.

f. The mulching portion of the seed/mulch slurry in hydro-seeded applications shall meet the mulching requirement.

g. Organic mulch materials made from recycled or post-consumer shall take precedence over inorganic materials or virgin forest products unless the recycled post-consumer organic products are not locally available.

4. Artificial Turf.

a. Artificial turf may be incorporated into the landscaping of a project. The type and quantity of artificial turf to be incorporated into the landscaping of a project shall be submitted for review as part of the landscape documentation package.

b. Artificial turf shall consist of lifelike individual blades of grass that emulate real grass in look and color.

c. A proper drainage system shall be installed underneath the turf to prevent excess runoff or pooling of water.

d. Artificial turf shall be installed and maintained, per manufacturer's recommendations, to effectively simulate the appearance of a well-maintained lawn.

e. The use of indoor or outdoor plastic or nylon carpeting as a replacement for artificial turf or natural turf is prohibited.

f. Artificial turf shall be installed in combination with natural plant materials (i.e. trees, shrubs, and groundcover) to enhance the overall landscaping design.

g. Artificial turf may be used to satisfy up to 30 percent of the minimum landscape coverage required for a project. Any such request shall be submitted for review as part of the landscape documentation package and must be approved by the Director of ~~Community~~ Development Services.

h. Artificial turf shall not be included as part of the landscape area when calculating the MAWA.

i. Artificial turf may be incorporated into existing landscaping, and may be used to satisfy a portion of the minimum landscape coverage requirement. Any such request shall be submitted for review and must be approved by the Director of ~~Community~~ Development Services.

5. Water Features.

a. Recirculating water systems shall be used for decorative water features.

b. Where available, recycled water shall be used as the source for decorative water features (excluding swimming pools and spas).

c. The surface area of a decorative water feature shall be included in the high water use hydro zone of the water budget calculation.

C. **Requirements for Zoning Districts.**

1. New Residential Development Projects. The following standards shall apply to all new residential development projects:

a. Developments of detached single-family dwellings shall provide front yard landscaping and permanent automatic irrigation in the front yard of each lot. Furthermore, appropriate shrubs and trees shall be provided and a variety of landscape designs shall be provided for use throughout the subdivision.

b. Planned developments shall provide landscaping in accordance with Part C.1.a of this Section. Furthermore, all common areas shall be provided with full landscape improvements and permanent automatic irrigation. For the purposes of this Part, "planned development" means a subdivision of detached or attached single-family dwellings sharing common open space facilities.

c. Multiple-family developments shall be provided with full landscape improvements and permanent automatic irrigation.

d. Within residential projects, on-site trees shall be provided as specified by Table 20. ~~19~~5086~~-~~3 (Minimum On-Site Tree Requirements of Residential Projects).

TABLE 20.508-3 MINIMUM ON-SITE TREE REQUIREMENTS OF RESIDENTIAL PROJECTS

Residential Development Type	*Minimum Number of Trees*	*Minimum Percent Shade Trees*	*Notes*
Single-family; lots more than 40,000 sq.ft.	7 per lot	50%	
Single-family; lots 20,000 to 40,000 sq.ft.	5 per lot	50%	
Single-family; lots 15,000 to 19,999 sq.ft.	4 per lot	50%	
Single-family; lots 7,200 to 14,999 sq.ft.	3 per lot	50%	
Single-family; lots less than 7,200 sq.ft.	2 per lot	50%	
Planned Development	20 per acre	50%	The total number of trees shall be located on lots and in common open space.
Multiple-Family	~~40~~ 30 per acre	~~75~~60%	The total number of trees shall be located in private and common open space areas or along walkways and in parking areas.

2. Existing ~~Single Family~~Single-Family Residential Zoning Districts. The following shall apply to existing single-family front yard landscaping, including modifications, turf removal and/or rehabilitation, and an individual single--family home within a development.

TABLE 20.508-4 MINIMUM LANDSCAPE COVERAGE IN RESIDENTIAL DISTRICTS

Residential District	*Minimum Front Yard Landscape Coverage*
RD 1	70%
RD 3	70%
RD 4.5	60%
RD 8	50%

a. The required front yard landscape as outlined in Table 20.~~04~~201-3 shall meet the minimum front yard landscape percentages in Table 20.508-4 exclusive of hardscape areas for driveways or vehicle access shall be landscaped. This landscape area may be reduced to allow for one additional driveway parking space directly adjacent to a new or existing driveway that takes direct access to a garage or carport. See Chapter 20.511 (Parking and Loading). This landscaped area should include the following, to provide for a balance of landscaping material with the goal of installing efficient landscaping and irrigation that will decrease the demand for water~~;~~

i. A maximum of 25% of the required landscape area may be planted with turf as defined in ~~Section 20.24~~ Chapter 20.701 (Glossary).

ii. No more than 30% of the required landscape area should utilize artificial turf. Artificial turf shall be designed and installed as outlined in Section 20.~~19~~508.040.B.4 (Artificial Turf).

iii. A minimum of 50% of the required landscape area should be planted with water efficient plant material as defined in Section 20.~~19~~508.040.B.2 (Selection of Plant Materials).

iv. A maximum of 25% of the required landscape area should be covered with other hardscape material as defined in ~~Section 20.24~~ Chapter 20.701 (Glossary)~~Section 20.24~~.

It is encouraged that the planted material consists primarily of native plant or climate appropriate species and those that require less water during warmer months. The use of primarily non-native, high water demand, plant material or desert scape is discouraged. A mixture of this type of plant material to satisfy the requirements above is acceptable.

b. Irrigation systems should be designed to meet the minimum standards as outlined in Section 20.~~19~~508~~19~~.070.B.~~e~~ (Prescriptive Compliance Option).

3. Mixed Use, Commercial, and Industrial Zoning Districts. The standards in Table 20.508-5shall apply to mixed use, commercial, and industrial development projects:

TABLE 20.508-5 MINIMUM ON-SITE TREE REQUIREMENTS IN MIXED USE, COMMERCIAL AND INDUSTRIAL

Zoning District	*Minimum Number of Trees Per Gross Acre*	*Notes*
CN	20	
CG	20	
CS	10	
Mixed Use Districts	20	
Industrial Districts	10 in setbacks plus trees need for parking lots	

a. Exceptions from the standards in Table 20.508-5 (an increase or decrease in the minimum standard) may be granted/required by the Director of ~~Community~~ Development Services upon consideration of the following factors:

i. Building height(s) and setbacks(s);

ii. Specific standards set for warehouse and logistics uses development;

iii. Size and quantity of landscape areas along the street frontage, within the surface parking areas, and around the building perimeter;

iv. Size of trees to be planted (e.g., 24 inch or 36-inch box vs. 15-gallon);

v. Presence of special landscape features and treatments; and

vi. Extent of textural treatment on buildings and articulation of building elevations visible from the street.

b. Those portions of a property which are not used for drive entries, parking, or approved outdoor uses shall be fully landscaped; all unpaved areas shall be landscaped; and all future development phase areas shall be hydro seeded in a manner that is consistent with the MAWA.

D. **Planting Standards and Specifications.**

1. Trees shall conform to the minimum measurements specified by Table 20.19508-6 (Minimum Tree Size Specifications).

TABLE 20.508-6 MINIMUM TREE SIZE SPECIFICATIONS

Size	*Caliper*	*Height*	*Spread*
48-inch box	3.25-inches	16 to 18 ft.	8 to 9 ft.
36-inch box	2.75-inches	12 to 14 ft.	6 to 7 ft.
24-inch box	1.75-inches	9 to 10 ft.	4 to 5 ft.
15-gallon	0.75-inch	7 to 8 ft.	2 to 3 ft.

2.1. All tree and plant pits, vine pits, hedge trenches, and shrub beds shall be excavated as follows:

a. All pits shall be generally circular in outline, with vertical sides, deep enough to allow 1 to 2 inches of the root ball to be above the existing grade and a minimum of 2.5 times the diameter of the root ball. Plants should rest on undisturbed existing soil or well-compacted backfill; and

b. Areas designated for shrub beds shall be cultivated to at least 1.5 feet in depth. Areas designated for vines or groundcovers shall be cultivated to a depth of 1-foot.

3.2. Sheared hedges are discouraged and should be replaced with plants that can grow to their natural shape and size. Shearing is not only labor-intensive, but contributes to constant waste material.

4.3. All landscape materials shall be installed using planting soil of a type appropriate to the individual plant material and the soil conditions in which the planting is occurring, per the soil management plan.

~~5.~~4. In order to reduce the transpiration rate of plant material during the installation process, anti-transpirants should be used. Anti-transpirants reduce the amount of water loss through the leaves of plant material during installation, thereby reducing the amount of water required for the survival of the plants. Plant installations are encouraged during the fall season, and should be avoided in the middle of the summer season.

~~6.~~5. To minimize damage to paved areas due to tree root growth, trees located within 5 feet of any paved surface shall be provided with root barriers. Root barriers should be linear and not encircling the tree, which will result in encircled roots and stunted growth.

~~7.~~6. All 24-inch or smaller size trees shall be double-staked. All 30-inch or larger box trees shall be provided with guy wires or reinforced double-stakes.

E. **Landscape Maintenance.**

1. The owner or assigns of any lot or parcel subject to the provisions of this chapter shall be responsible for the maintenance of said land in good condition so as to present a healthy, neat, and orderly landscape area.

2. All landscape areas shall be maintained in a healthy, pest-free condition.

   a. Upon a determination of the Director of ~~Community~~ Development Services that a plant is dead or severely damaged or diseased, the plant shall be replaced by the property owner(s) in accordance with the standards specified in this chapter.

3. All pruning should be accomplished according to good horticultural standards. Trees shall only be pruned as necessary to promote healthy growth.

4. All watering of planted areas shall be managed so as to maintain healthy flora, make plant material more drought tolerant, avoid excessive turf growth, minimize fungus growth, stimulate deep root growth, and minimize the leaching of soil nutrients.

5. Watering of plants and trees should be of sufficient quantity to thoroughly soak the root ball of the plant and surrounding area, thereby promoting deep root growth and drought tolerance.

6. Integrated Pest Management (IPM) shall be used to mitigate weeds, fertilize with organic matter, and minimize the use of pesticides and herbicides.

7. Irrigation systems shall be constantly maintained to eliminate wastewater due to loss of head, broken pipes, or misadjusted nozzles.

F. **Tree Replacement.**

The following standards for the minimum size of replacement trees apply to multi-family development, common areas in residential development, and non-residential development. Single-family homes are exempt from the provisions in this section.

1. Mature trees shall not be removed without prior written approval of the Director ~~Community~~ Development Services or his designee. For the purposes of this section, mature trees shall include~~:~~ oak trees with trunks more than eight inches in diameter at breast height; other trees with trunks more than 10 inches in diameter at breast height; and multi-trunk trees with a total circumference of 38 inches or more at breast height.

2. Any removed mature tree(s) requires replacement as designated in the chart below with a species designated by the Director of ~~Community~~ Development Services or his designee. The Director may approve substituting two 15-gallon trees that are at least 7 feet tall with a trunk diameter of one inch or more for a 24-inch box tree.

TABLE 20.508-7 MINIMUM SIZE OF REPLACEMENT TREE

Trunk Diameter of Tree (Measured at Breast Height)	*No. of Trees to Replace With*	*Minimum Size of Replacement Tree*
Under 10~~5~~"	~~2~~1	~~24" box~~15-gallon
10~~5~~" – ~~1~~429"	2	~~36" box~~15-gallon
~~15" – 29"~~	~~3~~	~~48" box~~15-gallon
30" +	2	~~60" box~~24" box

3. An arborist report shall be provided at the property owner's expense for any oak tree(s) proposed to be removed that are 10-inches or larger in diameter to document the health and viability of the tree(s) and to make a recommendation as to the feasibility of maintaining or removing the tree(s). The arborist shall be certified by the ISA (International Society of Arboriculture).

4. If the oak tree(s) to be removed are dead, severely damaged, diseased, or causing a public hazard such as uprooting sidewalks, destroying underground infrastructure or displacing building foundations, the tree shall be replaced by the property owner(s) at a one-to-one (1:1) ratio. The size of the replacement tree(s) shall be based on the trunk diameter of the tree(s) to be removed as shown in Table 20.~~19~~508~~19~~-7.

5. In the event that the number of replacement trees show in Table 20.~~19~~508-7 cannot be planted onsite, the Director of ~~Community~~ Development Services may consider an off-site location to plant the replacement trees or accept an in-lieu fee based on International Society of Arboriculture (ISA) guidelines or other method approved by the Director of ~~Community~~ Development Services. In-lieu fees collected shall be deposited into a tree replacement fund to be used for tree planting at alternate locations in the City.

6. All pruning should be accomplished according to good horticultural standards. Trees shall only be pruned as necessary to promote healthy growth.

7. All watering of planted areas shall be managed so as to maintain healthy flora, make plant material more drought tolerant, avoid excessive turf growth, minimize fungus growth, stimulate deep root growth, and minimize the leaching of soil nutrients.

8. Watering of plants and trees should be of sufficient quantity to thoroughly soak the root ball of the plant and surrounding area, thereby promoting deep root growth and drought tolerance.

9. Integrated Pest Management (IPM) shall be used to mitigate weeds, fertilize with organic matter, and minimize the use of pesticides and herbicides.

10. Irrigation systems shall be constantly maintained to eliminate wastewater due to loss of head, broken pipes, or misadjusted nozzles.

20.508.050 – Parking Lot Landscape Standards

A. Parking facilities for 10 or more vehicles shall comply with the following standards for landscaping within surface parking lots:

1. Street Frontage Landscaping. When a parking lot is located adjacent to a public or private street, a main drive aisle that functions as a street, or a common drive aisle designed to serve three or more users, a landscaped strip shall be provided for the purpose of shielding parked cars from view of passing motorists and pedestrians, and to establish coordination among architecturally diverse buildings, creating a pleasing, harmonious appearance along roadways. Street frontage landscaping shall be provided as specified by Table 20.~~19~~508-8 (Street Frontage Landscape Requirements).

TABLE 20.508-8 STREET FRONTAGE LANDSCAPE REQUIREMENTS

Street Type	*Minimum Width of Street Frontage Landscaping**
Public Street	10 feet, measured from the street right-of-way property line
Private Street or Main Drive Aisle	10 feet, measured from the back of the curb of the private street

* The landscape strip may not contain any paved surfaces, except pedestrian walkways or vehicular drives that cross the strip.

2. Perimeter Landscaping. Parking lots shall be provided with perimeter landscaping for the purpose of defining parking areas and preventing two adjacent lots from becoming one large expanse of paving. Perimeter landscaping shall be a minimum of ~~5.5~~five feet in width. The requirement for perimeter landscaping shall not preclude any need to provide vehicular access between abutting lots or parcels.

3. Interior Landscaping. Within parking areas, landscaping shall be incorporated to provide shade, color, interest, and a hierarchy of vehicular circulation through the parking lot. Such landscaped areas shall have a minimum width of 6 feet and a minimum length of not less than the longest abutting parking stall.

4. Interior Parking Lot Landscape Requirements. Landscaping shall be provided as specified in Table 20.~~19~~508-9 (Residential/Commercial Interior Parking Lot Landscape Requirements) and Table 20.~~19~~508-10 (Industrial Interior Parking Lot Landscape Requirements). For the purposes of this Part, interior landscaping shall be defined as any landscaped area surrounded on at least two sides by parking spaces or drive aisles, excluding those areas around the site or building perimeter.

TABLE 20.508-9 RESIDENTIAL/COMMERCIAL INTERIOR PARKING LOT LANDSCAPE REQUIREMENTS

Total Area of Site (Project)	*Percent of Surface Parking Area to be Landscaped*
Less than 1 acre	5%
1 to 3 acres	10%
More than 3 acres	15%

TABLE 20.508-10 INDUSTRIAL INTERIOR PARKING LOT LANDSCAPE REQUIREMENTS

Parking Area Size	*Percent of Surface Parking Area to be Landscaped*
Less than 15,000 SF	5%
15,000 to 30,000 SF	7.5%
More than 30,000 SF	10%

5. Landscape Islands. All rows of parking spaces shall be provided with landscape islands at each row terminus to protect parked vehicles, ensure visibility, confine moving traffic to drive aisles and driveways, and provide space for landscaping. Additionally, landscape islands shall be provided as needed to prevent more than ten vehicles from being parked side-by-side in an abutting configuration.

   An island for a single row of parking spaces shall be landscaped with at least one tree and vegetative groundcover. An island for a double row of parking spaces shall contain not less than two trees and vegetative groundcover.

6. Concrete Curbs. All landscape areas within parking areas shall be separated from parking spaces, drive aisles, and driveways by a continuous, raised concrete curb to protect landscape areas from encroachment by vehicular traffic, unless the concrete curb is designed or removed to allow parking area drainage into landscape areas for the purposes of storm water treatment and on-site retention. The concrete curb shall be a minimum of six inches high by six inches wide, except where a landscape area is parallel and adjacent to a parking stall, the curb shall be a minimum of 6 inches high by 12 inches wide to provide an area for persons to step when entering or exiting a motor vehicle.

7. Shade Trees. Within parking areas, shade trees shall be placed in such numbers and locations so that 50 percent of the parking stalls are shaded within fifteen years of planting. However, at a minimum, at least one tree shall be provided for every 4 parking spaces, with the maximum spacing between trees or clusters of trees not to exceed 30 feet. Trees may be placed within the landscape islands and in diamond-shaped planters.

8. Permanent Landscape Areas. Within parking areas, all areas not used for driveways, maneuvering areas, parking spaces, or walkways, shall be permanently landscaped with suitable materials and permanently maintained in accordance with landscape plans approved by the Director of ~~Community~~ Development Services.

9. Parking Stalls. To increase parking lot landscaped area, a maximum of 2 feet of the parking stall depth may be landscaped in lieu of paving surface, while maintaining the required parking space dimensions.

10. Innovative Landscaping Approaches. Rainwater shall be managed on-site with designs that encourage infiltration, evapotranspiration, and water re-use by:

    a. Utilizing permeable paving for parking spaces, drive aisles, overflow parking, and other hard surfaces in the parking lot;

    b. Planting trees, shrubs and other permeable landscaping throughout the parking lot to provide shade and places for water infiltration;

    c. Creating bio-retention areas, such as swales, vegetated islands and overflow ponds; and

    d. Incorporating opportunities to harvest rainwater (active or passive) from rooftops and other hard surfaces for landscape irrigation.

11. Solar Panels. Solar panels are allowed by right on carport roofs and shade structures within parking lots.

20.508.060 – Public Education

A. **Publications**.

1. Education is a critical component to promote the efficient use of water in landscapes. The use of appropriate principles of landscape and irrigation design, installation, management, and maintenance that save water is encouraged in the community.

2. Homebuilders shall provide information packets to residents purchasing new single-family residential homes regarding the design, installation, management, and maintenance of the specific water efficient landscapes and irrigation systems installed in their homes. This information shall be reviewed and approved by the Director of ~~Community~~ Development Services prior to issuance of any building permits.

    a. Signs shall be used to identify the model as an example of a water efficient landscape featuring elements such as hydro zones, irrigation equipment, and others that contribute to the overall water efficient theme. Signage shall include information about the site water use as designed per the local ordinance; specify who designed and installed the water efficient landscape; and demonstrate low water use approaches to landscaping such as using native plants, graywater systems, and rainwater catchment systems.

B. **Model Homes**.

1. All model homes that are landscaped shall use signs and written information to demonstrate the principles of water efficient landscapes described in this ordinance.
2. Signs shall be used to identify the models landscape area as an example of a water efficient landscaping featuring elements such as hydro zones, irrigation equipment, and other features that contribute to the overall water efficient theme.

20.508.070 – Prescriptive Compliance Option

A. This section contains prescriptive requirements which may be used as a compliance option to the landscaping requirements found elsewhere in this Chapter, ~~as described in Section 20.19.020.~~ for any landscape project with a landscape area between 500 and 2,~~-~~500 square feet.

B. Compliance with the following items is mandatory and must be documented on a landscape plan in order to use the prescriptive option:

a. Submit a Landscape Documentation Package which includes the following elements:

1. Date
2. Project applicant
3. Project address (if available, parcel number)
4. Total landscape area in square feet~~,~~
5. A landscape design plan, including a breakdown of turf and plant material (e.g. a plant legend).
6. Project type (e.g. new, rehabilitated, public, private, cemetery, homeowner-installed)
7. Water supply (potable or recycled) and identify if the City of Chino is the water provider.
8. Applicant contact information
9. Applicant signature and date with the statement "I agree to comply with the requirements of the prescriptive compliance option to the MWELO.'

b. Incorporate compost at a rate of at least four cubic yards per 1,000 square feet to a depth of six inches into the landscape area (unless contra-indicated by a soil test).

c. Plant material shall comply with all of the following:

1. For residential areas, install climate adapted plants that require occasional, little or no summer water (average WUCOLS plant factor 0.3) for 75% of the plant area excluding edibles and areas using recycled water.
2. For non-residential areas, install climate adapted plants that require occasional, little or no summer water (average WUCOLS plant factor 0.3) for 100% of the plant area excluding edibles and areas using recycled water.
3. A minimum three-inch (3") layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is much contraindicated.

d. Turf shall comply with all of the following;

1. Turf shall not exceed 25% of the landscape area in residential areas, and there shall be no turf in non-residential areas.
2. Turf shall not be planted on sloped areas which exceed a slope of 1 foot vertical elevation change for every 4 feet of horizontal length.
3. Turf is prohibited in parkways less than 10 feet wide, unless the parkway is adjacent to a parking strip and used to enter and exit vehicles. Any turf in parkways must be irrigated by sub-surface irrigation or by other technology that creates no overspray or runoff.

e. Irrigation systems shall comply with the following;

1. Automatic irrigation controllers are required and must use evapotranspiration or soil moisture sensor data and utilize a rain sensor.
2. Irrigation controllers shall be of a type which does not lose programming date in the event the primary power source is interrupted.
3. Pressure regulators shall be installed on the irrigation system to ensure the dynamic pressure of the system is within the manufacturers recommended pressure range.
4. Manual shut-off valves (such as a gate valve, ball valve, or butterfly valve) shall be installed as close as possible to the point of connection of the water supply.
5. All irrigation emission devices must meet the requirements set in the ANSI standard, ASABE/ICC 802-2014. "Landscape Irrigation Sprinkler and Emitter Standard", all sprinkler heads installed in the landscape must document a distribution uniformity low quarter of 0.65 or higher using the protocol defined in ASABE/ICC 802-2014.
6. Areas less than ten (10) feet in width in any direction shall be irrigated with subsurface irrigation or other means that produce no runoff or overspray.
7. For non-residential projects with landscape areas of 1,000 square feet or more, a private sub meter(s) to measure landscape water use shall be installed.
8. At the time of final inspection, the permit applicant must provide the owner of the property with a certificate of completion, certificate of installation, irrigation schedule and a schedule of landscape and irrigation maintenance.

Chapter 20.509 – MEASURE M GENERAL PLAN INITIATIVE

Sections:

20.509.010 – Purpose
20.509.020 – General Requirements
20.509.030 – Voter Authorization to Rezone Specified Land No. 1
20.509.040 – Voter Authorization to Rezone Specified Land No. 2
20.509.050 – Voter Authorization to Rezone Specified Land No. 3
20.509.060 – Voter Authorization to Rezone Specified Land No. 4
20.509.070 – Voter Authorization to Rezone Specified Land No. 5
20.509.080 – Voter Authorization to Rezone Specified Land No. 6
20.509.090 – Voter Authorization to Rezone Specified Land No. 7
20.509.100 – Voter Authorization to Rezone Specified Land No. 8
20.509.110 – Voter Authorization to Rezone Specified Land No. 9
20.509.120 – Voter Authorization to Rezone Specified Land No. 10
20.509.130 – Voter Authorization to Rezone Specified Land No. 11
20.509.140 – Voter Authorization to Rezone Specified Land No. 12
20.509.150 – Voter Authorization to Rezone Specified Land No.13
20.509.160 – Voter Authorization to Rezone Specified Land No. 14
20.509.170 – Voter Authorization to Rezone Specified Land No. 15

20.509.010 – Purpose

The purpose of this chapter is to establish maximum densities for residential lands in Chino pursuant to Measure M, passed by the voters of the City of Chino on November 8, 1988.

20.509.020 – General Requirements

A. Notwithstanding any other provision of the General Plan, the maximum density of any land designated for a residential use within the city shall not exceed the density for such land established by the Zoning Map and the Zoning Ordinance of the City, or any development agreements in effect on November 8, 1988, excepting senior housing projects. However, the city council may reduce the density of any land designated for a residential use.

B. Notwithstanding any other provision of the General Plan, any land designated for a nonresidential use within the city shall not be converted to a residential use, excepting school sites designated in the General Plan or a specific plan, or development agreements approved by the city prior to November 8, 1988. However, the city council may convert any land designated for a residential use to any other nonresidential use, and may also change uses among lands designated for nonresidential uses.

C. The city has no set maximum population limits. Growth shall be in a phased and orderly manner consistent with the availability of adequate public and private services, utilities and public facilities.

D. In order to be consistent with the land use element, the number of existing or proposed units per adjusted gross acre of land designated for residential use must fall within the range of units allowed by the applicable residential land use designation; provided that the maximum number of such units per adjusted gross acre shall not exceed those in effect as of November 8, 1988, except as otherwise permitted by subsections A and B of this section.

20.509.030 – Voter Authorization to Rezone Specified Land No. 1

A. Notwithstanding the prohibition against rezoning non-residential land for residential uses contained in Section 20.~~15~~509.020(B) (General Requirements), the City Council of the City of Chino may rezone the 35-acre parcel of land located between Ramona and Yorba Avenues from Chino Avenue north to the Southern Pacific Railroad tracks and the Pinecrest Apartments located at 13051 Ramona Avenue, described more specifically in Ordinance No. 95-15, from an industrial use to a residential use with the RD 8 zoning designation.

20.509.040 – Voter Authorization to Rezone Specified Land No. 2

A. Notwithstanding the prohibition against rezoning non-residential land for residential uses contained in Section 20.~~15~~509.020(B) (General Requirements), the City Council of the City of Chino may rezone the parcels of land located along the west side of Ninth Street from C Street north to the alley south of Riverside Drive, described more specifically in Ordinance No. 95-16, from the CG (General Commercial) zone to the RD 4.5 (Residential Development, 4.5 units/acre) zone.

B. Notwithstanding the prohibition against rezoning non-residential land for residential uses contained in Section 20.~~15~~509.020(B) (General Requirements), the City Council of the City of Chino may rezone the parcels of land located along the west side of Ninth Street from the alley south of Riverside Drive north to the former First Trust building, described more specifically in Ordinance No. 95-16, from the CG (General Commercial) zone to the RD 20 (Residential Development, 20 units/acre) zone.

C. Notwithstanding the prohibition against rezoning non-residential land for residential uses contained in Section 20.~~15~~509.020(B) (General Requirements), the City Council of the City of Chino may rezone the parcels of land located along the east side of Seventh Street from C Street north to two lots south of Riverside Drive, described more specifically in Ordinance No. 95-16, from the CG (General Commercial) zone to the RD 8.

D. Notwithstanding the prohibition against rezoning non-residential land for residential uses contained in Section 20.~~15~~509.020(B) (General Requirements), the City Council of the City of Chino may rezone the parcels of land located along the north side of the first alley south of Riverside Drive between 7th and 4th Streets for a depth of three lots with the exception of the parcels in the block along the east side of Sixth Street where the depth is two lots, described more specifically in Ordinance No. 95-16, from the CG (General Commercial) zone to the RD8 (Residential Development, 8 units/acre) zone.

20.509.050 – Voter Authorization to Rezone Specified Land No. 3

A. Notwithstanding the prohibition against rezoning non-residential land for residential uses contained in Section 20.~~15~~509.020(B) (General Requirements), the City Council of the City of Chino may rezone the 11-acre parcel of land located between Philadelphia Street and Francis Avenue, which is south of the existing Gardens development and north of the existing Pep Boys development, described more specifically in Ordinance No. 2000-13, from a commercial use to a residential use with the RD 20 zoning designation.

20.509.060 – Voter Authorization to Rezone Specified Land No. 4

A. Notwithstanding the prohibition against rezoning non-residential land for residential uses contained in Section 20.~~15~~508.020(B) (General Requirements), the City Council of the City of Chino may rezone the 1/2-acre parcel of land located at the southeast corner of Riverside Drive and Magnolia Avenue, described more specifically in Ordinance No. 2002-08, from the AP (Administrative/ Professional Office) zone to the RD 20 (Residential Development, 20 units/acre) zone.

20.509.070 – Voter Authorization to Rezone Specified Land No. 5

A. Notwithstanding the prohibition against rezoning non-residential land for residential uses contained in Section 20.~~15~~509.020(B) (General Requirements), the City Council of the City of Chino may rezone the 707 acres of land located south of Edison Avenue between Euclid and Central Avenues, described more specifically in Ordinance No. 2002-09, from an institutional use to residential uses limited to not more than 2500 dwelling units (College Park).

20.509.080 – Voter Authorization to Rezone Specified Land No. 6

A. Notwithstanding the prohibition against rezoning non-residential land for residential uses contained in Section 20.~~15~~509.020(B) (General Requirements), the City Council of the City of Chino may rezone the 1.37-acre parcel of land located south of Philadelphia Street and west of Ramona Avenue, described more specifically in Ordinance No. 2004-01, from its current maximum density of 4.5 dwelling units per acre to a maximum density of 12 dwelling units per acre under the RD 12 designation of the Chino Zoning Ordinance.

20.509.090 – Voter Authorization to Rezone Specified Land No. 7

A. Notwithstanding the prohibition against rezoning non-residential land for residential uses contained in Section 20.~~15~~509.020(B) (General Requirements) the City Council of the City of Chino may rezone the 9.05 acres of land located at 11385 – 11435 Central Avenue, described more specifically in Ordinance No. 2004-02, from the CG (General Commercial) zone to the RD 20 (Residential Development, 20 units/acre) zone.

20.509.100 – Voter Authorization to Rezone Specified Land No. 8

A. Notwithstanding the prohibition against rezoning non-residential land for residential uses contained in Section 20.~~15~~509.020(B) (General Requirements), the City Council of the City of Chino may rezone the 5.6 acres of land generally located at the southwest corner of Schaefer and Roswell Avenues, described more specifically in Ordinance No. 2005-05, from the IPD-BP (Industrial Planned Development – Business Park) zone to the RD 20 (Residential Development, 20 units/acre) zone.

20.509.110 – Voter Authorization to Rezone Specified Land No. 9

A. Notwithstanding the prohibition against rezoning non-residential land for residential uses contained in Section 20.~~15~~509.020(B) (General Requirements), the City Council of the City of Chino may rezone the 22 acres of land located north of Walnut Avenue, east of Central Avenue, south of SR-60 Freeway and west of Benson Avenue, described more specifically in Ordinance No. 2007-12, from the CG (General Commercial) zone to the RD 8 (Residential Development, 8 units/acre) zone and RD 20 (Residential Development, 20 units/acre) zone.

20.509.120 – Voter Authorization to Rezone Specified Land No. 10

A. Notwithstanding the prohibition against converting non-residential land for residential uses contained in Section 20.~~15~~509.020(B) (General Requirements), adopted by Measure M, the parcels of land described in Subsection (D) are hereby converted to residential uses and the City Council of the City of chino may rezone said parcels of land from general commercial uses to residential uses as stated below:

B. Subject to the conditions and requirements below, the parcels of land described in Subsection (D) may be rezoned from their current General Commercial and Office Commercial zoning designations as follows:

1. 6.48 acres of vacant land may be rezoned from General Commercial to Residential-RD8 with a maximum residential density of 8 units per acre on said vacant land, which is described below as Assessor Parcel Number 1052-051-59.

2. 5.31 acres of vacant land may be rezoned from Office Commercial to Residential-RD8 with a maximum residential density of 8 units per acre on said vacant land, which is described below as a portion of Assessor Parcel Number 1052-051-60.

C. As a condition of rezoning said parcel, the developer and owner shall pay the full cost of the regular election and any cost related to implementation of owner's specific proposal at which the voters of the City of Chino are asked to enact this Ordinance.

D. The land which is the subject matter of this ordinance consists of 11.79 acres of vacant land located south of Riverside Drive and east of Fern Avenue, situated in the City of Chino, County of San Bernardino, State of California as described in Ordinance 2013-005.

20.509.130 – Voter Authorization to Rezone Specified Land No. 11

A. Notwithstanding the prohibition against converting non-residential land for residential uses contained in section 20.~~15~~509.020(B) (General Requirements), adopted by Measure M, the parcels of land described in Subsection (D) are hereby converted to residential uses and the City Council of the City of Chino may rezone said parcels of land from commercial uses to residential uses as stated below.

B. Subject to the conditions and requirements below, the General Plan land use designations for the parcels of land described in Subsection (D) may be changed from their current General Plan designation of General Commercial to RD12 (Residential twelve units/acre), APN: 1053-061-03 and 1053-061-04.

C. As a condition of redesignation of said parcels, the developer and owner shall pay the full cost of the special regular election and any cost related to implementation of owner's specific proposal for which the voters of the City of Chino are asked to enact this Ordinance.

D. The land which is the subject matter of this ordinance consists of 11.6 acres of vacant land located south of Schaefer Avenue between Fern Avenue and Euclid Avenue situated in the City of Chino as described in Ordinance 2014-007.

20.509.140 – Voter Authorization to Rezone Specified Land No. 12

A. Notwithstanding the prohibition against converting non-residential land for residential uses contained in Section 20.~~15~~509.020(B) (General Requirements), adopted by Measure M, the parcels of land described in Subsection (D) are hereby converted to residential uses and the City Council of the City of Chino may rezone said parcels of land from a General Commercial designation to Residential designations as stated below.

B. Subject to the conditions and requirements below, the General Plan land use designations for the parcels of land described in Subsection (D) may be changed from their current General Plan designation of General Commercial to RD12 (Residential twelve units/acre) and RD2 (Residential two units/acre), APN: 1014-271-01.

C. As a condition of redesignation of said parcel, the developer and owner shall pay the full cost of the regular election and any cost related to implementation of owner's specific proposal for which the voters of the City of Chino are asked to enact this Ordinance.

D. The land which is the subject matter of this ordinance consists of 9.2 acres of vacant land located on the east side of Central Avenue approximately six hundred feet north of Francis, situated in the City of Chino, County of San Bernardino, State of California as described in Ordinance 2014-009.

20.509.150 – Voter Authorization to Rezone Specified Land No. 13

A. Notwithstanding the prohibition against increasing permitted residential densities contained in Section 20.~~15~~509.020(A) (General Requirements), adopted by Measure M, the parcels of land described in Subsection (E) are hereby designated for and the City Council of the City of Chino may rezone said

parcels of land from RD2 (Residential two units/acre) to RD4.5 (Residential four and a half units/acre) as stated below.

B. Notwithstanding the prohibition against converting non-residential properties to residential contained in section 20.~~15~~509.020(B) (General Requirements), adopted by Measure M, the parcels of land described in Subsection (F) are hereby designated for and the City Council of the City of Chino may rezone said parcels of land from Business Park to RD8 (Residential eight units/acre) and RD12 (Residential twelve units/acre) as stated below.

C. Subject to the conditions and requirements below, the parcels of land described in Subsections (E), (F), and (G) may be rezoned from their current RD2 (Residential two units/acre) and Business Park zoning designations as follows:(i)18.1 acres of vacant land (described in section (E) and illustrated in Exhibit A - Diagram) may be rezoned from Residential-RD2 to Residential-RD4.5 with a maximum residential density of four and a half units per acre on said vacant land, which is described below as Lot One, Assessor Parcel Number 1053-621-01 and 1053-621-02.(ii)12.7 acres of vacant land (described in section (F) and illustrated in Exhibit A - Diagram) may be rezoned from Business Park to Residential-RD8 with a maximum residential density of eight units per acre on said vacant land, which is described below as Lot Two, a portion of Assessor Parcel Number 1053-501-01, 1053-611-01, 02, 03.(iii)7.7 acres of vacant land (described in section (G) and illustrated in Exhibit A - Diagram) may be rezoned from Business Park to Residential-RD12 with a maximum residential density of twelve units per acre on said vacant land, which is described below as Lot Three, a portion of Assessor Parcel Number 1053-501-01, 1053-611-01, 02, 03.

D. As a condition of rezoning said parcels, the developer and owner shall pay the full cost of the Special Municipal Election and any cost related to implementation of owner's specific proposal at which the voters of the City of Chino are asked to enact this Ordinance.

E. The land which is the subject matter of this ordinance consists of 18.1 acres of land located north of Eucalyptus Avenue between San Antonio Avenue and Fern Avenue, situated in the City of Chino, County of San Bernardino, State of California as described in Ordinance 2014-005.

F. The land which is the subject matter of this ordinance consists of 12.7 acres of land located north of Eucalyptus Avenue between Fern Avenue and Euclid Avenue, situated in the City of Chino, County of San Bernardino, State of California as described in Ordinance 2014-005.

G. The land which is the subject matter of this ordinance consists of 7.7 acres of land located north of Eucalyptus Avenue between Fern Avenue and Euclid Avenue, situated in the City of Chino, County of San Bernardino, State of California as described in Ordinance 2014-005.

20.509.160 – Voter Authorization to Rezone Specified Land No. 14

A. Notwithstanding the prohibition against converting non-residential land for residential uses contained in Section 20.~~15~~509.020(B) (General Requirements), adopted by Measure M, the parcels of land described in Subsection D are hereby converted to residential uses and the City Council of the City of Chino may rezone said parcels of land from a General Commercial designation to Residential designations as stated below.

B. Subject to the conditions and requirements below, the General Plan land use designations for the parcels of land described in Subsection D may be changed from their current General Plan designation of General Commercial to RD12 (Residential twelve units/acre), APN: 1014-291-08 and 09, 1014-301-03, 04, 05.

C. As a condition of redesignation of said parcel, the developer and owner shall pay the full cost of the election and any cost related to implementation of owner's specific proposal for which the voters of the City of Chino are asked to enact this Ordinance.

D. The land which is the subject matter of this ordinance consists of 12.75 acres of vacant land located on the west side of Central Avenue, north of Francis, situated in the City of Chino, County of San Bernardino, State of California and more specifically described in Ordinance 2014-018.

20.509.170 – Voter Authorization to Rezone Specified Land No. 15

A. Notwithstanding the prohibition against exceeding density for land established by the zoning map and the zoning ordinance of the city or any development agreement in effect on November 8, 1988 or prohibition against converting land for residential uses contained in Section 20.~~15~~509.020(B) (General Requirements), adopted by Measure M, Programs 3B and 3C of the 2021-2029 Housing Element Update and corresponding Land Use Element authorizing the application of the two identified overlay strategies encompassing affordable housing and mixed-uses to meet its Regional Housing Needs Assessment (RHNA) allocation are hereby authorized.

B. Subject to the conditions and requirements below, the General Plan land use designations for the parcels of land described in subsection (C) shall are hereby subject to the Affordable Housing Overlay and Mixed-Use Overlay as described 2021-2029 Housing Element Update.

C. The land which is the subject matter of this ordinance subject to the overlay strategies consists of both improved and vacant, situated in the City of Chino, County of San Bernardino, State of California and more specifically described in the Sites Inventory Map on file with the City of Chino Development Services Department.

Chapter 20.510 – NONCONFORMING USES, STRUCTURES, AND PARCELS

Sections:

20.510.010 – Purpose
20.510.020 – Applicability
20.510.030 – Nonconforming Uses
20.510.040 – Nonconforming Structures
20.510.050 – Nonconforming Lots
20.510.060 – Findings
20.510.070 – Removal of Illegal Nonconforming Uses and Structures

20.510.010 – Purpose

The purpose of this chapter is to:

A. Allow for the continuation of legal nonconforming uses and the continued occupation of legal nonconforming structures.

B. Ensure that nonconforming uses and structures do not adversely impact neighboring properties.

C. Provide for a process to allow for the minor expansion of nonconforming uses and structures.

D. Allow for repairs and maintenance of nonconforming structures.

20.510.020 – Applicability

This chapter applies to any use, structure or parcel legally existing at the time of adoption of this Title. The three types of nonconformities are defined in Table 20.~~20~~51009~~09~~-1 (Types of Nonconformities).

TABLE 20.510-1 TYPES OF NONCONFORMITIES

Nonconforming Use	A use that lawfully occupied a building or land at the time the use was established, but that no longer conforms with the use regulations of the district in which it is located.
Nonconforming Structure	A structure that was lawfully erected but that no longer complies with all standards, such as height, setbacks and lot coverage, applicable to the zoning district in which the structure is located.

Nonconforming Lot	A lot that does not conform to the development standards, including area and width regulations, of the district in which it is located or that does not conform to subdivision regulations.

20.510.030 – Nonconforming Uses

A. **Change in Ownership, Tenancy or Management**. A change in ownership, tenancy or management of a nonconforming use shall not affect its legal nonconforming status provided that the intensity of use does not change.

B. **Discontinuation of Use.** A legal nonconforming use discontinued for a period of 180 or more consecutive days may not be reinstated and shall lose its legal nonconforming status.

1. ***Exception to 180 Day Time Limit.*** Any legal nonconforming residential unit located in industrial zoning districts that was occupied within the last 10 years of the date of an application that would include demolition of the unit to accommodate development of a warehouse or logistics project, shall be considered a legal nonconforming use and therefore subject to the two-to-one replacement requirements of Government Code Section 65098.6 unless the unit was declared substandard by the Building Official.

C. **New Development**. The establishment of a new structure greater than 500 square feet on any property occupied by a legal nonconforming use shall require that all uses on the property conform to the provisions of this Title.

D. **Resuming a Nonconforming Use**. If a legal nonconforming use is converted to a conforming use, no nonconforming use may be resumed.

E. **Replacement of a Nonconforming Use**. A nonconforming use may not be replaced by another nonconforming use.

F. **Expansion of Use**. The enlargement, extension, modification or structural alternation of a structure or site occupied by a nonconforming use shall require Administrative Approval by the Director as provided in Chapter 20.~~23~~601 (Administration) of this Code. Approval shall require the Director to make the findings in Section 20.~~20~~5110.060 (Findings) of this chapter.

20.510.040 – Nonconforming Structures

A. **Voluntary Damage or Destruction**. A legal nonconforming structure that has been voluntarily demolished cannot be reconstructed unless it is brought into full compliance with this Code.

B. **Involuntary Damage or Destruction**.

1. A legal nonconforming single-family structure that has been involuntarily damaged or destroyed by fire, flood, wind, earthquake or other calamity may be reconstructed up to the original size, placement and density.

2. A legal nonconforming commercial/industrial structure that has been involuntarily damaged or destroyed by fire, flood, wind, earthquake or other calamity may be reconstructed up to the original size, placement and density, provided that the total cost of reconstruction does not exceed more than fifty percent of the value of the structure prior to such damage occurring. In the event that the cost of repairing such damage to a non-residential structure exceeds fifty percent of the value of the structure prior to such damage occurring, no repair or reconstruction shall be made unless the structure is made to conform to all provisions of this title.

C. **Involuntary Damage of Multiple Family Housing**. A multiple family dwelling or development that has been involuntarily damaged or destroyed by fire, flood, wind, earthquake or other calamity, or the public enemy, may be reconstructed up to the original size, placement and density, except that a multiple family dwelling or development which has been abandoned for a period of 180 or more consecutive days prior to being involuntarily damaged or destroyed, or a multiple family dwelling or development constituting a public nuisance prior to being involuntarily damaged or destroyed may not be reconstructed unless the structure is made to conform to all provisions of this title.

D. **Expansions and Additions**. The enlargement, expansion or addition to a nonconforming structure shall require Administrative Approval by the Director as provided in Chapter 20.~~23~~601 (Administration) of this Title. Approval shall require the Director to make the findings in Section 20.~~20~~510.060 (Findings) of this chapter.

E. **Repairs and Alterations.**

1. Nonconforming residential structures may be repaired and renovated provided that the structure is not enlarged or expanded and the nonconformity is not increased or exacerbated. Approval shall require the Director to make the findings in Section 20.~~20~~509.060 (Findings) of this chapter.

2. Nonconforming structures occupied by nonresidential uses may be repaired and renovated provided that no structural alterations are made which prolong the life of supporting members of a structure, such as bearing walls, columns, beams or girders, except as follows:

   a. Structural elements may be modified if such modification or repair is immediately necessary to protect the public health and safety, occupants of the structure, or adjacent property, as determined by the Building Official.

   b. Improvements required to reinforce unreinforced masonry structures shall be permitted without limitations, provided that such retrofitting is strictly limited to compliance with current earthquake safety standards.

F. **Interior Modifications**. Changes to interior partitions or other nonstructural improvements and repairs may be made to legal nonconforming nonresidential structures provided that, over any consecutive five-year period, the total cost of the desired improvements or repairs does not exceed 50 percent of the replacement cost of the structure as determined by the Director.

G. **Cessation of Use**. If the use of a nonconforming structure is discontinued for a period of 180 or more consecutive days, the structure shall lose its legal nonconforming status, and shall be removed

or altered to conform to the provisions of this title. The use of a legal nonconforming structure shall be considered discontinued if the Director determines that any of the following apply:

1. The intent of the owner to discontinue use of the nonconforming structure is apparent.
2. Characteristic furnishings and equipment associated with the use have been removed and not replaced with equivalent furnishings and equipment, and where normal occupancy and/or use has been discontinued for a period of 180 or more consecutive days; or
3. For commercial or industrial uses, there are no business receipts available for a period of 180 or more consecutive days.

20.510.050 – Nonconforming Lots

A. All legal nonconforming lots shall be permitted all development rights and uses of the zoning district in which it is located.

B. Development on a legal nonconforming lot shall comply with all setback, building coverage, density, maximum floor area ratio, driveway access, and other applicable standards of the zoning district.

20.510.060 – Findings

A. The Director may approve the expansion of a nonconforming use or structure if the following findings can be made.

1. The use or structure has not resulted in a notable negative impact or nuisance to surrounding properties.
2. The expansion will not adversely affect or be materially detrimental to surrounding properties.
3. The use or structure is compatible with the general character of the surrounding neighborhood or district.
4. The use or structure has not been discontinued or vacated for a period of 180 or more consecutive days.
5. The expansion does not increase the site area or floor area of the structure occupied by the nonconforming use or a nonconforming structure by more than 15 percent.
6. The expansion does not result in an increase in residential density.

20.510.070 – Removal of Illegal Nonconforming Uses and Structures

Nothing contained in this chapter shall be construed or implied so as to allow for the continuation of illegal nonconforming uses and structures except as expressed provided in the Starter Home Revitalization Act and Government Code sections 666300 et. seq. Such uses shall be immediately discontinued, and structures shall be immediately removed subject to applicable State law.

Chapter 20.511 – PARKING AND LOADING

Sections:

20.511.010 – Purpose
20.511.020 – Applicability
20.511.030 – Number of Parking Spaces Required
20.511.040 – General Parking Regulations
20.511.050 – Parking Design Standards
20.511.060 – Alternative Compliance with Parking Requirements
20.511.070 – Bicycle Facilities
20.511.080 – Parking Structures
20.511.090 – Off-Street Loading
20.511.100 – Electric Vehicle Charging Stations

20.511.010 – Purpose

The purpose of this chapter is to:

A. Provide sufficient on-site parking and loading facilities for all land uses.

B. Enable off-site parking at appropriate locations, including Mixed Use areas, to promote economic development and revitalization.

~~B.~~C. Provide accessible, attractive, secure, properly lighted, and well-maintained parking facilities with pedestrian connections to the locations and uses served.

~~C.~~D. Reduce traffic congestion and hazards.

~~D.~~E. Protect neighborhoods from the effects of vehicular noise and traffic generated by new residential development and adjacent non-residential land use districts, including logistics uses.

~~E.~~F. Offer flexible means of minimizing the amount of land area devoted to parking of automobiles by: (1) allowing reductions in the number of required parking spaces in the most transit accessible areas, areas with a diverse mix of land uses with off-setting periods of peak parking demand, for shared parking facilities, and for other situations expected to have lower vehicle parking demand; and (2) establishing limits on the number of private off-street parking spaces that can be provided in association with certain land uses and in certain locations, with allowance for provision of additional parking spaces above these established maximums provided that such spaces are shared and publicly accessible.

G. Support bicycling and address the circulation, access, and security needs of people traveling by bicycle by requiring short-term and long-term bicycle parking and storage, and requiring parking lot designs that offer safe bicycle access routes.

H. Reduce urban stormwater run-off and heat island effect.

~~F.~~I. Assure the maneuverability of emergency vehicles.

20.511.020 – Applicability

A. **Generally.**

1. Off-street parking shall be provided for any new structure or use in compliance with the requirements of this chapter.

2. All parking facilities and areas, required or not, shall comply with the requirements of this chapter and the Building Code.

B. **Expansion of Structure.**

1. When an existing structure other than a single-family dwelling unit is enlarged or increased in capacity, additional off-street parking as required by this chapter shall be provided only for that portion of the structure that has been expanded. The parking area shall comply with Sections 20.511.050 (Parking Design Standards) and 20.511.050 (Parking Lot Landscape Standards) of the Zoning Code.

2. When a single-family dwelling unit without off-street parking (garage or carport) is enlarged by more than 5 percent of the GFA of the existing dwelling unit, or the existing attached garage is converted into habitable space (other than for an accessory dwelling unit or junior accessory dwelling unit), parking shall be provided as follows:

a. Dwelling units constructed on or before May 20, 1965 shall provide one covered space within a garage or carport.

b. Dwelling units constructed after May 20, 1965 shall provide two covered spaces within a garage.

C. **Changes to Use.** When a change in use requires more off-street parking than the existing use, parking shall be provided in compliance with this chapter.

D. **Exceptions.**

1. ***Neighborhood Retail.*** Small retail commercial and service uses in the CN district having a gross floor area of 1,500 square feet or less are exempt from the off-street parking and loading requirements of this chapter.

2. ***Alternative Access and Parking Plans.*** If an alternative access and parking plan is approved pursuant to Section 20.511.060 (A) (Alternative Parking and Loading Plan), the off-street parking requirements shall be subject to the provisions of that plan.

20.511.030 – Number of Parking Spaces Required

A. **Off-Street Parking.** Off-street parking spaces shall be provided as specified in Table 20.511-1 (Off-Street Parking Requirements) of this chapter.

B. **Uses Not Listed.** Off-street parking requirements for uses not specifically listed shall be as determined by the Director of Development Services, based upon the requirements for comparable uses and the particular characteristics of the site and proposed use.

C. **Multiple Uses**. Whenever more than one land use is conducted on a lot or parcel, the required number of parking spaces shall be the sum of the requirements for each individual use.

D. **Exclusion of First 2,500 Square Feet**. For all non-residential development in Mixed Use Zones and ~~Downtown~~ and Affordable Housing overlay districts and in shopping centers with more than 100,000 square feet of floor area, the first 2,500 square feet shall be subtracted from the gross square footage when calculating the parking demand. When there are multiple uses on the same lot with separate estimated parking demands, the first 2,500 square feet shall be subtracted from each such use, meaning that any use in a Mixed Use Zone, ~~Downtown overlay zone~~, Affordable Housing overlay zone, or a shopping center that occupies 2,500 square feet or less is not required to provide off-street parking.

E. **If Estimated Parking Demand is "As Determined by a Parking Needs Assessment."** If Table 20.511-1 indicates that the estimated parking demand is to be determined by a parking needs assessment, the estimated parking demand shall be determined by the Director based on the characteristics of the specific use in question and other similar uses. ~~Where no Planning Commission approval is required, the Director of Development Services shall determine the estimated parking demand; the Director's determination may be appealed to the Planning Commission. Where Planning Commission approval is required, the Commission shall determine the estimated parking demand based on a recommendation from the Director.~~

F. **Fractional Spaces**. If the number of required parking spaces does not result in a whole number, the number shall be rounded up to the nearest whole number.

TABLE 20.511-1 OFF-STREET PARKING REQUIREMENTS

Uses, Activities and Facilities	*Number of Required Parking Spaces (all spaces are uncovered unless otherwise noted)*
Residential Uses	
~~Single Family~~Single-family Dwellings	2 garage spaces per dwelling plus one uncovered guest space for new residences with more than 2,250 square feet of gross floor area, which may be in the front or street side setback area. If the new residence has 3,500 square feet or more gross floor area, two guest spaces are required. This requirement also applies to expansions of existing residences~~,~~ resulting in 4 or more bedrooms or more than 3,500 square feet of gross floor area.
Duplexes	2 garage spaces per dwelling plus one uncovered guest space 1 covered space per dwelling less than 950 sq ft

TABLE 20.511-1 OFF-STREET PARKING REQUIREMENTS

Uses, Activities and Facilities	*Number of Required Parking Spaces (all spaces are uncovered unless otherwise noted)*
Multiple-Family Dwellings (Less than 16 units/acre)	Studio Units: 1.2 covered space per dwelling plus 1 additional space for every 5 units. 1 Bedroom Units: 1.5 covered spaces per dwelling, 2 or more Bedroom Units: ~~2 covered spaces~~ 1 covered space per bedroom Guest Parking: 1 space for every ~~10~~ 7 dwelling units.
Multiple-Family Dwellings (16-19 units/acre)	Studio Units: 1.2 covered space per dwelling 1 Bedroom Units: 1 covered and 0.5 uncovered space per dwelling 2 or more Bedroom Units: 1 covered and 1 uncovered space per dwelling and 1 additional space for each bedroom after 2 which can be covered or uncovered Guest Parking: 1 space for every ~~10~~ 7 dwelling units.
Multiple-Family Dwellings (20 units/acre or greater)	Studio Units: 1.2 covered or uncovered space per dwelling, 1 Bedroom Units: 1.5 covered or uncovered spaces per dwelling, 2 or more Bedroom Units: 2 covered or uncovered spaces, ~~plus +~~1 space for each bedroom after 2. Guest Parking: 1 space for every ~~10~~ 7 dwelling units.
Accessory Dwelling Units	1 covered or uncovered space per dwelling, in compliance with ~~Section 20.11.020~~Chapter 20.503 (~~Accessory Structures –~~ Accessory Dwelling Units).
Second Primary Units	1 covered or uncovered space per ~~dwelling~~bedroom, except where exempt, in compliance with Section 20.201.050.F.
Live/Work Units	1.5 spaces for up to 1,000 square feet of floor area in the living part of the unit, plus 0.5 additional space for every additional 500 square feet of floor area in the living part of the unit above the first 1,000 square feet
Group Homes and Facilities	1 space per bed plus 1 space per employee
Mobile Home Parks	1 covered and 1 uncovered space per dwelling, one uncovered guest space for every 5 dwellings and one recreational vehicle parking space for every 5 dwellings
Senior Housing Projects	1 covered space per dwelling, plus 1 uncovered guest space for every ~~10~~ 7 dwelling units, plus 1 uncovered space for each ~~2~~ employee~~s~~ (if any) during the largest shift.

TABLE 20.511-1 OFF-STREET PARKING REQUIREMENTS

Uses, Activities and Facilities	*Number of Required Parking Spaces (all spaces are uncovered unless otherwise noted)*
Residential Care Facilities~~, Small~~	1 space per every 4 beds plus 1 space per employee
~~Residential Care Facilities, Large~~Supportive Housing	
Transitional Housing	
Emergency Shelters	1 space per every 4 beds plus 1 space per employee
Caretaker Quarters	1 space per dwelling
Public and Quasi-Public Uses	
Places of Assembly	
Places of Worship, Community Scale	1 space per 3 fixed seats or 1 space for each 75-sq. ft. of non-fixed seating or assembly area, whichever is greater plus the requirements for incidental associated uses (i.e., offices, classrooms, etc.) or 1 space for each of 3 occupants to the maximum occupancy, whichever is greater. The number of spaces for Regional Scale Places of Worship shall be determined by a parking needs assessment.
Places of Worship, Regional Scale	
Places of Worship, Small Storefront	
Places of Worship, Large Storefront	
Clubs and Lodges	1 space for every 100-sq. ft. of assembly area, plus 1 space for each 250-sq. ft. for offices or 1 space for every 3 persons to the maximum occupancy, whichever is greater.
Cultural and Institutional Uses	
Live Theaters and Auditoriums	1 space per 3 fixed seats or 1 space for each 75-sq. ft. of non-fixed seating or assembly area, whichever is greater, or as determined by a parking needs assessment
Motion Picture Theaters	
Music/Comedy Venues	
Libraries	1 space for each 300-sq. ft. of floor area
Museums and Art Galleries	
Botanical and Zoological Gardens	As determined by a parking needs assessment
Health Services	
Hospitals	1.5 space for each 2 patient beds plus requirements for related out-patient health services as determined by a parking needs assessment
Medical Clinics and Labs	1 space for each 250-sq. ft. of floor area
Medical and Dental Offices	
Educational Uses	

TABLE 20.511-1 OFF-STREET PARKING REQUIREMENTS

Uses, Activities and Facilities	*Number of Required Parking Spaces (all spaces are uncovered unless otherwise noted)*
Schools, Public or Private	Nursery/Pre-Schools: 1 space for each employee plus 1 space for each 5 children at maximum capacity Elementary and Secondary Schools: 2 spaces for each classroom~~.~~. In addition, a dedicated pick-up and drop-off area shall be included large enough to minimize impact to public traffic flow. High Schools:~~-~~ 1 space for each staff/faculty member plus 1 space for each ~~6~~ 5 students (at maximum occupancy). In addition, a dedicated pick-up and drop-off area shall be included large enough to minimize impact to public traffic flow. Colleges and Universities: As determined by a parking needs assessment
Trade and Vocational Schools Schools for Personal Enrichment and Fulfillment	1 space for each staff/faculty member, plus one space for each ~~3~~ 2 students (at maximum occupancy)
Gym/Athletic Instruction Small/Boutique Fitness Studio	1 space for each 100 sq. ft. of floor area exceeding 1,500 sq.ft. ~~As determined by a parking needs assessment~~.
Child Care Services	
Family Day Care ~~Facilities~~Home, Small	None beyond the spaces required for the residence 1 ~~space for each staff member (a driveway may be used to fulfill this requirement) plus the requirements for the primary residential use~~
Family Day Care ~~Facilities~~ Home, Large	~~1 space for each employee, 1 space for each 10 students at maximum occupancy plus the requirements for the primary residential use~~ 2 drop-off spaces in addition to the spaces required for the residence.
Day Care Facilities~~, Employer Provided On-site~~	~~1 space per employee~~ 3 for each 1,000 150 sq. ft. of floor area
Other Community Services	
Emergency Shelters	1 space for every 4 beds, based upon maximum resident capacity
~~Social Services, Charitable Institutions and Services~~Nonprofit Orginzations and Human Services	1 space for each 250-sq. ft. of floor area
Public Safety Facilities	1 space per employee during the largest shift. Additional spaces may be required based upon the findings of a parking needs assessment
Correctional Institutions and Facilities	As determined by a parking needs assessment

TABLE 20.511-1 OFF-STREET PARKING REQUIREMENTS

Uses, Activities and Facilities	*Number of Required Parking Spaces (all spaces are uncovered unless otherwise noted)*
Cemeteries and Mausoleums	1 space per 4 visitors at maximum capacity, plus 1 per 250 sq. ft. of office space, or as determined by a parking needs assessment
Commercial Uses	
Retail	
Retail, General	1 space per ~~250~~333 sq. ft. of floor area[1]
~~Retail, Thrift and Secondhand Stores~~Thrift, Vintage and Consignment	
Animal Sales and Services	
Guns and Ammunition Sales	
Alcoholic Beverage Sales	
Pawn Shops	
Adult Oriented Businesses	
Indoor Swap Meet	
Mobile Home Sales	1 space for each 350-sq. ft. of floor area, plus 1 space for each 2,000-sq. ft. of outdoor display area, plus 1 space for each 500-sq. ft. of floor area used for vehicle repair, plus 1 space for each 300-sq. ft. of floor area used for parts and accessories sales
Shopping Centers	4~~3~~.33 spaces for each 1,000-sq. ft. of gross leasable floor area for centers up to 300,000 sq. ft. 3.~~75~~0 spaces for each 1,000-sq. ft. of gross leasable floor area for centers greater than 300,000 sq. ft.
Swap Meets	1 space for each 1,000-sq. ft. of outdoor display/activity area
Agricultural Product Stands	1 space per employee during the largest shift, plus adequate parking area to accommodate vehicles, machinery and equipment used in conjunction with the use
Vehicle Sales and Services	
Automobile and Vehicle Sales (including dealerships and auto malls)	1 space for each ~~350~~1,000-sq. ft. of floor area, plus 1 space for each 250-sq. ft. of showroom space, 1 space for each 2,000-sq. ft. of outdoor display area, plus 1 space for each 500-sq. ft. of floor area used for vehicle repair, plus 1 space for each 300-sq.

[1] A three spaces per 1,000 square feet for most non-residential uses will allow for changes in occupancy that do not trigger a different parking requirement.

TABLE 20.511-1 OFF-STREET PARKING REQUIREMENTS

Uses, Activities and Facilities	*Number of Required Parking Spaces (all spaces are uncovered unless otherwise noted)*
	ft. of floor area used for back-room offices and parts and accessories sales
Automobile~~, Truck and Trailer~~ Rental Agencies	1 space for each 350-sq. ft. of floor area, plus 1 space for each 2,000-sq. ft. of outdoor display area. Required spaces designated for employees and customers shall not be used for vehicle display or storage.
Vehicle Parts and Accessories Sales	1 space for each 250-sq. ft. of floor area
~~Automobile, Light Truck and Van Cleaning~~Car Wash	Full-Service Facility: 1 space for every 3 employees during the largest shift, plus vehicle queuing capacity equal to 2 times the capacity of the washing operation (the length of the conveyor divided by 20) or 15 spaces, whichever is greater Self-Service and Coin-Operated Facilities: 2.5 spaces per washing stall, plus a 2-car queuing lane in front of each space
Bus and Large Truck Cleaning	As determined by a parking needs assessment
Vehicle Repair and Maintenance	One space for each 300-sq. ft. of GFA, plus one space for each service vehicle maintained on-site in conjunction with the use
Bus and Large Truck Repair and Maintenance	One space for each 300-sq. ft. of floor area, plus 1 space for each service vehicle maintained on-site in conjunction with the use. A minimum of 5 spaces shall be designed to accommodate bus and large truck parking.
Vehicle Towing Service	One space for each 350-sq. ft. of floor area, plus 1 space for each service vehicle maintained on-site in conjunction with the use plus on-site vehicle storage as needed. ~~Facilities containing on-site vehicle storage areas shall comply with the vehicle storage requirements of this table.~~
Gas and Service Stations	1 space for each 250-sq. ft. of floor area or 5 spaces, whichever is greater
Eating and Drinking Establishments	
Restaurant	**Standalone**: One space for each ~~100~~150 -sq. ft. of ~~public seating~~ gross floor area in new buildings. No parking is required for new restaurants with less than 3,500 square feet of gross floor area occupying space in an existing building; above that size, one space for each 150 sq. ft. ~~A minimum of 10 spaces shall be provided.~~ **In shopping centers** where restaurants occupy less than 25% of total floor area: 1 per ~~/~~250 sq. ft. of gross floor area, which may be provided as common or shared parking. When outdoor seating reduces or eliminates on-site parking, the number of spaces

TABLE 20.511-1 OFF-STREET PARKING REQUIREMENTS

Uses, Activities and Facilities	*Number of Required Parking Spaces (all spaces are uncovered unless otherwise noted)*
	required for indoor seating shall be reduced by the number of spaces needed for the outdoor seating, calculated as one space per 100-sq. ft. of seating area.
Restaurant, Drive-Thru Facility	One space for each ~~100~~175-sq. ft. of gross floor area area (1 per ~~/~~150 sq. ft. for drive-thru facilities with less than 2,500 sq. ft. of gross floor area). A queuing lane sufficient in length to accommodate 5 vehicles at the point of food ordering shall be provided. A traffic analysis may be required to determine drive-thru queuing requirements based on the business model of the restaurant subject to approval by the City Traffic Engineer.
Bars, Nightclubs, and Lounges Cigar ~~and Vaping~~ Lounges and Hookah Bars	One space for ~~each 75 SF~~ each 100 sq. ft of ~~public seating~~gross floor area. ~~A minimum of 10 spaces shall be provided.~~
Transient Occupancy	
Bed and Breakfast and Boarding House	One space for each guestroom, plus 2 covered spaces for resident manager
Hotels and Motels	1 space for each guestroom, plus 1 space for every 3 employees during the largest shift. Reduced to 0.75 for each guestroom plus 1 space for every 3 employees in Mixed Use Zones.
Commercial Services	
Offices, Professional/Business Offices, Service Personal Services Personal Services, Restricted Business Support Services Banks, Retail ~~Check Cashing Services~~ Non-traditional Financial Institutions ~~Payday Advance Services~~ ~~Cyber Cafés~~ Day Spas	1 space for each ~~250~~333-sq. ft. of floor area
Funeral Parlors, Mortuaries and Crematories	1 space for each 150-sq. ft. of public assembly area, plus 1 space for each employee, plus 1 space for each vehicle maintained on-site in conjunction with the use
Entertainment-Related Services	

TABLE 20.511-1 OFF-STREET PARKING REQUIREMENTS

Uses, Activities and Facilities	*Number of Required Parking Spaces (all spaces are uncovered unless otherwise noted)*
Motion Picture Production and Distribution Services	As determined by a parking needs assessment
Recording Studios Broadcasting Studios	1 space per 350 sq. ft. of floor area
Recreational Uses	
Commercial Recreation Commercial Recreation, Small	1 space for each 100 sq. ft. of floor area exceeding 1,500 sq.ft. ~~As determined by a parking needs assessment~~
Fairgrounds	As determined by a parking needs assessment
Golf Courses	6 spaces for each hole
Outdoor Golf Courses, Miniature	2 spaces for each hole, plus 1 space for each 2 employees on maximum shift and 1 space for each 300-sq. ft. of floor area for other on-site uses or activity space.
Parks and Recreational Facilities	As determined by a parking needs assessment
Pistol, Skeet, Rifle and Archery Ranges	1 space per station plus 1 space for each employee on maximum shift or as determined by a parking needs assessment
Sports Stadium or Arenas	~~1 space per 4 seats or~~ aAs determined by a parking needs assessment
Amusement or Theme Park	As determined by a parking needs assessment
Industrial	
Manufacturing and Processing and Multi-tenant Space for Industrial Uses	
Manufacturing and Processing, Light Manufacturing and Processing, General Manufacturing and Processing, Heavy Manufacturing and Processing, Outdoor	Manufacturing: 1 space for each 600-sq. ft. of floor area Storage: 1 space for each 1,000-sq. ft. of floor area for the first 20,000 sq. ft., 1 space for each 2,000-sq. ft. of floor area for the second 20,000 sq. ft., and 1 space for each 4,000-sq. ft. of floor area in excess of the initial 40,000 sq. ft.
Flexible Industrial Space	Flexible Industrial Space: 1 space for each 600 sq.ft. of floor area. Office and Research & Development (R&D) Space: 1 space for each ~~250~~333-sq. ft. of floor area. If the maximum office and R&D buildout is not specified, office and R&D area shall be assumed as follows: buildings with GFA of 0 to 15,000 sq. ft – 15% of GFA shall be counted toward office; buildings and 10% for R&D; with GFA of 15,001 to 50,000 SF – 10% of GFA shall be counted toward office and 10% for R&D; and buildings with GFA of more

TABLE 20.511-1 OFF-STREET PARKING REQUIREMENTS

Uses, Activities and Facilities	*Number of Required Parking Spaces (all spaces are uncovered unless otherwise noted)*
	than 50,000 SF – 5% of GFA shall be counted toward office and 5% for R&D.
Business Parks	1 space for each ~~400~~450-sq. ft. of floor area
Food Preparation	1 space for each ~~300~~350-sq. ft. of floor area
Hazardous Materials	
Hazardous Waste Collection	1 space per employee on the largest shift or as determined by a parking needs assessment
Hazardous Waste Treatment and Disposal	
Household Hazardous Waste Collection Center	
Recycling	
Recycling Facilities, Small Collection	1 space per employee on the largest shift
Recycling Facilities, Large Collection	
Recycling Facilities, Light Processing	
Recycling Facilities, Heavy Processing	
Recycling Facilities, Material Recovery (MRF)	
Recycling Facilities, Reverse Vending Machines	
Warehousing and Storage	
Warehousing, Very Light (< 25,000 sq. ft.)	1 space for each 1,000-sq. ft. of floor area for the first 20,000 sq. ft., 1 space for each 2,000-sq. ft. of floor area for the second 20,000 sq. ft., and 1 space for each 4,000-sq. ft. of floor area in excess of the initial 40,000 sq. ft.-plus one space for tractor-trailer parking per 2 dock-high loading docks.
Warehousing, Light (25,000 to 50,000 sq. ft.)	
Warehousing, General (> 50,000 sq. ft.)	
Public/~~Mini-~~ Self Storage	1 space per 100 storage units or 5 spaces, whichever is greater
Other Industrial	
Equipment Rental and Sales, Light Equipment	1 space per 350 sq. ft. of floor area
Equipment Rental and Sales, Heavy Equipment	
Natural Resource Extraction	As determined by a parking needs assessment
Agricultural and Open Space	
Crop Cultivation	Parking area sufficient in size to accommodate each employee during the largest shift, plus adequate parking area to accommodate vehicles, machinery and equipment used in conjunction with the use
Agricultural Processing, On-Site	5 spaces plus 1 space per employee during the largest shift

TABLE 20.511-1 OFF-STREET PARKING REQUIREMENTS

Uses, Activities and Facilities	*Number of Required Parking Spaces (all spaces are uncovered unless otherwise noted)*
Dairies	1 space for each employee during the largest shift, plus 1 space per motor vehicle used in conjunction with the use
Ranches	
Slaughter Houses	
Stables, Commercial	1 space for each 5 horses boarded
Stables, Private	None
Transportation, Telecommunications and Utilities	
Airport	As determined by a parking needs assessment
Heliports	
Transportation Terminals	
Weigh Stations	1 space for each 350-sq. ft. of floor area, plus 1 space for each employee during the largest shift, plus 1 space queuing lane in front of each scale designed to accommodate a large truck
Utilities, Major	As determined by a parking needs assessment
Utilities, Minor	
Wireless Facilities	

20.511.040 – General Parking Regulations

A. **General Requirements.**

1. All off-street parking facilities required by this chapter shall be designed and maintained to be fully usable for the duration of the use requiring such facilities.
2. On-street parking along public streets cannot be used for any calculation of parking requirements ~~except as specified for the Downtown overlay district.~~
3. Areas required to meet applicable parking requirements may not be used for any purpose other than parking.
4. Off-street parking facilities may not be used for the overnight parking and/or storage of recreational vehicles except in accord with the provisions of Section 20.511.050 (A)(9) (Recreation Vehicle Parking Standards).~~.~~
5. Off-street parking and loading spaces established as of the effective date of the ordinance codified in this chapter shall not be reduced in number during the life of such building or land use below that which would be required for a new building or use of a similar type under the

requirements of this chapter. All such off-street parking and loading spaces shall remain permanently available and accessible for the parking or loading of vehicles by occupants of the property, except that any surplus spaces may be rented out to non-occupants or otherwise made publicly accessible with the provision that such spaces must be vacated on 30 days' notice if they become needed by occupants of the property.

6. Changes in use in an existing building that create an increase of 10 or fewer required parking spaces, calculated in accordance with Section 20.511.030 (Number of Parking Spaces Required), shall not be required to provide additional on-site automobile parking according to the provisions of this chapter.

7. No area may be used and counted both as a required parking space and a required loading space. Maneuvering aisles and driveways cannot be used to provide required parking spaces and required loading spaces.

B. **Parking for Persons with Disabilities.**

1. Parking for persons with disabilities shall be provided in accordance with California Code of Regulations Title 24 for each public parking area serving clients, guests or employees. Such spaces will be counted towards the parking requirements of this chapter.

2. The minimum number of ~~disabled~~ accessible parking spaces provided shall be as shown in Table 20.~~18~~511-2 (Minimum Number of Required ~~Disabled~~ Accessible Parking Spaces).

TABLE 20.511-2 MINIMUM NUMBER OF REQUIRED ~~DISABLED~~ ACCESSIBLE PARKING SPACES

Total Number of Parking Spaces Required	*Minimum ~~Disabled~~ Accessible Parking Spaces Required*
1-25	1
26-50	2
51-75	3
76-100	4
101-150	5
151-200	6
201-300	7
301-400	8
401-500	9
501-1000	2% of total
1001 and over	20 plus 1 for each 100 or fraction thereof over 1,001

3. All parking spaces for the ~~physically handicapped~~persons with disabilities shall be striped and marked in accordance with State standards.

4. Surface slopes of the ~~disabled~~ accessible parking spots and required access aisles ~~shall be kept to a minimum and~~ shall not exceed one unit vertical to 50 units horizontal (2 percent slope) in any direction.

5. All parking spaces for persons with disabilities shall be located in accordance with State law, as close as possible to the entrance(s) to the use which they are intended to serve, and oriented so that the user of the parking space need not go past the rear of automobile parking spaces in order to reach the building's entrance.

6. Buildings with multiple entrances shall have ~~disabled~~ accessible parking spaces dispersed so that ~~disabled~~ accessible parking spaces are located near all entrances.

C. **Compact Parking Stalls.**

1. Compact parking stalls may be provided at a maximum rate equal to 25 percent of the total required parking spaces.

2. All parking spaces for compact cars shall be clearly marked with the word "Compact" either on the wheel stop or curb, or on the pavement at the opening of the space.

3. Compact parking spaces shall be reasonably dispersed throughout the parking area, subject to review and approval by Director of ~~Community~~ Development Services.

D. **Nonconforming Parking Facilities**. Existing land uses with off-street parking and loading facilities that do not conform to the requirements of this chapter may be enlarged or expanded; provided that additional parking and loading facilities shall be added so that the enlarged or expanded portion of the building conforms to the requirements of this chapter, subject to the applicable provisions for nonconforming uses and structures in Chapter 20.510 (Nonconforming Uses, Structures, and Parcels) and the exclusion of changes in use that would require less than 10 spaces.

E. **Off-Site Parking.** Required parking spaces shall be provided on the same building site as the use it is intended to serve. However, the City may approve required parking off-site if ~~guarantees are~~ a lease agreement is recorded ~~to assure~~ that documents the availability of the off-site parking spaces for the duration of the use that it is to serve. A copy of the lease agreement shall be provided to the Director of Development Services prior to issuance of a Certificate of Occupancy. Newly constructed off-site parking may not be located in a zoning district in which the principal use served by the parking is prohibited. In no case shall off-site parking be located more than ~~250~~ 500 feet from the building site of the use that it is intended to serve in non-residential zoning districts, except that employee spaces may be located 1,500 from the building site.

F. **Reductions to the Required Number**. The Director of Development Services or the Planning Commission, whoever has final approval authority, may grant a reduction in the amount of required on-site parking when one or more of the following conditions exist:

1. **Shared Parking**. Multiple uses may use joint parking facilities when operations for the respective uses are not normally conducted during the same hours, or when hours of peak use

differ, subject to the requirements of Government Code Section 65863.2. Spaces in shared parking facilities shall count toward meeting on-site parking requirements. Requests for the use of shared parking must meet the following conditions:

~~A parking demand study has been prepared which demonstrates that there will be no substantial conflicts between the subject uses with regard to principal hours of operation and periods of peak parking demand.~~

a. ***Calculation of Parking Requirement for Shared Parking.*** Within a shared parking environment, peak period parking demand shall be calculated by estimating the parking demand for all uses at the combined peak period of demand for the site. The estimated parking demand for each use shall be calculated for each hour of a 24-hour period, based on the percent of peak demand for each hour. The hourly demand for all uses shall be totaled for each hour, and the greatest resulting hourly demand shall be the required number of parking spaces. This required number may be reduced or increased. The hourly demand for each use shall be based on the most recent edition of Parking Generation published by the Institute of Transportation Engineers, Shared Parking, published by the Urban Land Institute, or other equivalent information from the National Parking Association, the International Council of Shopping Centers, or the Urban Land Institute.

b. ***Location of Joint Parking Facility.*** The proposed joint parking facility is not located further than 1,000 feet walking distance from the uses which it serves for facilities serving visitors and customers and 2,000 feet- for- facilities for employee parking. Shared parking sites that are more than 2,000 feet walking distance from the uses served may be approved if there is a plan for shuttles or other accommodation to move between the parking site and the uses served.

c. ***Conversion of Existing Parking Facilities for Shared Use.*** An existing parking facility is not required to be maintained for the exclusive private use of the land use for which it was constructed as accessory parking. A property owner may submit to the Director of Development Services a parking inventory and occupancy study of off-street parking and on-street parking in the vicinity of the project, conducted by an independent transportation planning and/or engineering consultant, to demonstrate that a certain share of the existing parking spaces on ~~his/her~~ their property are infrequently utilized. On the basis of this study, the Director may grant the property owner authorization to dedicate the underutilized portion of ~~his/her~~their off-street parking to other, non-accessory uses, including leasing such spaces to other individuals, or to other property owners or developers of projects within a one-quarter mile walking distance of the facility to provide some or all of their required off-street parking obligations.

d. ***Shared Parking for Residential Development.*** For shared parking for residential development of 10 units or more or 18,000 square feet or more, the City shall notify property owners within 300 feet of the development of the shared parking proposal, and property owners have 14 days to request a public hearing before the Planning Commission, which shall then have final authority to approval or deny a shared parking agreement.

e. ***Conditions of Approval.*** Conditions of site approval for a new joint parking facility shall ensure continued availability of the joint parking facilities for all users. If off-site, a copy of the lease agreement shall be provided to the Director of Development Services prior to issuance of a Certificate of Occupancy. Newly constructed off-site joint parking facilities may not be located in a zoning district in which the principal use served by the parking is prohibited. The City shall not require the curing of a preexisting deficit in the number of parking spaces on a site as a condition of approval of a shared parking agreement.

2. **Low Demand**. The number of parking spaces required by this chapter may be reduced if it can be demonstrated that the use will not utilize the required number of spaces due to the nature of the specific use, or the manner in which the specific use is conducted.

3. **Transportation Demand Management Plan**. The number of required parking spaces may be decreased, subject to the approval of a Transportation Demand Management Plan that is~~,~~ prepared in accordance with standards set forth by the City Traffic Engineer and adopted by resolution of the City Council.

4. **Bus Stop/Transportation Facility Credit**. A commercial or multiple family development project located within 400 feet of a bus stop may reduce the number of required parking spaces by up to 5 percent with approval of a site approval. If a commercial or multiple family development project is located within 400 feet of a bus transportation facility, the project may reduce the number of required parking spaces by up to 10 percent with approval of a site approval. A transportation facility is defined as a place where more than four bus routes converge and where passenger amenities, such as trash receptacles, benches and covered waiting areas are also located.

5. **Mixed Use Projects**. A ~~mixed use~~mixed use project with both commercial and residential units may reduce parking requirements up to 50 percent for either the commercial or residential use, whichever parking requirement is smaller, based on a shared parking study. A ~~mixed use~~mixed use project with both office and commercial uses may reduce parking requirements up to 75 percent for either the office or residential uses, whichever parking requirement is smaller, based on a shared parking study with approval of a site approval if the Planning Commission makes the following findings in addition to the findings otherwise required:

   a. That a shared parking study justifies the proposed reduction in the parking requirements and, as necessary, adequate measures will be put in place to reduce parking demand, such as promoting use of public transit, bicycling, and walking, and allowing telecommuting; and

   b. That the reduction or elimination of the required parking spaces will not substantially reduce the availability of on-street parking for the occupants of nearby commercial, office, and/or residential buildings.

6. **Affordable Housing Projects.** Where an applicant can demonstrate to the satisfaction of the Planning Commission that variations in the number of spaces or the standards or dimensions otherwise required by this Chapter are warranted for affordable housing, an alternative parking area design and loading plan may be allowed with site approval. To grant such a variation, the

Planning Commission must make the following findings in addition to the findings otherwise required for a site approval:

a. That the applicant qualifies for reduced parking under Section 65915 of the Government Code; or

b. That the applicant has convincingly demonstrated that the alternative plan is a superior solution and the requested modifications in the design and parking area layout standards are warranted as a development incentive and waiver of standards to be able to reduce development costs and as a consequence of provide affordable housing; and

c. That the alternative parking arrangement will be in place at all times during operation and life of the principal uses to be served by the parking (a minimum of 45 years for for-sale projects and a minimum of 75 years or as long as the property is in residential use, whichever is greater, for rental projects).

20.511.050 – Parking Design Standards

A. **Dimensions.**

1. **Standard Spaces.** Standard parking spaces shall have a minimum dimension of 9 feet in width by 19 feet in length, except for parallel stalls which shall have a minimum dimension of ~~for angle spaces and~~ 8 feet in width by 22 feet in length. ~~for parallel space.~~

2. **Compact Spaces**. Compact spaces shall have a minimum dimension of 8.5 feet in width by 17 feet in length.

3. **Covered Spaces**. Parking spaces in carports shall have a minimum dimension of 9 feet in width by 19 feet in length, unless they are located adjacent to a supporting post or column where they shall have a minimum dimension of 9.5 feet in width by 19 feet in length.

4. **Uncovered Spaces.** Uncovered parking spaces for accessory dwelling units shall have a minimum dimension of 9 feet in width by 19 feet in length. These spaces may be provided as tandem spaces.

5. **Aisle Widths and Parking Space Widths~~,~~.** Minimum angles and parallel parking stall dimensions are shown in Table 20.~~18~~4511-3 and Figures 20.~~1850~~911-1 and 20.~~18~~511~~09~~-2.

6. **Large Parking Lots.** If on-site parking for more than 250 spaces is needed, such parking facilities shall be located or screened such that it is not highly visible from public rights-of-way~~,~~; shall be provided within buildings or parking structures, or in separate lots that are each less than two acres in size~~,~~; or shall be otherwise covered by a structure that serves a non-parking function, such as solar panels, recreational facilities, roof deck, or green roof. These standards do not apply to shopping centers.

7. **Overhang.** Parking stall lengths, except for parallel spaces, may be reduced by two feet where the parking stall is designed to abut a landscape area a minimum of five feet wide or a pedestrian walkway, such that the front of the vehicle can overhang~~d~~ the landscape area and there is no

impact on the minimum required 4-foot width of unobstructed circulation in pedestrian walkways.

8. **Spaces Abutting Walls or Posts.** For each side of a parking space abutting a wall or post, an additional foot of width shall be provided.

9. **Recreation Vehicle Parking Standards.** The off-street parking of operable recreational vehicles, boats, and trailers in residential districts shall be allowed as follows:

   a. No recreational vehicle, boat, or trailer that exceeds 2.5 tons in dry weight, 36 feet in length, or 14 feet in height, not including rooftop equipment, shall be parked, stored, or loaded in a Residential zoning district.

   b. Permitted recreational vehicles may be parked, stored, or loaded on an approved parking space, in any location in which passenger vehicles may be parked, stored, or loaded, as long as it does not block the sidewalk and/or driveway. Further, recreational vehicles may be parked, stored, or loaded in other locations as indicated below, provided that no other location on the site ordinarily available for vehicle parking can accommodate the recreational vehicle because access to those locations is blocked by a permanent building element such as a structural wall, an eave, or a roof. These locations are:

      i. In areas blocking access to required parking spaces, provided that the spaces being blocked are for a single-family dwelling only and the owner of the recreational vehicle resides in that dwelling; and

      ii. In the side yard setback area, provided that:

      iii. The recreational vehicle is located as far as physically feasible from the side lot line, consistent with requirements for light and ventilation into adjoining rooms.

      iv. The recreational vehicle is located as far to the rear of the lot as is physically consistent with maintaining access to the garage.

10. **Garage Spaces.** Parking spaces in a garage that are counted towards required parking shall be as follows:

    a. Each space shall have a minimum open interior dimension of 10 feet in width by 20 feet in length.

    b. For-sale residential units with a one-car garage shall have a minimum open interior dimension of 11 feet in width by 20 feet in length.

    c. For-rent residential units with a one-car garage shall have a minimum open interior dimension of 10 feet in width by 20 feet in length.

TABLE 20.511-4 MINIMUM ANGLED AND PARALLEL PARKING STALL DIMENSIONS

Angle A	*Stall Width B*	*Stall Depth C*	*Aisle Width (One-Way) D*	*Aisle Width (Two-Way)*
90°	9 feet	19 feet	26 feet	26 feet

60°	9 feet	~~17~~18 feet	~~17~~18 feet	24 feet
45°	9 feet	~~19~~18 feet	~~11~~15 feet	~~24~~23 feet
30°	9 feet	~~17~~18 feet	~~9~~12 feet	~~24~~22 feet
0° (parallel)	8 feet	22 feet	~~11~~12 feet	~~24~~22 feet

Note: Parallel accessible spaces shall be a minimum of 9 feet wide and 24 feet long and 26 feet for fire aisles.

FIGURE 20.511-1 MINIMUM ANGLED PARKING STALL DIMENSIONS

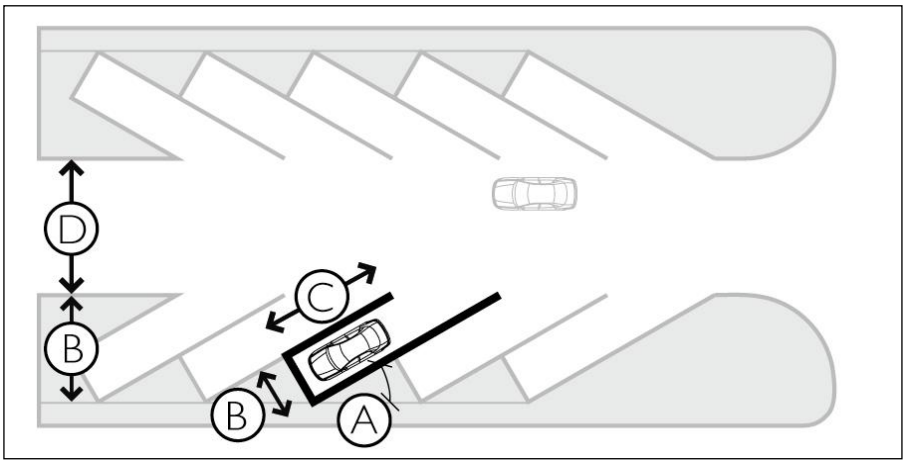
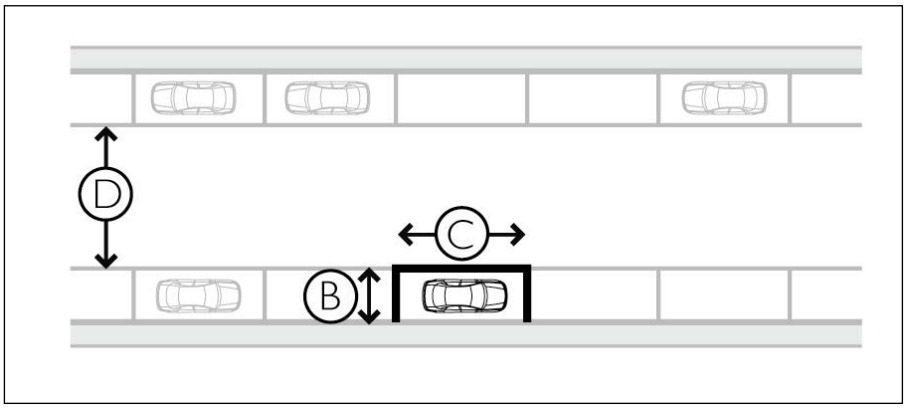


FIGURE 20.511-2 MINIMUM PARALLEL PARKING STALL DIMENSIONS



B. **Location of Parking Areas and Spaces.**

1. Setbacks of parking stalls and drive aisles from property lines and buildings shall be as provided in Table 20.~~1850918~~511--5 (Parking and Drive Aisle Setbacks, Minimum).

2. Carpool and vanpool spaces should be located as close as possible to the primary employee entrance(s) of the user(s) which they are intended to serve.

3. Parking spaces for multiple unit residential dwellings shall be located within 150 feet from the dwelling unit (front or rear door) for which the space is provided.

4. For residential development at densities exceeding 16 units per acre, including residential uses in mixed use development, required off-street parking located in the front half of a lot or within 25 feet of the side street on a corner lot shall be covered with a carport, garage or roofed structure. Other spaces may be uncovered if located in the rear half of the lot or site or when more than 25 feet from a side street. On larger sites with 10 or more dwelling units, uncovered spaces are allowed if setback at least 50 feet from a front property line and 25 feet from a street side property line and screened by a wall or landscaping so as not to be visible from a public street.

TABLE 20.511-5 PARKING AND DRIVE AISLE SETBACKS, MINIMUM

	Multi-Family Residential and Commercial Zones	*Industrial Zones*
Parking Stall or Drive Aisle to Street Property Line	10 feet	10 feet
Parking Stall or Drive Aisle to Interior Side or Rear Property Line	5 feet	5 feet
Parking Stall or Drive Aisle to Interior Side or Rear Property Line (Private Areas)	N/A	0 feet
Parking Stall to Building	5 feet	N/A
Parking Stall to Building (Private Areas)	N/A	0 feet
Drive Aisle to Building	10 feet	N/A
Parking Stall or Drive Aisle to Building (at Office/Wall)	N/A	10 feet/5 feet
Parking Stall or Drive Aisle to Building (Private Areas)	N/A	0 feet

C. **Striping and Identification.**

1. All automobile parking spaces shall be clearly outlined with double lines painted on the surface of the parking area, with a line located nine inches from each side of the stall sidelines. The striping shall be permanently maintained in a clear and visible manner.

2. All spaces reserved for carpools and vanpools shall be clearly marked with the words "Carpool Only" or "Vanpool Only," as applicable, on either the wheel stop or curb at the back of each space, or on the pavement at the opening of the space.

3. Within multiple family residential developments, required guest parking spaces shall be clearly marked with the word "Guest" either on the wheel stop or curb at the back of each space, or the pavement at the opening of the space.

D. **Pedestrian Access.**

1. Commercial and office developments with more than ~~100~~50 parking spaces shall include pedestrian walkways at a minimum unobstructed width of 4 feet and be ~~hard-surfaced~~firm, stable and slip-resistant to improve pedestrian safety when walking between the parking area and the commercial or office development.

2. The design of the pedestrian walkway shall be distinctive to set it apart from the parking area and other paved surfaces through the use of elevation changes, curb separation, different paving material, or similar method.

3. Where a pedestrian walkway is parallel and adjacent to an auto travel lane, it must be raised and separated from the travel lane by a raised curb at least six inches high, bollards, or other physical barrier.

E. **Motorcycle Parking.** There shall be a credit of one automobile parking space for every four motorcycle parking spaces provided, not to exceed five percent of the total number of automobile parking spaces required. Motorcycle parking spaces shall be no less than four feet wide by eight feet long with an aisle width of no less than 10 feet and shall be clearly marked.

F. **Surfacing.**

1. All permanent parking spaces and drive aisles shall be paved with asphalt, concrete or other all-weather surface, subject to approval by the Director of ~~Community~~ Development Services and the City Engineer.

2. Permeable paving materials such as porous concrete/asphalt, open-jointed pavers, turf/gravel grids are a permitted surface material, except for accessible parking spaces and access aisles.

3. The use of light-colored materials to help reduce surface temperatures is encouraged.

G. **Perimeter Curbing.** A six-inch wide and six-inch high concrete curb shall be provided along the outer edge of the parking facility pavement, except where the pavement abuts a fence or wall. Curbs separating landscaped areas from parking areas shall be designed to allow stormwater runoff to pass through.

H. **Heat Island Reduction.** A heat island is the increase in ambient temperature that occurs over large paved areas compared to natural landscape. In order to reduce ambient surface temperatures in parking areas with more than 50 spaces, at least 50 percent of the areas not landscaped shall be shaded, paved with light colored materials with a Solar Reflectance Index of at least 29, or a combination of shading and light-colored materials.

1. Shade may be provided by canopies, shade structures, trees, or other equivalent mechanism. If shade is provided by trees, the amount of required shading is to be reached within 15 years. To the extent maximizing the shading effect causes the trees to be placed in different locations than would otherwise be required, the placement required by this section controls.

2. Trees selected must be approved by the City.

I. **Wheel Stops and Curbs.**

1. Drive aisles and parking surfaces contiguous with planter areas shall have a six-inch raised curb separation, constructed per City standards. Where planter areas are used to facilitate drainage and water quality treatment, a flush curb may be approved and wheel stops provided in lieu of a raised curb, at the discretion of the Director of ~~Community~~ Development Services.

2. All parking spaces located adjacent to buildings or walls shall have concrete wheel stops located a minimum of 2 feet from the building or wall.

3. All parking spaces adjacent to sidewalks, pedestrian circulation paths, and accessible routes shall have wheel stops located a minimum of 2 feet from the curb face.

J. Tandem **Parking for Multi-family Residential Development.** Required parking for multi-family residential development may be arranged as tandem spaces; provided, that pairs of spaces in tandem are assigned to the same residential unit or to employees of the same nonresidential establishment, or that a full-time parking attendant supervises the parking arrangements during periods of peak demand for the uses served. The required stall width, stall length, and aisle width shall apply to tandem spaces, except that the stall length shall be doubled for each pair of tandem spaces.

K. **Maintenance.** All parking facilities shall be permanently maintained, free of weeds, litter and debris.

L. **Passenger Loading Areas.**

1. Passenger loading areas shall be provided for any building or building complex that will generate 100 or more employees at maximum occupancy. Such areas shall be located convenient to the primary employee entrance(s) of the user(s) that they are intended to serve and shall be so designated either by signs or painted pavement.

2. Passenger loading areas shall be designed such that vehicles can safely stop and discharge passengers, and shall comply with accessibility requirements in the current version of the California Building Code.

M. **Lighting.**

1. Parking facilities for multiple family residential, mixed use, commercial, and industrial developments shall be provided with nighttime security lighting designed to confine emitted light to the parking areas. This requirement does not apply to facilities serving four or fewer residential units.

2. The lighting system shall provide not less than one footcandle and not more than five footcandles overall average illumination with a minimum of one-fourth footcandles on the parking surface.

3. All parking area lighting shall meet applicable energy efficiency requirements of the Building Code.

4. All lighting shall be shielded to confine direct rays to the premises. No spillover light shall be permitted beyond the lot lines except onto public sidewalks and streets.

5. Parking facilities for commercial and industrial uses shall be lighted from dusk to the termination of business every operating day.

6. Parking facilities for multiple unit residential developments shall be lighted from dusk until dawn every day.

N. **Screening.**

1. All unenclosed off-street parking areas shall be screened from view of the street by either a 3 feet high decorative masonry wall (decorative treatment shall occur on both sides of the wall) or a combination of both decorative wall and landscaped berm as determined by the Director of ~~Community~~ Development Services.

2. Other screening methods, such as landscaping (e.g. plantings of evergreen trees and shrubs, densely planted hedges) may be approved by the Director of ~~Community~~ Development Services.

3. Within commercial and industrial zoning districts, parking areas that abut residentially zoned property shall be screened by a row of densely planted evergreen trees or similar landscaping. The type, size and spacing of tree shall be subject to review and approval by the Director of ~~Community~~ Development Services.

O. **Access to Right-of-Way**. Any parking lot or loading facility with vehicular access to or across a public right-of-way shall meet the following standards:

1. All parking areas shall provide suitable maneuvering room so that all vehicles may enter and exit an abutting street in a forward direction.

2. No parking space shall be located so that a vehicle will be required to maneuver for position to enter or exit the space within 30 feet of a vehicular entrance from a primary or secondary arterial street, or within 20 feet of a collector or local street.

3. Access to driveways shall be minimized when possible between adjacent uses. Joint access ways serving adjacent uses are encouraged as a means to minimize curb cuts and avoid breaks in the continuity of street frontages.

P. **Driveways.**

1. Driveways for ~~single family~~single-family residences shall have a minimum width of 10 feet.

~~1.~~a. These driveways may be widened to provide additional uncovered off-street parking.

2. All other driveways or aisles shall have a minimum width of 12 feet for one-way traffic and 20 feet for two-way traffic. If the parking facility contains fewer than 10 parking spaces, the width of a one lane driveway may be reduced to 10 feet and the width of a two-way driveway to 18 feet.

3. A residential lot with vehicular access from a major, primary, or secondary arterial shall provide a circular driveway or turnaround so that vehicles may enter and exit the street in a forward motion.

20.511.060 – Alternative Compliance with Parking Requirements

A. **Alternative Parking and Loading Plan.** Where an applicant can demonstrate to the satisfaction of the Planning Commission that variations in the physical dimensions otherwise required by this chapter are warranted for uses with unique needs or in order to achieve design objectives of the General Plan, including but not limited to achieving certification under the LEED™ Green Building Rating System or equivalent, an alternative parking area design and loading plan may be allowed with approval of a conditional use permit. To grant such a conditional use permit, the Planning Commission must make the following findings in addition to the findings otherwise required:

1. That the applicant has convincingly demonstrated that the alternative plan is a superior solution and the requested modifications in the design standards of this chapter are warranted; and

2. That the alternative parking arrangement will be in place at all times during operation of the principal uses to be served by the parking.

B. **Valet Parking.** Valet parking may be permitted as a means of satisfying all or a portion of the off-street parking requirement for retail commercial and office development. Valet parking may be used to accommodate more parking spaces on the site of the principal use served by the parking than could be accommodated in conformance with the design standards of this chapter. It may also be used to provide off-site parking. No valet parking shall cause interference with the public use of rights-of-way or imperil public safety.

20.511.070 – Bicycle Facilities

A. **Parking for Bicycles. General Requirement.**

1. Bicycle parking shall be required when:

   a. A building is constructed;

   b. An existing building, including a legal nonconforming structure, is enlarged by more than 10 percent for any purpose; or

   c. The use of any building or portion thereof is changed to one requiring the issuance of a conditional use permit and then only to that portion of the building subject to the change of use.

   ~~A.~~d. No bicycle parking is required for a single-family residence or duplex.

2. Bicycle parking spaces shall be provided at a rate equal to 5 percent of the total required parking spaces. Spaces shall be in the form of racks (for more transient use) or lockers (for long-term use by employees).

~~1.~~3. Bicycle parking shall be located in highly visible locations and weather protected areas.

~~2.~~4. Bicycle and automobile parking areas shall be separated from one another by a physical barrier or sufficient distance to protect bicycles and their rider's from damage by maneuvering automobiles.

~~3.~~5. All bicycle parking and storage areas shall be paved with asphalt, concrete or other all-weather surface, subject to approval by the Director of ~~Community~~ Development Services and the City Engineer.

B. **Design Standards**

~~a.~~1. Direct access from the bicycle parking to the public right-of-way shall be provided by means of access ramps, if necessary, and pedestrian access from the bicycle parking area to the building entrance shall also be provided.

~~b.~~2. Where bicycle parking is not directly visible and obvious from the right-of-way, signs shall be provided, except that directions to long-term bicycle parking may be posted or distributed by the building management, as appropriate.

~~c.~~3. Bicycle parking must be separated from automobile parking by a sufficient distance to prevent damage from moving automobiles or their loading and unloading. The Director of Development Services may require a barrier or curb between bicycle and automobile parking areas on constrained sites.

~~d.~~4. Bicycle parking may be provided inside a building provided it is easily accessible from a building entrance and a bicyclist does not have to use stairs to reach it.

~~e.~~5. The placement of bicycle parking, bicycle rack elements and bicycle lockers shall not interfere with pedestrian circulation.

~~B.~~C. **Removal of Abandoned Bicycles**. Property owners shall remove abandoned bicycles associated with their property on a quarterly basis after posting a notice of removal warning on such bicycles for one month. This requirement shall not preclude provision of seasonal bicycle storage.

20.511.080 – Parking Structures

A. **Maximum Height**. Parking structures shall comply with the building height requirements of the applicable zoning district.

B. **Setbacks.**

1. Above-ground parking structures shall comply with all setback requirements of the applicable zoning district.

2. Subterranean parking may be located within any required setback area.

C. All openings for parking structure ingress and egress that face a public street shall be setback a minimum of 30 feet from the street property line.

D. Stairwells within parking structures shall be substantially open so as to facilitate casual observation.

E. Safe pedestrian connections shall be maintained between the parking structure and the building(s) it serves.

F. All exterior walls of the structure shall be furnished with material so as to maintain a common architectural character with the building(s) served by the parking structure.

G. Parking structure facades shall be broken-up through the use of textured concrete on exterior walls, the incorporation of planters and trellises at each parking level, and other architectural treatments to minimize large blank walls without architectural relief.

H. At ground level, the perimeter of the parking structure shall be landscaped with a minimum of one tree for every 15 feet of linear distance of structure facade in addition to required streetscape landscaping. Groundcover and shrubs shall also be provided to break-up the mass of the structure.

I. Parked vehicles at each level within the structure shall be shielded from view from adjoining streets through the use of architectural appurtenances and landscaping.

J. Parking structures that provide 100 or more spaces, or are 3 levels or more shall include an electronic parking management system that helps identify and guide users to available parking spaces within the structure.

20.511.090 – Off-Street Loading

A. **General Requirements.**

1. ***Off-Street Loading Spaces Required.*** Off-street freight and equipment loading spaces shall be provided for all hospitals, schools, institutions, commercial and industrial land uses.

2. ***Minimum Number of Spaces***. The minimum number of loading spaces per building shall be as shown in Table 20.~~18~~511-7 (Required Loading Spaces) or as determined necessary by the approving authority.

TABLE 20.511-7 REQUIRED LOADING SPACES

Land Use	*Total Gross Floor Area*	*Required Loading Spaces per Building*
Commercial and Office	Less than 10,000 sq. ft.	none
	10,000 sq. ft. to 30,000 sq. ft.	1
	30,000 sq. ft. to 50,000 sq. ft.	2
	50,000 sq. ft. to 75,000 sq. ft.	3
	> 75,000 sq. ft.	4
Industrial	< 20,000 sq. ft.	1
	20,000 sq. ft.+	2 plus one for each additional 20,000 sq. ft. or faction thereof;

one loading space for each loading bay

3. ***Trailer Parking/Waiting Space Required***. Industrial developments having two or more dock-high loading spaces shall provide one trailer parking/waiting space, for each two dock-high loading bay, minimum 12 feet wide by 45 feet long, and a minimum height clearance of 14 feet.

4. Aisles between truck parking areas shall be a minimum of 55 feet wide.

5. On-site driveways and maneuvering areas may be used in lieu of one of the required off-street loading spaces required as long as maneuvering areas for delivery vehicles are provided.

B. **Dimensions.**

1. Minimum loading space shall be 12 feet in width, 45 feet in length, and 14 feet in vertical clearance.

2. Deviations from the minimum maneuvering standards may be granted by the approving authority if it can be shown that the spatial needs are less than the minimum required due to the truck size and type that will be utilized in the operation of a specific business. In permitting such deviation(s), a covenant of restriction to run with the land shall be recorded that specifies limitations relating to truck size and/or type.

C. **Location.**

1. Loading areas shall be designed to provide for backing and maneuvering on-site, and not from a public street.

2. Loading and maneuvering areas shall not encroach into required front yard setback areas, and a minimum 10-foot-wide setback shall be maintained along all interior lot lines.

3. Loading docks and doors shall only be permitted within the interior side or rear yard area, except that the approving authority may authorize loading activities facing a local or collector street for industrial buildings that are designed for rail service. The approving authority may also authorize loading activities facing a public street for industrial buildings located in M2 zones provided that loading activities do not face Central, Edison, Eucalyptus, Euclid, Kimball, Ramona or Schaefer Avenues or El Prado Road, Chino Hills Parkway, Bickmore Avenue, Pine Avenue, and Hellman Avenue.

4. Loading docks and doors shall be set back a minimum of 70 feet from a public street property line. Where loading docks and doors front a public street, the minimum setback from the public street property line shall be 150 feet.

5. Where loading docks or doors face a private street or main drive aisle serving three or more units, loading doors and openings shall be positioned such that they do not face the private street or drive aisle.

6. Truck maneuvering areas shall not encroach into required employee or visitor parking areas.

7. Access gates shall be recessed at least 50 feet from the property line and allow for sufficient queuing or stacking of trucks between the gate and the public right-of-way to prevent on-street queuing. The stacking depth shall be increased by 70 feet for every 20 loading bays beyond 50 loading bays, to the extent feasible.

D. **Striping and Identification.**

1. Loading areas shall be striped, indicating the loading spaces and identifying that the spaces are for loading only.

2. Striping shall be permanently maintained in a clear and visible manner.

E. **Surfacing.** All loading areas shall be paved with asphalt, concrete or other all-weather surface, subject to approval by the Director of ~~Community~~ Development Services and the City Engineer.

F. **Wheel Stops and Curbs.** Loading areas contiguous with planter areas shall have a six-inch raised curb separation, constructed per city standards.

G. **Maintenance.** All loading areas shall be permanently maintained, free of weeds, litter and debris.

H. **Lighting.**

1. Loading areas shall be provided with nighttime security lighting designed so as to confine emitted light to the loading area and adjacent parking areas.

2. Loading areas shall be lighted from dusk to the termination of business every operating day.

I. **Screening.**

1. All loading and tractor/trailer parking areas shall be screened from public view by a decorative screen wall, ornamental landscaping or on-site buildings.

2. All screen walls shall be of compatible material with adjacent buildings and shall be of sufficient height to provide complete visual screening.

3. A line-site analysis shall be filed with the development application to demonstrate compliance with loading door screening requirements.

J. **Availability and Utilization of Loading Spaces**. All loading spaces shall be made readily available to pick-up and delivery vehicles during all hours when pick-ups and deliveries are allowed. Owners of property containing such loading spaces shall be responsible for advising drivers of pick-up and delivery vehicles of the location and hours of such loading spaces, shall require drivers to use such loading spaces, and shall not allow pick-up and delivery vehicles to be loaded in the public right-of-way.

K. **Warehouse and Logistics Uses.** Warehouse and logistics uses are subject to specific parking and loading standards, which are in Section 20.514.590 (Warehouses and Logistics Uses).

20.511.100 – Electric Vehicle Charging Readiness

A. **General Requirements.**

1. Electric vehicle (EV) charging spaces and EV-capable spaces (e.g. with conduit available to support Level 2 EV chargers) shall be provided in all development projects for all uses in accord with the requirements of the California Civil Code, the California Green Building Code, and any local amendments to that code adopted by the City.

2. Any parking spaces reserved for electric vehicle charging stations shall count toward the parking requirements of this chapter.

3. Pursuant to Section 65850.7 of the California Government Code, as amended, the Building Official shall create a streamlined permitting process for electric vehicle charging stations and provide applicants with a checklist of requirements for expedited review. EV charging stations shall be permitted by-right.

4. A complete permit application and proposed installation that meets the requirements of the California Green Building Code, the standards of this section, and the City's checklist that does not have a specific adverse impact on public health or safety shall not be denied.

B. **Development Standards.**

1. ***Size***. Electric vehicle charging stations shall be the same size as other spaces or larger, and electric vehicle charging equipment shall not reduce the size of the space.

2. ***Signage.*** Each electric vehicle charging station shall be clearly marked with a sign reading "Electric Vehicle Charging Station" and the associated California Vehicle Code restrictions, and only a vehicle that is connected for electric charging shall be allowed to park in the stalls or spaces so designated.

3. ***Equipment***. Electric~~al~~ vehicle charging stations shall be equipped with electrical outlets~~,~~ and may also be equipped with card readers, controls, connector devices, and other equipment, as necessary for public use.

C. **Exemptions.** The electric vehicle charging requirements shall not apply to:

1. Existing rental residential units in buildings with 4 or fewer spaces;

2. Existing rental residential development where at least 10 percent of the parking spaces already have EV charging stations;~~.~~

3. Off-site parking spaces for accessory dwelling units; and

4. Temporary parking lots.

Chapter 20.512 – RESIDENTIAL DENSITY BONUSES

Sections:

20.512.010 – Compliance with State Law
20.512.020 – Definitions
20.512.030 – Application and Review
20.512.040 – Density Bonus Agreement
20.512.050 – Standards for Qualifying Units

20.512.010 – Compliance with State Law

When an applicant seeks a density bonus, incentive, or concession for a housing development, the City will comply with the requirements of Government Code sections 65915-65918, as they may be amended.

20.512.020 – Definitions

The following definitions shall apply to this chapter:

A. "Department" means the development services department.

B. "Director" means the director of development services.

C. "Qualifying units" means the units that allow an applicant to qualify for a density bonus, incentive, or concession.

20.512.030 – Application and Review

A. Application. A developer seeking a density bonus, incentive, or concession or waiver or reduction of development standards shall file an application with the department. The form and content of the application shall be as specified by the director and shall be subject to a fee established by resolution of the city council. The department will process the application concurrently with any other applications required for the housing development. The department will provide a list of all documents and information required to be submitted with the density bonus application in order for the density bonus application to be deemed complete, and will notify the applicant whether the application is complete in a manner consistent with the timelines in Government Code section 65943.

B. Supporting documentation. An applicant for a density bonus, incentive, or concession or waiver or reduction of development standards shall provide the city with documentation demonstrating that the requested incentive or concession results in identifiable and actual cost reductions, consistent with Government Code section 65915(d). The City shall not require more documentation than is necessary to determine eligibility. ~~reasonable documentation to establish eligibility for the requested density~~

~~bonus, incentive, or concession, as determined by the director.~~ The applicant may also provide analysis, using one of the following methodologies, demonstrating that the density bonus, incentive, or concession or waiver or reduction of development standards will make the qualifying units economically feasible:

1. A development pro forma with the capital costs, operating expenses, return on investment, loan-to-value ratio, and the debt coverage ratio, including the contributions provided by any applicable subsidy programs, and the economic effect created by the minimum fifty-five-year use and income restrictions on the affordable housing units.
2. An appraisal report indicating the value of the density bonus and of the incentives or concessions or waiver or reduction of development standards.
3. A use of funds statement identifying the projected financing gap for the project with the affordable housing units. The analysis shall show how much of the funding gap is covered by the density bonus and how much by the incentives/concessions.

C. Hearing process and action. At a duly-noticed public hearing, the planning commission or the city council shall grant a density bonus, incentives or concessions, waivers or reductions of development standards, and parking reductions as required by Government Code section 65915, unless the City makes written findings, based upon substantial evidence, that the request may be denied pursuant to that section.~~Applications for a density bonus, incentive, or concession will considered by the planning commission. The planning commission and city council shall be authorized to approve development incentives as follows:~~

1. The planning commission shall be authorized to approve the density bonus and development incentives that include the modification of site development standards, or the modification of zoning or architectural design requirements or parking standards.
2. Approval by the city council shall be required for all other development incentives, concessions or waivers or reduction of other development standards.
3. The City shall apply parking standards consistent with Government Code section 65915(p), and shall not impose parking requirements exceeding those permitted by that section.
4. The City may deny a requested incentive or concession only upon making written findings supported by substantial evidence, as specified in Government Code section 65915(d).

20.512.040 – Density Bonus Agreement

As a condition for the approval of a density bonus and additional incentive or incentives pursuant to this chapter, the applicant shall agree to enter into a density bonus agreement with the city in a form approved by the city attorney and consistent with the requirements of Government Code section 65915 and other applicable state law. The city manager is authorized to execute the density bonus agreement on behalf of the city. The executed density bonus agreement shall be recorded on the parcel or parcels designated for the construction of qualifying units, or donated for the purpose of constructing qualifying units. The approval and recordation shall occur prior to final map approval or, where a map is not being processed, prior to the

issuance of building permits for the parcels or units. The density bonus agreement shall be binding upon all future owners and successors in interest.

20.512.050 – Standards for Qualifying Units

All qualifying units shall meet the following requirements:

A. Concurrency. Qualifying units shall be built concurrently with all other units in the development unless the city and the applicant agree in writing to an alternative schedule for development.

B. Location. Qualifying units shall be built on-site unless an alternative location is permitted pursuant to Government Code section 65915 ~~wherever possible~~ and, where practical, shall be dispersed within the housing development.

C. Unit size. Where feasible, the number of bedrooms of the qualifying units shall be equivalent to the bedroom mix of the other units in the development, except that the developer may include a higher proportion of qualifying units with more bedrooms.

D. Design. The design and appearance of the qualifying units shall be compatible with the design of the housing development as a whole to the extent that such requirements do not physically preclude the construction of the density bonus units or granted incentives, concessions, or waivers, consistent with Government Code section 65915.

E. Linked sites. Circumstances may arise in which the public interest would be served by allowing some or all of the qualifying units associated with one housing development to be produced and operated at an alternative development site. If the developer and the city agree in writing to allow the production and operation of qualifying units at an alternative site, the resulting linked developments shall be considered a single housing development for the purposes of this chapter.

Chapter 20.513 – RIGHT TO FARM

Sections:

20.513.010 – Purpose
20.513.020 – Applicability
20.513.030 – General Requirements

20.513.010 – Purpose

As urban development occurs within the city, residential, commercial and industrial land uses will locate adjacent to pre-existing agricultural activities. As a result, agricultural operations may become the subject of nuisance complaints or litigation, and could be pressured to cease or curtail operations, or may be discouraged from making farm improvements.

To conserve and protect the continued viability of agricultural operations, it is the intention of the city to limit the circumstances under which agricultural operations may be deemed to constitute a nuisance. The intent is to balance the rights of farmers to produce dairy products, food and other agricultural commodities, with the rights of non-farmers who own, occupy or use land adjacent to agricultural property.

20.513.020 – Applicability

The right-to-farm policy contained herein shall apply to all legal agricultural operations within the Agricultural Overlay District, and all other legally established agricultural operations existing at the time the property was annexed to the city of Chino. For the purposes of this right-to-farm provision, agricultural operations shall include those uses permitted in the AG zoning district.

20.513.030 – General Requirements

A. No agricultural operations conducted or maintained in a manner consistent with proper and accepted customs and standards, as established and followed by similar agricultural operations in the same locality, shall be or become a nuisance, private or public, due to any changed condition in or about the locality if the agricultural operation was existing at the time of annexation or thereafter legally expanded, and if it was not a nuisance at the time it began.

B. Purchasers of lots near or adjacent to agricultural uses shall be notified of all surrounding agricultural activities including the types of agricultural activities and potential conflicts such as odors, noise, dust, pesticide abatement, etc. If the developer is the purchaser of the property, this notice shall be extended to subsequent owners.

C. Any dispute or controversy that arises regarding any inconveniences or discomforts occasioned by agricultural or agricultural processing operations or facilities should be settled by direct negotiation of the parties involved. Any such dispute or controversy that cannot be settled by direct negotiation of the parties involved should be submitted to a private mediator, a community mediation service, or another agency which provides dispute resolution services prior to the filing of any court action. Any costs associated with negotiation, mediation or dispute resolution pursuant to this section shall be borne by the parties.

D. This section shall not invalidate any provision contained in the Health and Safety Code, Fish and Game Code, Food and Agricultural Code, or Division 7 (commencing with Section 13000) of the Water Code of the state of California, if the agricultural operation constitutes a nuisance, public or private, as specifically defined or described in any such provision.

E. This section is not to be construed so as to modify or abridge the state law set out in the California Civil Code relative to nuisances, but rather it is only to be utilized in the interpretation and enforcement of the provisions of city ordinances and regulations.

Chapter 20.514 – STANDARDS FOR SPECIFIC LAND USES

Sections:

20.514.010 – Purpose
20.514.020 – Agricultural Product Stands and Crop Production
20.514.030 – Alcoholic Beverage Sales, Microbreweries, and Microdistilleries
20.514.040 – Ancillary Industrial Facilities
20.514.050 – Animal Keeping
20.514.060 – Automobile Rental and Truck Rental
20.514.070 – Automobile Sales and Services
20.514.080 – Caretakers Quarters
20.514.090 – Cigar ~~and Vaping~~ Lounges and Hookah Bars
20.514.100 – Commercial Nurseries and Garden Centers
20.514.110 – Commercial Recreation
~~20.514.120 – Common Interest Subdivisions~~
~~20.513.130 – Congregate Care Facilities~~
20.514.120 – Convenience Markets and Grocery Stores
20.514.130 – Conversion of Residential Structures
20.514.140 – Data Centers
20.514.150 – ~~Child~~ Day Care Centers and Family Day Care Homes~~Facilities~~
20.514.160 – Drive-~~Thru~~ Through Food and Beverage Facilities
20.514.170 – Emergency Shelters
20.514.180 – Equipment Rental and Sales
20.514.190 – Farm Employee Housing
20.514.200 – Farmers' Market and Open Air Markets
20.514.210 – Group Homes
20.514.220 – Gun and Ammunition Stores
20.514.230 – Gym/Athletic Instruction
20.514.240 – Hazardous Materials Use and Storage
20.514.250 – Health Care Offices
20.514.260 – Home Occupations
20.514.270 – Hotels, Motels, and Bed and Breakfast~~, and Boarding Houses~~
20.514.280 – Live Entertainment
20.514.290 – Live/Work Units
20.514.300 – Low Barrier Navigation Centers
20.514.310 – Manufactured Housing
20.514.320 – Massage Establishments
20.514.330 – Mobile Home Parks
20.514.340 – Nightclubs, Bars, and Cocktail Lounges
20.514.350 – Non-Traditional Financial Institutions ~~Check Cashing~~
20.514.360 – Offices, Professional/Business
20.514.370 – Outdoor Displays and Sales
20.514.380 – Outdoor Manufacturing and Processing

20.514.390 – Outdoor Seating Areas
20.514.400 – Outdoor Storage and Storage Containers
20.514.410 – Outdoor Vendors (Carts, Kiosks, and Mobile Food Vendors)
20.514.420 – Places of Worship
20.514.430 – Portable Toilets
20.514.440 – Public Storage and Self-Storage Facilities
20.514.450 – Recording/Podcast Studios
20.514.460 – Recycling Facilities
20.514.470 – Residential Care Facilities, Large
20.514.480 – Retail Sales in Conjunction with a Warehousing or Manufacturing Use
20.514.490 – Schools for Personal Enrichment
20.514.500 – Senior Housing Projects
20.514.510 – Service Stations
20.514.520 – Smoke Shops and Retail Tobacco Sales
20.514.530 – Supportive Housing
20.514.540 – Tattooing, Body Piercing, and Body Art
20.514.550 – Transitional Housing
20.514.560 – Vehicle Parts and Accessories Sales
20.514.570 – Vehicle Repair Garages
20.514.580 – Vehicle Towing Services and Towed Vehicle Storage
20.514.590 – Warehouses and Logistics Uses

20.514.010 – Purpose

The purpose of this chapter is to establish standards for specific land uses that apply citywide.

20.514.020 – Agricultural Product Stands and Crop Production

Agricultural product stands and crop production must be located, developed, and operated in compliance with applicable base zoning district standards and the following additional standards, in the zones where they are allowed by the 200 Series, Base Zoning Districts.

A. **Crop Cultivation.** Crop Cultivation may be conducted subject to the following regulations.

1. A minimum setback of 15 feet is required between the crop cultivation area and all adjacent property lines.
2. Sufficient on-site circulation shall be provided to accommodate vehicles and equipment used in the farming operation.
3. The amount of vehicles, equipment, and packing crates maintained on the site shall be limited to that which is only necessary to support the farming operation.
4. All farming equipment shall use properly operating mufflers. All staging areas shall be located away from adjacent residential uses.
5. All vehicles and equipment shall be located at the rear of the site away from public view.

6. Review and approval by the Director of ~~Community~~ Development Services is required for the use of manure, pesticides, herbicides, or other chemicals in the farming operation. If permitted, they shall be used and stored according to industry standards to prevent such products from becoming airborne.

7. At all times during the farming operation and including any interim period between crops, the operator shall be responsible for dust suppression and erosion control.

B. **Agricultural Product Stands.** Stands for agricultural products grown on-site shall comply with the following regulations.

1. Agricultural product stands are permitted as an incidental use to an administratively permitted crop cultivation use.

2. The owner of the stand shall be the owner or lessee of the parcel on which it is located.

3. A maximum of one stand per parcel is allowed.

4. The floor area of a stand shall not exceed 500 square feet.

5. General Standards:

a. Stands shall be an accessory use to an on-site agricultural use.

b. Stands shall only be for the retail sale of plant products grown or produced on-site.

c. A minimum of 25 percent of the parcel on which the stand is located shall be devoted to agricultural uses.

d. The stand shall comply with the height and setback requirements specified for the zoning district in which it is located.

e. Produce shall not be sold or purchased directly from motorized vehicles.

f. Signs in conjunction with the farming operation shall only be permitted on the sales stand, and shall only advertise the product being sold and pricing information. Directional signs may be permitted on the site subject to review and approval by the City.

g. Parking areas shall either be paved or treated with gravel to control dust. Access to the parking areas shall not create a traffic hazard to the public right-of-way.

20.514.030 – Alcoholic Beverage Sales, Micro-breweries, and Micro-distilleries

Alcoholic beverage sales, micro-breweries, and micro-distilleries must be located, developed, and operated in compliance with applicable base zoning district standards and the following additional standards, in the zones where they are allowed by the 200 Series, Base Zoning Districts.

A. **Alcoholic Beverage Sales for On-Premise Consumption.** The sale of alcoholic beverages for on-site consumption shall only be permitted in conjunction with a legally established permitted, administratively permitted, or conditionally permitted use or a permitted special event or temporary use. When the alcoholic beverage sales are incidental to a bona-fide eating establishment that has full

kitchen facilities and serves food on a regular basis, they may be permitted with a~~n Administrative Approval~~zoning clearance. The sale of alcoholic beverages for on-site consumption includes the following ABC license types and any additional ABC license that may be approved.~~:~~

1. Type 01—Beer manufacturer;
2. Type 23—Small beer manufacturer;
3. Type 41—Beer and wine eating place;
4. Type 42—Beer and wine public premises;
5. Type 47—General eating place;
6. Type 48—General public premises;
7. Type 49—General seasonal;
8. Type 51—Club;
9. Type 52—Veterans club;
10. Type 59—Beer and wine seasonal;
11. Type 61—Beer public premises; and
12. Type 67—Bed and breakfast inn.

B. **Alcoholic Beverage Sales for Off-Premise Consumption.** A facility that has obtained a license from ABC for the sale of alcoholic beverages for consumption off the premises where it is sold shall require a conditional use permit, and shall comply with the following:

1. The consumption of any alcoholic beverage on the premises shall be prohibited.
2. No alcoholic beverages shall be displayed within 10 feet of the cash register or the front door.
3. When alcoholic beverages are sold concurrently with gasoline or any other fuel, no advertisement of alcoholic beverages shall be displayed at fuel pumps or fuel islands.
4. The management at each location involved in the concurrent sales of alcoholic beverages and gasoline or other fuel is encouraged to educate the public regarding drunk driving laws and the related penalties for breaking those laws, including minimum age law, open container law and laws pertaining to driving while intoxicated. This may be accomplished by posting prominent signs, decals or brochures at the point of purchase, and providing adequate training for employees.

~~5. Any business that includes retail sales with the sale of gasoline or other fuels in existence before September 6, 1988 shall be granted an amortization schedule to continue business practices for a period not to exceed one-year. At the end of the amortization period, all operations shall comply with herein listed standards.~~

~~6.~~5. No sale of alcoholic beverages shall be made from a drive-up window.

~~7.~~6. The promotional display of alcoholic beverages shall be made at room temperature.

~~8.~~7. No illuminated advertising for alcoholic beverages shall be permitted to be located on the exterior of buildings or on the interior of a building when visible through a window.

~~9.~~8. The final approving authority may impose additional special operational conditions, requirements or standards, as it deems necessary to ensure the public health, safety and general welfare.

C. **Alcoholic Beverage Manufacturing Micro-brewery and Micro-distillery.** A facility that has obtained a license from the ABC for the sale of alcoholic beverages in conjunction with alcoholic beverage manufacturing shall require ~~a special conditional use permit~~an Administrative Approval or is a permitted use as shown on the Land Use Tables and shall comply with the following:

1. A tasting room with ancillary retail sales and incidental food service may be permitted. It may have indoor or outdoor seating. No full service restaurants are allowed unless expressly permitted with an Administrative Approval or as otherwise approved.

2. A grain silo may be permitted to be located outside of the building. The grain silo shall not be located within any required landscaping, parking, loading, yard (setback area), or pedestrian walkway.

3. Any outdoor equipment shall be screened ~~in accordance with the requirements of Section 20.21.450 (Ancillary Industrial Facilities)~~from public view.

4. Any proposed roof-mounted equipment shall be completely screened from public view.

~~5. No video, electronic, or other forms of games shall be permitted.~~

~~6.~~5. There shall be no admission fee, cover charge, or minimum purchase required to enter the premises.

~~7.~~6. Live entertainment, amplified music, or dancing shall ~~require approval of a live entertainment permit~~comply with the standards of Section 20.514.280 (Live Entertainment).

~~8.~~7. Alcoholic beverages shall not be displayed outside of the building or within five feet of any public entrance to the building.

~~9.~~8. A licensed alcoholic beverage manufacturer may sell to consumers alcoholic beverages that are produced and bottled at the licensed premises for off-site consumption.

20.514.040 – Ancillary Industrial Facilities

Ancillary industrial facilities, such as dust collectors, silos, storage tanks, cooling towers, etc. shall comply with the following:

A. **Screening.** Facilities shall be screened from view of any public or private street by buildings, walls, berms, and landscaping. Facilities that are taller than the tallest building on the lot shall be set back 150 feet from ~~any arterial street~~the property line.

B. **Location Restriction.** Facilities shall not be permitted within any required landscaping, parking, loading or yard (setback) area.

C. **Design.** Facilities shall be painted to match or compliment existing buildings or structures on the property upon which they are located, and where possible, shall be architecturally modified to reduce their visual obtrusiveness.

D. **Exceptions.** The Planning Commission may make an exception to any of the standards contained in this Section through the issuance of a ~~Special~~ Conditional Use Permit.

20.514.050 – Animal Keeping

Animal keeping activities shall comply with the following regulations.

A. **General Standards.**

1. Proper management of animal waste shall be carried out in accordance with the San Bernardino County ~~Uniform~~ Environmental Health Code.
2. Animals shall be secured by a fence or wall at least 5 feet in height, made of chain-link, wood with horizontal members no less than 6 inches apart, solid masonry or other appropriate solid confining material. Property line walls and fences may be used to secure animals, provided the appropriate restraint distances are maintained.
3. Animals other than cats shall be prevented from leaving the premises on which they are kept, through the use of an appropriate method of containment.
4. Animals shall be kept a minimum of 100 feet from any domestic water well.
5. Kennels and catteries shall only be permitted on lots or parcels two or more acres in size.
6. Lot area used to qualify one animal type shall not be reused to qualify another animal type.

B. **Noncommercial (Household) Animal Keeping.**

1. Animal keeping as a primary use of the property must be on a lot or parcel no less than 2 acres in size.
2. No person shall slaughter any animal on any lot or parcel.
3. Crowing poultry and fowl and fowl bred and used for cock-fighting shall not be permitted on any lot or parcel.
4. Table 20.514-1 (Maximum Number of Animals for Noncommercial Uses) establishes the maximum number of animals permitted per square foot for noncommercial uses.
5. Potbelly pigs, including pigs serving as support animals, are permitted only if spayed or neutered with tusks removed. No potbelly pigs may exceed 90 pounds. The keeping of potbelly pigs and/or pygmy goats as a household pet requires the approval of an Administrative Approval.
6. Animals not listed in Table 20.514-1 are considered Exotic Animals and are allowed subject to an Administrative Approval only within the RD 1 and RD 2 districts. One animal is allowed per lot. Exotic animals include those animals not listed in this Section, which are generally able to be

domesticated such as llamas, alpacas, and emus. Excessively large, ferocious, wild, and/or venomous animals are not permitted.

7. The keeping of chickens in the RD 4.5 districts requires the approval of a Zoning Clearance.
8. Chickens shall be provided a coop. Table 20.514-2 lists the standards for chicken coops.
9. Chickens shall be confined to the rear and side yard at all times.
10. Chicken droppings and food scraps shall be properly disposed of at least once a week or more frequently if, in the opinion of the Director of ~~Community~~ Development Services, it is necessary to prevent an unsanitary condition.

TABLE 20.514-1 MAXIMUM NUMBER OF ANIMALS FOR NONCOMMERCIAL USES

Type of Animal	*Maximum Number of Animals*	*Additional Regulations*
Dogs/Cats	Single-Family Dwelling: 4 per dwelling unit Multi-Family Dwelling: 2 per dwelling unit	
Rabbits/Chinchillas	50 per 10,000 square feet in the RD1 and RD 2 districts 2 per dwelling unit in other residential districts	
Fish and other underwater animals	No limit	
Small birds, such as parakeets, parrots and canaries	Single-Family Dwelling: 6 per dwelling unit Multi-Family Dwelling: 3 per dwelling unit	
Small reptiles and amphibians, such as turtles, lizards, snakes and frogs	Single-Family Dwelling: 6 per dwelling unit Multi-Family Dwelling: 3 per dwelling unit	
Horses/Mules	Allowed only in the RD 1 and RD 2 districts 1 per 6,000 square foot of lot area	
Goats (female only)/Sheep	Allowed only in the RD 1 and RD 2 districts 1 per 3,000 square foot of lot area	

TABLE 20.514-1 MAXIMUM NUMBER OF ANIMALS FOR NONCOMMERCIAL USES

Type of Animal	*Maximum Number of Animals*	*Additional Regulations*
Poultry/Fowl, Non-crowing	In the RD 1 and RD 2 districts 25 for lots less than 1 acre 50 per acre for lots 1 acre to less than 5 acres 99 per acre for lots 5 acres and greater	
	In the RD 4.5 district 4 permitted per lot; ~~5~~10 permitted per lot with Administrative Approval	Section 20.~~21~~514.~~030~~050.B.7, 8, 9 & 10 Table 20.513-2
Poultry/Fowl, Crowing and Fowl bred and used for cock-fighting	Not permitted on any lot or parcel	
Pigs (potbelly)/Pygmy goats	Allowed only in the RD 1, RD 2 and RD 4.5 districts 1 per lot	Section 20.~~21~~514.~~030~~050.B.4
Exotic Animals	Allowed only in the RD 1 and RD 2 districts 1 per lot	Section 20.~~21~~514.~~030~~050.B.5

TABLE 20.514-2 DEVELOPMENT STANDARDS FOR CHICKEN COOPS

	RD 4.5 Zoning District
Setbacks, Minimum [1]	
Rear	5 feet
Interior side	5 feet
Street side	5 feet
Habitable Structure on Adjacent Property	30 feet
Height, Maximum	6 feet
Size, Minimum	Henhouse – 2 square feet per chicken Chicken Run – 4 square feet per chicken

[1] Chicken coops shall be located in the rear yard.

C. **Commercial Animal Keeping.**

1. General standards.

   a. Animals shall be restrained at a distance of at least 40 feet, measured in a straight line, from any habitable structure or structure used for public assembly located on adjoining property.

   b. Animals shall be restrained a distance of at least 5 feet from interior side and rear property lines, and 15 feet from street side property lines.

   ~~c.~~ Exotic animal livestock shall only be permitted in the AG zone, at the rate of one animal for each 6,000 square feet of lot area. Lot area used to qualify one animal type shall not be reused to qualify another animal type.

2. Dairies shall comply with the following:

   ~~d.~~a. Property shall contain a minimum of ten acres.

   ~~e.~~b. Corrals shall have a minimum of 500 square feet per cow.

   ~~f.~~c. Animals shall be permitted at a rate not to exceed 20 per acre.

   ~~g.~~d. A minimum of five gross acres per 200 cows, or fraction thereof, shall be provided for waste disposal and open uses such as field crops and pastures. For each additional 40 cows, one acre must be provided for waste disposal.

~~2.~~3. Ranches shall comply with the following:

   a. The site shall contain a minimum of 5 acres.

   b. Where the ranch abuts a residentially zoned property, the site shall be screened from view by a 6-foot-high decorative masonry block wall or other similar view obstructing fence or wall, as approved by the Director of ~~Community~~ Development Services.

~~3.~~4. Maximum Number. Table 20.514-3 (Maximum Number of Animals for Commercial Uses) establishes the maximum number of animals permitted per square foot for commercial uses.

TABLE 20.514-3 MAXIMUM NUMBER OF ANIMALS FOR COMMERCIAL USES

Type of Animal	*Maximum Number of Animals*
Swine (not including pot-bellied pigs)	1 per 12,000 square feet
Cows and Buffalo	1 per 6,000 square feet

20.514.060 – Automobile Rental and Truck Rental

Automobile rental and truck rental must be located, developed, and operated in compliance with applicable base zoning district standards and the following additional standards, in the zones where they are allowed by the 200 Series, Base Zoning Districts.

A. **Automobile Rental.**

1. Automobile rental agencies with 10 or fewer vehicles parked on site at any given time ~~require an Administrative Approval~~are permitted by right. Automobile agencies with more than 10 vehicles parked on-site at any given time and/or on site washing require a approval of an ~~Special Conditional Use Permit~~n Administrative Approval.
2. The display of automobiles shall not occur in loading and parking areas required pursuant to Chapter 20.~~18~~511 (Parking and Loading).
3. If vehicles are stored or ~~displayed~~ parked along a street frontage, a minimum 10-foot landscape setback that includes a combination of trees, shrubs and appropriate ground cover shall be provided.
4. Automobile ~~display~~parked areas shall not be permitted within a required landscape setback.
5. Automobile maintenance and repair shall only be conducted within an enclosed building.
6. An office building that is a minimum of 300-square feet in size shall be provided on-site.
7. An automobile rental use that is located adjacent to a residentially zoned property shall provide a landscape buffer pursuant to Sections 20.~~06.040.B.2~~501.070 ~~and 20.07.040.B.2~~ of this Code.
8. Rental vehicles shall not be parked or staged on the street at any time.

B. **Truck and Trailer Rental.**

1. The~~Within the M1 and M2 zones, an Administrative Approval is required for the~~ rental of trucks and/or trailers on a lot or parcel with a single tenant building and~~.~~ ~~A Special Conditional Use Permit is required for the rental of trucks and/or trailers~~ within a multi-tenant industrial park are a permitted use in the CS, M1 and M2 zones.
2. Trucks and/or trailers greater than 8 feet in height shall not be located within 35 feet of any residentially zoned property.
3. Trucks and/or trailers greater than 8 feet in height shall not be located within 35 feet of a street right-of-way unless screened by a minimum 8~~6~~foot-high decorative screen wall or fence.
4. The display of truck and/or trailers shall not occur in loading and parking areas required pursuant to Chapter 20.~~14~~511.090 (~~Off~~ Off-Street ~~Parking~~Loading) of this Code.
5. If trucks and/or trailers are stored or displayed along a street frontage, a minimum 10-foot landscape setback that includes a combination of trees, shrubs and appropriate ground cover shall be provided.
6. Truck and trailer display areas shall not be permitted within a required landscape setback.
7. Truck and trailer maintenance and repair shall only be conducted within an enclosed building.
8. An office building that is a minimum of 300 square feet in size shall be provided on-site.
9. A truck and trailer rental use that is located adjacent to a residentially zoned property shall provide a landscape buffer pursuant to Sections 20.501.070 of this Code.

20.514.070 – Automobile Sales and Services

Automobile sales and services must be located, developed, and operated in compliance with applicable base zoning district standards in the zones where they are allowed by the 200 Series, Base Zoning Districts. A development agreement, prepared and approved pursuant to Section 20.603.040, is required for all new automobile sales and services.

~~Motor vehicle sales and leasing establishments shall comply with the following standards.~~

~~1. ***Minimum Lot Area.*** A vehicle sales and leasing use shall not be conducted on a site less than one acre in size.~~

~~2. ***Minimum Building Size.*** A minimum 300 square feet building shall be provided on the same lot or parcel for the sole benefit of the automobile vehicle sales or leasing business. At a minimum, the building shall contain employee restroom facilities and private office space for the business.~~

~~B. **Vehicle Display Areas.**~~

~~1. Motor vehicle display areas shall not utilize parking spaces or loading areas required pursuant to Chapter 20.510 (Parking and Loading).~~

~~2. Vehicle display areas shall not be permitted within a required landscape setback.~~

~~3. If vehicles are stored or displayed along a street frontage, a minimum 10-foot landscape setback that includes a combination of trees, shrubs and appropriate ground cover shall be provided.~~

~~C. **Vehicle Loading and Unloading**. All vehicle loading and unloading must occur on site in the rear half of the site. If the lot abuts a Residential Zone, the loading and unloading shall be located at least 20 feet from the Residential Zone where it will have a the least impact on the adjacent lot. All loading and unloading must occur during weekday business hours.~~

~~**Noise Controls.** All body and fender work or similar noise-generating activity must be enclosed in a masonry or similar building with sound-attenuating measures incorporated into the building design and construction to absorb noise. Bay openings must be oriented so as to minimize the effects of sound emanating from the auto repair building towards residential uses, outdoor restaurant seating, and outdoor reception areas. Compressors must be located within separately enclosed, sound-attenuated rooms.~~

20.514.080 – Caretakers Quarters

A. **Purpose and Minimum Size.** Caretaker quarters shall be permitted for the purpose of providing 24-hour property surveillance and shall not exceed 600 square feet in total floor area, unless approved as part of a ~~Special~~ Conditional Use Permit.

B. **Permitted Use.** Caretaker quarters shall be permitted within the principal structure on the property.

C. **Occupancy.** The owner or an employee shall occupy the caretaker quarters.

D. **Maximum Bedrooms.** The caretaker quarters shall have a maximum of two bedrooms.

E. **Reversion to Industrial Use.** Caretaker quarters located in industrial districts shall revert to industrial uses upon termination of the Conditional Use Permit or upon the business's closure.~~Carts and Kiosks[2]~~

~~Applicability. The standards in this section apply to any portable, non-motorized wagon, cart, or similar non-wheeled unit used by a vendor from which retail goods, food, and/or beverages are offered for sale.~~

~~Operating Conditions.~~

~~A cart/kiosk shall only be permitted on public or private property within a defined plaza area between buildings that are part of a professional office, commercial, or mixed-use development.~~

~~The cart/kiosk should generally not exceed 5 feet in width, 9 feet in length, and no more than 6 feet in height excluding canopies, umbrellas or transparent enclosures. Deviations in size may be approved by the Director of Community~~ Development Services ~~on a case-by-case basis based on unique site or user circumstances.~~

~~The cart/kiosk shall not obstruct access to or occupy a parking space, obstruct access to a parked vehicle, impede the delivery of materials to an adjoining property, interfere with access to public property or any adjoining property, or interfere with maintenance or use of street furniture.~~

~~The number of employees per individual cart/kiosk shall be a maximum of two persons at any one time.~~

~~All cart/kiosk uses shall be self-contained or located on a site that has been specifically designed to provide for water, waste and power to operate. No exposed pipes or wires are permitted.~~

~~All packaging containers or boxes shall be stored within the cart/kiosk.~~

~~The design, color scheme and signage of the cart/kiosk shall be appropriate to its location.~~

~~Check Cashing[3]~~

~~Check cashing centers shall comply with the following standards:~~

~~F. Permits Required. A Special Conditional Use Permit must be obtained to operate a check cashing center.~~

~~G. Location.~~

~~1. Check cashing centers are conditionally permitted in the Service Commercial (SC) zoning district only.~~

~~2. No more than one check cashing center shall be located within a ¼-mile radius to prevent the over-concentration of such businesses and to maintain existing financial establishments such as banks and other lending institutions.~~

~~[2] Replaced by "Outdoor Vendors."~~

~~[3] Replaced by~~

~~3. Check cashing centers shall be located no less than 500 feet from any sensitive land uses including public or private schools, religious institutions or state- or federally-owned bank, savings association, credit union or similar use.~~

~~4. Check cashing centers shall be separated by no less than 300 feet from any residential district or existing residential use.~~

~~H. Operational Standards.~~

~~1. The exterior of the building shall be adequately illuminated on all frontages and shall illuminate persons standing outside so as to be identifiable from 50 feet away. Off-site lighting shall be designed so as not to cast off-site glare.~~

~~2. Storefronts shall be glass, and no more than 25 percent of any window area shall be obscured by signs, banners, or any opaque covering at any time.~~

~~3. Hours of operation shall be limited to between 7:00 a.m. and 7:00 p.m. daily.~~

~~4. Pay phones are prohibited from being located on the premises of the check cashing establishment.~~

~~5. A security plan shall be provided to the Chino Police Department and Planning Division for review and approval.~~

~~Graffiti shall be removed within 72 hours of application to property on the check cashing premises.~~

20.514.090 – Cigar ~~and Vaping~~ Lounges and Hookah Bars

Cigar lounges and hookah bars shall comply with the following regulations.

A. **Distance from Residential Zone.** Cigar lounges and hookah bars shall be at least 200 feet from the boundary of any residential zone or property.

B. **Distance from Schools.** Cigar lounges and hookah bars shall be at least 1,000 feet from any public or private school.

C. **Admission Charge.** There shall be no charge, nor shall tickets be sold, for admission to a cigar lounge or hookah bar.

D. **Owner-Operated Business.** The business shall be owner-operated or otherwise exempt from the prohibition of smoking in the workplace set forth in California Labor Code Section 6404.5.

E. **Alcohol Prohibited.** The sale or consumption of alcoholic beverages shall not be permitted on the premises.

F. **Age of Patrons.** All patrons of cigar lounges and hookah bars shall be at least 21 years~~.~~

G. **Ventilation.** Cigar lounges and hookah bars shall have a stand-alone ventilation system that is not shared with any other business or any other portion of the building in which they are located.

20.514.100 – Commercial Nurseries and Garden Centers

Commercial nurseries and garden centers must be located, developed, and operated in compliance with applicable base zoning district standards and the following additional standards, in the zones where they are allowed by the 200 Series, Base Zoning Districts.

A. **Minimum Lot Area.** The minimum lot area is 10,000 square feet.

B. **Products for Sale**. Products offered for sale are limited to nursery stock and related materials incidental to the planting, care, and maintenance of plants, including fertilizer, pesticides, seeds, and planting containers, and exclude general building materials, hardware, and tools other than for soil preparation and general landscaping.

C. **Enclosure.** All storage, display, and sale of products other than nursery stock must be conducted within a completely enclosed building or within an area enclosed by a solid wall or fence and gate between five and six feet in height.

D. **Parking and Loading.** One parking space per 1,000 square feet of outdoor display area for live plants for sale, plus one space per 500 square feet in retail sales area.

20.514.110 – Commercial Recreation

Commercial recreation facilities must be located, developed, and operated in compliance with applicable base zoning district standards and the following additional standards, in the zones where they are allowed by the 200 Series, Base Zoning Districts.

A. **Street Frontage and Location.** Commercial recreation facilities should only be permitted on a lot or parcel with frontage on a primary or secondary arterial street, and in a single-tenant building. However, the ~~Planning Commission~~Director of Development Services may make exceptions based on access, parking, safety, and other considerations.

B. **Submittal Requirements.** At a minimum, the following information shall be submitted with an application requesting an administrative approval or conditional use permit for ~~of~~ a commercial recreation facility:

1. The proposed hours of operation.
2. A schedule of activities including the times of each and anticipated number of participants.
3. The number of parking stalls dedicated to the lease area, location of a pick up/drop off area, an access/parking plan, and the anticipated parking demand.
4. If the facility is to be located within a business or industrial park, provide a list of tenants within the park, type of business, and hours of operation.
5. Provide information on how the walls of the lease area will be insulated or other measures utilized to ensure music and/or other noises will not adversely affect adjacent tenants.

C. **Arcades.** Arcades shall be subject to the provisions of Title 5 of the Municipal Code,. ~~and shall only be permitted to operate in the CR and CG zones~~ and Mixed Use zones ~~with a Special Conditional Use Permit.~~

~~20.514.120 – Common Interest Subdivisions~~

~~Covenants Codes and Restrictions (CC&R's) shall be drafted for all common interest subdivisions in accordance with the following:~~

A. ~~**Contents of CC&R's.** A property owner's association shall be formed and appropriate CC&R's shall be recorded with the county of San Bernardino Office of the county recorder, establishing the purpose of the association is to maintain common areas and facilities, enforce CC&R's, regulate operations and uses within the development, and specify architectural design standards for the purpose of ensuring continued architectural and landscaping compatibility within the development.~~

B. ~~**City Involvement.** The CC&R's shall be subject to review and approval by the city prior to recordation. Additionally, the City may, at its discretion, require that it be a nonvoting member of the association and maintain the right of enforcement of the CC&R's.~~

~~20.514.130 – Congregate Care Facilities~~

A. ~~**Additional Setback Requirements.** Buildings shall be set back a minimum of 10 FT from drive aisles, measured from face-of-curb, and 5 FT from uncovered parking stalls.~~

B. ~~**Recreation and Entertainment Facilities Requirements.** Recreation and entertainment facilities of a size and scale consistent with the number of living units shall be provided. The minimum size shall equal 100 SF for each living unit, and shall include an assembly/lounge area with a seating capacity large enough to accommodate 60% of all residents at one time, restroom facilities and an activity room.~~

C. ~~**Open Space Requirements.** A minimum of 30% of the net lot area shall be dedicated to improved permanent open space accessible to all residents of the development, exclusive of driveways, parking areas, dwellings and non-recreation building areas. Open space shall not be less than 5 FT in width at its narrowest dimension.~~

D. ~~**Minimum Unit Size.** A minimum interior unit area of 350 SF shall be provided.~~

E. ~~**Laundry Facilities.** Common laundry facilities of sufficient number and accessibility shall be provided, consistent with the number of living units. At a minimum, one washer and dryer shall be provided for each 10 living units. The facilities shall have keyed access for tenants only.~~

F. ~~**Building Accessibility.** Indoor common areas and living units shall be handicapped adaptable and be provided with all necessary safety equipment (e.g., grab bars, etc.), as well as emergency signal/intercom systems.~~

G. ~~**Off-Street Parking Accessibility.** Off-street parking spaces shall be located a maximum of 150 FT from building entrances.~~

~~H. **Driveway Approaches.** Driveway approaches serving developments of 10 or more units shall be delineated with enhanced paving treatment, such as interlocking pavers, textured and color pigmented concrete, or stamped concrete.~~

~~I. **Paved Access.** All parts of all structures shall be located within 150 FT of paved vehicular access.~~

~~J. **Security Plan.** Prior to occupancy of the first space, the developer or owner may be required to provide a detailed security plan as described in Part E.7 *(Security Plan)* of this Section.~~

20.514.120 –Convenience Markets and Grocery Stores

Convenience markets and grocery stores must be located, developed, and operated in compliance with applicable base zoning district standards and the following additional standards, in the zones where they are allowed by the 200 Series, Base Zoning Districts.

A. **Convenience Markets.** Where a convenience market abuts residentially zoned property, no commercial loading activity is permitted between the hours of 6:00 p.m. and 6:00 a.m.

B. **Grocery Stores.**

1. Where a grocery store or supermarket abuts residentially zoned property, no commercial loading activity is permitted between the hours of 6:00 p.m. and 6:00 a.m. In addition, the Planning Commission may restrict hours of operation based upon potential adverse impacts on the surrounding neighborhood.

~~2. The final approving authority may impose additional special operational conditions, requirements or standards, as it deems necessary to ensure the public health, safety and general welfare.~~

~~3. New or substantially altered commercial development utilizing outdoor shopping carts shall develop and implement, in coordination with the property owner, an anti-theft/abandoned cart prevention plan. The anti-theft/abandoned cart prevention plan must include, at a minimum, the following information subject to review and approval by the Director of Community Development Services.~~

~~a. Pertinent business information, including the name and address of the business, phone number for the premises where business is conducted. If the address and phone number of the cart owner is different from the business owner, this information shall also be provided.~~

~~b. Cart identification conforming to State law.~~

~~c. A complete cart inventory of all carts belonging to, maintained on or in the premises.~~

~~d. Standard procedure for written notification to customers that removal of carts from the premises is prohibited and a violation of State and local law. Appropriate notification may be provided in the form of shopping bags, flyers, or any form of written notification effective in notifying customers of the prohibition.~~

~~e. A description of physical measures designed to prevent the removal of carts from the premises. These measures may include, but are not limited to: devices attached to carts which prevent their removal from the premises or a designated employee or security guard posted to deter or stop customers from removing carts from the premises.~~

~~f. A standard procedure for retrieval of abandoned carts, or proof that the owner has entered into a contract approved by the City of Chino for cart retrieval services.~~

~~g. A description of an ongoing employee training program designed to educate all employees on the anti-theft/abandoned cart prevention plan.~~

20.514.130 – Conversion of Residential Structures

A. **Permit Required.** Conversion of a structure originally constructed for residential use and currently occupied by a resident, to a commercial use requires Planning Commission approval of a Special Conditional Use Permit. Requirements for conversion for warehouses and logistics uses development are in Section 20.513.570 (Warehouses and Logistics Uses). To approve the conversion, the Planning Commission shall make the following findings:

1. All applicable provisions of this Code are met, including but not limited to landscaping and parking.
2. The proposed conversion is consistent with the General Plan and any applicable specific plans.
3. The overall design and physical condition of the conversion achieves a high degree of appearance, quality and safety.
4. The conversion would not displace predominantly low and moderate-income families or tenants without adequate provision for suitable relocation of such families or tenants.

B. Replacement **Replacement Housing.** The requirements for replacement housing is provided as required by Government Code Section 66300.6for housing development projects that involve conversion of residential structures are in Section 20.603.140.

20.514.140 – Data Centers

Data centers must be located, developed, and operated in compliance with applicable base zoning district standards and the following additional standards, in the zones where they are allowed by the 200 Series, Base Zoning Districts.

~~A. **Location**.~~

~~1. No d~~ata center shall be located within a half-mile of a residential use.

B. ~~**Design**.~~

~~1. A~~t least 20 percent of the street-facing frontage of buildings shall including design elements and architectural treatment, including modulation (recesses or offsets) at intervals not exceeding 150 feet.

2. Blank walls visible from public streets shall not exceed 50 feet in length without articulation (offsets, recesses or other architectural elements).

3. All rooftop equipment shall be screened by parapets or architectural enclosures equal to or greater than the equipment height.

C. **Development Agreement Required**. A development agreement, prepared and approved pursuant to Section 20.603.040, is required for all data centers.

~~**Cyber Cafes**~~

~~All cyber cafes shall comply with the following regulations:~~

~~B. **Location and Design.**~~

~~1. No cyber cafe shall be maintained within 500 feet of any primary or secondary public or private school, park or public playground.~~

~~2. Front windows shall not be tinted, shaded, painted, blacked-out, or similarly covered or obscured during business hours.~~

~~3. A waiting area inside the establishment shall be provided, with seating equal to one seat for every four computer stations. No waiting list shall be maintained beyond the seating capacity of the waiting area. No outside waiting or seating areas are permitted.~~

20.514.150 – Child ~~Day Care~~ Facilities~~Centers~~ and Family Day Care Homes

A. **Purpose.** This section provides regulations for ~~Child~~ Day Care ~~facilities~~ Centers and Family Day Care Homes to protect the safety and well-being of children and minimize impacts to neighboring properties.

B. **Types of ~~Child~~ Day Care Facilities.**

1. ~~Residential~~ Family Home Day Care ~~Facilities~~ Homes may provide care for up to 14 children and are required to have an adult assistant on the premises. ~~residential~~

   a. Small Family Day Care Homes may provide care for six children or up to eight children if the standards of the Health & Safety Code Section 1597.44 are met. These homes are allowed by right subject only to the standards that apply to single family residences, and no business license is required.

   b. Large Family Day Care Homes serve seven to 12 children or up to 14 children if the standards of health & Safety Code Section 1587.465 are met. They are subject to the standards of this section and the standards of the zoning district where they are permitted.

2. ~~Child~~ Day Care Centers are ~~childcare~~ care facilities for adults or children that are not provided within a residential use. ~~Child day~~ Day care centers include pre-schools, nursery schools, infant care centers, adult care centers, and after-school facilities for children. The also may include centers providing adult day health care.

C. **General Standards that Apply to all ~~Child~~ Day Care ~~Facilities~~Centers and Large Family Day Care Homes.**

1. In addition to those off-street parking spaces required of the primary residential land use, one off-street parking space shall be provided for each employee of ~~the~~ a day care ~~provider~~center. Two drop-off spaces are required for large family day care homes.in addition to the spaces required for the residence The driveway may be used to fulfill this requirement.
2. Written verification that all fire and life safety standards have been met shall be submitted to the Director of ~~Community~~ Development Services prior to the commencement of the use.
3. Any swimming pool, pond, wading pools, or similar bodies of water greater than 18 inches in depth shall be fully enclosed by a minimum 5-foot-high non-climbable fence. Additionally, all entrances and exits shall have ~~self-closing~~self-closing and latching gates. All latches shall be located at least 54 inches above adjacent grade.
4. All trash receptacles and air-conditioning units located outdoors and next to any active play area shall be fully enclosed by a wall or fence to protect children.
5. Trash receptacles shall be maintained in a sanitary condition with no odor detectable from adjacent properties.
6. Hours of operation shall be less than 12 hours per day.
7. Noise levels shall comply with Title 9 of the Municipal Code.

D. **~~Residential Day Care Facilities~~Large Family Day Care Homes.**

~~1. The use shall be clearly incidental and subordinate to the primary~~is allowed by-right. A zoning ~~clearance is required for Large Family Day Care Homes.~~

~~2.~~1. All required State licenses and permits shall be obtained.

2. There shall be a maximum of 14 children allowed per residential day care facility.

3. A minimum of 50 square feet of outdoor recreational space must be provided for each child over two years old. This outdoor area cannot be located in any required front or street side setback area, A periphery fence or wall at least five feet high, constructed of wood or masonry, must be provided to screen and secure outdoor recreational areas.

4. An Administrative Approval is required.

E. **~~Child~~ Day Care Centers.**

1. An Administrative Approval is required. However, any establishment may provide adult or child day care as an accessory use that is not subject to additional permit requirements, provided that the establishment offers day care only to its customers or employees, and only during the period when the customers or employees are visiting or working in the establishment.

~~1.~~2. An on-site vehicle turn-around or separate entrance and exit points, and passenger loading area must be provided. The city shall specifically consider the location and appearance of the proposed turn-around or access in determining compatibility with surrounding uses.

~~2.~~3. The operator must obtain the written consent of the property owner when the ~~child~~ day care ~~facility~~ center is located.

~~3.~~4. Outside play areas for children shall have a minimum fence height of 5 feet.

~~4.~~5. Outside play areas for children shall have a minimum 10-foot setback from street side property lines. ~~be located a minimum of 10 feet from public right-of-ways.~~

~~5.~~6. Outside play areas for children shall be a minimum of 75 square feet per child, excluding infants under two years of age.

7. For adult day care centers a minimum of 50 square feet of common indoor activity space shall be provided for each participant in the day care program. Such space may include recreation rooms, reading rooms, game areas, lounges, therapy rooms, and similar participant gathering spaces. Up to 40 percent of this space may be provided as outdoor recreational space.

20.514.160 –Drive-Through Food and ~~B~~everage Facilities

Drive-through facilities shall be developed in accordance with the following standards.

A. **Aisle Width.** Drive-through aisles shall have a minimum width of 11 feet on straight sections and 12 feet on curved sections.

B. **Aisle Setback.** Drive-through aisles shall be set back a minimum of ~~15~~ 510 feet from all street property lines and shall be screened by landscape berms, low garden walls, or a combination thereof.

C. **Landscape Buffer.** There shall be a minimum 25-foot-wide landscaped buffer between drive-through aisles and any abutting residentially zoned property.

D. **Entries and Exits**. Entries and exits shall be no closer than 25 feet from a street intersection and ~~their~~the locations ~~are~~is subject to approval of the Director of Development Services and City ~~Traffic~~ Engineer. ~~**Exits.** No drive-through aisle shall exit directly onto a public street or alley.~~

E. **Screening.** All service areas and restrooms accessed from the exterior of the building shall be screened from view of the public street.

F. **Design.** Drive-through facilities within an integrated shopping center may reflect the national brand identity of the facility and, where there are no conflicts, shall be consistent with the architectural design and detailing, roof material, exterior finish materials, and color of adjacent structures. A pedestrian walkway shall connect the parking area to the building entry.

G. **Noise.** Drive-through facilities that rely upon the use of speaker/microphone stations for the placing and/or receiving of customer orders, shall locate the station a minimum of 50 feet from any residentially zoned property. In no case, however, shall noise emanating from a speaker/ microphone station be audible beyond the property line.

H. **Length of Queuing Lane.** ~~Drive through facilities shall provide a queuing lane sufficient in length to accommodate five vehicles at the point of food ordering.~~ Drive--through facilities shall provide a queuing lane sufficient in length to not interfere with traffic on adjoining public and private streets,

~~and~~ with on- or off-street parking, and shall accommodate no less than five vehicles at the point of food ordering. The Director of Development Services ~~shall~~may require a longer queue lane or double lanes for high volume facilities. The City Traffic Engineer shall require a traffic queuing analysis to be reviewed and approved that demonstrates the needed queue length for the intended and potential future drive-through uses.

20.514.170– Emergency Shelters

A. **Purpose and Intent.** The purpose of these standards is to ensure the development of emergency shelter facilities does not adversely impact adjacent property or the surrounding neighborhood, and that these facilities will be developed in a manner that protects the public health, safety, and general welfare of all city residents while meeting the housing needs of the community.

B. **Use Standards.**

~~1. ***Number of beds.***~~

~~a. Emergency shelter facilities shall contain no more than 30 beds and shall serve no more than 30 persons at any one time.~~

~~2.~~1. ***Duration of stay.*** Emergency shelter operators may ~~shall be available to residents for no more than 90 days~~may establish flexible program rules governing the duration of stay.

~~3. ***Management plan required.*** Staff and services shall be provided to assist residents in obtaining permanent shelter, at no cost to the residents. Emergency shelter providers shall have a written management plan including, as applicable: provisions for staff training, neighborhood outreach, security, and screening of residents to insure compatibility with the type of services provided.~~

~~4. ***Proximity to other emergency shelters.*** Emergency shelters shall be located a minimum of 300 feet from any other emergency shelter.~~

~~5.~~2. ***Hours of operation.*** Facilities shall establish ~~set~~ operational procedures ~~hours~~ for client intake and discharge.

~~6.~~3. ***On-site management.*** On-site personnel shall be provided at all times.

~~7.~~4. ***Lighting.*** Facilities shall provide security and safety lighting in the parking lot, on buildings, and areas of pedestrian access.

~~8.~~5. ***Security.*** Facilities shall provide secure areas for personal property.

~~9.~~6. ***Waiting area.*** If intake of clients will occur on-site, ~~a minimum 200 square foot~~an enclosed or screened waiting area shall be provided to prevent queuing in the public right-of-way. Additional waiting area may be required depending on the anticipated client load.

~~10. ***Living area.*** 120 square feet of indoor living area of indoor living area, plus an additional 50 square feet of living area for each additional person over two persons, excluding staff, of which 30 percent shall be common or recreational space.~~

~~11.~~7. ***Emergency Shelter Management Plan.*** The operator of an emergency shelter shall prepare and submit a management plan to the Director of Development Services that includes, as applicable, the following: staff training to meet the needs of shelter residents; community outreach to explain the services offered to the homeless community; adequate security measures to protect shelter residents and surrounding uses; and services provided to assist residents with obtaining permanent shelter and income.

20.514.180– Equipment Rental and Sales

Equipment rental and sales, including outdoor storage, must be located, developed, and operated in compliance with applicable base zoning district standards and the following additional standards, in the zones where they are allowed by the 200 Series, Base Zoning Districts.

A. **Light Equipment.** Light equipment rental and sales shall be wholly conducted within an enclosed structure. No outside storage~~, including vehicle storage,~~ of equipment shall be permitted.

B. **Heavy Equipment.**

1. Equipment and vehicles shall be screened from public view by a minimum 6 feet high decorative screen wall. Outdoor storage of vehicles used to transport heavy equipment is allowed if screened from public view.

2. No item shall be displayed within any parking space or loading area required pursuant to Chapter 20.~~18~~51 (Parking and Loading~~-~~).

3. No item shall be displayed on public property.

4. No item shall be displayed in a manner that:

   a. Causes a safety hazard;

   b. Obstructs the entrance to a building;

   c. Interferes with or impedes the flow of pedestrian or vehicular traffic;

   d. Is unsightly or creates any other condition that is detrimental to the appearance of the premises or any other surrounding property; or

   e. In any other manner which is detrimental to the public health, safety or general welfare, or causes a public nuisance.

20.514.190 – Farm Employee Housing

Farm Employee Housing must be located, developed, and operated in compliance with the following standards, where allowed by the land use regulations for the agricultural or open space zoning district in Chapter 20.~~08~~205 (Agriculture, Open Space, and Public Zoning Districts).

A. **Eligible facilities**. Farm employee housing may consist of a variety of living quarters, dwelling units, group housing, tents, bunkhouses, recreational vehicles, mobile homes, or other housing designed and

maintained for use by eligible farm employees for temporary or seasonal residency or permanent residency. Farm employee housing does not include a hotel, motel, inn, tourist hotel, multiple-family dwelling, or single-family homes where the housing is offered and rented to nonagricultural employees on the same terms as to farm employees, the owner of the housing is not an agricultural employer, or the housing is classified as "employee community housing" under the California Health and Safety Code Section 17005.5, which is owned by a public entity or is privately owned by a qualified nonprofit entity and has been granted an exemption under Health and Safety Code Section 17031.3.

B. **Streamlined review** – when only a zoning clearance is required in an agricultural zone. Small farm employee housing, consisting of no more than 36 beds in group quarters or 12 units or spaces designed for use by a ~~single family~~single-family or household on a site in an Agricultural Zone, OS 1 Zone, or OS 2 Zone, is a permitted agricultural use and only requires a Zoning Clearance under Section 20.~~23~~603.~~120~~100 (Administrative Approval) to confirm that the standards of this Section and other applicable requirements of this Title are met. Large farm employee housing requires Site Approval by the Planning Commission; however, the time limits for review and approval, established in Section 17021.8 of the California Health and Safety Code apply.

C. **Limits on location.** No farm employee housing shall be allowed in the following locations:

1. Within 75 feet of barns, pens, or structures housing livestock or poultry;
2. Within 50 feet of a Residential zoning district;
3. On wetlands as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993);
4. Within a high fire hazard severity zone, as determined by the California Department of Forestry and Fire Protection;
5. On a hazardous waste site, unless the Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses;
6. Within a delineated earthquake fault zone, as determined by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission and by the City's building department;
7. Within a flood plain as determined by the Federal Emergency Management Agency, unless the development has been issued a flood plain development permit;
8. Within a floodway as determined by the Federal Emergency Management Agency;
9. On land subject to a natural community conservation plan, habitat conservation plan, or other adopted natural resource protection plan, or subject to a conservation easement (excluding Williamson Act contracts); and
10. On land where the groundwater is within five feet of the soil surface where onsite wastewater disposal would serve six or more family units.

D. **Limits on fees**. No taxes or permit fees that are not normally required for other agricultural activities in an Agricultural Zone, OS 1 Zone, or OS 2 Zone can be required of an applicant developer of farm employee housing.

E. **Maximum height.** 25 feet.

F. **Minimum sleeping area – group quarters**. In group quarters, the minimum floor area available for sleeping purposes shall be 50 square feet per occupant.

G. **Accessory uses and structures – group quarters.** The following accessory uses and structures are allowed for farm employee group quarters: food service for residents with a kitchen and dining hall; laundry facilities; storage facilities; and community facilities for education, group or individual meetings, reading, health, or other services.

H. **No limits on density.** Farm employee housing is exempt from the density limits of the Agricultural zoning district

I. **No occupancy restrictions.** The occupants are not required to live in the housing as a condition of employment or of securing employment and the occupants are not required to live in the housing by the employer of the occupants, an agent of the employer of the occupants, or an agricultural employer as defined in the California Labor Code.

J. **Open space required.** When a farm employee housing project includes more than 10 dwelling units, recreational facilities and common open space for residents' use shall be provided as follows:

1. ***Common area.*** A minimum of 20 percent of the site area for the farm employee housing shall be outdoor common area with recreational facilities for activities such as baseball, basketball, soccer, horseshoes, or children's play areas.

2. ***Private open space.*** Private open space shall be provided as follows:

   a. A minimum of 80 square feet per unit for ground-floor units with a minimum horizontal dimension of 8 feet; and

   b. A minimum of 36 square feet for upper-level units with a minimum horizontal dimension of 6 feet.

K. **Employee housing for six or fewer employees.** Employee housing that accommodates six or fewer employees shall be considered a single-family structure and residential use pursuant to California Health and Safety Code Section 17021.5 and only has to meet the standards that apply to a ~~single family~~single-family dwelling on a lot. Use of a single-family dwelling for such housing does not constitute a change of occupancy for purposes of State Housing Law or the City's Building Code.

L. **Permit Required.** A permit from the California Department of Housing and Community Development (HCD) is required for housing for five or more employees pursuant to the California Employee Housing Act; a copy of the HCD permit shall be provided to the Director of Development Services within 14 days of issuance.

M. **Exterior lighting**. Exterior lighting shall be limited to security needs only, directed downward, and full shielded from streets and adjacent residences.

N. **Off-street parking**. Off-street parking shall be provided as required by Chapter 20.~~18~~511, Parking and Loading. The minimum parking requirement for farm employee housing shall be one parking space for one bedroom or studio units, two spaces for units with two or more bedrooms, and one space per three beds for group quarters.

O. **Setbacks**. All farm employee housing shall be a minimum of 75 feet from any barn, pen, or other structure that houses livestock or poultry and a minimum of 50 feet from any other agricultural use.

P. **Water and wastewater disposal.** All farm employee housing shall have public water service and public wastewater collection service unless a private on-site wastewater disposal system is approved by the City.

Q. **Minimum period of occupancy**. The owner of farm employee housing approved under this section must agree to maintain this housing for a minimum period of 10 years after issuance of a final building permit. Failing to do so would allow the County to recover any taxes, fees, assessments, or charges that were waived for the farm worker housing.

R. **Compliance with other codes**. Farm employee housing shall conform with all the requirements of the City that are applicable to agricultural uses in an Agricultural Zone in which the property is located. All farm employee housing must satisfy building, fire, and safety standards, such as fire lane widths, minimum fire flows, and emergency egress, as established through State of California's Fire and Building Codes and as amended by the City.

20.514.200 –Farmers' Markets and Open Air Markets

Farmers' markets must be located, developed, and operated in compliance with the following standards, where allowed by the 200 Series, Base Zoning Districts. Open air markets may be approved as a temporary use; see Section 20.603.060 (Temporary Use Permits).

A. **Certification – When Required**. All farmers' markets that are not operated as an open air market must have a certificate, issued by the County Agricultural Commissioner, authorizing the location, months of operation, day(s) of the week, and hours of operation where agricultural products are sold by the producers or certified producers directly to the public, or to individuals, organizations, or entities that subsequently sell or distribute the products directly to end users. Upon receipt of a certified farmers' market certificate, an operator shall assume and retain responsibility for all aspects of the operation of a certified farmers' market at the location specified, including, but not limited to legal, financial, and regulatory compliance requirements.

B. **Permits Required**. The market operator and vendors must obtain and secure all necessary licenses, certificates, and health permits, if required. All permits (or copies of them) must be in possession of the farmers' market manager during all hours of operation.

C. **Management Plan**. A management plan must be prepared and provided to the Director of Development Services. It shall include:

1. The name of the market manager or managers, who must be present during all hours of operation; and

2. A set of operating rules addressing the governance structure of the market, the method of assigning booths or stalls and registering vendors, hours and days of operation, maintenance, security, refuse collection, and parking.

D. **Small Certified Farmers' Markets**. Small certified farmers' markets, meeting the following criteria, are allowed as temporary or accessory uses on school sites, library sites, community center sites, and places for religious assembly in residential zoning districts and in shopping center parking lots:

1. The market has no more than 15 certified producers of agricultural products;

2. The market does not occupy a sales area greater than 10,000 square feet; and

3. The market does not operate more than one calendar day a week for more than six hours a day.

E. **General Certified Farmers' Markets.** A certified farmers' market that does not meet the criteria for a small certified farmers market, is allowed where permitted by the land use regulations in the 200 Series, Base Districts.

F. **Operating Requirements**. All certified farmers' markets shall comply with the following operational requirements:

1. The market shall operate no earlier than 8:00 a.m. and no later than 8:00 p.m. on any day, excluding the time needed for set-up and clean-up. Set-up and clean-up for a farmer's market must occur on the same day as the farmers' market.

2. The market shall consist primarily of certified producers selling their agricultural products to the public; secondary uses may include vendor stalls for hand-made arts and crafts, candles, ceramics, pottery, clothing, soaps, balms, perfumes, and cosmetics made by the seller, prepackaged goods (e.g. pastas, jams and honey), and prepared food made by the vendor, but the space for these sales shall not be more than 25 percent of the total sales area in the market.

3. Pursuant to the California Food and Agricultural Code §47000 et seq., certified farmers' markets must accept CalFresh (SNAP) benefits via electronic benefit transfer ("EBT") card in addition to accepting other forms of payment.

~~No amplified sound or music of any kind shall be allowed at any farmers' market.~~

4. The market shall have sufficient land area to allow, at a minimum, one vehicle parking space for each vendor plus space for each vendor stall.

5. All sales activities shall be conducted on a paved surface.

6. No sales or distribution of alcoholic beverages are allowed.

7. The market operator shall have refuse disposal and trash and recycling receptables available for customers' use and shall be responsible for trash and litter removal on the site of the farmers' market at the end of each day of operation.

8. The markets may be subject to inspection(s) at the Director's discretion to verify compliance with ~~this~~ these requirements and any other applicable provisions.

9. All activities of a farmers' market are subject to the prior written approval of the owner of the site on which the market is planned to occur.

20.514.210 – Group Homes

Group homes must be located, developed, and operated in compliance with applicable base zoning district standards and the following additional standards, in the zones where they are allowed by the 200 Series, Base Zoning Districts.

A. **Exemption for Small Homes.** Group homes serving six or fewer residents are considered a single-family use and only subject to the standards that apply to single-family residences.

B. **Minimum Lot Area.** When located in a Residential zoning district, the minimum lot area is ~~10,000 square feet.~~the same as that required for other residential uses; in other zoning districts it is 10,000 square feet.

C. **Laundry Facilities.** Laundry facilities must be provided on-site, either in the units or in a shared facility unless commercial laundry facilities are available within a quarter mile walking distance.

D. **Common Open Space.** Common open space of 20 square feet for each person who resides in the facility must be provided, which is substantially less than the amount required for multi-family development to reduce housing costs. To ensure this common open space is a well-designed, coherent area that is an essential component of the project's design, not merely space left over after the building mass is placed, the following standards must be met:

1. Landscape areas having minimum dimensions of less than 20 feet but at least five feet at any point which are contiguous with and an integral part of the common open space or are connected to the common open space by walkways, may be included in calculating the area of such space. Non-contiguous landscape areas proposed to be included shall not exceed 20 percent of the total area of common open space.

2. Up to one-half of covered patio areas designed to be commonly used by residents of a development may be included in calculation of common open space, provided such area does not comprise more than 25 percent of the total common open space.

3. For group homes for 20 people of more, up to 30 percent of the required common open space area may be provided within a recreational building.

E. **Security.** Parking garages, surface parking, and private and common areas located outside the building must be designed to protect the security of residents, guests, and employees with security lighting. If circumstances warrant, the facility operator may control access to a parking garage by other persons.

F. **Building Accessibility and Safety Equipment.** Indoor common areas and living units shall be adaptable, meaning designed to accommodate persons with disabilities in compliance with federal and state accessibility laws and codes~~, as required by the Americans with Disabilities Act~~ and be provided with all necessary safety equipment (e.g., grab bars, ramps etc.), as well as emergency signal/intercom systems.

20.514.220 – Gun and Ammunition Stores

Gun and ammunition stores may have a test range for customers to test guns sold by the establishment. At no point shall the test range be used as a public shooting range.

20.514.230 – Gym/Athletic Instruction

Gym/Athletic instruction facilities shall be classified as Major or Minor facilities, Batting Cages, or Small/Boutique Fitness Studios and are subject to the following standards:

A. **Major Facilities.** Major facilities are those facilities that exhibit one or more of the following characteristics:

1. The facility is 15,000 square feet or larger in size;
2. The facility hosts tournaments, shows, meets, or other competitions;
3. The facility utilizes large-scale equipment such as trampolines, trapeze, swimming pools, mechanical ball throwers, or other similar athletic apparatus.

B. **Location Limitation for Major Facilities.** Major facilities ~~should~~ shall only be permitted on a lot or parcel with frontage on a primary or secondary arterial street, and in a single-tenant building. However, the Planning Commission may make exceptions based on access, parking, safety, and other considerations.

C. **Minor Facilities.** Minor facilities are those facilities that do not exhibit any of the criteria in subsection A above.

D. **Submittal Requirements.** Major and minor facilities are required to submit the following information when submitting an application requesting approval of an athletic instruction facility:

1. The proposed hours of operation.
2. A schedule of classes including the times of each class and anticipated number of students.
3. The number of parking stalls dedicated to the lease area, location of a pick up/drop off area, an access/parking plan, and the anticipated parking demand.
4. If the facility is to be located within a business or industrial park, provide a list of tenants within the park, type of business, and hours of operation.
5. Provide information on how the walls of the lease area will be insulated or other measures utilized to ensure music and/or other noises will not adversely affect adjacent tenants.

E. **Small/Boutique Fitness Studios.**

1. Small/Boutique Fitness Studios shall be permitted in commercial zones for one on one instruction and/or small classes limited to 20 members, one class at a time.
2. Classes may include uses such as spin, pilates, dance, and yoga uses.

20.514.240 – Hazardous Materials Use and Storage

A. **General Requirements.**

1. Any quantity of hazardous material that exceeds the exempt amounts per control area or outdoor area as specified in the Uniform Fire Code, latest edition, shall require the approval of a ~~Special~~ Conditional Use Permit.

2. No changes in practices or procedures, or the type and/or maximum quantity of material shall occur without first notifying the Chino Valley Independent Fire District and appropriate amendments made to the approved business emergency/contingency plan and/or risk management prevention program on file with the San Bernardino County department of environmental health services.

3. All operations shall comply with all applicable requirements of the Uniform Fire Code, latest adopted edition.

4. At all times, all operations shall be in full compliance with all federal, state and local regulations pertaining to containment, including restricting use/storage to designated areas, stacking height limitations of materials, and the provision of appropriate preapproved containment walls where required.

B. **Explosive or Extremely Hazardous Substances, Radioactive Material and Quantities Exceeding the Exempt Amounts per Control Area or Outdoor Area**. The use, generation, processing, production, treatment, storage, emission or discharge of explosives, extremely hazardous substances, radioactive material and quantities exceeding the exempt amounts per control area or outdoor area shall be conditionally permitted only as a use incidental to the primary permitted land use.

C. **Hazardous Waste Generators—More Than 55 Gallons, 500 Pounds or 200 Cubic Feet of a Compressed Gas**. Hazardous waste generators shall file with the ~~Community~~ Development Services Director a copy of an approved business emergency/contingency plan from the county of San Bernardino, pursuant to the provisions of Sections 25501(d) and 25504 of the California Health and Safety Code.

D. **Outdoor Propane Storage**. The outdoor storage of propane shall comply with the following:

1. The use shall be incidental to the primary land use.

2. Propane storage up to 500 gallons shall be permitted to be stored outdoors provided such storage is at least 250 feet from a residential structure.

3. Propane storage in excess of 500 gallons or within 250 feet from a residential structure shall be conditionally permitted.

20.514.250 – Health Care Offices and Clinics

Health care offices and clinics located in the ~~RMU, BMU, EMU,~~ CS, BP and M1 zoning districts shall be subject to the following:

A. **Employee Serving.** It is the intent that the primary business activity shall be for serving the employees of the city's industrial sector, although the use shall not be precluded from serving the general population.

B. **Separate Lot.** The use ~~must~~ should be on a separate lot or parcel that does not contain an industrial use and ~~may~~ should not be located within an industrial park or multi-tenant industrial building.

C. **Street Frontage Required.** The use ~~shall~~ should only be permitted on a lot or parcel with frontage on a primary arterial street.

20.514.260 – Home Occupations

A. **Purpose.** These standards allow for the operation of limited home-based businesses that are incidental to and compatible with residential uses permitted within residential zoning districts.

B. **Permit Required.** Establishment of a home occupation shall require ~~an Administrative Approval~~approval of a home occupation permit.

C. **Exempt Uses.** A home occupation permit shall not be required for an in-home educational activity, including but not limited to music lessons, academic tutoring or religious instruction, provided no more than five students are present at any one time, or a business that requires only a phone and/or computer, with no deliveries or storage of items related to the business to occur at the home.

D. **Prohibited Uses.** The following uses are prohibited as home occupations:

1. Gun and/or ammunition sales.
2. Barber and beauty shops, physical therapy, psychotherapy, or similar personal services.
3. Businesses which involve the harboring, training, breeding, raising, grooming, or veterinary care of cats, dogs or other animals on the premises.
4. Carpentry, cabinet making, or furniture refinishing.
5. Bee keeping; keeping of poultry or birds for commercial purposes.
6. Medical and dental offices, clinics, or laboratories.
7. Repair, fix-it or plumbing shops.
8. Storage of equipment, materials and other accessories to the construction or service trades.
9. Motor vehicle repair (body or mechanical), upholstery or painting.
10. Welding or machining.
11. Gymnastics or athletic instruction.

12. Recording studios.
13. Outdoor recreation.
14. Retail sales, excepting Cottage Food Operations per Government Code Section 51035.
15. Commercial food preparation (catering), excepting Cottage Food Operations per Government Code Section 51035.
16. Any other use determined by the Director that is not incidental to and/or compatible with residential activities.

E. **Operating Standards.** Home occupations shall comply with the following operating standards:

1. A home occupation shall be clearly incidental and subordinate to the primary residential use.
2. Only the occupants of the dwelling may engage in the home occupation.
3. There shall be no change in the outward appearance of the premises resulting from the home occupation.
4. There shall be no advertising that identifies the home occupation by street address.
5. The home occupation shall be conducted within an enclosed structure, completely confined to one room of the dwelling, excepting the garage, and shall occupy no more than ten percent of the gross floor area of the dwelling.
6. Only one vehicle, no larger than a one-ton pick-up truck or van, may be maintained on the property, either directly or indirectly in connection with the home occupation.
7. There shall be no outdoor use or storage of material or mechanical equipment not recognized as being part of a normal household or hobby use.
8. There shall be no storage of flammable, combustible, explosive, and/or hazardous materials associated with the home occupation.
9. Activities conducted and equipment or material used shall not change the fire safety or occupancy classifications of the premises.
10. The home occupation shall not generate vehicular or pedestrian traffic in greater volumes than would reasonably be expected in a residential neighborhood.
11. The home occupation shall not involve the use of commercial vehicles for delivery of materials at greater frequency than would reasonably be expected in a residential neighborhood.
12. No equipment or processes shall be used which create noise, odor, smoke, glare, dust, fumes, vibration, or result in interference with radio or television reception detectable to the normal senses outside the dwelling unit in which the home occupation is conducted.
13. If the home occupation is to be conducted on rental property, the property owner's written authorization shall be provided on the home occupation permit application.

14. If the home occupation is to be conducted in a residence that is part of a homeowner's association, the association's written authorization shall be provided on the home occupation permit application.

15. No home occupation shall be conducted without a current business license obtained pursuant to the provisions of Title 5 (Business Licenses and Regulations) of the Chino Municipal Code.

16. Retail sales from the location of the home occupation, in conjunction with a Cottage Food Operation per Government Code Section 51035, shall be limited to the hours of 8:00 AM to 8:00 PM.

20.514.270 – Hotels, Motels, and Bed and Breakfast~~, and Boarding Houses~~

Hotels, ~~and~~ motels, and Bed and Breakfasts ~~-~~shall comply with the following standards:

A. **Occupancy Restrictions.**

1. Guestrooms may only be rented once in any single 24-hour period.

2. The maximum length of stay by guests shall not exceed 30 consecutive days.

3. Bed and Breakfast facilities must have at least 10 rooms for guests~~-~~.

B. **Site Design.**

1. A vehicle drop-off/passenger loading zone shall be provided to accommodate guest loading and unloading.

2. A buffer shall be provided between adjacent residential uses including a screening fence with a minimum height of 7 feet and a landscaped area with a minimum width of 10 feet.

C. **Miscellaneous Requirements.**

1. An online booking system is required Bed and Breakfasts with a minimum of 10 rooms for lodging.

20.514.280 – Live Entertainment

Any use involving live entertainment shall be subject to and comply with the provisions of Title 5 (Business Licenses and Regulations) relative to live entertainment. Any use involving live entertainment also shall comply with the following standards:

A. **Incidental Use**. Live entertainment shall be subordinate and incidental to the primary use. Live entertainment with an observation area of 1,000 square feet or less that does not sell tickets or charge admission shall be permitted. Live entertainment with a stage area exceeding 80 square feet and/or an audience observation area exceeding 1,000 square feet shall require approval of a special conditional use permit by the Planning Commission.

B. **Frequency**. The entertainment shall occur on a schedule as approved by the Chino Police Department and the City Council through the live entertainment permit process in Title 5.

C. **Litter Control**. Disposable items distributed by the establishment shall be printed with the name of the establishment. The applicable review authority may impose litter cleanup conditions if it is determined that the use is creating or will create a litter problem.

D. **Entrances and Exits**. ~~Entrances~~ Public entrances to or exits from a building with live entertainment are prohibited from facing a residential use.

~~**C. Planning Commission Exemption.** The Planning Commission may grant an exemption from one or more of the regulations contained in subsections (A) and (B) of this section through the issuance of a Special Conditional Use Permit, based upon the specific operating characteristics of the use, after determining the exemption will not endanger the public health, safety or general welfare.~~

20.514.290 – Live/Work Units

Live/work units must be located, developed, and operated in compliance with applicable base zoning district standards and the following additional standards, in the zones where they are allowed by the 200 Series, Base Zoning Districts.

A. **Limitations on Use.**

1. Non-residential uses of a live/work unit shall be only those uses that are allowed within the applicable zoning district.
2. A live/work structure shall be occupied by only the business operator. Live/work structures shall serve primarily as a business with accommodations for living space.
3. Exclusive residential use is not allowed in a live/work unit.

B. **Prohibited Uses.** The following uses are not permitted as part of a live/work unit:

1. Adult-oriented businesses.
2. Vehicle sales, service, maintenance, or repair.
3. Welding, machining, or open-flame work.
4. Manufacturing or processing activities.
5. Any use that might affect the health or safety of nearby residents or associated with hazardous materials and other uses determined incompatible by the ~~Community~~ Development Services Director because of their potential to create dust noise, vibration, noxious gases, odors, smoke or any other negative impacts are not permitted in live/work units.

C. **Design Standards.**

1. **Floor Area Requirements**. The minimum floor area of the live/work unit shall be ~~1,000~~ 800 square feet. A maximum of ~~30~~ 50 percent of this space shall be reserved for ~~work space~~residential occupancy, the rest reserved for ~~occupancy~~work space.

2. **Access**. Each unit shall be clearly separate from other units and any different uses which may be in the structure and should be accessed from common public access areas, corridors, halls and/or public sidewalks.

3. **Commercial or Industrial Use**. The design of live/work units shall be similar to structures occupied by commercial or industrial uses commonly found in the vicinity of the live/work units.

D. **Operating Standards.**

1. **Occupancy**. Living space and working space shall not be separately rented or sold as a residential space for persons not working on the premises or as a place of business for persons not living on the premises, but both uses shall be occupied by the same person, the business operator of the unit.

2. **Sale or Rental**. No portion of the live/work unit may be rented or sold separately from the business operator working or living in the unit.

3. **Notice to Occupants**. All adjacent occupants and users shall receive written notice that levels of noise, dust odor, fumes or other effects associated with commercial or industrial use may be present in the area surrounding the live/work unit.

4. **Business License**. The operator and resident of a live/work space shall maintain at all times a valid City of Chino Business License.

20.514.300 – Low Barrier Navigation Centers

A. **Purpose.** This section establishes standards for low barrier navigation centers (LBNCs), consistent with the General Plan and State law.

B. **General Requirements.** LBNCs are allowed by right with a zoning clearance in all areas zoned for multi-family homes and residential mixed use development under the 200 Series, Base Zoning Districts.

C. **Development Standards.** LBNCs shall be located, developed, and operated in compliance with the development standards of the zone where they are located.

D. **Operating Standards**. LBNCs shall comply with the requirements of California Government Code Section 65660 as follows:

1. LBNCs shall offer services to connect people to permanent housing through a services plan that identifies services staffing.

2. LBNCs shall be linked to a coordinated entry system, so that staff who co-locate in the facility may conduct assessments and provide services to connect people to permanent housing. In this context, a "coordinated entry system" means a centralized or coordinated assessment system developed pursuant to Section 576.400(d) or Section 578.7(a)(8), as applicable, of Title 24 of the Code of Federal Regulations, as amended, and any related requirements, intended to coordinate participant intake, assessment, and referrals.

3. LBNCs shall comply with Chapter 6.5 (commencing with Section 8255) of Division 8 of the California Welfare and Institutions Code.

4. LBNCs shall have a working system for entering information regarding client stays, client demographics, client income, and exit destination through the local Homeless Management Information System, as defined by Section 578.3 of Title 24 of the Code of Federal Regulations.

E. **Review and Approval.** The time periods for determining whether an LBNC application is complete and making a decision on a proposed LBNC shall be those set for in California Government. Code § 65664.

20.514.310 – Manufactured Housing

Manufactured homes, including mobile homes on permanent foundations, shall be located, developed, and operated in compliance with the following standards, where ~~single family~~single-family residences are allowed by the 200 Series, Base Zoning Districts.

A. **General Requirements.** Manufactured homes are allowed by right with a zoning clearance in all zones where single-family homes are permitted; they are subject to the same development standards as a single--family home. Manufactured homes also must conform to the Manufactured Housing Act of 1980 codified in Division 13, Part 2, of the California Health and Safety Code, commencing with Section 18000.

B. **Required Certification**. A manufactured home must be certified under the standards set forth in the National Manufactured Housing Construction and Safety Standards Act of 1976, as amended, at the time of any application for placement of such manufactured home.

C. **Permanent Foundation.** The manufactured home must be placed on a permanent foundation in accordance with the standards set forth in the California Building Code as adopted by the City.

D. **Age of Home.** No more than 10 years may elapse between the date of the manufacture of the manufactured home and the date of the application for issuance of a permit to install a home on a lot in the City.

E. **Utilities.** Each manufactured home must be provided permanent hookups for electricity, gas, water, and sewer connections in the same manner applicable to permanent buildings. Gas shutoff valves, meters, and regulators must not be located beneath the manufactured home, in compliance with the requirements of the Building Code for comparable residential structures.

20.514.320 – Massage Establishments

A. **Purpose.** This section establishes general requirements and standards for massage establishments, consistent with the General Plan and State law.

B. **Definitions.**

1. "California Massage Therapy Council" or "CAMTC" shall mean the California Massage Therapy Council as defined in Business and Professions Code Section 4602.
2. "Massage" shall mean a method of procedure upon the external parts of the body consisting of rubbing, stroking, kneading or tapping with the hand or any instrument, and other techniques recognized as legitimate by CAMTC.
3. "Massage establishment" shall mean a fixed place of business where any person(s), association, or corporation engages in or conducts, or permits to be engaged in or ~~conducted~~ conduct, any business of giving massage. Massage establishment also includes any public bath house that provides Turkish, Russian, Swedish, vapor, sweat, electric, salt, or any other kind of character of baths where alcohol rub, fomentation, bath or electric massage procedure, manipulation of the body, or similar procedures are given with the assistance of an attendant. Home-based massage businesses and businesses that provide out-call massage services are also massage establishments for purposes of this section.
4. "Massage therapist" shall mean any person who administers to another person, for any form of consideration having monetary value, a massage, alcohol rub, fomentation, bath or electric massage procedure, manipulation of the body, or other similar procedure.
5. "Operator" shall mean any person who is a manager of a massage establishment, whether on a continuing, temporary, or one-time basis. An operator may also be an owner.
6. "Owner" shall mean any of the following persons:
    a. The sole proprietor of a sole proprietorship operating a massage establishment.
    b. Any general partner of a general or limited partnership that owns a massage establishment.
    c. Any person who has a ten percent or greater ownership interest in a corporation that owns a massage establishment.
    d. Any person who is a member of a limited liability company that owns a massage establishment.
    e. All owners of any other type of business association that owns a massage establishment.
7. "Out-call massage services" shall mean the engaging in or carrying on of massage therapy for compensation at locations other than at a fixed place of business.

C. **General Requirements.** Massage establishments require a conditional use permit in all areas zoned for commercial and mixed use development under the 200 Series, Base Zoning Districts, provided the massage therapists are CAMTC-certified and the standards of this section are met.

D. **Where Allowed.** New massage establishments shall be at least 1,000 feet for existing massage establishments.

E. **Development Standards.** All massage establishments shall comply with the following requirements:

1. Dressing areas; and toilet facilities shall be provided for patrons. Lockers shall be provided whenever patrons are required to undress or disrobe. Male and female patrons shall not simultaneously use lockers, and toilet facilities.
2. Lighting of not less than 40 watts shall be provided in each room or enclosure where massage services are performed on patrons.
3. Massage shall be provided on a massage table manufactured for the purpose of providing massage.
4. Ventilation shall be provided for each enclosure of room.
5. Equipment for disinfecting and sterilizing instruments shall be provided.
6. Closed cabinets shall be utilized for the storage of clean linen.
7. The inside of doors to individual massage rooms or enclosures shall not be fitted with locks or any device intended to prevent the opening of such doors. Doors of individual massage rooms shall not be locked at any time during a massage therapy session.
8. All walls, ceilings, floors, pools, showers, bathtubs, steam rooms, and other physical facilities must be in good repair and maintained in a clean and sanitary condition. Wet and dry heat rooms, steam or vapor rooms or steam or vapor cabinets, shower compartments, and toilet rooms shall be thoroughly cleaned each day the business is in operation. Bathtubs shall be thoroughly cleaned after each use.
9. Clean and sanitary towels and linens shall be provided for each patron of the establishment. No common use of towels or linens shall be permitted.

F. **Operating Standards.**

1. The owner and the operator shall comply with the Massage Therapy Act (California Business and Professions Code Section 4600 et seq.), including but not limited to those provisions relating to the display of certificates, sexual acts, advertising, and dressing requirements.
2. A list of services and the cost of such services provided by the establishment shall be displayed at a conspicuous location in the reception area. Any services rendered, which are not so listed, may be grounds for revocation or suspension of the massage establishment permit.
3. No massage establishment shall be kept open for business between the hours of 10 p.m. and seven a.m.
4. No alcoholic beverages shall be sold, served, or furnished to any client; nor shall any alcoholic beverages be permitted, kept, or possessed on the premises of a massage establishment unless the massage establishment has a current ABC license and all required city approvals.
5. Except in emergencies, patrons shall be directed to use the front or street facing entrance and exit.
6. All payment for services, including gratuities, shall be exchanged in a reception room or other central area, if any, and not within any of the massage rooms.

7. The operator shall maintain a record of the date and hour of each treatment, the name and address of the patron, the amount paid for the treatment including any gratuity, and the name of the massage therapist administering such treatment.

20.514.330 – Mobile Home Parks

Mobile home parks shall be constructed and maintained in accordance with the following:

A. **Minimum Setbacks.**

1. Front Yard: 15 feet, measured from the face-of-curb of internal private streets or parking spaces.
2. Rear Yard: 10 feet, measured from the space line.
3. Interior Side Yard: 5 feet, measured from the space line.
4. Street Side Yard: 15 feet, measured from the face-of-curb of internal private streets.

B. **Permitted Projections into Setback Areas.** Eaves, canopies, porches or other similar projections may extend a maximum of 1.5 feet into a required internal setback area.

C. **Space Coverage.** Maximum mobile home space coverage shall be 75 percent.

D. **Support Pad.** Each mobile home shall be equipped with skirting, or provided with a support pad designed to give the appearance of the mobile home being located on-grade.

E. **Utilities.** All on-site utilities shall be located underground.

F. **Driveway Approaches.** Driveway approaches serving developments of ten or more units shall be delineated with enhanced paving treatment, such as interlocking pavers, textured and color pigmented concrete, or stamped concrete.

G. **Security Plan.** Prior to occupancy of the first space, the developer or owner may be required to provide a detailed security plan identifying security measures provided as part of the mobile home park.

~~**Motor Vehicle Sales and Leasing**[4]~~

~~Motor vehicle sales and leasing establishments shall comply with the following standards:~~

~~H. **Minimum Lot Area.** A vehicle sales and leasing use shall not be conducted on a site less than 2.5 acres in size.~~

~~I. **Minimum Building Size.** A minimum 300 square feet building shall be provided on the same lot or parcel for the sole benefit of the motor vehicle sales, leasing, or rental business. At a minimum, the building shall contain employee restroom facilities and private office space for the business.~~

[4] ~~Replaced by "Automobile Sales and Services."~~

~~J. **Vehicle Display Areas.**~~

~~1. Motor vehicle display areas shall not utilize parking spaces or loading areas required pursuant to Chapter 20.18 (Parking).~~

~~2. Vehicle display areas shall not be permitted within a required landscape setback.~~

~~3. If vehicles are stored or displayed along a street frontage, a minimum 10-foot landscape setback that includes a combination of trees, shrubs and appropriate ground cover shall be provided.~~

~~K. **Paving.** The surface of open-air display areas shall be paved with an impervious surface (i.e., concrete or asphalt) to the satisfaction of the Community Community Development Services Director and the City Engineer.~~

~~L. **Projections into Setback Areas.** Open-air display areas shall not project into any required setback area.~~

~~M. **Screening.** Service and associated car storage areas shall be completely screened from public view. Vehicle maintenance and repair shall only be conducted within an enclosed building~~

~~N. **Landscaping.**~~

~~1. If vehicles are stored or displayed along a street frontage, a minimum 10-foot landscape setback that includes a combination of trees, shrubs and appropriate ground cover shall be provided.~~

~~2. A vehicle sales and leasing use that is located adjacent to a residential zoned property shall provide a landscape buffer pursuant to Section 20.06.040.B.2 of this Code.~~

20.514.340 – Nightclubs, Bars, and Cocktail Lounges

Nightclubs, bars and lounges shall comply with the following standards:

A. **Location.** Nightclubs, bars and lounges shall not be located within 600 feet of any sensitive land use, including residentially zoned properties, schools, churches, public park and playgrounds, or nonprofit youth facilities.

B. **Conditions.** The final approving authority may impose additional special operational conditions, requirements or standards, as it deems necessary to ensure the public health, safety and general welfare.

C. **Signs.** No illuminated advertising for alcoholic beverages shall be permitted to be located on the exterior of buildings or on the interior of a building when visible through a window.

D. **Restaurants Excluded.** For the purposes of these provisions, the terms "nightclub," "bar" or "cocktail lounge" shall not refer to a bona fide eating place serving alcoholic beverages.

20.514.350 – Non-Traditional Financial Institutions ~~Check Cashing~~

Non-traditional financial institutions (e.g., check cashing centers and businesses offering payday loans and auto title loans) shall comply with the following standards:

A. **Permits Required.** A ~~-~~Conditional Use Permit must be obtained to operate a ~~check cashing center.~~non-traditional financial institution.

B. **Location.**

1. Non-traditional financial institutions ~~Check cashing centers~~ are conditionally permitted in the General Commercial (GC), Regional ~~Commercial~~ Mixed Use (~~RC~~ RMU), and ~~Service~~ Commercial Services (~~S~~CS) zoning districts only.

2. No more than one non-traditional financial institution ~~check cashing center~~ shall be located within a ¼-mile radius of another non-traditional financial institution to prevent the over-concentration of such businesses and to maintain existing financial establishments such as banks and other lending institutions.

3. ~~Check cashing centers~~ Non-traditional financial institutions shall be located no less than 500 feet from any sensitive land uses including public or private schools, religious institutions, ~~or state- or federally-owned bank, savings association, credit union~~ or similar uses.

4. ~~Check cashing centers~~ Non-traditional financial institutions shall be separated by no less than 300 feet from any residential district ~~or existing residential use~~.

C. Operational Standards.

1. The exterior of the building shall be adequately illuminated on all frontages and shall illuminate persons standing outside so as to be identifiable from 50 feet away. Off-site lighting shall be designed so as not to cast off-site glare.

2. A minimum of 60 percent of ~~S~~storefronts shall be glass, and no more than ~~25~~ 10 percent of any window area shall be obscured by signs, banners, or any opaque covering at any time.

3. Hours of operation shall be limited to between 7:00 a.m. and 7:00 p.m. daily.

~~4. Pay phones are prohibited from being located on the premises of the check cashing establishment.~~

~~5.~~4. The site must be maintained free of litter at all times. Trash, litter, and debris also must be removed from all abutting sidewalks.

~~6.~~5. A security plan shall be provided to the Chino Police Department and Planning Division for review and approval.

~~7.~~6. Graffiti shall be removed by the business owner within ~~72~~ 24 hours of application to property ~~on the check cashing premises~~.

20.514.360 Offices, ~~Professional/Business~~

~~Executive and business offices~~Offices as the primary land use within a multi-tenant industrial building in the ~~M1 and~~ M2 zones shall be permitted subject to the following:

A. **Permit Required.** The use shall be subject to the review and approval of a Zoning Clearance.

B. **Building Characteristics.** The building must be a multi-tenant building containing four or more tenant spaces and shall not contain dock high loading doors. Offices as a primary use shall not be permitted in a single tenant industrial building or building containing less than four tenant spaces.

C. **Location.** The primary office use should generally not be located adjacent to a business that manufactures or stores hazardous waste or creates loud noise, unless all impacts can be mitigated to the satisfaction of the Director of ~~Community~~ Development Services.

D. **Multiple Tenancies.** Multiple tenancies and subtenants are allowed within office buildings without restrictions on floor area to allow flexibility in leasing space**.**

E. ~~**Criteria for Zoning Clearance.** The zoning clearance shall include a determination of whether there is adequate parking.~~

F. ~~**Signs.** Signs shall be regulated according to the sign standards for industrial zones.~~

20.514.370 – Outdoor Displays and Sales

A. **Permanent Open-Air Sales.** Permanent open-air sales, displays and activities shall only be permitted in conjunction with a permitted commercial use and shall be subject to the following standards:

1. Outdoor display along a store front shall be limited to plant material, garden tools and patio furniture (including outdoor tables and chairs, barbecues, lighting fixtures, umbrellas, hammocks, and other similar items). The outdoor display of any other type of item shall be screened from view of the public street, and driveways and parking areas accessible to the public, except that the approving authority may approve specific areas for the display of bulk retail items along a store front provided:

    a. The display area along the store shall not exceed 10 percent of the lineal frontage of the building; and

    b. The materials being displayed shall be stacked no higher than 15 feet.

2. Outdoor display shall only be permitted in conjunction with a freestanding building exceeding fifty thousand square feet in area.

3. The items being displayed shall be of the type that are lawfully displayed and sold inside the building.

4. The aggregate display area along the store front shall not exceed 25 percent of the lineal frontage of the building, except that there shall be no maximum outdoor display area for the display or living plant material in conjunction with an outdoor nursery or garden center.

5. Items placed along the storefront shall not project more than 10 feet from the store's exterior wall and shall only be displayed during normal business hours.

6. Items being displayed shall not be placed within any permanent landscaped area.

7. No item shall be displayed within any required parking space or loading area.

8. Items shall be displayed only during operating hours of the associated commercial uses. Items shall be removed from display and moved into a permanently enclosed structure upon close of business.
9. No items shall be displayed on public property.
10. No item shall be displayed in a manner that:
    a. Causes a safety hazard;
    b. Obstructs the entrance to a building;
    c. Interferes with or impedes the flow of pedestrian or vehicular traffic;
    d. Is unsightly or creates any other condition that is detrimental to the appearance of the premises or any other surrounding property; or
    e. In any other manner which is detrimental to the public health, safety or general welfare, or causes a public nuisance.

B. **Temporary Open-Air Activities.** Temporary open-air activities shall be subject to the following:

1. **Promotional Sale**. A commercial business shall be permitted to hold special sales and sidewalk and parking lot sales subject to the following:
    a. A Temporary Open-Air Activities Application shall be filed at least 10 days in advance of the sale, which will include a site plan showing buildings, accessible routes, parking spaces, drive aisles, and the proposed display area. The application shall also state the proposed days and hours of operation for the sale.
    b. Events shall be limited to 60 days per year per business address.
    c. The outdoor display of merchandise shall be limited to merchandise available for purchase at the business. Restaurants shall not be permitted to sell food outdoors as a promotional sale. The outdoor display of merchandise shall be restricted to an area directly next to the exterior storefront of the business.
    d. The display of merchandise shall not impede pedestrian or vehicular circulation.
    e. All merchandise, materials, signs and debris shall be removed from the outdoor area by 9:00 a.m. following the last day of sale.
2. **Holiday Sales**. Christmas tree sales, ~~firework sales,~~ and pumpkin sales shall be permitted to operate subject to the following:
    a. A Temporary Open-Air Activities Application shall be filed at least 10 days in advance of the sale, which will include a site plan showing buildings, accessible routes, parking spaces, drive aisles, and the proposed display area. The application shall also state the proposed days and hours of operation for the sale.
    b. Such use shall not be permitted on any residentially zoned property.
    c. Sales shall be limited to 30 calendar days, 3 times per year.

3. **Yard Sales.** Yard Sales shall only be permitted in Residential zoning districts by the owner/occupant of a permitted residential unit; or in all other zoning districts by a school or bona-fide nonprofit organization on property under their ownership. Yard sales shall be conducted in accordance with Chapter 5.40 of the Chino Municipal Code.

4. **Fundraiser Car Washes**. Car washes held by bona-fide nonprofit organizations to raise money in support of their organization or by groups of people raising money for an individual's medical expenses or funeral shall be permitted subject to the following:

   a. A Temporary Open-Air Activities Application (no-fee) shall be filed at least 10 days in advance of the event. The application shall include a site plan showing the location of the wash area, parking spaces, site access, drive aisles, and driveways.

   b. A car wash event is limited to four days per calendar year per organization or individual.

   c. The area used for the car washing activity shall be located as far away from the storm drain inlet as possible in order to minimize the amount of run-off into the storm drain.

   d. The use of chemicals is prohibited, and the use of soap shall not be excessive.

   e. The car wash operation shall not impede pedestrian and vehicular traffic on or off-site.

   f. Advertising for the event is only permitted on-site where the event is being held or on the sidewalk adjacent to the site. All signs shall be removed at the end of the event.

   g. All applicable provisions of Section 13.05 of the Municipal Code (Water Conservation) shall be complied with.

20.514.380 – Outdoor Manufacturing and Processing

A. **Screening.** Outdoor manufacturing and assembly areas shall be completely screened from public view through use of building walls, decorative screen walls, landscaped berms or mounding, or a combination thereof.

B. **Outdoor Storage.** Materials and equipment kept outside shall comply with all requirements for outdoor storage as specified in Section 20.~~512~~514.~~200~~ 400 (Outdoor Storage and Storage Containers) of this chapter.

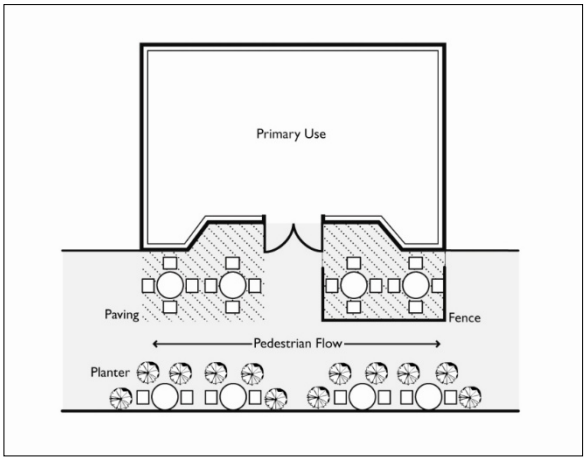
20.514.390 – Outdoor Seating Areas

Outdoor seating areas permitted in conjunction with an established eating and/or drinking place shall comply with the following, as shown in Figure 20.514-2:

A. **Location.**

1. The seating area shall be located adjacent to the building (or portion of building) occupied by the primary use.

FIGURE 20.514-1 LOCATION OF OUTDOOR SEATING



2. The seating area may also be located in the front, side, or rear of an adjacent business provided that permission is granted by the adjacent businesses.

B. **Alcohol Service.**

1. Alcohol may only be served to the outdoor seating areas if the accompanying restaurant holds an active liquor license and designed to meet Alcoholic Beverage Control (ABC) requirements.~~.~~

2. If alcoholic beverages are served to the outdoor seating area, the seating area must be fenced ~~and a restaurant employee shall seat restaurant patrons~~.

C. **On-Site Parking Required**. Outdoor seating areas shall be included in the required parking calculation for the use which it serves. However, when outdoor seating reduces or eliminates on-site parking, the number of spaces required for indoor seating shall be reduced by the number of spaces needed for the outdoor seating, calculated as one space per 100 square feet of seating area.

~~D. **Barrier**. A barrier is required for the leading edge of all outdoor seating areas. The leading edge of the outdoor seating is defined as the section of the outdoor seating area boundary which is perpendicular or nearly perpendicular to the building wall or curb line.~~

~~E.~~D. **Clearance.** The outdoor seating area shall be constructed so as to provide a minimum through-pedestrian traffic pathway of 5 feet in width and be clear from all structures, including streetlamps, trees, fire hydrants, and buildings. The pathway shall also comply with the ~~disabled access~~accessibility regulations in the latest adopted edition of the California Building Code.

~~F.~~E. **Seating Area.**

1. Overhead awnings, patio covers, and other shade structures for the purposes of covering the seating area are permitted. Shade structures shall be setback a minimum of 10 feet from any street side property line and shall be architecturally compatible with the main building.

2. Outdoor seating areas shall be enclosed by appropriate materials in instances where the seating is served by wait-staff or alcohol is served, or both. Appropriate materials for enclosure of

outdoor seating include metal or wood railings, or other suitable material approved by the ~~Community~~ Development Services Director and the Building Official.

~~G.~~F. **Menu Board.**

1. Outdoor seating areas, including sidewalk cafes, may have a menu board.
2. The menu board shall be located within the area devoted to outdoor seating and shall not exceed 2 feet in width and 3 feet in height.
3. When the accompanying restaurant is closed, the menu board must be stored.

~~H.~~G. **Hold Harmless**. If the outdoor seating area is or will be located within the public right-of-way, the applicant shall provide the City a satisfactory agreement to indemnify and hold the City harmless from any and all claims of injury or damage to persons or property attributable in whole, or in part, to the location, existence or operation of the outdoor seating area. The use of any public right-of-way shall be subject to review by the Director of ~~Community~~ Development Services and the City Engineer.

~~I.~~H. **Permits Required**. Establishment and operation of an outdoor seating area shall be subject ~~to Administrative Approval~~to a zoning clearance. Applications for approval of an outdoor seating area shall include the following ~~in addition to all materials as required by Chapter 20.23~~:

1. A site plan drawn to scale of the proposed outdoor seating area including location and placement of tables, chairs, seats, planters, umbrellas, business entrances and windows.
2. Photographs or brochures depicting the tables, chairs, umbrellas or other pertinent physical features of the outdoor seating area.

20.514.400 – Outdoor Storage and Storage Containers

A. **Outdoor Storage of Vehicles, Equipment and Materials.**

1. Outdoor storage areas shall be completely screened from public view through use of building walls, decorative screen walls, view-obstructing access gates with decorative screening, and landscaped berms or mounding, or a combination thereof.
2. Items stored outside, within 100 feet of any residentially zoned property or a public street, shall be stacked no higher than 6 feet.
3. Combustible materials stored outside shall be placed no closer than 20 feet from any property line, and a minimum 20 feet wide clear access drive shall be provided to the rear of the property to permit free access of fire trucks or any other safety vehicles at any time.
4. No materials or waste stored outside shall be deposited on the subject property in such form or manner that may be transferred off the lot by natural causes or forces (i.e., stormwater runoff, wind, etc.). All waste material shall be stored in an enclosed area, accessible to service vehicles.

B. **Storage in Agricultural Districts.** Outdoor storage of vehicles, equipment and materials that are used for crop cultivation, animal husbandry, or other related uses in agricultural districts is permitted in agricultural districts provided that it is screened from street view from adjacent residential uses.

C. **Storage, Shipping, and Sea Cargo Containers**. Storage containers, shipping containers, sea cargo containers, PODS, or other such containers ("containers") shall be limited to 120 square feet or less and be subject to the following regulations

1. Containers are not permitted in any Residential zoning district, except as follows:

   a. Relocation or moving of an occupant of a permitted residence, in which case a container shall not be permitted for a period of more than 30 days.

   b. In conjunction with a building permit for an approved addition, remodel, or similar project at an existing residence. The storage container shall be removed within 7 days of the permit expiring or being finaled and shall not exceed 6 months. Additional time may be granted by the Director of ~~Community~~ Development Services if it can be shown that progress is being made and there is a schedule for the completion of the work.

   c. In conjunction with a residential housing tract development. Plans for the location and timeframe for removal shall be included in the site approval application for such development.

2. Containers shall only be permitted in Commercial zoning districts on a temporary basis; see Section 20.603.060 (Temporary Use Permits) ~~pursuant to the requirements of subsection 20.12.020.B.4 of this code~~. However, bona-fide nonprofit charitable organizations that distribute food, clothing, and goods to the public shall be allowed one (1) storage container for a period of time to be determined by the ~~Community~~ Development Services Director, provided the container is placed on the same lot or parcel where the nonprofit organization has its business address or where the primary use/operation is located, the container is located out of public view from a public or private street right-of-way, and the placement of the container is not located in a required parking area.

3. Containers shall be permitted in Industrial zoning districts only in conjunction with and incidental to a permitted land use, and in accordance with the following:

   a. Containers shall be screened from public view through the use of building walls, decorative screen walls, a landscaped berm or mounding, or a combination thereof.

   b. Containers shall not be placed within 40 feet of residentially zoned property.

D. **Planning Commission Exemption.** The Planning Commission may grant an exemption from the regulations contained in this section through the issuance of a ~~Special~~ Conditional Use Permit, if they find that the exemption will not endanger the public health, safety or general welfare.

20.514.410 – Outdoor Vendors (Carts, Kiosks, and Mobile Food Vendors)

A. **Applicability**. The standards in this section apply to any portable, non-motorized wagon, cart, or similar non-wheeled unit used by a vendor from which retail goods, food, and/or beverages are offered for sale as well as mobile food vendors operating from a truck or van.

B. **Permits Required.** Outdoor vendors require ~~a Zoning Clearance~~an administrative approval application and a business license.

~~A.~~C. **Exemptions.** The following activities shall be excluded from the requirements of this section:

1. Outdoor activities that take place within the public right-of-way;
2. Pumpkin sales from October 1 to October 31, inclusive;
3. Holiday tree sales from November 1 to December 25, inclusive;
4. Residential yard sales activities up to three days within any three-month period;
5. Nonprofit activities related to religious establishments, community events, and fundraisers up to three days within any three-month period; and

~~B.~~6. Special events and parades subject to Section 5.04.540.

D. **Locational Criteria**.

1. Outdoor vending activities shall only be allowed in Mixed Use, Commercial, and Institutional Districts and in Public Parks and civic spaces.
2. The minimum distance between outdoor vendors is 300 feet.
3. The location where the outdoor vending unit is to be stored overnight must be identified in the application for administrative approval. Mobile outdoor vending units shall not be parked in Residential Districts.
4. The outdoor vending unit shall not be located within 12 feet of the outer edge of an entrance to any building or facility used by the public nor located where space for pedestrian passage will be reduced to less than 12 feet.

E. **Operating Conditions.**

1. A non-motorized cart/kiosk shall only be permitted on public or private property within a defined plaza area between buildings that are part of an office, commercial, or mixed ~~-~~use development.
2. A non-motorized cart/kiosk should generally not exceed five~~5~~ feet in width, nine~~9~~ feet in length, and no more than six~~6~~ feet in height excluding canopies, umbrellas, or transparent enclosures. Deviations in size may be approved by the Director of Development Services on a case-by-case basis based on unique site or user circumstances.
3. A non-motorized cart/kiosk shall not obstruct access to or occupy a parking space, obstruct access to a parked vehicle, impede the delivery of materials to an adjoining property, interfere with access to public property or any adjoining property, or interfere with maintenance or use of street furniture.
4. Outdoor vendors located on the premises of an already established business shall be allowed to operate their business on that location only if it can be shown that there is adequate parking for both the established business and for customers of the outdoor vendor business.

5. The off-site location where the mobile vending unit is to be stored overnight must be identified in the application for a zoning clearance. Mobile vending units shall not be parked in Residential zoning districts.
6. Wash down of the mobile vending unit shall be only permitted at an approved facility that will capture the wastewater in an approved sanitary sewer.
7. The outdoor vendor shall be responsible for cleaning up the site and adjacent surrounding area of the trash and debris generated by the business during and at the end of each business day.
8. The mobile vending unit shall not be located within a 12-foot radius of the outer edge of any entranceway to any building or facility used by the public.
9. The mobile vending unit shall not be located where space for pedestrian passage will be reduced to less than six feet.
10. All mobile vending units shall be self-contained or located on a site that has been specifically designed to provide for water, waste, and power to operate. No exposed pipes or wires are permitted.
11. All packaging containers or boxes shall be stored within the mobile vending unit. The sale of alcoholic beverages shall be prohibited.

20.514.420 – Places of Worship

A. **Storefront Churches in the Mixed Use and BP, M1, and M2 Zoning Districts.** Storefront churches in the Mixed Use and BP, M1, and M2 Zoning Districts shall be subject to the following standards:

1. Storefront churches may be located within a multi-tenant building that has access to a secondary collector or local street.
2. Storefront churches shall be reviewed to include a determination of whether there are adequate parking potential land use conflicts with other uses in the industrial park, and whether any site enhancements or upgrades to the exterior of the building are needed.
3. Storefront churches with a seating capacity of more than 100 shall be subject to the review and approval of a Conditional Use Permit by the Planning Commission.

B. **Places of Worship in M1 and M2 Zoning Districts.** Places of worship within the M1 and M2 zoning districts shall be subject to the following standards:

1. The use must be on a separate lot or parcel that does not contain an industrial uses, and may not be located within an industrial park or multi-tenant industrial building.
2. The use should only be permitted on a lot or parcel with frontage on a primary arterial street. However, the Planning Commission may make exceptions based on access, parking, safety, and other considerations.

20.514.430 – Portable Toilets

A. The use of portable toilets shall be permitted within all zoning districts in conjunction with a building permit for an approved construction project. Portable toilets may also be permitted in conjunction with residential projects that do not require a building permit, such as painting and landscaping.

1. The portable toilet shall be removed within 3 days of the permit expiring or being finaled, or commencement of the work, whichever occurs first.

2. For projects at an existing residence, the presence of a portable toilet onsite shall not exceed 6 months. Additional time may be granted by the Director of ~~Community~~ Development Services if it can be shown that progress is being made and there is a schedule for completion of the work.

B. The use of portable toilets shall be permitted within all zoning districts in conjunction with an approved special event, as described in ~~Section 20.12.020 of~~Title 5 this code.

C. Portable toilets shall only be leased from a bona fide company that handles the delivery, pickup, and disposal of waste product for portable toilets. The name, address, and phone number of the portable toilet business/owner shall be clearly indicated on the outside of the portable toilet.

D. The portable toilet shall be maintained regularly so as to minimize nuisances to adjoining properties such as, but not limited to, odor, leakage of waste material, and appearance. If, in the opinion of the Director of ~~Community~~ Development Services, any of the aforementioned conditions exist, it shall be cause for the immediate removal of the portable toilet. The City, or its designee, may remove the portable toilet for cause at the expense of the owner.

E. The placement of the portable toilet shall be, to the extent feasible, out of public view. However, in no case shall it be placed within five feet of any property line that is shared with an adjacent property owner, unless written permission is given by the property owner adjacent to the shared property line.

F. A portable toilet may be placed within the public right-of-way with the approval of the Director of ~~Community~~ Development Services and the issuance of a right-of-way encroachment permit. Portable toilets may not block or impede sidewalks or other accessible routes in the public right-of-way.

~~20.514.450 – Public Assembly~~

~~20.514.460 – Public Assembly Uses shall comply with the following:~~

~~20.514.470 – Applicability. This section applies to all public assembly uses including community centers, religious institutions, schools, museums, recreational facility or similar use.~~

~~20.514.480 – Location. Public assembly uses shall be located on a major collector or arterial street.~~

~~20.514.490 – Parking and Traffic.~~

~~20.514.500 – Peak traffic flows shall be managed by the owner of the property.~~

~~20.514.510 – Noise. Noise levels shall comply with Title 9 of the Municipal Code.~~

20.514.440 – Public Storage and Self-Storage Facilities

~~Public storage uses tishall comply with the following standards:~~

Public storage uses and personal storage facilities shall be located, developed, and operated in compliance with applicable base zoning district standards and the following additional standards, in the zones where they are allowed by the 200 Series, Base Zoning Districts. All such facilities shall require the approval of a Development Agreement pursuant to Section 20.603.040.

A. **Prohibited Uses**. The following uses are prohibited in public storage and self-storage facilities:

1. Automotive repair.
2. Practice facilities for musical bands.
3. Living quarters for human habitation.
4. The keeping of animal life.
5. Storage of hazardous materials.
6. Metal, wood or other working shops, for business or for hobbies.
7. Any business activity.

B. **Minimum Site Area**. 20,000 square feet.

C. **Setbacks**. Self-storage facilities shall be setback a minimum of 25 feet from front and street side property lines and 20 feet from interior lot lines.

D. **Maximum Building Height**. If freestanding, the maximum building height for a self-storage facility shall not exceed the building height of an adjacent residential only, commercial, industrial, or mixed us building.

E. **Maximum Floor Area.** The maximum floor area for public storage and self-storage facilities is 1.5.

F. **On-Site Management.** On-site, 24-hour management shall be provided for self-storage facilities.

G. **Business Activity.** All self-storage facilities shall be limited to inactive items, such as furniture and files. No retail, repair, or other commercial use shall be conducted out of the individual rental storage units.

H. **No Hazardous Materials Storage.** No storage of hazardous materials is permitted.

I. **Notice to Tenants.** As part of the rental process in a self-storage facility, the facility manager shall inform all tenants of conditions restricting storage of hazardous materials and limitation on the use of the storage units. These restrictions shall be included in rental contracts and posted at a conspicuous location within the front of each rental unit.

J. **Limited Open Storage.** Open storage, outside an enclosed building, shall be limited to vehicles and trailers and screened from public view by building façades or solid fences.

K. **Internal Circulation.** Driveway aisles shall be a minimum of 20 feet wide.

L. **Exterior Wall Treatments and Design.** Exterior walls visible from a public street or residential district shall be constructed of decorative block, concrete panel, stucco, or similar material. These walls shall include architectural relief through articulation, trim, change in color at the base, variations in height, the use of architectural "caps," attractive posts, or similar measures. A gate(s) shall be decorative iron or similar material.

M. **Screening.** Where exterior walls are required or proposed, they shall be constructed of decorative block, concrete panel, stucco, or similar material. The walls shall include architectural relief through variations in height, the use of architectural "caps," attractive posts, or similar measures. A gate(s) shall be decorative iron or similar material.

N. **Fencing.** A six-foot-high security fence shall be provided around the perimeter of the development at locations where the solid façades of the storage structures do not provide a perimeter barrier.

O. **Buffering and Screening Adjacent to Residential Districts**. A landscaped setback is required adjacent to a Residential District; see Chapter 20.507 (Design Standards).

~~B.~~P. **Lighting.**

1. Wall-mounted lights shall be located below the roofline of storage facilities and shall be directed downward.

2. Freestanding lighting shall be no higher than 16 feet in height and shall be set back a minimum of 50 feet from property lines adjacent to residential uses.

~~C.~~Q. **Building Design.**

1. Entrance doors to storage compartments are prohibited from fronting on any public street.
2. Building walls shall be constructed of tinted or face block, stucco, brick, stone, architectural concrete masonry units or other similar material.
3. A change in building wall plane of at least 12 inches shall be used at least every 60 feet. Additionally, building walls adjacent to or visible from a public street or abutting public property that are 60 feet or more in length, shall have offset areas of at least 4 feet in depth.
4. Building roofs may be sloped or flat with a parapet. Sloped building roofs shall have a minimum pitch of 4 to 1. Metal roofs shall have a flat finished to reduce reflective glared. A change in roof plane of at least 12 inches shall be used at least every 60 feet.

20.514.450 – Recording/Podcast Studios

Recording/podcast studios must be located, developed, and operated in compliance with applicable base zoning district standards and the following additional standard in the zones where they are allowed by the 200 Series, Base Zoning Districts.

A. Live audiences are prohibited from attending any recording or podcast studio.

20.514.460 – Recycling Facilities

Recycling facilities must be located, developed, and operated in compliance with applicable base zoning district standards and the following additional standards, in the zones where they are allowed by the 200 Series, Base Zoning Districts.

A. **Large Collection Facility.**

1. All operations shall be conducted within an enclosed building and shall conform to all development standards of the zone in which it is located.
2. The site shall be maintained in a clean and litter free condition at all times.
3. The facility shall comply with the city's adopted noise standards.
4. Any containers provided for after hours collection of recyclable materials shall be constructed of durable waterproof and rustproof material, have sufficient capacity to accommodate materials collected, and be secure from unauthorized entry or removal of recyclable materials.
5. Collection containers shall be clearly marked to identify the type of material that may be deposited, the name and telephone number of the facility operator and the hours of operation, and display a notice stating that no materials shall be left outside the recycling enclosure or containers.

6. Identification and informational signs shall meet the standards of the zone in which the facility is located. Directional signs bearing no advertising message may be installed with the approval of the director of ~~community d~~Development Services if deemed necessary to facilitate traffic circulation, or if the facility is not visible from the public right-of-way.

B. **Light Processing Facility.**

1. Light processing facilities shall be subject to the following operational conditions, requirements and standards:

   a. The facility shall comply with all requirements of the zone in which it is located;

   b. The site shall be maintained in a clean and litter free condition at all times;

   c. The site shall be secured from unauthorized entry and removal of recyclable materials; and

   d. All exterior storage of material shall be in sturdy containers or enclosures covered and secured and maintained in good condition. Storage containers for flammable material shall be constructed of nonflammable material. Oil storage must be in containers approved by the Chino Valley independent fire district and San Bernardino County department of environmental health services.

2. The facility shall comply with the city's adopted noise standards.

3. Any containers provided for after hours collection of recyclable materials shall be constructed of durable waterproof and rustproof material, shall have sufficient capacity to accommodate materials collected, and shall be secured from unauthorized entry or removal of materials.

4. Collection containers shall be clearly marked to identify the type of material that may be deposited, shall clearly identify the name and telephone number of the facility operator and the hours of operation, and shall display a notice stating that no materials shall be left outside the recycling enclosure(s) or container(s).

5. Identification and informational signs shall meet the standards of the zone in which the facility is located. Directional signs bearing no advertising message may be installed with the approval of the director of ~~community d~~Development Services if deemed necessary to facilitate traffic circulation, or if the facility is not visible from the public right-of-way.

C. **Heavy Processing Facility.**

1. The facility shall comply with all requirements of the zone in which it is located.

2. The site shall be maintained in a clean and litter free condition at all times.

3. The site shall be secured from unauthorized entry and removal of recyclable materials.

4. All exterior storage of material shall be in sturdy containers or enclosures covered and secured and maintained in good condition. Storage containers for flammable material shall be constructed of nonflammable material. Oil storage must be in containers approved by the Chino Valley Independent Fire District and San Bernardino County department of environmental health services.

5. The facility shall comply with the city's adopted noise standards.

6. Any containers provided for after hours collection of recyclable materials shall be constructed of durable waterproof and rustproof material, have sufficient capacity to accommodate materials collected, and be secure from unauthorized entry or removal of recyclable materials.

7. Collection containers shall be clearly marked to identify the type of material that may be deposited, the name and telephone number of the facility operator and the hours of operation and display a notice stating that no materials shall be left outside the recycling enclosure or containers.

8. Identification and informational signs shall meet the standards of the zone in which the facility is located. Directional signs bearing no advertising message may be installed with the approval of the director of ~~community~~ ~~d~~Development Services if deemed necessary to facilitate traffic circulation, or if the facility is not visible from the public right-of-way.

D. **Reverse Vending Machines.**

1. Reverse vending machines located inside an existing building do not require city review or approval.

2. Reverse vending machines located outside of a building shall be subject to approval by the director of ~~community d~~Development Services, and shall comply with the following:

   a. The facility shall be established with an existing commercial use that meets all zoning, building and fire codes of the city.

   b. The facility shall be located within approximately fifty feet of the entrance to the commercial building.

   c. The facility shall occupy no more than fifty square feet per installation, including any protective enclosure, and shall be no more than ten and one-half feet in height.

   d. The facility shall be constructed and maintained with durable waterproof and rust proof material.

   e. The facility shall be clearly marked to identify the type of material to be deposited, operating instructions, and the name and phone number of the operator or responsible person to call if the machine is inoperative.

   f. The facility shall be maintained in a clean and litter free condition at all times.

   g. The facility shall not occupy parking spaces required by the primary use.

E. **Small Collection Facilities.**

1. The facility shall be established with an existing commercial use or community service facility that meets all zoning, building and fire codes of the city.

2. Upon termination of any small collection facility, the property owner shall be responsible for restoring the site to its original condition.

3. The facility shall be no larger than five hundred square feet and occupy no more than five parking spaces, not including space that will be periodically needed for removal of materials or exchange of containers.
4. The facility shall be set back at least twenty-five feet from any street property line and shall not obstruct pedestrian or vehicular circulation, or inhibit driver visibility.
5. The facility shall use no power-driven processing equipment, excepting reverse vending machines.
6. The facility shall use containers constructed and maintained with durable waterproof and rustproof material, be covered when the site is not attended, be secured from unauthorized entry or removal of material and be of a capacity sufficient to accommodate materials collected.
7. All recyclable material shall be stored in containers or in a vehicle. Materials shall not be left outside containers when an attendant is not present.
8. The facility shall be maintained in a clean and litter free condition at all times.
9. The facility shall not exceed adopted city noise standards.
10. Facilities located next to residentially zoned property or a residential use shall operate only during the hours of seven a.m. and seven p.m.
11. Containers shall be clearly marked to identify the type of material that may be deposited, the name and telephone number of the facility operator, hours of operation, and shall display a notice stating that no material shall be left outside the recycling enclosure or containers.
12. Design details and/or additional landscaping may be required of a facility as deemed necessary by the director of ~~community d~~Development Services.
13. Mobile recycling units shall have an area clearly marked to prohibit other vehicular parking during hours when the mobile unit is scheduled to be present.
14. The occupation of parking spaces by a small collection facility and its attendant shall not reduce available parking spaces below the minimum required for the primary use unless a parking study is conducted which shows that existing parking lot capacity is not already fully used during the time the recycling facility will be on the site. If this is the case, a reduction in available parking spaces in an established facility may then be allowed as follows:

Number of Available Parking Spaces	*Maximum Reduction*
25 or less	0
26—35	2
36—49	3
50—99	4

100 or more	5

20.514.470 – Residential Care Facilities, Large

A. **Purpose.** This section establishes standards for residential care facilities for ~~the physically and/or mentally disabled handicapped~~persons with disabilities ~~-~~to provide quality services and facilities and minimize impacts to neighboring properties.

B. **Applicability.** The standards below apply only to Large Residential Care Facilities with 7 or more residents in addition to the caregiver.

C. **Permit Required.** Planning Commission site approval ~~of a Special Conditional Use Permit~~ is required to establish a large residential care facility. The application for a residential care facility shall include the following information:

1. The number of persons being cared for.
2. The number of employees.
3. The facility's hours of operation.
4. The State license number.
5. A site plan, including locations of existing residences or any other nearby structures.
6. An accurate traffic circulation plan detailing parking, circulation and areas for pick-up and drop-off.

D. **State Licenses and Permits Required.**

1. All required State licenses and permits shall be obtained or applied for prior to applying for a permit to operate a residential care facility.
2. No city permit shall be effective until satisfactory evidence has been provided demonstrating that all necessary State licenses and permits have been obtained.

E. **Development Standards within Commercial Zones.** Residential care facilities in commercial zones shall be developed in accordance with all development standards and density requirements applicable to the RD20 zone.

F. **Maximum Concentration.** No residential care facility may locate within 500 feet of any other such facility.

G. **Density.** The total square footage of the residential care facility shall average 350 square feet per resident.

H. **Recreation Areas.**

1. Recreation areas shall be enclosed by a minimum 6-foot-high fence or wall. Property line fences or walls may be used to fulfill this requirement.

2. Any swimming pool, pond, or wading pools~~, or similar bodies of water~~ greater than 18 inches in depth shall be fully enclosed by a minimum 5-foot-high non-climbable fence.

3. All entrances and exits to pools, spas, or hot tubs shall be permitted to have ~~self-closing and latching~~self-latching gates. All latches shall be located at least 54 inches above adjacent grade provided that the self-latching devices are not also self-locking devices operated by means of a key, electronic opener, or integral combination lock~~.~~.

4. The minimum size of recreation and entertainment facilities shall equal ~~150~~ 50 square feet for each living unit.

5. An assembly/lounge area with enough seating capacity to accommodate 60 percent of all residents at one time shall be included in the care facility, in addition to adequate restroom facilities and an activity room.

I. **Open Space Requirements.**

1. A minimum of 30 percent of the net lot area shall be dedicated to improved permanent open space accessible to all residents of the development, exclusive of driveways, parking areas, dwellings and non-recreation building areas.

2. Open space shall not be less than 6 feet in width at its narrowest dimension.

J. **Minimum Unit Size.** A minimum interior unit area of 350 square feet shall be provided.

K. **Building Accessibility and Safety Equipment.** Indoor common areas and living units shall be ~~handicapped adaptable~~ designed to accommodate persons with disabilities in compliance with federal and state accessibility laws and codes. and be provided with all necessary safety equipment (e.g., grab bars, ramps etc.), as well as emergency signal/intercom systems~~ as required by the Building Code.~~

L. **Paved Access.** All parts of all structures shall be located within 150 feet of paved vehicular access.

M. **Security Plan.** Prior to occupancy of the first space, the developer or owner may be required to provide a detailed security plan of this Section.

~~**20.513.040 – Parking. Off-street parking spaces shall be located a maximum of 150 feet from building entrances.**~~

20.514.480 – Retail Sales in Conjunction with a Warehousing or Manufacturing Use

The area used for retail sales in conjunction with warehousing ~~and~~or manufacturing shall be limited to 20 percent of the gross floor area of the building unless a~~. A Special~~ Conditional Use Permit ~~shall be required~~is approved allowing a larger area for ~~all~~ retail sales ~~areas larger than 20 percent of the gross floor area of the building~~.

20.514.490 – Schools for Personal Enrichment

Schools for personal enrichment, including those offering classes in fine arts and crafts, dance, music, performing arts, and similar activities, must be located, developed, and operated in compliance with applicable base zoning district standards and the following additional standards, in the zones where they are allowed by the 200 Series, Base Zoning Districts

A. **Submittal Requirements.** At a minimum, the following information shall be submitted with an application requesting approval of a school of personal enrichment:

1. The proposed hours of operation.
2. A schedule of classes including the times of each class and anticipated number of students.
3. The number of parking stalls dedicated to the lease area, location of a pick up/drop off area, an access/parking plan, and the anticipated parking demand.
4. If the school of personal enrichment is to be located within a business or industrial park, provide a list of tenants within the park, type of business, and hours of operation.
5. Provide information on how the walls of the lease area will be insulated or other measures utilized to ensure music and/or other noises will not adversely affect adjacent tenants.

~~20.513.070 –~~ 20.514.500 – Senior Housing Projects

A. **Consistency with California Civil Code.** Senior housing projects shall be limited to occupancy consistent with Section 51.3 of the California Civil Code.

B. **Development Standards.** Senior housing projects shall be developed in accordance with the development standards and guidelines applicable to the RD20 zoning district.

20.514.510 – Service Stations

Facilities for the sale of fuels must be located, developed, and operated in compliance with applicable base zoning district standards and the following additional standards, in the zones where they are allowed by the 200 Series, Base Zoning Districts.~~shall comply with the following standards:~~

A. **Self-Service Gas Stations.** All self-serve facilities shall be subject to and comply with Chino Municipal Code Chapter 8.24.

B. **Accessory Uses Permitted.** Convenience markets, alcoholic beverage sales for off premises consumption, fast food sales and drive-~~thru~~ through facilities may be permitted with approval of a conditional use permit and ABC licenses, carwashes, and drive-~~thru~~ through facilities may be ~~conditionally~~ permitted in conjunction with any service station, subject to all applicable development and land use regulations and design guidelines specified by this section.

C. **Location.** A service station may only be located at:

1. The intersection of two primary arterial streets;

2. The intersection of a primary and secondary arterial street; or

3. The intersection of a primary arterial street and a freeway.

D. **Minimum Site Parcel Size.** The project site for all new service stations shall have a minimum area of 40,000 square feet. The remodel of an existing service station is exempt from this requirement.

E. **Minimum Parcel Dimension.** The project site shall have a minimum width and depth of 200 feet.

F. **Setbacks.** The minimum building setback, including canopies, from all street property lines shall be 25 feet.

G. **Pump Island Setbacks.** Pump islands shall be set back a minimum of 25 feet from any street property line.

H. **Landscaping.** Landscaping shall comprise a minimum of 20 percent of the lot area.

I. **Landscaping Strip.** A minimum 5-foot-wide landscape strip shall be provided along interior property lines.

J. **Pavement.** Enhanced pavement sections shall be provided to relieve visually dominant asphalt surfaces.

K. **Canopies.** Canopies shall be architecturally compatible with the main building.

20.514.520 – Smoke Shops and Retail Tobacco Sales

A. **Purpose.** This section establishes regulations and standards for smoke shops and tobacco stores to minimize undesirable impacts to the community, including potential sales to minors and negative aesthetic effects, while also providing for a reasonable number of locations for smoke shops and tobacco stores in the City.

B. **General Requirements.** Smoke shops and stores devoted to retail tobacco sales shall be located, developed, and operated in compliance with the standards below, in zones where this housing is allowed by the 200 Series, Base Zoning Districts.

C. **Definitions.**

1. "Ancillary sale" shall mean where a grocery store, supermarket, convenience store or similar market uses no more than two percent of its gross floor area, or 200 square feet, whichever is less, for the display, sale, distribution, delivery, offering, furnishing, or marketing of conventional cigars, cigarettes, or tobacco. For any grocery store, convenience market, retail kiosk, or similar use consisting of 250 square feet or less, "ancillary sale" shall mean where no more than five square feet are used for the display, sale, distribution, delivery, offering, furnishing, or marketing of conventional cigars, cigarettes, or tobacco.

2. "E-cigarette/vaping" shall mean any electronically actuated device or inhaler meant to simulate cigarette smoking that uses a heating element to vaporize a liquid solution, popularly referred to as "juice," and that causes the user to exhale any smoke, vapor, or substance other than that produced by unenhanced human exhalation. The juice used in e-cigarettes typically contains

nicotine, and for this reason e-cigarettes and their juice can be classified as both tobacco products and tobacco paraphernalia.

3. "Smoke shop and tobacco store" shall mean any premises dedicated to the display, sale, distribution, delivery, offering, furnishing, or marketing of tobacco, tobacco products, or tobacco paraphernalia, excluding grocery stores, supermarkets, and convenience markets.

4. "Tobacco" shall mean any preparation of the nicotine-rich leaves of the tobacco plant, which are cured by a process of drying and fermentation for use in smoking, chewing, absorbing, dissolving, inhaling, snorting, sniffing, or ingesting by any other means into the body.

5. "Tobacco paraphernalia" shall mean any paraphernalia, equipment, device, or instrument that is primarily designed or manufactured for the smoking, chewing, absorbing, dissolving, inhaling, snorting, sniffing, or ingesting by any other means into the body of tobacco, tobacco products, or other controlled substances as defined in California Health and Safety Code Section 11054 et seq. These include but are not limited to the following: pipes, punctured metal bowls, bongs, water bongs, electric pipes, e-cigarettes, e-cigarette juice, buzz bombs, vaporizers, hookahs, and devices for holding burning material.

6. "Tobacco product" shall mean any product in leaf, flake, plug, liquid, or any other form, containing nicotine derived from the tobacco plant, or otherwise derived, which is intended to enable human consumption of the tobacco or nicotine in the product, whether smoked, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means. The term "tobacco product" excludes any product specifically approved by the federal Food and Drug Administration for sale as a tobacco/smoking cessation product.

D. **Development Standards.**

1. ***Location.***

a. Smoke shops and tobacco stores shall not be located within 500 feet of a public or private school, family day care home, childcare facility, youth center, community center, recreational facility, park, church or religious institution, hospital, or other similar uses where children regularly gather.

b. Smoke shops and tobacco stores shall not be located within 800 feet from another smoke shop and tobacco store.

c. Smoke shops and tobacco stores shall not be located within 300 feet of a Residential zone.

d. If a public or private school, family day care home, child care facility, youth center, community center, recreational facility, park, church or religious institution, hospital, or other similar uses where children regularly gather is located within 500 feet of a smoke shop or tobacco use after that use has been established, the smoke shop or tobacco store shall be considered a nonconforming use; it may continue to operate at its existing location but may not expand.

2. ***No Minors Allowed***. It is unlawful for the owner, manager or any salesperson in a smoke shop and tobacco store to knowingly allow or permit a minor, not accompanied by his or her parent or legal guardian, to enter or remain within any smoke shop and tobacco store.

3. ***Required Signs.*** Smoke shops and tobacco stores shall post signs within the shop or store stating that minors may not enter the premises unless accompanied by a parent or legal guardian. At least one such sign shall be placed in a conspicuous location near each public entrance to the smoke shop and tobacco store.

4. ***Standard Conditions of Approval of a Conditional Use Permit.*** The conditions of approval of a conditional use permit for a smoke shop or tobacco store shall include, at a minimum, the following:

    a. No smoking shall be permitted on the premises at any time.

    b. No sampling or seating areas are allowed.

    c. No sales may be solicited or conducted on the premises by minors.

    d. No self-service tobacco, tobacco product, or tobacco paraphernalia displays shall be permitted.

    e. No distribution of free or low-cost tobacco, tobacco products, or tobacco paraphernalia, as well as coupons for said items, shall be permitted.

    f. Each smoke shop/tobacco retail use shall hold a valid California cigarette and tobacco products retailer's license issued by the State Board of Equalization.

~~**20.513.100 – Tattooing, Body Piercing, and Body Art**~~

~~**20.513.110 – Commercial Zoning District. Within the Commercial zoning districts, tattooing for cosmological purposes (i.e., permanent make-up) shall only be permitted and may only operate in conjunction with a beauty shop or medical office.**~~

~~**20.513.120 – CS Zoning District. Within the CS zoning district, tattooing, body piercing and body art shall be permitted as a stand-alone use or may be in conjunction with another use; however, any business engaging in tattooing, body piercing or body art on those anatomical areas specified in Section 5.05.020(B) of the Chino Municipal Code shall be deemed an adult-oriented business and shall be subject to and comply with all requirements of this code relative to adult-oriented businesse**~~

20.514.530 – Supportive Housing

A. **Purpose.** This section establishes regulations and standards for supportive housing in the City that will ensure land use compatibility, while also providing opportunities for this type of housing to meet the City's housing needs.

B. **General Requirements.** Supportive housing shall be located, developed, and operated in compliance with the standards below, in zones where this housing is allowed by the 200 Series, Base Zoning Districts. This type of housing is a permitted use and only a ministerial approval (zoning clearance) is required.

C. **Neighbor Notice.** The City shall provide a courtesy notice to adject property owners, informing them of the project's approval and explaining what a "ministerial approval" is and what standards apply to supportive housing.

D. **On-Site Office Space.** At least 90 square feet of space shall be provided as office space for on-site supportive services, which may include counseling, access to social services, medical and mental health care, housing, and employment opportunities. Supportive services provided on-site are considered an accessory use and not subject to any additional standards or permitting requirements.

E. **Development Standards.** Supportive housing shall only be subject to the development standards that apply to other residential uses in the zone where such housing is proposed. The maximum number of allowable dwelling units or guest rooms for supportive housing shall be the same as the number allowed for residential development projects in the zone where the supportive housing project is proposed, unless a residential density bonus is granted or the land use regulations for the specific zone specify another limit.

1. Supportive housing may be provided in a multiple-unit structure or group residential facility.

2. Supportive housing facilities shall have the minimum amount of living space that meets the standards for an efficiency unit, shower and toilet facilities, laundry facilities, and secure storage areas for intended residents.

F. **Recreation Areas.** Recreation areas at least 600 square feet in area for a development of 16 or more dwelling units or guest rooms, or at least 400 square feet in area for a development of fewer than 16 dwelling units or guest rooms, shall be provided as recreational open space, but this area shall not qualify for more than 40 percent of the total required open space.

1. Landscape areas having minimum dimensions of less than ~~twenty~~ 20 feet but at least five feet at any point, which are contiguous with and an integral part of the common open space on the project site or are connected to the common open space by walkways, may be included in calculating the area of such space. Non-contiguous landscape areas proposed to be included shall not exceed ~~twenty~~ 20 percent of the total area of common open space.

2. Up to one-half of covered patio areas designed to be commonly used by residents of supportive housing may be included in calculation of common open space provided such area does not comprise more than ~~twenty-five~~25 percent of the total common open space.

3. Up to one-third of the required recreational area may be provided within a recreational building.

G. **Building Accessibility and Safety Equipment.** Indoor common areas and living units shall be adaptable and ~~handicapped adaptable~~ designed to accommodate persons with disabilities in compliance with federal and state accessibility laws and codes and be provided with all necessary safety equipment (e.g., grab bars, ramps etc.), as well as emergency signal/intercom systems.

H. **Parking.** The entrance to off-street parking spaces shall be located a maximum of 150 feet from building entrances.

I. **Licensing Requirements.** Applicants shall comply with all federal and California state licensing requirements and applicable building codes and fire codes, including maximum occupancy restrictions. No limits shall be established on the length of stay.

20.514.540 – Tattooing, Body Piercing, and Body Art

~~A. **Commercial CN and CG Zoning Districts.** Within the CN and CG Commercial zoning districts, only tattooing for cosmological purposes (i.e., permanent make-up) shall be permitted and may only operate in conjunction with a beauty shop or medical office.~~

~~B.~~A. ~~**SC**~~**Commercial~~S~~ Zoning Districts**. Within all ~~commercial zoning~~commercial zoning districts as allowed, tattooing, body piercing and body art shall be permitted as a stand-alone use or may be in conjunction with another use.~~;~~ ~~however, any business engaging in tattooing, body piercing or body art on those anatomical areas specified in Section 5.05.020(B) of the Chino Municipal Code shall be deemed an adult-oriented business and shall be subject to and comply with all requirements of this code relative to adult-oriented businesses.~~

20.514.550 – Transitional Housing

A. **Purpose.** This section establishes regulations and standards for transitional housing in the City that will ensure land use compatibility, while also providing opportunities for this type of housing to meet the City's housing needs.

B. **General Requirements.** Transitional housing shall be located, developed, and operated in compliance with the standards below, in zones where this housing is allowed by the land use regulations in the 200 Series, Base District Regulations. This type of housing is a permitted use and only a ministerial approval (zoning clearance) is required.

C. **Neighbor Notice.** The City shall provide a courtesy notice to adject property owners, informing them of the project's approval and explaining what a "ministerial approval" is and what standards apply to supportive housing.

D. **Additional Land Use Regulations.** Transitional housing may include office space for on-site supportive services, such as counseling, access to social services, medical and mental health care, housing, and employment opportunities. On-site supportive services are considered an accessory use and not subject to any additional standards or permitting requirements.

E. **Development Standards.** Transitional housing shall only be subject to the development standards that apply to other residential uses in the zone where such housing is proposed. The maximum number of allowable dwelling units for transitional housing shall be the same as the number allowed for residential development projects in the zone where the transitional housing project is proposed, unless a residential density bonus is granted ~~or the land~~ or the land use regulations for the specific zone specify another limit.

1. Transitional housing may be provided in a variety of rental housing types (e.g., multiple-unit dwelling, single-room occupancy, group residential, or single unit dwelling).

2. Transitional housing providing accommodations for six or fewer individuals shall be deemed a single-family use; only a zoning clearance is required.

3. Transitional housing providing accommodations for more than six individuals also is a permitted use in zones where multi-family and mixed use development is allowed and shall require administrative and design review.

F. **Minimum Unit Size.** Transitional housing facilities shall have the minimum amount of living space that meets the Building Code standards for an efficiency unit, shower and toilet facilities, laundry facilities, and secure storage areas for intended residents.

G. **Building Accessibility and Safety Equipment.** Indoor common areas and living units shall be adaptable and ~~handicapped adaptable~~ designed to accommodate persons with disabilities in compliance with federal and state accessibility laws and codes and be provided with all necessary safety equipment (e.g., grab bars, ramps etc.), as well as emergency signal/intercom systems.

H. **Parking.** The~~n~~ entrance to off-street parking spaces shall be located a maximum of 150 feet from building entrances.

I. **Operating Standards.** No individual or family shall reside in transitional housing for more than 24 months. A minimum of 60 days shall be required between stays. The operator of the transitional housing shall maintain adequate documentation to demonstrate compliance with this provision.

J. **Licensing and Permit Requirements**. Applicants shall comply with all federal and California state licensing and permit requirements and applicable building codes and fire codes, including maximum occupancy restrictions.

20.514.560 – Vehicle Parts and Accessories Sales

General Requirements.

1. At a minimum, 51 percent of the gross floor area shall be dedicated to retail sales.

~~20.513.160 – Tutoring Centers~~

~~Tutoring centers shall comply with the following standards:~~

~~**Approval Required**. Only a zoning clearance is required.~~

~~**Where Allowed**. Tutoring centers are allowed pursuant to the land use regulations for commercial zones in the 200 Series, Base Zoning Districts. They shall be considered a pedestrian-oriented use.~~

~~A. **Development Standards.** Tutoring centers shall comply with the development standards of the zoning district where they are located.~~

20.514.570 – Vehicle Repair Garages

Garages for the repair of automobiles, boats, buses and trucks shall comply with the following standards:

A. **Development Standards.**

1. Service bays should be oriented toward an interior side or rear yard and shall not directly face or front a public street; and
2. Service and associated vehicle storage areas shall be completely screened from view from the public street.

B. **Landscaping**. A minimum 4-foot-wide planter should be provided around the footprint of all buildings where feasible, excepting pedestrian and vehicular entrances to the building.

20.514.580 – Vehicle Towing Services and Towed Vehicle Storage

Vehicle towing services and towed vehicle storage shall comply with the following standards and approval requirements.

A. **Development Standards.**

1. The storage area shall include striping for parking areas and drive aisles. Two-way aisles shall be at least 26 feet wide.
2. Perimeter landscaping shall be provided as required for parking lots.
3. An on-site office shall be provided for the business, including a bathroom for the employees.
4. Outdoor storage areas for towed vehicles only shall be paved and completely screened from public view through use of building walls, decorative screen walls, landscaped berms or mounding, or a combination thereof.
5. Vehicles stored outside shall not be located within 100 feet of any residentially zoned property.
6. Vehicles stored outside shall be placed no closer than 20 feet from any property line, and a minimum 20 feet wide clear access drive shall be provided to the rear of the property to permit free access of fire trucks or any other safety vehicles at any time.
7. Security lighting shall be shielded to prevent light trespass onto adjacent properties.
8. No towed motor vehicles are permitted to be parked outside of fenced/secured area.
9. A safety management plan approved by the Chino Police Department is required.
10. Hours of operation shall be limited to 7:30 a.m. to 8:00 p.m. unless longer hours are approved with a conditional use permit.

~~C.~~B. **Approval Required.** Outdoor storage for towed vehicles in conjunction with a towing service requires ~~an Administrative Approval~~a conditional use permit.

1. ~~Outdoor storage areas shall be completely screened from public view through use of building walls, decorative screen walls, landscaped berms or mounding, or a combination thereof.~~
2. ~~Vehicles stored outside shall not be located within 100 feet of any residentially zoned property.~~
3. ~~Vehicles stored outside shall be placed no closer than 20 feet from any property line, and a minimum 20 feet wide clear access drive shall be provided to the rear of the property to permit free access of fire trucks or any other safety vehicles at any time.~~
4. ~~No towed motor vehicles are permitted to be parked outside of fenced/secured area.~~

~~D.~~C. **Planning Commission Exemption.** The Planning Commission may grant an exemption from the regulations contained in this section through the issuance of a Conditional Use Permit, if they find that the exemption will not endanger the public health, safety or general welfare.

20.514.590 – Warehouses and Logistics Uses

A. **Purpose**. This section establishes general requirements and standards for logistics uses and warehouses, consistent with the General Plan and State law. The purpose of this section is to ensure that logistics use developments and warehouses are designed to ensure compatibility with adjacent land use and sited in locations that minimize adverse impacts on adjacent residential communities and enhance transportation efficiency.

B. **Definitions.**

1. ***"Logistics use developement"*** means a building in which cargo, goods, or products are moved or stored for later distribution to business or retail customers, or both, that does not predominantly serve retail customers for onsite purchases, and heavy-duty trucks are primarily involved in the movement of the cargo, goods, or products. "Logistics use development" does not include any of the following:

   a. Facilities where food or household goods are sold directly to consumers and are accessible to the public;

   b. A building primarily served by rail to move cargo goods or product; ~~and~~

   c. A Strategic Intermodal Facility, which is a logistics facility, including warehousing and transloading facilities, served by rail, providing intermodal freight transport services in which all facility structures and related rail operations are located within a single site; and

   ~~c.~~d. A building that serves a primary agricultural use that is actively operated for a single period of 90 days or less each year.

2. ***"21st century warehouse"*** means a logistics use development that complies with or exceeds all requirements of the most current building energy efficiency standards specified in Part 6 of Title 24 of the California Code of Regulations and the Green Building Standards in Part 11 of Title 24 of the California Code of Regulations, including, but not limited to photovoltaic system installation and associated battery storage, cool roofing, skylights, medium- and heavy-duty vehicle charging readiness, light-duty electric vehicle charging readiness, ~~and~~ installed charging stations, and conduits and electrical hookups to loading bays serving cold storage~~.~~.

3. ***"Expansion ~~of an existing logistics use~~"*** means the expansion of an existing logistics use development by 20 percent or more of the existing building square footage. Office space shall not be included as part of the existing building square footage or in the square footage for the 20-percent expansion threshold.

4. ***"Heavy-duty truck"*** means a Class 7 or Class 8 truck with the following gross vehicle weight ratings:

   a. "Class 7" means a truck with a gross vehicle weight rating of 26,001 to 33,000 pounds; and~~.~~

   b. "Class 8-" means a truck with a gross vehicle weight rating of greater than 33,000 pounds.

5. ***"Sensitive receptor"*** means any of the following:

   a. A residence, including a single-family home, duplex, multiple family dwelling, group home, a dwelling unit in a mobile home park~~s~~, and a dwelling unit in a senior housing project;~~.~~

   b. A school, including, but not limited to, a pre-school, pre-kindergarten, or a public or private school maintaining kindergarten or any of grades 1 to 12;~~.~~

   c. A daycare facility, including family daycare;~~.~~

d. Publicly owned parks, playgrounds, and recreational areas or outdoor facilities primarily used by children;~~.~~

e. Residential care facilities;~~.~~

f. Supportive and transitional housing; ~~and~~

g. Hospitals; and

h. Excluded from these regulations are parks and recreation areas included as a condition of approval or a logistics use development and land developed adjacent to an airport for the express purpose of creating a buffer area between sensitive receptors and the airport.

6. ***"Small off-road engines"*** means spark-ignition engines rated at or below 19 kilowatts.

7. ***"Tier 1 21st century warehouse"*** means a logistics use that meets the requirements for a 21 Century Warehouse specified in Government Code Section 5098 (g).

A. **General Requirements.** Logistics uses and warehouses must be located, developed, and operated in compliance with applicable base zoning district standards and the following additional standards, in the zones where they are allowed by the 200 Series, Base Zoning Districts. Logistics uses and warehouses also must comply with the Government Code sections 65098 through 65098.9, which establish warehouse design and build standards.

1. ***Exemptions.***

a. No pre-existing logistics use development shall be subject to the requirements described above if a new sensitive receptor is constructed, established, or permitted within 900 feet of a loading bay after the effective date of this section.

b. No new logistics use or a proposed expansion of an existing logistics use where the loading bay is not within 900 feet of an existing or approved sensitive receptor shall be subject to development standards of this section. This exemption applies even if a new sensitive receptor is proposed that would be within 900 feet of a loading bay of the new or expanded logistics use and an application for that use is submitted ~~is submitted~~ after the date the application for the logistics use development is accepted as complete.

C. **Development ~~standards~~Standards.** The following development standards apply to any new or expanded logistics use or warehouse where the loading bay is within 900 feet of an existing sensitive receptor.

1. The proposed new or expanded logistics use development shall:

a. Have skylights in at least one percent of the roof area, or equivalent LED efficient lighting.

b. Provide conduits and electrical hookups at all loading bays serving cold storage. Idling or use of auxiliary truck engine power to power climate control equipment shall be prohibited if the truck is capable of plugging in at the loading bay.

c. Have heating, ventilation, and air-conditioning that is high-efficiency.

d. Orient truck loading bays on the side of the logistics use development that is away from sensitive receptors, to the extent feasible;

e. Locate truck loading bays a minimum of 300 feet from the property line of the nearest sensitive receptor to the nearest truck loading bay opening;

f. Have a separate entrance for heavy-duty trucks accessible via a truck route, arterial road, major thoroughfare, or a local road that predominantly serves commercial, agricultural, or industrial oriented uses. A separate entrance for heavy-duty trucks may include a driveway with a land dedicated to heavy-duty trucks and a land dedicated to other vehicles;

g. Locate truck entry, exit, and internal circulation away from sensitive receptors, with no heavy-duty diesel truck drive aisles located directly adjacent to a sensitive receptor property line; and

h. Include buffering and screening to mitigate for light and noise, as described in Section 20.501.080 (Screening and Landscape Buffers on Common Lot Lines for Certain Uses).

2. Any proposed new or expanded logistics use in a facility with 250,000 square feet or more shall include all of the Tier 1 21st century warehouse design elements specified in Government Code Section 65098 (g) and;

c. Have a microgrid-ready switchgear system capable of supporting distributed energy resources;

a. Be advanced smart metering ready;

b. Have a minimum of 50 percent of all passenger vehicle parking spaces preinstalled with conduit and all necessary physical infrastructure to support future charging of electric vehicles;

c. Have a minimum of 10 percent of all passenger vehicle parking spaces installed with electric vehicle charging stations; and

d. Provide conduits and electrical hookups at all loading bays serving cold storage, and prohibits idling or use of auxiliary truck engine power to power climate control equipment if the truck is capable of plugging in at the loading bay.

3. Commencing January 1, 2026, any proposed new or expanded logistics use development with less than 250,000 square feet of floor area shall comply with the following:

a. Provide conduits at loading bays equal to one truck per every loading bay serving cold storage. Idling or use of auxiliary truck engine power to power climate control equipment shall be prohibited if the truck is capable of plugging in at the loading bay; and

d. Have a separate entrance for heavy-duty trucks accessible via a truck route, arterial road, major thoroughfare, or a local road that predominantly serves commercial oriented uses.

D. **Operating Standards.** The following development standards apply to any new or expanded logistics use or warehouse where the loading bay is within 900 feet of an existing sensitive receptor.

1. Require that all classes of forklifts used on site shall be zero-emission by January 1, 2030, to the extent operationally feasible, commercially off-the shelf available, and adequate power is available on site.

2. Require that equipment utilizing small off-road engines shall be zero-emission, to the extent operationally feasible, commercially off-the shelf available, and adequate power is available on site.

E. **Required Buffers.** Any new or expanded logistics use or warehouse within 900 feet of a sensitive receptor shall have a buffer and screening as follows:

1. The buffer shall be 50 feet in width from the property line of all adjacent sensitive receptors and fully screen the logistics use development from the sensitive receptor.

2. Buffer areas shall include (a) a solid decorative wall, landscaped berm and wall~~;~~ or landscaped berm 10 feet or more in height; (b) drought tolerant natural ground landscaping with proper irrigation; and (c) solid-screen buffering trees as described in subdivision (3), and may include other hardscape, access, and passenger vehicle parking improvements.

3. Trees shall be used as part of a solid-screen buffering treatment and planted in two rows along the length of the property line adjacent to the sensitive receptor. Trees used for this purpose shall be evergreen, drought tolerant to the extent feasible, composed of species with low biogenic emissions, of a minimum 36-inch box size at planting, and spaced at no greater distance than 40 feet on center. Palm trees shall not be used as buffer planting. The buffer area may include any landscape areas within a public right-of-way or public or private pedestrian walkways

F. **Entry Gates.** The entry gates into the loading truck court for a new or expanded logistics use development or warehouse within 900 feet of a sensitive receptor shall be positioned to provide a minimum of 50 feet of vehicle queuing or stacking space~~ing~~ inside the property line. The stacking depth shall be increased by 70 feet for every 20 loading bays beyond 50 loading bays, to the extent feasible.

G. **Relation to City's Street System.** Access to logistics use development shall be provided only by streets and roadways that are suited to handle the associated traffic and that predominantly serve commercial uses. Any new logistics use development shall only be located with access from:

1. Arterial streets;

2. Collector streets;

3. Major thoroughfares; or

4. Local roads that predominantly serve~~s~~ commercial, agricultural, or industrial uses if more than 50 percent of the properties front on the road within 1,000 feet of the development site are designated for commercial, agricultural, or industrial uses in the zoning district in which they are located.

H. **Signage.—**

1. Anti-idling signs indicating a three-minute heavy-duty truck engine idling restriction shall be posted along entrances to logistics uses within 900 feet of a sensitive receptor and at the truck loading bays.

2. Signs shall be installed at all heavy-duty truck exit driveways from a logistics use directing truck drivers to truck route shown on a City-approved truck routing plan, as described in Government Code Section 65098.4, and to the state highway system.

I. **Truck Routing Plan.** Prior to the issuance of a certificate of occupancy, a logistics use development operator shall submit a proposed ruck routing plan for approval by the Director of Development Services.

1. The truck routing plan shall describe the operational characteristics of the logistics use development, including hours of operation, types of items to be stored within the building, and proposed truck routing to and from the site to City-designated truck routes that, to the greatest extent possible, avoid passing sensitive receptors and maximize use of arterial streets and major thoroughfares.

2. The truck routing plan shall include measures, such as signage and pavement markings, queuing analysis, and enforcement, for preventing truck queuing, circling, stopping, and parking on public streets.

3. The Police Department is authorized to enforce the truck routing plan.

4. A revised truck routing plan shall be submitted to Traffic Engineer/Public Works Director for approval prior to issuance of a business license for any new tenant of the property. The Traffic Engineer/Director shall have discretion to determine if changes to the truck routing plan are necessary, including, but not limited to, any additional measures to alleviate truck routing and parking issues that may arise during the life of the facility.

J. **Replacement Housing.** Replacement housing is required if any existing legal nonconforming housing on the project site is demolished to accommodate a logistics use development. More specifically, two-to-one replacement is required for any demolished housing unit that was occupied within the last 10 years, unless the housing unit was declared substandard by the City's building official, pursuant to Section 17920.3 of the Health and Safety Code, prior to purchase by the developer.

1. For each housing unit demolished, regardless of market value of the unit, two units of affordable housing for persons and families of low or moderate income, as defined in Section 50093 of the Health and Safety Code, that are deed-restricted shall be built within the jurisdiction.

2. The Director of Development Services may allow for payment on a fee in lieu of replacing the demolished housing units. Such fees shall be placed in a housing-specific set-aside account and shall be used for construction or rehabilitation of affordable housing in the City within three years of collection.

3. The developer also shall be required to provide any displaced tenant with an amount equivalent to 12 months' rent at the current rate.

Chapter 20.515 – WIRELESS TELECOMMUNICATIONS FACILITIES ON PRIVATE PROPERTY

Sections:

20.515.010 – Purpose and Intent
20.515.020 – Definitions
20.515.030 – Applicability
20.515.040 – Required Permits and Other Approvals
20.515.050 – Other Permits and Regulatory Approvals
20.515.060 – Permit Applications
20.515.070 – Pre- and Post-Decision Notices Required
20.515.080 – Approvals; Denials
20.515.090 – Location Standards
20.515.100 – Design Standards
20.515.110 – Standard Conditions for Approved Permits
20.515.120 – Legal Nonconforming Wireless Telecommunications Facilities on Private Property
20.515.130 – Special Exceptions for Federal or State Preemption

20.515.010 – Purpose and Intent

The City of Chino intends this chapter to establish reasonable, uniform and comprehensive standards and procedures for wireless facilities deployment, construction, installation, collocation, modification, operation, relocation and removal within the City's territorial boundaries, consistent with and to the extent permitted under federal and California state law. The standards and procedures contained in this chapter are intended to, and should be applied to be, consistent with federal and state law, protect and promote public health, safety and welfare, and also balance the benefits from advanced wireless services with the City's local values, which include without limitation the aesthetic character of the City. This chapter is also intended to reflect and promote the community interest by (1) ensuring that the balance between public and private interest is maintained on a case-by-case basis; (2) protecting the City's visual character from potential adverse impacts or visual blight created or exacerbated by wireless communications infrastructure; (3) protecting and preserving the City's environmental resources; and (4) promoting access to high-quality, advanced wireless services for the City's visitors, residents, and businesses.

This chapter is not intended to, nor shall it be interpreted or applied to: (1) prohibit, or effectively prohibit, any personal wireless service provider's ability to provide personal wireless services; (2) prohibit, or effectively prohibit, any entity's ability to provide any interstate or intrastate telecommunications service, subject to any competitively neutral and nondiscriminatory rules, regulations or other legal requirements for rights-of-way management; (3) unreasonably discriminate among providers of functionally equivalent services; (4) deny any request for authorization to place, construct or modify personal wireless service facilities on the basis of environmental effects of radio frequency emissions to the extent that such wireless facilities comply with the

FCC's regulations concerning such emissions; (5) prohibit any collocation or modification that the City may not deny under federal or California state law; (6) impose any unfair, unreasonable, discriminatory or anticompetitive fees that exceed the reasonable cost to provide the services for which the fee is charged; or (7) otherwise authorize the City to preempt any applicable federal or California state law.

20.515.020 – Definitions

The abbreviations, phrases, terms and words used in this chapter will have the following meanings assigned to them unless context indicates otherwise. Undefined phrases, terms or words in this chapter will have their ordinary meanings.

The definitions in this chapter shall control over conflicting definitions for the same or similar abbreviations, phrases, terms or words as may be defined elsewhere in the Chino Municipal Code. However, if any definition assigned to any phrase, term or word in this chapter conflicts with any federal or state-mandated definition, the federal or state-mandated definition will apply.

"**Amateur station**" means the same as defined by the FCC in 47 C.F.R. § 97.3, as may be amended or superseded, which defines the term as "a station in an amateur radio service consisting of the apparatus necessary for carrying on radiocommunications." This term includes amateur radio antennas, mast, and related equipment used for amateur radio services.

"**Approval authority**" means the City official or body responsible for application review and vested with authority to approve or deny such applications.

"Code" refers to the Chino Municipal Code.

"Concealment" means a facility that is integrated into or hidden behind an architectural feature of an existing structure and designed so that the purpose of the facility or support structure for providing wireless services is not readily apparent to a casual observer. Concealment techniques include, without limitation: (1) transmission equipment placed completely within existing or replacement architectural features such that the installation causes no visible change in the underlying support structure; and (2) new architectural features that mimic or blend with the underlying or surrounding structures in style, proportion and construction quality.

"**Department**" means the Development Services Department.

"**Director**" means the Director of Development Services of the City of Chino or the Director's designee. In addition to his/her authority specified herein, the Director shall have all powers specified in Section 12.30.040.A as may be appropriate to the administration of private property wireless facilities.

"**Eligible facilities request**" means the same as defined in 47 U.S.C. § 1455(a)(2), as may be amended or superseded, and as interpreted by the FCC in 47 C.F.R. § 1.6100(b)(3), as may be amended or superseded.

"**FCC**" means the Federal Communications Commission, as constituted by the Communications Act of 1934, Pub. L. 73-416, 48 Stat. 1064, codified as 47 U.S.C. §§ 151 *et seq.* or its duly appointed successor agency.

"**OTARD**" means any "over-the-air reception device" subject to 47 C.F.R. §§ 1.4000 *et seq.*, as may be amended or superseded, which generally includes satellite television dishes and certain fixed wireless antennas not greater than one meter in diameter.

"**Personal wireless service facilities**" mean the same as defined in 47 U.S.C. § 332(c)(7)(C)(ii), as may be amended or superseded, which defines the term as facilities that provide personal wireless services.

"**Personal wireless services**" mean the same as defined in 47 U.S.C. § 332(c)(7)(C)(i), as may be amended or superseded, which defines the term as commercial mobile services, unlicensed wireless services and common carrier wireless exchange access services.

"**RF**" means radio frequency.

"**Section 6409**" means Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, 126 Stat. 156, codified as 47 U.S.C. § 1455(a), as may be amended.

"**Shot clock**" means the presumptively reasonable time defined by the FCC in which a state or local government must act on an application or request for authorization to place, construct or modify personal wireless service facilities.

"**Small wireless facility (SWF)**" means the same as defined by the FCC in 47 C.F.R. § 1.6002(l), as may be amended or superseded.

"**Stealth**" means any wireless facility designed to blend into the surrounding environment, and is visually unobtrusive. Examples of stealth facilities may include without limitation street light, faux tree, water tower, or flag pole designs.

"**Wireless facility**" means a personal wireless service facility including any facility, base station or tower that transmits and/or receives electromagnetic waves. It includes, but is not limited to, antennas and/or other types of equipment for the transmission or receipt of such signals, telecommunications towers or similar structures supporting such equipment, related accessory equipment, equipment buildings, parking areas, and other associated installation development.

"**WTFPP"** means Wireless Telecommunications Facility Permit for Private Property, including either a Minor WTFPP or Major WTFPP (as further described in Section 20.~~22~~514.040 (Required Permits and Other Approvals)), as applicable.

20.515.030 – Applicability

A. **General.** This chapter applies to all requests for the City's regulatory authorization to construct, install, operate, collocate, modify, relocate, remove or otherwise deploy wireless facilities on private property within the City's territorial and jurisdictional boundaries, unless expressly exempted pursuant to Subsection 20.~~22~~515.030.E (Exemptions) or F (Amateur Radio). Notwithstanding that Chapter 12.30 of the Code applies to wireless facilities in the public rights-of-way, several of the procedural and administrative terms of Chapter 12.30 overlap with this chapter and are thus incorporated into this chapter to govern the processing and review of wireless applications on private property.

B. **Wireless Facilities on City Property.** This chapter applies to permit applications for wireless facilities on property or structures owned or controlled by the City; provided, however, that this chapter does not govern whether or under what terms and conditions the City would lease, license or otherwise allow a wireless facility on such property or structures.

C. **Small Wireless Facilities/Policy.** Notwithstanding anything in this chapter to the contrary, all small wireless facilities are additionally subject to such further permitting standards as specified in a City Council policy, which may be adopted and/or amended by a resolution of the City Council (the "SWF Regulations"). All small wireless facilities shall comply with the SWF Regulations. If the SWF Regulations are repealed and not replaced, an application for a small wireless facility shall be processed pursuant to this chapter.

D. **Eligible Facilities Requests/Policy.** Notwithstanding anything in this chapter to the contrary, all eligible facilities requests and other applications submitted for approval pursuant to Section 6409 are subject to a permit as specified in a City Council policy, which may be adopted and/or amended by a resolution of the City Council (the "Eligible Facilities Request Policy"). All eligible facilities requests and other applications submitted for approval pursuant to Section 6409 shall comply with the Eligible Facilities Request Policy. If the Eligible Facilities Request Policy is not adopted for any reason, or is repealed and not replaced, all eligible facilities requests and other applications submitted for approval pursuant to Section 6409 shall be processed pursuant to this chapter.

E. **Exemptions.** Notwithstanding anything in this chapter to the contrary, this chapter does not apply to the following:

1. Wireless facilities operated by the City for public purposes;
2. Wireless facilities installed completely indoors and used to extend personal wireless services into a business or the subscriber's private residence;
3. OTARD antennas; or
4. Wireless facilities or other transmission equipment owned and operated by CPUC-regulated electric companies for use in connection with electrical power, generation, transmission and distribution facilities subject to CPUC General Order 131-D.

F. **Amateur Radio.** Antennas and related transmission equipment used in connection with a duly authorized amateur station are exempt from this chapter, and shall be permitted provided that all of the following requirements are met:

1. Only one such facility is installed on any single site.
2. The facility meets all setback, site coverage and other limitations on structures in the applicable zoning district, except height.
3. If tower-mounted, the supporting tower does not exceed thirty-five (35) feet in height from the natural grade below.
4. The overall facility is no taller than necessary to support its function.

5. The overall facility does not exceed the maximum height in the applicable zoning district by more than twenty feet. Increased height may be allowed if necessary to support the facility's function, subject to a special conditional use permit.
6. Multiple antennas are grouped so as not to exceed nine square feet in area.
7. The facility is licensed with the FCC.
8. All required building permits are obtained.
9. Temporary mobile facilities providing public information coverage of news events may be set up on public or private property for a duration of up to seventy-two hours.

20.515.040 – Required Permits and Other Approvals

Minor Wireless Telecommunications Facilities Permit for Private Property ("Minor WTFPP").

A. **Applicability.** A Minor WTFPP is required for:

1. Stealth or concealed wireless facilities on private property in preferred locations as described in Subsection 20.~~22~~515.090.B (Preferred Locations) that do not require a special exemption under Section 20.~~22~~515.130 (Special Exemptions for Federal or State Preemption);
2. Eligible facilities requests, and
3. Small wireless facility applications.

B. **Approval Authority.** Minor WTFPPs shall be reviewed by the Director, through the City's standard plan check procedure, who may approve, conditionally approve, or deny the permit, in accordance with Section 20.~~22~~515.080 (Approvals; Denials).

Major Wireless Telecommunications Facilities Permit for Private Property ("Major WTFPP").

A. **Applicability**. A Major WTFPP is required for all new wireless telecommunications facilities or replacements, collocations, or modifications to a wireless telecommunications facility that do not qualify for a Minor WTFPP.

B. **Approval Authority**. Major WTFPPs shall be reviewed in the same manner as an Administrative Approval, under Section 20.~~23~~515.120 (Legal Nonconforming Wireless Telecommunications Facilities on Private Property) of this Code, except that the required findings for approval shall be the findings in Section 20.~~22~~515.080 (Approvals; Denials) rather than the finding in Subsection 20.~~23~~603.~~120~~100.G (Findings).

20.515.050 – Other Permits and Regulatory Approvals

In addition to any permit that may be required under this chapter, the applicant must obtain all other required prior permits or other approvals from other City departments, or state or federal agencies. Any permit granted under this chapter is subject to the conditions and/or requirements of other required prior permits or

other approvals from other City departments, state or federal agencies. All City standards and requirements, including building and encroachment permits (if applicable), shall be followed.

20.515.060 – Permit Applications

A. **Application Required.** The approval authority shall not approve any requests for authorization to construct, install, operate, collocate, modify, relocate, remove or otherwise deploy wireless facilities except upon a complete and duly filed application consistent with this section and any other written rules or requirements the City or the Director may establish from time to time in any publicly stated format. All applications for a permit must include all the information and materials required by the Director for the application. The City Council authorizes the Director to develop, publish and from time to time update or amend permit application requirements, forms, checklists, guidelines, informational handouts and other related materials that the Director finds necessary, appropriate or useful for processing any application governed under this chapter. The application fee for a Minor WTFPP shall be the fee required for plan check, and the application fee for a Major WTFPP shall be the fee required for an Administrative Approval.

B. **Appointments for Application Submittal.** All wireless facility applications under this chapter must be submitted to the City at a pre-scheduled appointment with the Department. Applicants may generally submit one application per appointment but may schedule successive appointments for multiple applications whenever feasible and not prejudicial to other applicants. The Department shall use reasonable efforts to provide the applicant with an appointment within a reasonable time after the Department receives a written request. Any application received without an appointment, whether delivered in-person, by mail or through any other means, will not be considered duly filed.

C. **Optional Pre-application Conferences.** The Department shall provide prospective applicants with the opportunity to schedule and attend a pre-application conference with Department staff. The City strongly encourages pre-application conferences for all proposed projects that: (1) the prospective applicant believes will qualify as a stealth or concealed facility and/or (2) involve any wireless facilities proposed to be located in or within 200 feet from a residential zone. The pre-application conference is intended to streamline the review process through informal discussion that includes, without limitation, the appropriate project classification and review process, any latent issues in connection with the proposed or existing wireless facility, such as compliance with generally applicable rules for public health and safety; potential concealment issues or concerns (if applicable); coordination with other City departments and/or divisions responsible for application review; and application completeness issues.

D. **Applications Deemed Withdrawn.** Wireless facility applications shall be deemed withdrawn upon inaction of the applicant in the same manner as set forth in Subsection 12.30.050.H (Applications Deemed Withdrawn) of this Code.

E. **Peer and Independent Consultant Review; Deposit and Reimbursement of Costs.** The City Council authorizes the Director, in the Director's discretion, to select and retain an independent consultant with specialized training, experience and/or expertise in telecommunications issues for the purposes of reviewing or assisting the City with any permit application under this chapter. The

Director is further authorized to collect deposits and a reimbursement of costs from applicants. The process and authority for retaining consultants and collection of deposits and costs shall be the same those procedures set forth in Subsections 12.30.050.D through 12.30.050.F of this Code.

F. **Compliance with Shot Clocks.** The City will make reasonably efforts to comply with all shot clocks when processing applications under this chapter.

20.515.070 – Pre- and Post-Decision Notices Required

A. **Pre-Decision Notices.** Pre-decision notices are not required for Minor WTFPPs. For Major WTFPPs, the same pre-decision notice shall be given as is required for an Administrative Approval.

B. **Post-Decision Notice.** All final decisions on applications for both Minor WTFPPs and Major WTFPPs shall be in writing and based on substantial evidence in the written administrative record.

20.515.080 – Approvals; Denials

A. **Required Findings.** The approval authority may approve a wireless facility application only when the approval authority makes all the following findings:

1. The proposed wireless facility is either (a) in a "preferred location" (Subsection 20.~~22~~515.090.B (Preferred Locations) below), or (b) the proposed wireless facility is in a discouraged location and the applicant has demonstrated through a meaningful comparative analysis that no more favored location under Subsection 20.~~22~~515.090.C.2 (Discouraged Locations) or favored support structure under Subsection 20.~~22~~515.090.D (Support Structure Preferences) would be technically feasible and potentially available;

2. The proposed wireless facility complies with all applicable development and aesthetic standards in this Code and any other applicable regulations;

3. The applicant has provided a signed acknowledgment that states its willingness to allow other carriers and site operators to collocate transmission equipment with the proposed wireless facility, to the extent such facility or portions thereof are owned or controlled by the applicant, whenever technically feasible and aesthetically desirable in accordance with applicable provisions in this Code;

4. The applicant has demonstrated that the proposed wireless facility will comply with all applicable FCC regulations and guidelines for human exposure to RF emissions; and

5. The proposed installation is designed, stealthed, and/or concealed to be aesthetically compatible with the surrounding built and/or natural environment to the extent technically feasible.

B. **Conditional Approvals; Denials without Prejudice.** Subject to any applicable federal or state laws, nothing in this chapter is intended to limit the approval authority's ability to conditionally approve or deny without prejudice any application governed under this chapter as may be necessary or appropriate to protect and promote the public health, safety and welfare, and to advance the goals or policies in the General Plan and any applicable specific plan, this Code, or this chapter.

C. **Appeals.**

1. **Minor WTFPPs.** Notwithstanding Subsection 20.~~23~~602.~~150~~130.A.1 (Administrative Actions or Decisions) of this Code, the Director's approval or denial of an Minor WTFPP is final and may not be appealed.

2. **Major WTFPPs.** The Director's decision on a Major WTFPP may be appealed as provided in Section 20.602.130 of this Code.

20.515.090 – Location Standards

A. **Preface to Location Standards.** This section sets out criteria for the location and support structure of wireless facilities. The City cumulatively considers whether the facility is in a preferred location and on a preferred support structure to evaluate the least intrusive means for an applicant to provide its services to the public. Subsection 20.~~22~~515.090.B (Preferred Locations) describes land use designations where wireless facilities are in a "preferred location" and thus not subject to an alternative sites analysis. Subsection 20.~~22~~515.090.C (Discouraged Locations) provides specific locations where wireless facilities are discouraged. It is possible for a proposed facility to be simultaneously in a "preferred" zone but also in a "discouraged" location, such as a proposal within an industrial zone (a "preferred" location) that also happens to be within 200 feet from a residence (a "discouraged" location). In such cases, the location would not be deemed to be a "preferred" location under Subsection 20.~~22~~515.090.B, and thus shall be subject to an alternative sites analysis presenting the most favored location under Subsection 20.~~22~~515.090.C.2 (Discouraged Locations) and the most preferred support structure technically feasible and potentially available under Subsection 20.515~~22~~.090.D (Support Structure Preferences). In situations involving discouraged locations where the applicant must consider alternative sites, preferences for facility locations and preferred support structures are ranked in Subsections 20.515~~22~~.090.C.2 and D, respectively.

B. **Preferred Locations.** All applicants must, to the extent technically feasible and potentially available, propose wireless facilities in a preferred location. No alternative sites analysis is required for stealth or concealed facilities proposed in any preferred location. To qualify as a preferred location site, the wireless facility must be stealthed or concealed. For all other facilities, the approval authority shall consider whether any more preferred location would be technically feasible or potentially available. The following locations are all considered "preferred locations," so long as the site is not simultaneously in a discouraged location under Subsection 20.515~~22~~.090.C (Discouraged Locations):

1. Parcels within industrial zoning districts.

2. Parcels within commercial zoning districts.

C. **Discouraged Locations.** When an application involves a facility in a discouraged location, the approval authority shall consider whether any alternative site within a preferred location would be technically feasible and potentially available. If no such preferred location alternative exists, the approval authority shall consider whether any less discouraged location would be technically feasible and potentially available per the ranking of locations listed in Subsection 20.515~~22~~.090.C.2 (Discouraged Locations).

1. The following locations are all "discouraged" and ordered from most discouraged to least discouraged:

   a. Any location where the wireless facility would be within 200 feet of a structure approved for residential use.

   b. Any location where the wireless facility would be within 200 feet of a local, state, or nationally designated historic property, structure, or district.

   c. Any location where the wireless facility would be within 200 feet of a property, structure, or district eligible for local, state, or national historic designation.

2. When an application involves a wireless facility in a discouraged location, regardless of zone, applicants must propose the facilities on parcels with the most favored land use designation listed below whenever technically feasible and potentially available. Applications must include a written justification, supported by factual and verifiable evidence, that shows that no higher-ranked location is technically feasible and potentially available, unless the proposed facility is in the most favored land use designation and/or is a stealth or concealed facility. The following zoning districts are ranked from most favored to least favored for facilities in a discouraged location:

   a. Industrial.

   b. Commercial.

   c. Other nonresidential zones.

   d. Residential.

D. **Support Structure Preferences.** When an application involves a facility in a discouraged location, the approval authority shall, in addition to considering the most favored location in 22.~~22~~515.090.C (Discouraged Locations), consider whether any more preferred support structure would be technically feasible and potentially available. The approval authority may require the applicant to use a more preferred support structure when the alternative is technically feasible and potentially available. The City's preferences for support structures are as follows, ordered from most preferred to least preferred:

1. Collocation on an existing structure with existing wireless facilities.

2. Installations on a rooftop.

3. Installations on a building facade.

4. A stealthed or concealed freestanding facility.

5. Stealthed or concealed installations within the public right-of-way.

6. Installations on a replacement pole(s) within private streets (as defined in Section 10.04.180 of this Code).

7. Installations on a new freestanding structure within private streets (as defined in Section 10.04.180 of this Code).

20.515.100 – Design Standards

A. **Concealment/stealthing.** All wireless facilities must be concealed and/or stealthed to the maximum extent feasible with design elements and techniques that hide, mimic or blend with the underlying support structure, surrounding environment and adjacent uses.

B. **Overall Height.** To maintain the natural appearance of the community, wireless facilities may not exceed the maximum height allowed as stated, if at all, in Section 20.~~10.030~~501.030 (General Site Regulations) of this Code. If the applicant plants new natural trees around the proposed wireless facility, the approval authority shall consider the future mature height of such trees when evaluating compliance with this standard.

C. **Setbacks.** All wireless facilities must be compliant with all setback requirements applicable to structures on the underlying parcel.

D. **Noise.** All wireless facilities must be compliant with all applicable noise regulations, which include, without limitation, any noise regulations in Chapter 9.40 of this Code. The approval authority may require the applicant to incorporate appropriate noise-baffling materials and/or noise-mitigation strategies to avoid any ambient noise from equipment reasonably likely to exceed the applicable noise regulations.

E. **Landscaping.** All wireless facilities proposed to be placed in a landscaped area must include landscape features (which may include, without limitation, trees, shrubs and ground cover) and a landscape maintenance plan. The approval authority may require additional landscape features to screen the wireless facility from public view, avoid or mitigate potential adverse impacts on adjacent properties, or otherwise enhance the stealthing or concealment required under this chapter. All plants proposed or required must be native and/or drought-resistant and be consistent with the terms of Chapter 20.~~19~~ 508 (Landscaping) of this Code.

F. **Security Measures.** To prevent unauthorized access, theft, vandalism, attractive nuisance or other hazards, reasonable and appropriate security measures, such as fences, walls, electrified fences, and anti-climbing devices, may be required, if technically feasible and allowed by the Civil Code. Security measures shall be designed and implemented in a manner that enhances or contributes to the overall stealthing or concealment, and the approval authority may condition approval on additional stealth or concealment elements to mitigate any aesthetic impacts, which may include, without limitation, additional landscape features. The approval authority shall not approve barbed wire, razor ribbon, ~~electrified fences~~ or any similar security measures.

G. **Secondary Power Sources.** The approval authority may approve secondary or backup power sources and/or generators on a case-by-case basis, excepting that such power sources shall be approved in accordance with Government Code Section 65850.75 for so long as such section is effective or as may be amended. The approval authority shall not approve any permanent diesel generators or other similarly noisy or noxious generators in or within 250 feet from any residential structure absent a showing of extraordinary need, by clear and convincing evidence, such as a declared public emergency; provided, however, the approval authority may approve sockets or other connections used for temporary backup generators.

H. **Lights.** Wireless facilities may not include exterior lights other than as may be required under Federal Aviation Administration, FCC, other applicable federal or state governmental regulations. All exterior lights permitted or required to be installed must be installed in locations and within enclosures that mitigate illumination impacts on other properties to the maximum extent feasible. Any lights used shall be appropriately shielded from public view. Any light beacons or lightning arresters shall be included in the overall height calculation.

I. **Signage; Advertisements.** All wireless facilities must include signage that accurately identifies the equipment owner/operator, the owner/operator's site name or identification number and a toll-free number to the owner/operator's network operations center. Wireless facilities may not bear any other signage or advertisements unless expressly approved by the approval authority, required by law or recommended under FCC or other federal governmental agencies.

J. **Future Expansion.** To the extent feasible and aesthetically desirable, all new wireless facilities should be designed and sited in a manner that accommodates potential future collocations and other expansions that can be integrated into the proposed wireless facility or its associated structures with no or negligible visual changes to the outward appearance. The approval authority may waive the requirements in this section when the approval authority determines future expansions at a proposed wireless facility would be aesthetically undesirable.

K. **Utilities.** All cables and connectors for telephone, primary electric and other similar utilities must be routed underground to the extent feasible in conduits large enough to accommodate future collocated wireless facilities; there shall be no exposed cabling. To the extent feasible, undergrounded cables and wires must transition directly into the pole base without any external above-ground cabinet, enclosure, or "doghouse." Meters, panels, disconnect switches and other associated equipment must be concealed in inconspicuous locations to the fullest extent technically feasible. The approval authority shall not approve new overhead utility lines or service drops merely because compliance with the undergrounding requirements would increase the project cost. Microwave or other wireless backhaul is discouraged when it would involve a separate and unstealthed or unconcealed antenna.

L. **Parking; Access.** Any equipment or improvements constructed or installed in connection with any wireless facilities must not reduce any parking spaces below the minimum requirement for the subject property. Whenever feasible, wireless facilities should use existing parking and access rather than construct new parking or access improvements. Any new parking or access improvements should be the minimum size necessary to reasonably accommodate the proposed use and comply with applicable City and safety codes.

M. **Compliance with Laws.** All wireless facilities must be designed and sited in compliance with all applicable federal, state, regional, and local laws, regulations, rules, restrictions and conditions, which includes without limitation the California Building Standards Code, Americans with Disabilities Act, General Plan and any applicable specific plan, the Chino Municipal Code and any conditions or restrictions in any permit or other governmental approval issued by any public agency with jurisdiction over the project.

N. **Towers and Freestanding Wireless Facilities.** In addition to all other design requirements in this chapter, the following provisions shall be applied to a tower or other freestanding wireless facility:

O. **Tower-Mounted Equipment.** All tower-mounted equipment must be mounted as close to the vertical support structure as possible to reduce its overall visual profile. Applicants must mount non-antenna, tower-mounted equipment (including, but not limited to, remote radio units/heads, surge suppressors and utility demarcation boxes) directly behind the antennas to the maximum extent technically feasible. All tower-mounted equipment, cables and hardware must be painted with flat/neutral colors subject to the approval authority's prior approval.

P. **Ground-Mounted Equipment.** To the extent technically feasible all ground-mounted equipment must either be concealed underground, or concealed within an existing or new structure, or other enclosure(s) or stealth design subject to the approval authority's prior approval. The approval authority may require additional concealment or stealthing elements as the approval authority finds necessary or appropriate to blend the ground-mounted equipment, enclosure and/or other improvements into the natural and/or built environment.

Q. **Faux Trees.** In addition to all other design requirements in this chapter, the following provisions shall apply to a WTFPP for a faux tree:

1. ***Shape and Branching.*** Faux trees shall be designed and shaped from bottom to top to resemble the natural tree shape associated with the actual tree species that the faux tree is intended to resemble.

2. ***Bark Cladding.*** The entire tower above any fence line shall be fitted with faux-bark cladding, painted or colored with browns or other appropriate earth tones to mimic natural tree bark resembling the actual tree species that the faux tree is intended to resemble.

3. ***Equipment Stealthing.*** All antennas, accessory equipment, cross arms, hardware, cables and other attachments to the faux tree must be painted or colored with a flat greens, browns or other appropriate earth tones to blend into the faux branches. All antennas, remote radio units, tower-mounted amplifiers and other similar equipment larger than one cubic foot shall be fitted with a faux tree "sock" with faux leaves. No tower-mounted equipment shall be permitted to protrude beyond the faux branch canopy such that it would materially alter the applicable tree shape.

4. ***Material Selection and Approval.*** All materials and finishes used to stealth wireless facilities mounted on a faux tree shall be subject to prior approval by the Department. Applicants shall use only high-quality materials to stealth the wireless facility. The applicant shall use color-extruded plastics for elements such as the faux leaves and faux bark cladding to prolong the like-new appearance and reduce fading caused by exposure to the sun and other weather conditions.

R. **Fall Zone.** All freestanding towers outside the public rights-of-way must be setback from habitable structures approved for residential occupancy by a distance equal to one horizontal foot for every foot of the tower height, or the distance from the highest engineered break point to the top of the tower. The approval authority may waive the setback requirement for freestanding towers that meet Class 3 structural standards for critical infrastructure as defined in the most current revision of the ANSI/TIA-222 Structural Standard for Antenna Supporting Structures, Antennas and Small Wind Turbine Support Structures.

S. **Building-Mounted Wireless Facilities.** In addition to all other design requirements in this chapter, the following provisions shall be applied to a wireless facility installed on a building rooftop or facade:

1. ***Architectural Integration.*** All applicants should, to the extent feasible, propose non-tower wireless facilities that are completely concealed and architecturally integrated into the existing facade or rooftop features with no visible impacts from any publicly accessible areas at ground level (examples include, but are not limited to, antennas behind existing parapet walls or facades replaced with RF-transparent material and finished to mimic the replaced materials). Alternatively, when integration with existing building features is not feasible, the applicant should propose completely concealed structures or appurtenances designed to mimic the support structure's original architecture and proportions (examples include, but are not limited to, cupolas, steeples, chimneys and water tanks). Facilities must be located behind existing parapet walls or other existing screening elements to the maximum extent feasible.

2. ***Rooftop Wireless Facilities.*** All rooftop-mounted equipment must be screened from public view with concealment measures that match the underlying structure in proportion, quality, architectural style and finish to the maximum extent practicable. The approval authority may approve unscreened rooftop equipment only when it expressly finds that such equipment is effectively concealed due to its low height and/or setback from the roofline.

3. ***Facade-Mounted Wireless Facilities.*** When wireless facilities cannot be placed behind existing parapet walls or other existing screening elements, the approval authority may approve facade-mounted equipment in accordance with this Subsection. All facade-mounted equipment must be concealed behind screen walls and mounted as flush to the facade as practicable. The approval authority may not approve "pop-out" screen boxes unless the design is architecturally consistent with the original building or support structure. To the extent feasible, facade-mounted equipment must be installed on the facade(s) along the building frontage that is the least prominent or publicly visible.

T. **Administrative Design Guidelines.** The Director may propose design guidelines, SWF Regulations (as defined in Section 20.515~~22~~.030(C) (Small Wireless Facilities/Policy)), and/or an Eligible Facilities Request Policy (as defined in Section 20.~~22~~515.030(D) (Eligible Facilities Requests/Policy)), for consideration by the City Council to clarify the aesthetic and public safety goals and standards in this chapter for City staff, applicants and the public. These guidelines and regulations shall provide more detailed standards to implement the general principals articulated in this section and may include specific standards for particular wireless facilities or site locations, but shall not unreasonably discriminate between functionally equivalent service providers. These design guidelines and regulations, and any subsequent amendments, shall not be effective unless approved by a resolution or ordinance amendment (as applicable) adopted by the City Council. If a conflict arises between the development standards specified in this chapter and the design guidelines adopted under this section, the development standards specified in this chapter shall control.

20.515.110 – Standard Conditions for Approved Permits

A. **General.** Except as may be authorized in Subsection 20.~~22~~515.110(B) (Modified Conditions), all wireless facilities approved under this chapter, or deemed approved by the operation of law, shall be automatically subject to the following conditions:

1. ***Permit Term; No Site Transfers.*** WTFPPs do not run with the land. The permit will automatically expire 10 years and one day from its issuance unless California Government Code Section 65964(b) is amended to state otherwise. Any other permits or approvals issued in connection with any collocation, modification or other change to this wireless facility, which includes without limitation any permits or other approvals deemed-granted or deemed-approved under federal or state law, will not extend this term limit unless expressly provided otherwise in such permit or approval or required under federal or state law. No change in ownership of the wireless facility, the site, or the subject property shall affect the permit term. This permit may not be transferred to another site or property.

2. ***Permit Renewal.*** The permittee may apply for permit renewal not more than one year before this permit expires. The permittee must demonstrate that the subject wireless facility complies with all the conditions of approval associated with its permit and all applicable provisions in this Code that exist at the time the decision to renew or not renew is rendered. The approval authority (which shall be the approval authority that approved the original WTFPP) may modify or amend the conditions on a case-by-case basis as may be necessary or appropriate to ensure compliance with this Code or other applicable law. Upon renewal, this permit will automatically expire 10 years and one day from its issuance. Additional permit renewals shall be subject to the procedures in this subsection.

3. ***Build-Out Period.*** This construction permit will automatically expire one year from the approval date (the "build-out period") unless the permittee obtains all other permits and approvals required to install, construct and/or operate the approved wireless facility, which includes without limitation any permits or approvals required by any federal, state or local public agencies with jurisdiction over the subject property, support structure or the wireless facility and its use. The permittee may request in writing, and the Director may grant in writing, one six-month extension to the build-out period if the permittee submits substantial and reliable written evidence demonstrating justifiable cause for a six-month extension. If the build-out period (and any extension) expires, the construction permit shall be automatically void but the permittee may resubmit a new complete application, which includes, without limitation all application fees, for the same or substantially similar project.

4. ***Approved Plans.*** Any construction plans submitted to the building official shall incorporate the permit, together with all conditions of approval and the photo simulations associated with the permit (collectively, the "approved plans"). The permittee must construct, install and operate the wireless facility in substantial compliance with the approved plans. Any alterations, modifications or other changes to the approved plans, whether requested by the permittee or required by other departments or public agencies with jurisdiction over the wireless facility, shall be subject to the Director's prior review and approval. After the Director receives a written

request to approve an alteration, modification or other change to the approved plans, the Director may refer the request to the original approval authority if the Director finds that it proposes a substantial change from the approved plans or implicates a significant or substantial land-use concern

5. ***Post-Installation Certification.*** At the time permittee commences full, unattended operations at a wireless facility, the permittee shall provide the Director with documentation reasonably acceptable to the Director that the wireless facility has been installed and/or constructed in strict compliance with the approved plans. Such documentation shall include without limitation as-built drawings, GIS data and site photographs. In a written notice to the permittee, the Director shall either certify that the wireless facility complies with the approved plans or order the permittee to correct any noncompliance.

6. ***Adverse Impacts on Other Properties.*** The permittee shall use all reasonable efforts to avoid any and all unreasonable, undue or unnecessary adverse impacts on nearby properties that may arise from the permittee's or its authorized personnel's construction, installation, operation, modification, maintenance, repair, removal and/or other activities on or about the site. The permittee shall not perform or cause others to perform any construction, installation, operation, modification, maintenance, repair, removal or other work that involves heavy equipment or machines except during normal construction work hours authorized by Chapter 15.44 of this Code. The restricted work hours in this condition will not prohibit any work required to prevent an actual, immediate harm to property or persons. The Director may issue a stop work order for any activities that violates this condition in whole or in part. If the Director finds good cause to believe that ambient noise from a facility violates applicable noise regulations in this Code (Chapter 9.40), the Director, in addition to any other actions or remedies authorized by the permit, this Code or other applicable laws, may require the permittee to commission a noise study, at permittee's sole cost, by a qualified professional to evaluate the facility's compliance.

7. ***Compliance with Applicable Laws.*** The permittee shall maintain compliance at all times with all federal, state and local statutes, regulations, orders or other rules that carry the force of law ("laws") applicable to the permittee, the subject property, the wireless facility or any use or activities in connection with the use authorized in this permit. If the Director finds good cause to believe that the wireless facility is not in compliance with any laws applicable to human exposure to RF emissions, either individually or cumulatively with other transmitters in the vicinity, that result in RF exposures that exceed the FCC's maximum permissible exposure level for the general population, the Director may require the permittee to submit a written report certified by a qualified radio frequency engineer familiar with the wireless facility that certifies that the wireless facility is in compliance with all such laws. The Director may order the facility to be powered down if, based on objective evidence, the Director finds that the wireless facility is in fact not in compliance with any laws applicable to human exposure to RF emissions until such time that the permittee demonstrates actual compliance with such laws. The permittee expressly acknowledges and agrees that this obligation is intended to be broadly construed and that no other specific requirements in these conditions are intended to reduce, relieve or otherwise lessen the permittee's obligations to maintain compliance with all laws. No failure or omission by the City to timely notice, prompt or enforce compliance with any applicable

provision in this Code, this chapter, any permit, any permit condition or any applicable law or regulation, shall be deemed to relieve, waive or lessen the permittee's obligation to comply in all respects with all applicable provisions in this Code, this chapter, any permit, any permit condition or any applicable law or regulation.

8. ***Site Maintenance.*** The permittee shall keep the site area, which includes, without limitation, any and all improvements, equipment, structures, access routes, walls, fences and landscape features, in a neat, clean, safe and code-compliant condition in accordance with the approved plans and all conditions in this permit. The permittee shall keep the site area free from all litter and debris at all times. Routine maintenance shall be restricted to normal construction work hours specified in -Chapter 15.44 of this Code. The permittee, at no cost to the City, shall remove and remediate any graffiti or other vandalism at the site within 48 hours after the permittee receives notice or otherwise becomes aware that such graffiti or other vandalism occurred.

9. ***Landscape Features.*** The permittee shall replace any landscape features damaged or displaced by the construction, installation, operation, maintenance or other work performed by the permittee or at the permittee's direction on or about the site. If any trees are damaged or displaced, the permittee shall hire and pay for a licensed arborist to select plant and maintain replacement landscaping, in compliance with the Chapter 20.~~19~~ 507 of this Code (Landscaping), in an appropriate location for the species. Any replacement tree must be substantially the same size as the damaged tree or as otherwise approved by the City. The permittee shall, at all times, be responsible to maintain any replacement landscape features.

10. ***Abandonment.*** The permittee shall notify the Director when the permittee intends to abandon or decommission the wireless facility authorized under this permit. In addition, the wireless facility authorized under this permit shall be deemed abandoned if the wireless facility has not operated for any continuous six-month period and the permittee fails to resume operations within 90 days from a written notice from the Director. Within 90 days after a wireless facility is abandoned or deemed abandoned, the permittee and/or property owner shall completely remove the wireless facility and all related improvements and shall restore all affected areas to a condition compliant with all applicable laws, which includes without limitation this Code. The permittee and/or property owner may request an extension to complete restoration to 180 days after a wireless facility is abandoned or deemed abandoned, which the Director may grant if the applicant presents evidence of good cause for the extension. In the event that neither the permittee nor the property owner complies with the removal and restoration obligations under this condition within the required period, the City shall have the right (but not the obligation) to perform such removal and restoration with or without notice, and the permittee and property owner shall be jointly and severally liable for all costs and expenses incurred by the City in connection with such removal and/or restoration activities; the City may also collect such costs from the performance bond posted and to the extent such costs exceed the amount of the performance bond, collect those excess costs in accordance with this Code. Unless otherwise provided herein, the City has no obligation to store such facility or associated equipment.

11. ***Inspections; Emergencies.*** The permittee expressly acknowledges and agrees that the City's officers, officials, staff, agents, contractors or other designees may enter onto the site and

inspect the improvements and equipment upon reasonable prior notice to the permittee and/or property owner. Notwithstanding the prior sentence, the City's officers, officials, staff, agents, contractors or other designees may, but will not be obligated to, enter onto the site area without prior notice to support, repair, disable or remove any improvements or equipment in emergencies or when such improvements or equipment threatens actual, imminent harm to property or persons. The permittee and/or property owner, if present, may observe the City's officers, officials, staff or other designees while any such inspection or emergency access occurs.

12. ***Safety Hazard Protocol.*** If the Fire Chief or Building Official (or their designee) finds good cause to believe that the wireless facility presents an immediate fire risk, electrical hazard or other threat to public health and safety in violation of any applicable law, the Fire Chief of Building Official may order the facility to be shut down and powered off until such time as the immediate threat has been mitigated, after a good faith effort is made to notify the applicant, if feasible. Any mitigations required shall be at the permittee's sole cost and expense.

13. ***Contact Information.*** Prior to final inspection and at all times relevant to this permit, the permittee shall keep on file with the Department basic contact and site information. This information shall include, but is not limited to, the following: (A) the name, physical address, notice address (if different), direct telephone number and email address for (i) the permittee and, if different from the permittee, the (ii) site operator, (ii) equipment owner, (iii) site manager and (iv) agent for service of process; (B) the regulatory authorizations held by the permittee and, to the extent applicable, site operator, equipment owner and site manager as may be necessary for the facility's continued operation; (C) the facility's site identification number and/or name used by the permittee and, to the extent applicable, site operator, equipment owner and site manager; and (D) a toll-free telephone number to the facility's network operations center where a live person with power-down control over the facility is available 24 hours-per-day, seven days-per-week. Within 10 business days after a written request by the City, the permittee shall furnish the City with an updated form that includes all the most-current information described in this condition.

14. ***Indemnification.*** The permittee and, if applicable, the property owner upon which the wireless facility is installed shall defend, indemnify and hold harmless the City, City Council and the City's boards, commissions, agents, officers, officials, employees and volunteers (collectively, the "indemnitees") from any and all (A) damages, liabilities, injuries, losses, costs and expenses and from any and all claims, demands, law suits, writs and other actions or proceedings ("claims") brought against the indemnitees to challenge, attack, seek to modify, set aside, void or annul the City's approval of this permit, and (B) other claims of any kind or form, whether for personal injury, death or property damage, that arise from or in connection with the permittee's or its agents', directors', officers', employees', contractors', subcontractors', licensees' or customers' acts or omissions in connection with this permit or the wireless facility. If the City becomes aware of any claims, the City will use best efforts to promptly notify the permittee and the private property owner (if applicable) and shall reasonably cooperate in the defense. The permittee expressly acknowledges and agrees that the City shall have the right to approve, which approval shall not be unreasonably withheld, the legal counsel providing the City's defense, and the property owner and/or permittee (as applicable) shall promptly reimburse the City for any

costs and expenses directly and necessarily incurred by the City in the course of the defense. The permittee expressly acknowledges and agrees that the permittee's indemnification obligations under this condition are a material consideration that motivates the approval authority to approve this permit, and that such indemnification obligations will survive the expiration, revocation or other termination of the WTFPP.

15. ***Insurance.*** The permittee shall obtain and maintain throughout the term of the permit a type and amount of insurance as specified by City's risk management. The relevant policy(ies) shall name the City, its elected/appointed officials, commission members, officers, representatives, agents, and employees as additional insured. The permittee shall use its best efforts to provide 30 days prior notice to the Director of to the cancellation or material modification of any applicable insurance policy.

16. ***Performance Bond.*** Prior to issuance of a WTFPP, the permittee shall file with the City, and shall maintain in good standing throughout the term of the approval, a performance bond or other surety or another form of security for the removal of the facility in the event that the use is abandoned or the permit expires, or is revoked, or is otherwise terminated. The security shall be in the amount equal to 100 percent of the cost of removal of the facility as specified in the application for the WTFPP, or as that amount may be modified by the Director in in the permit based on the characteristics of the installation. The permittee shall reimburse the City for staff time associated with the processing and tracking of the bond, based on the hourly rate adopted by the City Council. Reimbursement shall be paid when the security is posted and during each administrative review.

17. ***Record Retention.*** Throughout the permit term, the permittee must maintain a complete and accurate copy of the written administrative record, which includes without limitation the WTFPP application, the WTFPP, the approved plans and photo simulations incorporated into such approval, all conditions associated with the approval, any ministerial permits or approvals issued in connection with the WTFPP approval and any records, memoranda, documents, papers and other correspondence entered into the public record in connection with the permit (collectively, "records"). If the permittee does not maintain such records as required in this condition, any ambiguities or uncertainties that would be resolved by inspecting the missing records will be construed against the permittee. The permittee shall protect all records from damage from fires, floods and other hazards that may cause deterioration. The permittee may keep records in an electronic format; provided, however, that hard copies or electronic records kept in the City's regular files will control over any conflicts between such City-controlled copies or records and the permittee's electronic copies.

18. ***Permit Revocation.*** See Section 20.~~23~~602.~~180~~ 160 of this Code ("Revocation Procedure").

19. ***Truthful and Accurate Statements.*** The permittee acknowledges that the City's approval relies on the written and/or oral statements by permittee and/or persons authorized to act on permittee's behalf. In any matter before the City in connection with the permit or the wireless facility, neither the permittee nor any person authorized to act on permittee's behalf shall, in any written or oral statement, intentionally provide material factual information that is incorrect or

misleading or intentionally omit any material information necessary to prevent any material factual statement from being incorrect or misleading.

20. ***Successors and Assigns.*** The conditions, covenants, promises and terms contained in this permit will bind and inure to the benefit of the City and permittee and their respective successors and assigns.

21. ***City's Standing Reserved.*** The City's grant or grant by operation of law of a permit does not waive, and shall not be construed to waive, any standing by the City to challenge any provision in federal or state law or any interpretation thereof.

B. **Modified Conditions.** The City Council authorizes the Director to modify, add or remove conditions to any permit as the Director deems necessary or appropriate to: (1) protect and/or promote the public health, safety and welfare; (2) tailor the standard conditions listed in Subsection 20.~~22~~515.110(~~-~~A) (General) to the particular facts and circumstances associated with the deployment; and/or (3) memorialize any changes to the proposed deployment need for compliance with this Code, generally applicable health and safety requirements and/or any other applicable laws.

20.515.120 –Legal Nonconforming Wireless Telecommunications Facilities on Private Property

Legal nonconforming wireless telecommunications facilities are those private property wireless facilities that existed but did not conform to this chapter on the date this chapter became effective and shall be subject to the provisions of Chapter 20.~~20~~510 (Nonconforming Uses, Structures, and Parcels).

20.515.130 – Special Exceptions for Federal or State Preemption.

A. **Preface.** The provisions in this section establish a procedure by which the City may grant an exception to the standards in this chapter but only to the extent necessary to avoid conflict with applicable federal or state law. When the applicant requests an exception, the approval authority shall consider the findings in Subsection 20.~~22~~515.130(~~-~~B) (Findings for an Exception) in addition to the findings required under Subsection 20.~~22~~515.080(~~-~~A) (Required Findings). Each exception is specific to the facts and circumstances in connection with each application. An exception granted in one instance shall not be deemed to create a presumption or expectation that an exception will be granted in any other instance.

B. **Findings for an Exception.** The approval authority may grant an exception to any provision or requirement in this chapter only if the approval authority finds that a denial based on the application's noncompliance with a specific provision or requirement would violate federal law, state law, or both.

C. **Scope of Exception.** If the approval authority finds that an exception should be granted, the exception shall be narrowly tailored so that the exception deviates from this chapter to least extent necessary for compliance with federal or state law.

D. **Burden of Proof.** The applicant shall have the burden to prove to the approval authority that an exception should be granted pursuant to this section. The standard of evidence shall be the same as

required by applicable federal or state law for the issue raised in the applicant's request for an exception."

Table of Contents

Chapter 20.601 – Administration 1
20.601.010 – Purpose and Applicability 1
20.601.020 – Review Authorities 1
20.601.030 – Approvals, Generally 3
20.601.040 – Applications and Fees 3

Chapter 20.602 – Common Procedures 5
20.602.010 – Purpose and Intent 5
20.602.020 – Preliminary Review 5
20.602.030 – Submittal and Review of Applications 6
20.602.040 – Environmental Review 7
20.602.050 – Public Notices and Hearings 8
20.602.060 – Conduct of Public Hearings 11
20.602.070 – Action 12
20.602.080 – Effective Date 13
20.602.090 – Expiration and Extension 13
20.602.100 – Changes to an Approved Project 14
20.602.110 – Reasonable Accommodations 14
20.602.120 – Construction Management Plan 15
20.602.130 – Appeals 16
20.602.140 – Calls for Review 18
20.602.150 – Modification Procedure for Conditions of Approval 19
20.602.160 – Revocation Procedure 20

Chapter 20.603 – Specific Procedures for Approvals and Permits 23
20.603.010 – General Plan Amendments 23
20.603.020 – Specific Plans and Amendments 24
20.603.030 – Zone Changes and Amendments 26
20.603.040 – Development Agreements 28
20.603.050 – Conditional Use Permits 31
20.603.060 – Temporary Use Permits 34
20.603.070 – Site Approvals 36
20.603.080 – Variances 39
20.603.090 – Zoning Clearance 43
20.603.100 – Administrative Approval 46
20.603.110 – Special Procedures for Accessory Dwelling Units and Farmworkers Housing 48
20.603.120 – Special Procedures for Streamlined Ministerial Approvals for Qualifying Housing Developments under Senate Bill 35/423 and Assembly Bill 2011 49
20.603.130 – Procedures for SB 330 Applications for Housing Developments 54
20.603.140 – Replacement Housing for Housing Development Projects 57
20.603.150 – Planned Development 58

Chapter 20.604 – Special Processing Requirements and Hazardous Waste Facilities. 65
20.604.010 – Pre-Application Procedures 65

20.604.020 – Local Assessment Committee 66
20.604.030 – Post-Application Procedures 67
20.604.040 – Technical Assistance Grants 67
20.604.050 – Appeal Procedures 68

Chapter 20.605 – Enforcement 69
20.605.010 – Purpose and Intent 69
20.605.020 – Applicability 69
20.605.030 – Remedies 69
20.605.040 – Penalties 70
20.605.050 – Fees 70

List of Tables

Table 20.601-1 Threshold of Review 2
Table 20.602-2 Minimum Public Notice and Hearing Requirements 8

600 Series - Administration and Procedures

Chapter 20.601 – ADMINISTRATION

Sections:

20.601.010 – Purpose and applicability
20.601.020 – Review Authorities
20.601.030 – Approvals, Generally
20.601.040 – Applications and Fees

20.601.010 – Purpose and Applicability

The 600 Series establishes the procedures and criteria by which the City of Chino will review proposed land use and development for compliance with Title 20, Zoning, of the Municipal Code of the City of Chino the Zoning Code). All use and development of land or structures, construction of buildings and improvements to the land, and changes in the use of land or structures must obtain permits and approvals in accordance with Title 20, unless specifically exempted.

20.601.020 – Review Authorities

A. **Threshold of Review.** Table 20.601-1 (Threshold of Review) establishes the final reviewing authority for all land use and development entitlements in the City of Chino. The symbols contained within the Table have the following meanings:

X = Approving Authority
A = Appeal Authority
R = Recommending (Advisory) Authority

Table 20.601-1 Threshold of Review

		Approving Authority		
Land Use/Entitlement Application Type	CMC Section/ Title Number	~~Community Development Services~~ Director of Development Services	Planning Commission	City Council
Annexations	20.603.030			X
General Plan Amendments	20.603.010		R	X
Specific Plan Amendments	20.603.020		R	X
Zone Changes and Zone Ordinance Amendments	20.603.030		R	X
Prezoneing	20.603.030		R	X
~~Tract/Parcel Maps~~	~~Title 19~~			
Tentative Tract/Parcel Maps	Title 19		X	A
Final Tract/Parcel Maps	Title 19			X
Development Agreements	20.603.040		~~R~~	X
~~Special~~ Conditional Use Permits	20.603.050		X	A
Temporary Use Permits	20.603.060	X	A	
Site Approvals	20.603.070		X	A
Minor Variance	20.603.080	X	A	~~A~~
Major Variance	20.603.080		X	A
Zoning Clearance	20.603.090	X	A	~~A~~
Administrative Approval	20.603.100	X	A	~~A~~
Special Procedures for Accessory Dwelling Units and Farmworkers Housing	20.603.110	X	A	
Special Procedures for Streamlined Administrative Approval of Qualifying Housing Development	20.603.120	X	X[1]	
Special Procedures for SB 330 Applications for Housing Developments	20.603.130	X	A[2]	
Replacement Housing for Housing Development Projects	20.603.140	X	A	
Planned Development	20.603.150		R	X

[1] SB 35 decisions are not appealable because they are ministerial acts. Judicial relief is available.

[2] A preliminary application is "deemed complete" if all of the information required by the Government Code is filed, which establishes an applicant's vested rights; however, the subsequent determination of whether a Formal Application is complete is appealable. These appeal rights are established in Section 20.602.~~140~~130 (Appeals). See discussion at: https://www.landusedevelopments.com/?s=SB+330+application+deemed+complete

B. **Multiple Permit Applications.** A project which requires the filing of more than one land use or entitlement permit application shall, to the extent possible, file all related permits concurrently.

20.601.030 – Approvals, Generally

A. Any variance or ~~special~~ conditional use permit granted pursuant to the provisions of any "zoning" or "districting" ordinance enacted prior to the effective date of the ordinance codified in this title, shall be construed to be a variance or ~~special~~ conditional use permit under this title, subject to all limitations imposed in such variance or ~~special~~ conditional use permit. Such variances or ~~special~~ conditional use permits, however, not utilized within 180 days from the effective date of the ordinance codified in this title, shall be null and void, and the property included therein shall thereafter be subject to all the regulations of the zone in which it is located.

B. Any land use that is legally established prior to the effective date of the ordinance codified in this title, and which land use requires the approval of a ~~special~~ conditional use permit according to this title, is deemed to have a ~~special~~ conditional use permit subject to all requirements of Section ~~20~~603.23.~~080~~ 050 (Conditional Use Permits) of the Zoning Code.

20.601.040 – Applications and Fees

A. **Purpose and Intent.** These provisions prescribe the procedures and requirements for the filing of applications for permits, amendments and approvals prescribed by the Zoning Code.

B. **Application Filing.** An application for a permit, permit modification, amendment, or any other matters pertaining to this Zoning Code shall be filed with the Development Services Department ~~of Community Development~~ Services on a City application form, together with all required fees, plans, maps, reports, special studies, exhibits, and any other information deemed necessary by the Department to process the application. The application shall be made by the owner(s) or lessee(s) of property, or their agent(s), or person(s) who have contracted to purchase the property contingent upon their ability to acquire the necessary permits under this Zoning Code~~, or their agent(s)~~.

C. **Application Contents.**

1. ***Application Forms.*** The Director of Development Services (the "Director") must prepare and issue application forms that specify the information and materials required from applicants for projects subject to the provisions of the Zoning Code.

2. ***Electronic Submissions and Supporting Information and Materials.*** The Director may require the electronic submission of application materials, consistent with the Government Code, and also is authorized to request the submission of additional information and materials from the applicant when necessary to complete the review of the project. The information and materials may include, but are not limited to, written descriptions, photographs, plans, drawings, maps, renderings, models, material samples, and other items necessary to describe existing conditions and the proposed project. Unless otherwise specified, all renderings must depict the proposed structure, landscaping, and other improvements, and surrounding uses as they would appear after project completion.

3. ***Submittal Waivers.*** The Director may waive certain submittal requirements to tailor the requirements to the information necessary to review the particular application.

4. ***Public Review.*** All forms, information, and materials submitted in support or in opposition to an application become property of the City, and may be distributed to the public.~~,~~ The forms, information, and materials ~~and~~ will be made available for public inspection once they are complete upon reasonable request and during normal business hours at the Development Services Department. Unless prohibited by law, copies of these submittals will be made available at a reasonable cost.

D. **Fees.** The City Council shall, by resolution, establish a schedule of fees for discretionary permits, ministerial approvals, ~~and~~ zoning clearances, amendments, and other matters pertaining to this Zoning Code. The schedule of fees may be changed or modified only by resolution of the City Council. ~~Until all applicable fees have been paid in full, r~~Review shall not commence on any application until all applicable fees have been paid in full. Failure to pay all applicable fees is grounds for rejection~~denial~~ of an application.

1. ***Fee Waiver.*** An applicant proposing to build an accessory dwelling unit that is less than 750 square feet may submit a written request to the Director for the waiver of all or a portion of fees if specifically authorized by ~~State law~~Government Code Section 65852.2(f)(3)(A). Upon a finding by the Director that, owing to exceptional or extraordinary circumstances, collection of the required fees will result in unnecessary hardship, the fees may be reduced or waived by the Director.

2. ***Multiple Applications.*** The City's processing fees are cumulative and must be paid as required by the Council fee resolution.

3. ***Refund of Fees.*** Application fees are non-refundable unless otherwise provided for in the Municipal Code or by a policy of the City Council.

E. **Limitation on Application Refiling.** A final action denying an application for a land use decision or ~~development~~entitlement permit relative to a specific lot(s) or parcel(s), shall prohibit the further filing of the same or a substantially similar application for a period of not less than one year from the date of application denial.

F. **Environmental Review.** An application for an entitlement permit, entitlement permit modification, amendment, or any other matters pertaining to this Zoning Code shall be reviewed and acted upon in accordance with the provisions of the California Environmental Quality Act ~~and the~~ (CEQA) and its ~~G~~guidelines.

G. **Applications Deemed Withdrawn.**

1. If an applicant does not respond in writing to a Notice of Non-Acceptance within ~~nine~~ six months of receipt of said Notice, the application shall expire and be deemed withdrawn without any further action by the City.

2. Any fees submitted with the project application that remain unused at the time the application is deemed withdrawn shall be returned to the applicant.

3. After the withdrawal of an application, future City consideration of the same or another project shall require the submittal of a new, complete application, and associated filing fees.

Chapter 20.602 – COMMON PROCEDURES

Sections:

20.602.010 – Purpose and Intent
20.602.020 – Pre-Application liminaryReview
20.602.030 – Submittal and Review of Applications.
20.602.040 – Environmental Review
20.602.050 – Public Notices and Hearings
20.602.060 – Conduct of Public Hearings
20.602.070 – Action
20.602.080 – Effective Date
20.602.090 – Expiration and Extension
20.602.100 – Changes to an Approved Project
20.602.110 – Reasonable Accommodations
20.602.120 – Construction Management Plan
20.602.130 – Appeals
20.602.140 – Calls for Review
20.602.150 – Modification Procedure for Conditions of Approval
20.602.160 – Revocation Procedure

20.602.010 – Purpose and Intent

This chapter establishes the procedures that are common to the application for and processing of all permits and approvals provided for in this Zoning Code, except as superseded by a specific requirement of the Zoning Code or State law.

20.602.020 – ~~Pre-Application~~Preliminary Review

A. **Purpose.** The purpose of the preliminary review process is to provide an ~~i~~introductory review that allows the City to analyze a project at a conceptual level. The purpose of the preliminary review is to identify major issues regarding land use, building configuration, driveway locations, overall site design, and environmental impacts based on the plans and information submitted.

1. A preliminary review may be submitted for any development proposals prior to the formal submittal of an application.

2. A preliminary review shall be required for all projects that involve a density bonus and/or other incentives as identified in Chapters 20.306 and 20.512.

B. **Application and Filing.** An application for a preliminary review may be initiated by the City or by an interested party in accordance with the provisions of Section 20.601.040 (Applications and Fees) of this Series.

C. **Review.** Within ~~90~~ 45 days following receipt of a preliminary review application, the Director of ~~Community~~ Development Services shall respond to the applicant in writing, providing comments on the proposal, suggestions on how to improve the proposal, consistency with General Plan and zoning regulations, potential special studies that may be required, and a description of all necessary land use applications that must be filed with the City.

D. **Recommendations Are Advisory.** Neither Preliminary Review nor the information conveyed during the Preliminary Review is a recommendation for approval or denial of an application by City representatives. Any recommendations that result from Pre-Application Review are advisory; they are not binding on the applicant or the City.

20.602.030 – Submittal and Review of Applications

A. **Initiation of Application.** An application may be submitted by any qualified applicant.

B. **Application Forms.** Applications shall be submitted using the City's application forms. They shall include all of the required information for the individual application.

C. **Electronic Submission and Supporting Materials.** The City may require the electronic submission of the application materials, consistent with the Government Code, and also may require supporting materials, including without limitation statements, photographs, plans, renderings, material samples and other items necessary to describe existing conditions and the proposed project.

D. **Availability of Materials.** All material submitted in support of a specific application becomes the property of the City and is available for public review.

E. **Review for Completeness.**

1. The Director of Development Services must determine whether an application is complete within 30 days of the date that the application is filed with the required fee. If the Director does not make such determination, the application is deemed complete pursuant to State law and shall be processed accordingly.

2. The Director of Development Services and the applicant may mutually agree in writing to extend this time period.

F. **Incomplete Application.**

1. ***Zoning Violations.*** An application is incomplete if conditions exist on the site in violation of this Zoning Code or any permit or other approval granted in compliance with this Zoning Code, unless the proposed project includes a correction of the violation(s).

2. ***Notification of Deficiencies***. If an application is incomplete, the Director must provide written notification to the applicant specifically identifying how the application is deficient and stating that the Development Services Department will not process an incomplete application. The application must then be classified as "incomplete."

3. ***Correcting Deficiencies.*** The applicant must provide the materials and/or information required to correct the deficiencies in the application within the time limit specified by the Director, which must not be sooner than 30 days unless a time extension is granted.

4. ***Expiration of Application.*** If an applicant fails to correct any specified deficiency within the specified time limit, the application will be deemed expired unless a time extension is granted. After the expiration of an application, the submittal of a new, complete application is required.

5. ***Appeal of Determination.*** The decision that an application is incomplete may be appealed to the Planning Commission in accordance with Section 20.602.130 (Appeals). A preliminary application filed pursuant to SB 330 is deemed complete if it includes all of the required information; there is not a separate completeness determination, and the applicant's filing to obtain a vested right is not appealable.

G. **Complete Application.**

1. ***Complete Application Required***. An application must be complete before review of the application begins.

2. ***Determination of Complete Application.*** An application is complete when the Director of Development Services determines that it is submitted on the required form, includes all the necessary information to decide whether the application will comply with the requirements of this Zoning Code, and is accompanied by the applicable fee(s). The Director's decision that an application is complete is final and not subject to review by a decision-making body.

3. ***Recording Date and Scheduling Hearing.*** When an application is determined to be complete, the Director must make a record of that date. If the application requires a public hearing, the Director must schedule it and notify the applicant of the date and time.

20.602.040 – Environmental Review

Before approving any application subject to discretionary review or a zoning clearance under this Zoning Code, the requirements of the California Environmental Quality Act ("CEQA") (California Public Resources Code Section 21000 *et seq.*) and the State CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 *et seq.*) must be met unless a project is exempt from environmental review.

A. **Procedures**. The City adopts and incorporates by reference the State CEQA Guidelines as its environmental review procedures.

B. **Determination of Exemption**. The Director must determine whether a project is exempt from environmental review under CEQA and, if so, must make a record of that determination. If the project is not exempt, a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report must be prepared at the applicant's expense.

C. **Exempt Projects.** Prior to approving the project, the decision-maker(s) must first approve the Director's determination of an exemption. Following project approval, a Notice of Exemption shall be filed as required by CEQA Guidelines. The applicant must pay all filing fees for the Notice of Exemption.

D. **Non-~~exempt~~ Exempt Projects.** If the Director determines that the project is not exempt from environmental review under CEQA, the applicant must be notified and must pay the required fee for environmental review.

20.602.050 – Public Notices and Hearings

A. **Purpose and Intent.** The purpose of these provisions is to prescribe specific procedures and requirements for the scheduling, noticing and hearing of each of the various classifications of land use and development applications, or any other matters pertaining to this Zoning Code.

B. **Applicability.** An application for a permit, permit modification, amendment, change, revision, extension, or any other matters pertaining to this Zoning Code, shall be scheduled, noticed and heard in accordance with the provisions of this Section.

C. **Notice of Hearing**.

1. ***Minimum Notification Procedures.*** Public notice and hearing shall be provided in the manner prescribed by Table 20.602-2 (Minimum Public Notice and Hearing Requirements).

Table 20.602-2 Minimum Public Notice and Hearing Requirements

Classification/Action	*Public Hearing Required*	*Notification Requirement*		*Additional Regulations*
		Mail	*Publish*	
Zone Ordinance Amendments	Yes	No	Yes	20.602.060.C.2
Zone Changes	Yes	300 ft. Radius	Yes	20.602.060.C.2&3
Variances				
Minor Variance	No	Adjacent Property	No	20.602.060.C.4
Major Variance	Yes	300 ft. Radius	Yes	20.602.060.C.2&3
Tract/Parcel Maps:				
Tentative Maps	Yes	300 ft. Radius	Yes	20.602.060.C,2&3
Final Maps	No	No	No	
Specific Plans and Amendments				
Not affecting specific real property	Yes	No	Yes	20.602.060.C.2&3
Affecting specific real property	Yes	300 ft. Radius	Yes	20.602.060.C.2&3
~~Special Conditional Use~~Conditional Use Permits	Yes	300 ft. Radius	Yes	20.602.060.C.2&3
Temporary Use Permit	No	Yes	No	20.603.060
Site Approvals	No	300 ft. Radius	Yes	20.602.060.C.2&3
General Plan Amendments:				
Not affecting specific real property	Yes	No	Yes	20.602.060.C.2
Affecting specific real property	Yes	300 ft. Radius	Yes	20.602.060.C.2&3
Fees and Exactions (adoption or increase)	Yes	No	Yes	20.602.060.C,2
Development Agreements	Yes	300 ft. Radius	Yes	20. 602.060.C.2&3

Table 20.602-2 Minimum Public Notice and Hearing Requirements

Classification/Action	*Public Hearing Required*	*Notification Requirement*		*Additional Regulations*
		Mail	*Publish*	
Appeal Of				
Planning Commission action not affecting specific real property	Yes	No	Yes	20. 602.060.C.2
Planning Commission action affecting specific real property	Yes	300 ft. Radius	Yes	20. 602.060.C.2&3
Administrative Action	No	The noticing requirements shall be the same as that required for the administrative action or decision being appealed		
Administrative Approvals				
Zoning Clearance	No	No	No	
Type I (Minor New Construction Projects)	No	Adjacent Property	No	20.602.060.C.4
Type II (Minor Additions, Expansions or Alterations)	No	Adjacent Property	No	20.602.060.C.4
Type III (Land Use Approvals)	No	Adjacent Property	No	20.602.060.C.4
Home Occupation Permit	No	Adjacent Property	No	20.602.060.C.4

2. A public notice shall be published one time in a newspaper of general circulation within the City, at least 10 days prior to the scheduled hearing (20 days for Zoning Code and Zoning Map amendments, Planning Commission only, 10 days for City Council).

3. At least 10 days or 20 days, as the case may be, prior to the scheduled hearing, notice shall be provided in each of the following ways:

   a. Notice shall be mailed or delivered to the owner of the property that is the subject of the hearing or the owner's duly authorized agent, and to the project applicant.

   b. Notice shall be mailed or delivered to each local agency expected to provide water, sewer, streets, roads, schools, or other essential facilities or services to the project, whose ability to provide those facilities and services may be affected.

   c. Notice shall be mailed or delivered to all owners of real property shown on the latest equalized assessment roll within a 300-foot radius of the property that is the subject of the hearing. In lieu of utilizing the assessment roll, the City may utilize records of the county assessor or tax collector that contain more recent information than the assessment roll. If the number of owners to whom the notice would be mailed or delivered pursuant to this paragraph is greater than 1,000, the City may provide notice by placing a display

advertisement of at least one-eighth page in a minimum of one newspaper of general circulation within the City, at least 10 days prior to the hearing.

d. The 300-foot radius is a MINIMUM requirement and may be expanded if deemed necessary by the Director of ~~Community~~ Development Services.

e. Where it is anticipated that the subject of a hearing may result in opposition or controversy within a neighborhood, the Director of ~~Community~~ Development Services may require the project applicant to provide notification to all renters and lessors of property within a 300-foot radius of the property that is the subject of the hearing.

4. At least 10 days prior to action on the application, notice shall be provided in each of the following ways:

a. Notice shall be mailed or delivered to the owner of the property that is the subject of the hearing or the owner's duly authorized agent, and to the project applicant, and

b. Notice shall be mailed or delivered to all owners of real property shown on the latest equalized assessment roll adjacent to the property that is the subject of the hearing. In lieu of utilizing the assessment roll, the City may utilize records of the county assessor or tax collector that contain more recent information than the assessment roll. For the purpose of these provisions, "adjacent" means any lot that touches the property line of the subject site or is located across the street.

D. **Additional Notification.** In addition to the noticing required by Table 20.602-2 (Minimum Public Notice and Hearing Requirements), notice of a hearing may be given in any other manner deemed necessary by the Director of ~~Community~~ Development Services.

1. For applications on a lot or lots combined to be greater than 5 acres, within 600 feet of a residentially zoned property, the applicant shall install a sign on the subject property as follows:

a. The sign shall be installed on all property lines directly adjacent to a public right-of-way.

b. The sign shall be a minimum of four feet (4') in height by eight feet (8') in length and shall include the following:

i. The developers name and contact information;

ii. Name of project and file number;

iii. Brief description of project; and

iv. City contact name and phone number.

~~c. The sign shall be easily readable from a distance of 60 feet.~~

~~d.~~c. The sign shall be removed within 7 days of the final decision of the hearing body.

E. **Notice Content.** At a minimum, a public notice shall include the following information:

1. The date, time, address and location of the meeting or public hearing;

2. The identity of the hearing body or officer holding the meeting or hearing;

3. A general description of the proposed project;
4. The environmental determination;
5. The name, title, and telephone number of a staff contact person;
6. The location and hours that the case file can be reviewed;
7. The project name and case number;
8. The project applicant's name and the name of the owner if not the applicant;
9. A general description of project location, including streets and intersections;
10. A vicinity map showing the project location;
11. A statement that anyone interested in the project, and anyone who has questions or comments on the project, is invited to attend the public meeting or hearing, to appear and be heard on the request or proposal;
12. A statement describing how to submit written comments and what the appeal procedures area; and
13. The following concluding statement: "If you challenge the *(nature of the action)* in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City prior to the public hearing."

F. **Request for Notification.** A notice shall be mailed or delivered, at least 10 days prior to the scheduled hearing, to all persons who have filed a written request for notice with the City Clerk. At the time of such request, the person shall deposit such sum requested by the City Clerk to cover the City's actual cost thereof, as determined by the City Clerk.

G. **Failure to Receive Notice.** The failure of any person or entity to receive public notice given pursuant to this Zoning Code shall not constitute grounds for any court to invalidate the action for which the notice was given. Meaning more specifically, that the validity of the proceedings is not affected by the failure of any person or entity to receive notice under this Section.

20.602.060 – Conduct of Public Hearings

A. At any public hearing held pursuant to the provisions of this Zoning Code, the Planning Commission or City Council shall hear the applicant, appellant, any interested persons, and any staff member. The Planning Commission or City Council may preclude the introduction of any irrelevant evidence and may restrict any person's oral presentation to ~~10 minutes~~a specified time limit. However, the Planning Commission or City Council shall receive any person's written statement.

B. In the event that any member of the Planning Commission or City Council has obtained evidence outside of the hearing, such information shall be placed into the record. Thereafter, the applicant, appellant, or any interested person may rebut such information and shall be entitled to a continuance for that purpose. However, no person may examine a member of the Planning Commission or City Council.

C. Any action or decision of the Planning Commission or City Council shall require a majority vote of its members. An abstention by any member who is present at the hearing and has heard all presented evidence, shall constitute an affirmative vote on any motion regarding the application or appeal.

D. When an action or decision of the Planning Commission is contested, and a request is made in writing prior to the date of the hearing, the Director of ~~Community~~ Development Services shall insure that a record of any such hearing shall be made and duly preserved ~~provided that a deposit is made prior to the hearing~~, and that the total cost thereof is made before said record is made available.

E. Any public hearing conducted pursuant to this Section may be continued from time to time. If such hearing is continued at the request of an applicant or appellant, such a continuance shall constitute a waiver of any applicable time period in which to take action or render a decision.

F. Any action or decision of the Planning Commission shall be final and conclusive, unless appealed to the City Council pursuant to the provisions of Part I (Appeals) of this Section. Any action or decision of the City Council shall be final and conclusive.

20.602.070 – Action

When making a decision to approve, approve with conditions, modify, revoke, or deny any discretionary permit under this Zoning Code, the responsible decision-maker must issue a Notice of Action and make findings as required by this Zoning Code.

A. **Date of Action.** After the close of the public hearing or, if no hearing is required, no sooner than ten days after any notice was provided pursuant to Section 20.602.050 (Public Notices and Hearings), the decision-maker must make a decision to approve, approve with conditions, or deny the application. Decisions must also be made within any applicable time period set forth below.

1. ***Project Exempt from Environmental Review***. Within 30 days of the date the City has determined an application to be complete, a determination must be made whether the project is exempt from Environmental Review per State CEQA requirements.

2. ***Project for which a Negative Declaration or Mitigated Negative Declaration is Prepared***. Within 60 days of the date a Negative Declaration or Mitigated Negative Declaration has been completed and adopted for project approval, the City must take action on the accompanying discretionary project.

3. ***Project to Develop Affordable Housing for which an Environmental Impact Report is Prepared.*** Within 90 days from the date that the decision-making authority certifies the Final Environmental Impact Report for an affordable housing project that meets the criteria set forth in California Government Code Section 6590(a)(2) for environmental review of affordable housing projects, the City must take action on the accompanying project.

4. ***Project for which an Environmental Impact Report is Prepared***. Within 180 days from the date the decision-making authority certifies a Final Environmental Impact Report for a project that does not involve affordable housing as defined in the California Government Code, the City must take action on the accompanying discretionary project.

B. **Findings.** The decision must be based on the findings required by this Zoning Code. The findings must be based on consideration of the application, plans, testimony, reports, and other materials that constitute the administrative record and must be stated in writing. The findings~~r~~ may refer to a City resolution, ordinance, or record of the action on the application.

C. **Conditions of Approval.** In approving an application, the decision-maker may impose reasonable conditions it deems necessary to ensure that the project will comply with the General Plan, any applicable specific plan, this Zoning Code, and any other applicable City regulations.

D. **Referral Back to Planning Commission.** In approving applications requiring City Council approval upon a recommendation of the Planning Commission, the Council may add, modify, or delete any terms of the permit itself or any provisions of the conditions of approval. Such action may, but need not be, referred back to the Planning Commission for its review and recommendation.

E. **Notice of Decision.** After the decision is made, the Director must issue a notice of decision. For a Planning Commission or City Council action, this notice must consist of the approved resolution or ordinance and any associated conditions of approval. For a decision by any other decision-maker, a letter must be issued to the applicant indicating the decision and any written findings and conditions of approval. A copy of the notice must also be provided to any other person or entity that has filed a written request of such notification.

20.602.080 – Effective Date

A final decision on an application for any discretionary approval subject to appeal is effective after the expiration of the 10-day appeal period following the date of action, unless an appeal is filed pursuant to Section 20.602.~~140~~130 (Appeals). No building permit or business license for the structure or use that is the subject of the application may be issued until after the close of the 10-day appeal period.

20.602.090 – Expiration and Extension

A. **Expiration.** The decision-maker, in the granting of any permit or approval, may specify a time within which the proposed use or construction must be undertaken and actively and continuously pursued. If no time period is specified, any permit or approval granted under this Zoning Code -automatically expires if it is not exercised or extended within two years of its issuance.

1. ***Exercise of Use Permit.*** A permit for the use of a building or land that does not involve construction is exercised when the permitted use has commenced on the site.

2. ***Exercise of Building or Grading Permit.*** A permit for the construction or alteration of a building or structure is exercised when a valid City building permit or grading permit, if required, is issued, and construction has lawfully commenced.

B. **Extensions.** The Director may grant a one year extension of any permit or approval granted under this Zoning Code upon receipt of a complete written application with the required fee prior to the approval's expiration date. In order to grant an extension, the Director must make the following findings:

1. The applicant has clearly documented that they have made a good faith effort to commence and diligently pursue work;
2. It is in the best interest of the City to extend the approval;
3. There are no substantial changes to the project, no substantial changes to the circumstances under which the project is undertaken, and no new information of substantial importance that would require any further environmental review pursuant to the California Environmental Quality Act; and
4. The applicant is maintaining the property in compliance with all applicable City regulations.

C. In granting an extension pursuant to subsection (B) above, the decision-maker may modify the conditions of approval as deemed necessary to fulfill the purposes of this Zoning Code and the CMC.

20.602.100 – Changes to an Approved Project

A. **Minor Modifications.** The Director may approve minor modifications to approved plans that are substantially consistent with the original findings and conditions of approval and that would not intensify any potentially detrimental effects of the project. If the modification relates to public infrastructure, the Director shall consult with the Director of Public Works prior to making a decision. Modification of conditions of approval are governed by Section 20.602.160 (Modification Procedure for Conditions of Approval).

B. **Major Modifications.** Modifications that the Director determines are not minor require the approval of the original decision-maker. Any person holding a permit granted under this Zoning Code may apply for such modification by following the same procedure required for the initial application for the permit. Such modifications may be to the terms of the permit itself or to conditions of approval. Modifications of conditions of approval are governed by Section 20.602.160 (Modification Procedure for Conditions of Approval).

20.602.110 – Reasonable Accommodations

A. The Director of ~~Community~~ Development Services shall have authority to modify the established zoning regulations, including dimensional requirements and objective design standards, for the purpose of allowing reasonable accommodation in conjunction with the Americans with Disabilities Act, the federal Fair Housing Act, the Religious Land Use and Institutionalized Persons Act, and the California Fair Employment and Housing Act. Modifications from zoning standards shall ~~only~~ apply to new construction and to additions or tenant improvements to existing buildings and shall be limited to the following areas:

1. Additions or alterations required to provide access to a new building or to retrofit an existing building to provide adequate disabled access may encroach into a required setback up to 10 percent of the required setback standard.

2. The maximum lot coverage, transparency standards, setback lines, parking space, driveway width, and/or landscape coverage may be deviated from up to 10 percent of the required standard if an addition or alteration to an existing building is required to provide disabled access or fair access to housing or accommodations for other protected uses or protected persons.

3. Waiver cannot be granted for: lot area, width, or depth; maximum height or number of stories; floor area ratio; minimum number of parking spaces; minimum or maximum residential density; or maximum floor area.

B. The Director must make the following findings in addition to any other findings that this Code requires:

1. That the housing or other property that is the subject of the request for reasonable accommodation will be used by an individual or organization entitled to protection;

2. If the request for accommodation is to provide fair access to housing, that the request for accommodation is necessary to make specific housing available to an individual protected under State or federal law;

3. That the conditions imposed, if any, are necessary to further a compelling public interest and represent the least restrictive means of furthering that interest; and

4. That denial of the requested waiver would impose a substantial burden on religious exercise or would conflict with any State or federal statute requiring reasonable accommodation to provide access to housing.

C. The Director has the authority to impose reasonable conditions of approval that are related and proportionate to what is being requested by the applicant or deemed necessary and appropriate to ensure that the General Plan, any applicable specific plan, and this Zoning Code are met. The Director also may require reasonable guarantees and evidence that such conditions are being, or will be, complied with. Reasonable accommodations may be conditioned to provide for rescission or automatic expiration based on a change in occupancy or other relevant change in circumstances.

20.602.120 – Construction Management Plan

A. **Purpose and Intent.** The purpose of the construction management plan is to coordinate and address construction activities that may impact adjacent residents or businesses.

B. **Applicability.** The construction management plan policy shall be applied to new construction or an existing development requiring ~~a building permit, zoning clearance, or~~ administrative or Planning Commission approval within the City at the discretion of the Director of ~~Community~~ Development Services.

C. **Policy.** At the discretion of the Director of ~~Community~~ Development Services, prior to the issuance of building permits, the applicant shall prepare a construction management plan to the satisfaction of the Director of ~~Community~~ Development Services and the Director of Public Works. The plan shall coordinate and address construction activities that may impact residents or businesses. Elements of the plan shall contain, but not be limited to, the following items:

1. A traffic management plan that includes mitigation measures to minimize impacts with adjacent residents and occupants as well as information regarding the delivery and routing of construction equipment and materials, the location of the vehicle and equipment staging area, transportation demand management to minimize the impacts of workers' vehicles on neighborhood streets, and traffic control and coordination;
2. Hours of operation;
3. The location of all construction offices and temporary trailers;
4. A phasing plan and construction phasing traffic control plan;
5. Dust control measures;
6. Vector control measures;
7. Pre-construction meetings;
8. Contractor/subcontractor acknowledgement, obligations, and penalties;
9. Security & interim fencing; ~~and~~
10. Signs posted on the site that meet the notification requirements of ~~Section 20.03.110.~~the City ~~D~~ and include a contact telephone number for both the City and the contractor, the project number, developer, contractor, and addresses for the developer and contractor~~.~~;
11. Building and landscape phasing. This plan shall show which buildings and landscaping will be completed in which phases, and how each completed phase will be closed off from phases under construction so as to minimize conflict between construction vehicles and pedestrian and vehicular traffic in the center~~.~~; and
12. A specific transportation demand management program for workers' vehicles, including rideshare/carpool/vanpool programs, flex-hours, and shuttles to off-site parking facilities, ~~-~~shall be required for multi-family residential projects with more than 10 units and any non-residential development project directly adjacent to residential neighborhoods with a construction cost exceed $2 million.

20.602.130 – Appeals

A. **Administrative Actions or Decisions.**

1. Any applicant or any interested person may appeal to the Planning Commission, any action or decision of the Director of ~~Community~~ Development Services. An appeal request shall be filed in writing with the ~~Community~~ Development Services Department, along with the appropriate fee as determined by resolution of the City Council, within 10 days following the action or decision. Such appeal shall include a statement identifying the specific action or decision which is being appealed, the specific grounds for the appeal, and the relief requested from the Planning Commission.

2. Upon receipt of an appeal request, the Director of ~~Community~~ Development Services shall prepare the record before the Planning Commission on the subject matter of the appeal, including reports, memos and meeting notes, and transmit same to the Planning Commission. The Director of ~~Community~~ Development Services shall also prepare a written response to the appeal statement, containing a recommendation on the appeal, proposed findings to deny or support the appeal, along with any appropriate conditions. The response shall be made available to the appellant at least 72 hours prior to the appeal hearing before the Planning Commission.

3. Upon receipt of an appeal request, the Planning Commission shall set the matter for hearing. The hearing shall be held within 60 days following the filing of the appeal request, or the next regularly scheduled Planning Commission meeting thereafter unless the applicant and City staff have agreed to an alternate time.

4. Within 30 days following the conclusion of the hearing, the Planning Commission shall render its decision on the appeal. The Planning Commission may deny the appeal, or may grant the appeal in whole or in part. The decision shall include all required findings of fact.

5. Regardless of the appellant, the burden of demonstrating that a project satisfies all applicable standards and criteria as required by this Zoning Code shall lie with the project applicant.

B. **Planning Commission Actions or Decisions.**

1. Any applicant or any interested person may appeal to the City Council, any action or decision of the Planning Commission. An appeal request shall be filed in writing with the ~~Community~~ Development Services Department, along with the appropriate fee as determined by resolution of the City Council, within 10 days following the Planning Commission action or decision. Such appeal shall include a statement identifying the specific action or decision of the Planning Commission that is being appealed, the specific grounds for the appeal, and the relief requested from the City Council. The appeal statement shall be limited to those matters raised during the public hearing before the Planning Commission. The City Council may not consider any matter that is not raised during the public hearing before the Planning Commission and contained in the appeal statement.

2. Upon receipt of an appeal request, the Director of ~~Community~~ Development Services shall prepare the record before the Planning Commission on the subject matter of the appeal, including staff reports and Planning Commission meeting minutes, and transmit same to the City Council. The Director of ~~Community~~ Development Services shall also prepare a written response to the appeal statement, containing a recommendation on the appeal and proposed findings to deny or support the appeal, along with any appropriate conditions. The response shall be made available to the appellant at least 72 hours prior to the appeal hearing before the City Council.

3. A verbatim transcript of the public hearing before the Planning Commission on the subject matter of the appeal shall be provided if the appellant so requests. The cost of its preparation shall be deposited with the City within five days following the receipt of the appeal request.

4. Upon receipt of an appeal request, the City Council shall set the matter for hearing. The hearing shall be held within 60 days following the filing of the appeal request, or the next regularly scheduled City Council meeting thereafter unless the applicant and City staff have agreed to an alternative time.

5. Within 45 days following the conclusion of the hearing, the City Council shall render its decision on the appeal. The City Council may deny the appeal, or may grant the appeal in whole or in part, along with any conditions it deems necessary to protect the public health, safety and general welfare. The decision shall include all required findings of fact.

6. Regardless of the appellant, the burden of demonstrating that a project satisfies all applicable standards and criteria as required by this Zoning Code shall lie with the project applicant.

20.602.140 – Calls for Review

A. **Planning Commission or City Council Review.**

1. The Commission may call for a review of any determination or decision on a permit application made by the Director of ~~Community~~ Development Services or Department staff.

2. The City Council may call for a review of any determination or decision on a permit application made by the Planning Commission, the Director of ~~Community~~ Development Services, or Department staff.

3. A call for review may only be initiated by the affirmative vote of the majority of the members present of the applicable review authority.

B. **Process for Calling for a Review.**

1. ***Initiation by Planning Commissioners.*** One or more Commissioners may initiate a call for review of a Director of ~~Community~~ Development Services or Department staff determination or decision by filing a written request with the Department within 10 days following the date of the determination or decision.

2. ***Initiation by City Council members***. One or more City Council members may initiate a call for review of a Planning Commission, Director of ~~Community~~ Development Services, or Department staff determination or decision by filing a written request with the Secretary of the Planning Commission within 10 days following the date of the determination or decision.

C. **Consideration of Call for Review.** The Commission or Council, as applicable, shall consider the call for review at its next regularly scheduled meeting.

D. **Vote by Review Authority.** If the Commission or Council, as applicable, votes to review the determination or decision, a subsequent review hearing must be scheduled to consider the merits of the review.

E. **Notice to Applicant.** At the time the review authority votes to initiate the review, the applicant shall be informed of the aspects of the application and the determination or decision that the review authority will consider.

F. **Effect of Call for Review.**

1. A request for a call for review by a member of a review authority must stay the effective date of a determination or decision until the review authority can make a decision on the call for review request.
2. The timely filing of a call for review does not extend the time in which an appeal of a determination or decision shall be filed; the normal appeal period will continue to run.
3. If the review authority decides to call for review the subject determination or decision, then the previous determination or decision will be suspended and be of no further effect.
4. If the review authority decides not to call for review the subject determination or decision, then the determination or decision will become final when the appeal period expires.

G. **Filing of an Appeal Pending a Call for Review.**

1. An eligible person affected by a determination or decision may file a timely appeal in compliance with this Article even though a call for review has been filed in compliance with this Section.
2. The filing of the appeal shall serve to protect the rights of the appellant(s) in the event the call for review is subsequently withdrawn or overturned.
3. Withdrawal or failure of a call for review. If a request for a call for review is withdrawn after filing, or fails, the remaining days of the call for review period will start from the date on which the call for review is withdrawn or fails.

H. **Notice and Public Hearing**.

1. A call for review hearing must be a public hearing only if the original determination or decision required a public hearing.
2. Notice of the public hearing must be the same as the original determination or decision, and the hearing must be conducted, in compliance with Section 20.~~23~~602.~~140~~050 (Public Notices and Hearings).

20.602.150 – Modification Procedure for Conditions of Approval

A. The Planning Commission and City Council shall have jurisdiction to modify or delete conditions of approval imposed upon any new or existing site approval, ~~special~~ conditional use permit, tentative tract or parcel map, variance, or any modification thereto, granted in accordance with the provisions of this Zoning Code, in the following manner:

1. A proceeding to consider modification or deletion of such conditions of approval may be commenced by written application by a permittee, or by direction of the Director of ~~Community~~ Development Services. The Planning Commission or City Council shall conduct a noticed public hearing, pursuant to the provisions of Section 20.~~23.140~~602.050 (Public Notices and Hearings), on such modification proceedings to determine whether any condition of approval should be added, deleted or modified as follows:

a. Upon institution of a proceeding seeking to add, modify or delete a condition of approval by the Director of ~~Community~~ Development Services, the Director shall prepare and take action to deliver to the permittee, at least 60 days prior to the public hearing, a written statement setting forth the factual basis of the proposed addition, deletion or modification of a condition of approval, together with the notice of the time, date and place of the hearing.

b. The holder of a permit, permit modification or development entitlement may initiate the modification proceeding to add, delete or modify a condition of approval imposed upon such, by filing a written application with the Director of ~~Community~~ Development Services, which application shall identify the property subject to the permit, permit modification or development entitlement, and the conditions of approval sought to be added, deleted or modified. In addition, the application shall contain a factual basis in support of the proposed addition, deletion or modification. Upon receipt of the application, the Director of ~~Community~~ Development Services shall set a hearing thereon before the Planning Commission within 60 days of receipt of the application. Prior to the hearing on the application, the Director of ~~Community~~ Development Services shall investigate the basis of the application and submit a written report thereon, together with recommendations to the Planning Commission or City Council, and the applicant within 72 hours prior to the public hearing.

2. No addition, modification or deletion of any condition of approval shall be granted unless the Planning Commission or City Council determines that such addition, deletion or modification is necessary to protect the public peace, health, safety and welfare, or that such action is necessary to permit reasonable operation under the permit, permit modification or development entitlement previously granted.

3. The decision of the Planning Commission to modify a permit, permit modification or development entitlement shall be final and conclusive in the absence of a timely filed appeal to the City Council. Any appeal of a Planning Commission action shall be subject to the provisions of Section ~~1~~20.602.130 (Appeals) of this Series.

20.602.160 – Revocation Procedure

A. **Development and Land Use Entitlements.** The Planning Commission and City Council shall have jurisdiction to revoke any new or existing site approval, ~~special~~ conditional use permit, tentative tract or parcel map, variance, or any other development or land use entitlement, or any modification thereto, granted in accordance with the provisions of this Zoning Code, in the following manner:

1. Upon recommendation of the Director of ~~Community~~ Development Services, the Planning Commission shall conduct a noticed public hearing, pursuant to the provisions of Section 20.~~23.140~~602.050 (Public Notices and Hearings), to determine whether the subject permit, permit modification or development entitlement should be revoked. The Director of ~~Community~~ Development Services shall prepare and deliver to the permittee, a written

statement setting forth the factual basis for the proposed revocation, at least 10 days prior to the hearing.

2. A permit, permit modification or development entitlement may be revoked by the Planning Commission or City Council based upon any one or more of the following grounds:

   a. The approval was obtained by fraud;

   b. The permit, permit modification or development entitlement granted is not being exercised;

   c. The use for which such approval was granted has ceased to exist or has been suspended for 180 days or more;

   d. The permit, permit modification or development entitlement granted is being, or recently has been, exercised contrary to the terms or conditions of such approval, or in violation of any statute, ordinance, law or regulation; or

   e. The permit, permit modification or development entitlement for which the approval was granted was so exercised as to be detrimental to the public peace, health, safety, welfare, or so as to constitute a nuisance.

   f. The permit, permit modification or development entitlement was granted in error as the result of inaccurate information provided by the applicant, or mistaken assumptions by staff, or failure by staff to follow a procedure established either in this Code or in Departmental policy.

3. The decision of the Planning Commission to revoke a permit, permit modification or development entitlement shall be final and conclusive in the absence of a timely filed appeal to the City Council. Any appeal of a Planning Commission action shall be subject to the provisions of Part I (Appeals) of ~~this~~ Section 20.602.130 (Appeals).

B. **Administrative Actions.** The Director of ~~Community~~ Development Services shall have jurisdiction to revoke any new or existing Administrative Approval, ~~as defined in Section 20.23.120 (Administrative Approval),~~ or any modification thereto, granted in accordance with the provisions of this Zoning Code, in the following manner:

1. The Director of ~~Community~~ Development Services shall conduct a hearing to determine whether the permit, permit modification or development entitlement should be revoked. The Director of ~~Community~~ Development Services shall prepare and deliver to the permittee, a written statement setting forth the factual basis for the proposed revocation, at least 10 days prior to the hearing.

2. A permit, permit modification or development entitlement may be revoked by the Director of ~~Community~~ Development Services based upon any one or more of the following grounds:

   a. The approval was obtained by fraud;

   b. The permit, permit modification or development entitlement granted is not being exercised;

c. The permit, permit modification or development entitlement granted is being, or has been, exercised contrary to the terms or conditions of such approval, or in violation of ant statute, ordinance, law or regulation; or

d. The permit, permit modification or development entitlement for which the approval was granted was so exercised as to be detrimental to the public peace, health, safety, welfare, or so as to constitute a nuisance to the extreme annoyance of surrounding businesses or residents.

e. The permit, permit modification or development entitlement was granted in error as the result of inaccurate information provided by the applicant, or mistaken assumptions by staff, or failure by staff to follow a procedure established either in this Code or in Departmental policy.

3. The decision of the Director of ~~Community~~ Development Services to revoke a permit, permit modification or development entitlement shall be final and conclusive in the absence of a timely filed appeal. Any appeal of an administrative action shall be subject to the provisions of Section 20.~~23.140~~602.050 (Public Notices and Hearings) and Section 20.602.130 (Appeals).

Chapter 20.603 – SPECIFIC PROCEDURES FOR APPROVALS AND PERMITS

Sections:

20.603.010 – General Plan Amendments
20.603.020 – Specific Plans and Amendments
20.603.030 – Zone Changes and Amendments
20.603.040 – Development Agreements
20.603.050 – Conditional Use Permit
20.603.060 – Temporary Use Permits
20.603.070 – Site Approvals
20.603.080 – Variances
20.603.090 – Zoning Clearance
20.603.100 – Administrative Approval
20.603.110 – Special Procedures for Accessory Dwelling Units and Farmworkers Housing
20.603.120 – Special Procedures for Streamlined Ministerial Approval for Qualifying Housing Developments under Senate Bills 35/423 and Assembly Bill 2011
20.603.130 – Special Procedures for SB 330 Applications for Housing Developments
20.603.140 – Replacement Housing for Housing Development Projects
20.603.150 – Planned Development

20.603.010 – General Plan Amendments

A. **Purpose and Intent.** The purpose of these provisions is to prescribe procedures for amending, supplementing or changing the General Plan of the City ~~of the City~~ of Chino, whenever the public necessity, convenience, general welfare or good planning practice so requires.

B. **Applicability**.

1. Pursuant to Government Code Section 65358, the City Council may, by resolution, upon written recommendation of the Planning Commission, amend, supplement, or change the General Plan.

2. No element of the General Plan shall be amended more than ~~4~~four times during any calendar year; except that such limitation shall not apply to amendments necessary for the development of residential units where at least 25 percent of the proposed units will be occupied by low or moderate-income persons as defined in Health and Safety Code Section 50093.

C. **Application and Filing.** A general plan amendment may be initiated by the City, or by an interested party in accordance with the provisions of Section 20.~~23.030~~601.040 *(*Applications and Fees*)* of this chapter.

D. **Hearing and Notice.** All applications for a general plan amendment, and all actions to amend or terminate such, shall be heard, scheduled and noticed in accordance with the provisions of Section 20. ~~23.140~~602.060 (Public Notices and Hearings) of this chapter.

E. **Investigation.** The Director of ~~Community~~ Development Services shall investigate the facts bearing on the application, and provide the information necessary for action on the application, consistent with state planning and zoning law, and shall report all findings to the Planning Commission and City Council.

F. **Review and Action**.

1. The Planning Commission shall make a written recommendation on a proposed general plan amendment whether to approve, approve in modified form or deny, based upon the findings contained in Part G (Findings) of this section. The Planning Commission's recommendation shall be transmitted to the City Council, in such manner and form as may be specified by the City Council. The Planning Commission shall make its findings and recommendations to the City Council, in writing, within 60 days following the date its decision was rendered.

2. Upon receipt of the recommendation of the Planning Commission, the City Council may, by resolution, approve, approve with modifications or deny a general plan amendment, based upon the findings contained in Part G (Findings) of this section.

G. **Findings.** In reviewing a general plan amendment application, the recommending and approving authorities shall consider and clearly establish the following findings of fact, giving specific reasons as to how each of the findings has been met:

1. The proposed amendment is internally consistent with the General Plan;

2. The proposed amendment will not be detrimental to the public interest, health, safety, convenience or welfare of the City;

3. The proposed amendment will maintain the appropriate balance of land uses within the City; and

4. In the case of an amendment to the General Plan Land Use Map, the subject site is physically suitable, including, but not limited to parcel size, shape, access, availability of utilities and compatibility with adjoining land uses, for the requested land use designation and anticipated development.

20.603.020 – Specific Plans and Amendments

A. **Purpose and Intent.** The purpose of these provisions is to prescribe a procedure for adopting, amending, supplementing or changing specific plans for the systematic implementation of the General Plan, whenever the public necessity, convenience, general welfare or good planning practice so requires under the authority for specific plans established in the 200 Series of this Code.

B. **Applicability.** Pursuant to Government Code Section 65450 et seq., the City Council may, by either resolution or ordinance, upon written recommendation of the Planning Commission, adopt, amend, supplement or change a specific plan.

C. **Application and Filing.** Specific plan adoption or an amendment to an adopted specific plan may be initiated by the City, or by an interested party in accordance with the provisions of Section 20.~~23.030~~6021.040 (Applications and Fees) of this Chapter and Chapter 20.401 (~~Specific Plans~~General Provisions). An application for specific plan adoption or amendment shall include text and diagrams which contain all of the provisions outlined in Government Code Section 65451 through 65452, in addition to all fees, plans, maps, reports, data, special studies and exhibits required by the City.

D. **Hearing and Notice.** All applications for a specific plan adoption or amendment, and all actions to amend or terminate such, shall be heard, scheduled and noticed in accordance with the provisions of Section 20.~~23.140~~602.050 (Public Notices and Hearings) of this Chapter.

E. **Investigation.** The Director of ~~Community~~ Development Services shall investigate the facts bearing on the application, and provide the information necessary for action on the application, consistent with state planning and zoning law, and shall report all findings to the Planning Commission and City Council.

F. **Review and Action**.

1. The Planning Commission shall make a written recommendation on a proposed specific plan or an amendment to an adopted specific plan, whether to approve, approve in modified form or deny, based upon the findings contained in Part G (Findings) of this section. The Planning Commission's recommendation shall be transmitted to the City Council, in such manner and form as may be specified by the City Council. The Planning Commission shall make its findings and recommendations to the City Council, in writing, within 60 days following the date its decision was rendered.

2. Upon receipt of the recommendation of the Planning Commission, the City Council may, either by resolution or ordinance, approve, approve with modifications or deny a proposed specific plan or an amendment to an adopted specific plan, based upon the findings contained in Part G (Findings) of this section.….

G. **Findings.** In reviewing a specific plan application or proposed amendment, the recommending and approving authorities shall consider and clearly establish the following findings of fact, giving specific reasons as to how each of the findings has been met:

1. The proposed specific plan or specific plan amendment is internally consistent with the General Plan;

2. The proposed specific plan or specific plan amendment will not be detrimental to the public interest, health, safety, convenience or welfare of the City;

3. The proposed specific plan or specific plan amendment will maintain the appropriate balance of land uses within the City; and

4. In the case of an amendment to a specific plan land use map, the subject site is physically suitable, including, but not limited to parcel size, shape, access, availability of utilities and compatibility with adjoining land uses, for the requested land use designation and anticipated development.

20.603.030 – Zone Changes and Amendments

A. **Purpose and Intent.** The purpose of these provisions is to prescribe procedures for amending, supplementing or changing this Zoning Code, or changing the zoning boundaries or zoning classification of any property within the City.

B. **Applicability.** Pursuant to Government Code Sections 65853 through 65859, the City Council may by ordinance, upon written recommendation of the Planning Commission, amend, supplement or change the Zoning Code codified in this Zoning Code, or change the zoning boundaries or classification of any property within the City, whenever the public necessity, convenience, general welfare or good zoning practice so requires.

C. **Application and Filing.** A zone change or zone ordinance amendment may be initiated by the City, or by an interested party in accordance with the provisions of Section 20.~~23.030~~601.040 (Applications and Fees) of this Chapter.

D. **Hearing and Notice.** All applications for a zone change or Zoning Code amendment, and all actions to amend or terminate such, shall be heard, scheduled and noticed in accordance with the provisions of Section 20.~~23.140~~602.050 (Public Notices and Hearings).

E. **Investigation.** The Director of ~~Community~~ Development Services shall investigate the facts bearing on the application, and provide the information necessary for action on the application, consistent with the Zoning Code and the General Plan, and shall report all findings to the Planning Commission and City Council.

F. **Review and Action**.

1. The Planning Commission shall make a written recommendation on a proposed zone change or Zoning Code amendment, whether to approve, approve in modified form or deny application, based upon the findings contained in Part G (Findings) of this section.

2. The Planning Commission's recommendation shall be transmitted to the City Council, in such manner and form as specified by the City Council. The Planning Commission shall make its findings and recommendations to the City Council, in writing, within ~~45~~60 days following the date its decision was rendered.

3. Upon receipt of the recommendation of the Planning Commission, the City Council may, by resolution, approve, approve with modifications or deny a zone change or zone ordinance amendment, based upon the findings contained in Part G (Findings) of this section.

4. The Director of ~~Community~~ Development Services shall be able to make minor changes to the Zoning ~~Title 20 of the Chino Municipal~~ Code for the purpose of correcting typographical errors, including syntax, punctuation, spelling, and grammar.

G. **Findings.** In reviewing a zone change or zone ordinance amendment application, the recommending and approving authorities shall consider and clearly establish the following findings of fact, giving specific reasons as to how each of the findings has been met:

1. The proposed zone change or Zoning Code amendment is consistent with the goals and policies of the General Plan;

2. The proposed zone change or Zoning Code amendment is reasonable and beneficial, and in the interest of good zoning practice;

3. The proposed zone change or Zoning Code amendment will not have a significant adverse impact on the environment;

4. In the case of a zone change to specific property, the change will not adversely affect the harmonious relationship with adjacent parcels and land uses; and

5. In the case of a zone change to specific property, the subject site is physically suitable, including, but not limited to parcel size, shape, access, availability of utilities and compatibility with adjoining land uses, for the requested zoning designation and anticipated development.

H. **Urgency Measure; Interim Zoning Code.** When there is a current and immediate threat to the public health, safety and general welfare, the City Council may adopt as an urgency measure, an interim ordinance prohibiting any use which may be in conflict with a contemplated general plan, specific plan or zoning proposal which the City Council or Planning Commission is considering or studying, or intends to study within a reasonable time period. Adoption of an urgency measure shall require 4/5 vote of the City Council and shall be made pursuant to the provisions of Government Code Section 65858.

I. **Prezoning of Unincorporated Territory to be Annexed**.

1. Pursuant to the provisions of Government Code Section 65859, as amended, the City Council may prezone unincorporated territory adjoining the City for the purpose of determining the zoning that will apply to such property in the event that it is annexed to the City.

2. Prezoning shall be accomplished in the same manner as a zone change. Such zoning shall become effective at the same time that the annexation of a property becomes effective.

3. At the time of public hearing before the City Council for a proposed annexation, the City Council shall determine in which zoning classification such property shall be placed, subject to the right of the owner(s) of any land previously zoned or restricted exclusively for agricultural purposes, to withdraw their land from the proposed annexation, pursuant to the provisions of Government Code Section 35009.

4. When any area prezoned in accordance with the provisions of this section are subsequently annexed to the City, it shall be classified immediately in accordance with its prezoning classification. The "Official Zoning Map" shall thereupon be amended to indicate the zoning classification of such annexed areas without additional procedure.

20.603.040 – Development Agreements

A. **Purpose and Intent.** The purpose of these provisions is to prescribe procedures for the consideration of development agreements by and between the City and persons having a legal or equitable interest in a property proposed to be the subject of an agreement. It is intended that the provisions of this section shall be fully consistent and compliant with the provisions of Government Code Section 65864 et seq. and shall be so construed.

B. **Applicability.**

1. Any person having legal or equitable interest in property within the corporate boundary of the City may request to enter into a development agreement with the City for the development of property. A development agreement also may be required for certain land uses in some or all zoning districts where they are allowed, as specified in the land use regulations in the 200 Series. These include but are not limited to the following uses; Auto Sales, Battery Energy Storage Facilities, Data Centers, Truck/Trailer Storage, Industrial/Manufacturing Buildings Larger than 500,000 sq. ft., Public Storage, Digital Freeway Billboards and Development in the Employment Mixed Use (EMU), For uses not listed in Series 200, a development agreement may be requested, subject to full approval.

2. Any person having legal or equitable interest in property within unincorporated territory within the City's sphere of influence may request to enter into a development agreement with the City for the development of property. However, the agreement shall not become operative unless annexation proceedings annexing the property to the City are completed within a time period specified by the agreement. If the annexation is not completed within the specified time period, the agreement, or any extension of the agreement, is null and void.

3. Unless amended or cancelled pursuant to the provisions of this section, a development agreement shall be enforceable by any party thereto, notwithstanding any change in any applicable general or specific plan, or zoning, subdivision or building regulation adopted by the City, which alters or amends the rules, regulations or policies specified in paragraph 4 of this Part.

4. Unless otherwise provided by the development agreement, rules, regulations and official policies governing permitted land uses, density, design, improvement, and construction standards and specifications, applicable to development of the property subject to a development agreement, shall be those rules, regulations and policies applicable to the property as set forth herein, nor shall a development agreement prevent the City from denying or conditionally approving and subsequent development project application on the basis of such existing or new rules, regulations and policies.

C. **Agreement Contents**.

1. A development agreement entered into pursuant to the provisions of this section shall, at a minimum, provide the following information:

   a. Duration of the agreement;

b. The permitted use(s) of the property;

c. The density or intensity of use;

d. The maximum height and size of proposed buildings; and

e. Provisions for reservation or dedication of land for public purposes.

2. In addition to all required information, the development agreement may:

a. Include conditions, terms, restrictions and requirements for subsequent discretionary actions, provided such conditions, terms, restrictions and requirements for subsequent discretionary actions shall not prevent development of the land for the use(s) and to the density or intensity of development set forth in the agreement;

b. Provide that construction shall be commenced within a specified time period and that the project, or any phase thereof, be completed within a specified time;

c. Include terms and conditions relating to applicant financing of necessary public facilities and subsequent reimbursement over time; and

d. Include any other such terms, conditions and requirements as deemed necessary and proper by the City Council, including, but not limited to, a requirement for assuring to the satisfaction of the City, performance of all provisions of the development agreement in a timely fashion by the agreement holder.

D. **Hearing and Notice.** All applications for a development agreement, and all actions to amend or terminate such, shall be heard, scheduled and noticed in accordance with the provisions of Section 20.~~23.140~~602.050 (Public Notices and Hearings).

E. **Investigation.** The Director of ~~Community~~ Development Services shall investigate the facts bearing on the application, and provide the information necessary for action on the application, consistent with the Zoning Code and the General Plan, and shall report all findings to the ~~Planning Commission and~~ City Council.

F. **Review and Action**.

~~1. The Planning Commission shall make a written determination on the consistency of the proposed development agreement with the City's General Plan, based upon the findings contained in Part G (Findings) of this Section.~~

~~2. The Planning Commission's General Plan consistency determination shall be transmitted to the City Council, in such manner and form as specified by the City Council. The Planning Commission shall transmit its findings and determination to the City Council, in writing, within 60 days following the date its decision was rendered.~~

~~3.~~1. Upon receipt of the recommendation of the ~~Planning Commission~~Director of Development Services, the City Council may approve, approve with modifications or deny a development agreement application, based upon the findings contained in Part G (Findings) of this section.

~~4.~~2. Should the City Council take action on a development agreement application to approve or approve with modifications, it shall, as part of its action, direct the City Attorney to prepare a development agreement embodying the terms and conditions as approved, as well as adopt a resolution authorizing execution of the development agreement by the City Manager.

~~5.~~3. Not later than 10 days following execution of a development agreement by the City, the City Clerk shall record a copy of the agreement County recorder. From and after the time of such recordation, the agreement shall impart such notice thereof to all persons as is afforded by the recording laws of the state. The burdens of the agreement shall be binding upon, and the benefits of the agreement shall insure to, all successors in interest to the parties to the agreement.

G. **Findings.** In reviewing a development agreement, the recommending and approving authorities shall consider and clearly establish that the provisions of the agreement are consistent with the General Plan and any applicable specific plans, giving specific reasons as to how the finding has been met.

H. **Amendments.** A development agreement may be amended, or cancelled in whole or in part, by mutual consent of the parties to the agreement, or their successors in interest. Any action to amend or cancel any portion of the agreement shall be carried out pursuant to the procedures specified in Parts D through G of this section.

I. **Existing Agreements on Newly Annexed Property**.

1. Any development agreement between the County of San Bernardino and any person having legal or equitable interest in property, or successor in interest, prior to the effective date of annexation of the property to the City, shall remain valid for the duration of the agreement, or ~~8~~eight years from the effective date of annexation, whichever is earlier, except as follows:

   a. The application for a development agreement is submitted to the County prior to the date that the first signature was affixed to the petition for annexation pursuant to Government Code Section 56704, or the adoption of the resolution pursuant to Government Code Section 56800, whichever occurs first.

   b. The County enters into a development agreement with an applicant prior to the date of the election on the question of annexation, or, in the case of an annexation without an election pursuant to Government Code Section 57075, prior to the date that the conducting authority orders the annexation.

   c. The annexation proposal is initiated by the City. If the annexation proposal is initiated by a petitioner other than the City, the development agreement is valid unless the City adopts written findings that implementation of the development agreement would create a condition injurious to the health, safety or welfare of its residents.

   d. The property subject to a development agreement is incorporated and the effective date of the incorporation is prior to January 1, 1987.

2. The holder of a development agreement and the City may agree that the development agreement shall remain valid for more than ~~8~~eight years, provided such period does not exceed 15 years from the effective date of annexation.

3. The holder of a development agreement and the City shall have the same rights and responsibilities with respect to each other as if the property had remained in the unincorporated territory of the County.

4. The City may modify or suspend the provisions of a development agreement if the City determines that the failure of the City to do so would place residents of the property subject to the development agreement, or the residents of the City, or both, in a condition dangerous to their health and/or safety.

J. **Periodic Review**.

1. Every development agreement approved and executed pursuant to this section shall be annually reviewed during the term of the agreement, following the date of its execution. The purpose of a review conducted pursuant to this Part shall be to determine whether the holder of the development agreement has complied in good faith with the terms of the development agreement. The burden shall be placed on the holder of the development agreement to demonstrate such compliance to the full satisfaction of, and in a manner prescribed by, the City.

2. If, as a result of periodic review pursuant to these provisions, the City Council finds and determines, on the basis of substantial evidence, that the holder of the development agreement has not complied in good faith with the terms or conditions of the development agreement, the City Council may amend or terminate the agreement in accordance with the procedures specified by Part H (Amendments) of this section.

20.603.050 – ~~Special~~ Conditional Use Permits

A. **Purpose and Intent.** The purpose of the ~~special~~ conditional use permit procedure is to assure that a degree of compatibility is maintained with respect to particular uses on a particular site, in consideration of other existing and potential uses within the general area in which such use is proposed to be located, ~~and~~ to recognize and compensate for variations and degrees of technological processes and equipment as related to the factors of noise, smoke, dust, fumes, vibration, odors, and hazards, and to ensure that the objective design and development standards of this Zoning Code~~Title~~ are met.

B. **Applicability**.

1. ~~Special~~ Conditional use permit approval shall be required for those conditionally permitted uses identified in ~~Part 2~~ Series 200 (~~Zoning~~ Base Districts) or Series 300 (Overlay Districts) of this Zoning Code.

2. All conditions or requirements authorized by this section are enforceable to the same manner and to the same extent as any other applicable requirement of this Zoning Code.

C. **Application and Filing.**

1. An application for a ~~special~~ conditional use permit may be initiated by the City or by an interested party in accordance with the provisions of Section 20.~~23.130~~6012~~2~~.040 (Applications and Fees) of this Chapter.

2. Not later than 30 days after receiving an application for a ~~special~~ conditional use permit, the Director of ~~Community~~ Development Services shall determine, in writing, whether the application is complete and shall immediately transmit the determination to the project applicant. If written determination is not made within the specified 30-day time period, the application shall be automatically deemed complete for processing. Upon receipt of any resubmittal or revision to an accepted application, a new 30-day time period shall begin.

D. **Hearing and Notice.** All applications for a ~~special~~ conditional use permit, and all actions to amend or terminate such, shall be heard, scheduled and noticed in accordance with the provisions of Section 20.~~23.140~~602.050 (Public Notices and Hearings).

E. **Investigation.** The Director of ~~Community~~ Development Services shall investigate the facts bearing on the application, and provide the information necessary for action on the application, consistent with this Zoning Code and the General Plan, and shall report all findings to the Planning Commission.

F. **Review and Action**.

1. An application for a ~~special~~ conditional use permit shall be reviewed by the Planning Commission, whom shall then approve, conditionally approve, or deny such permit. The decision of the Planning Commission shall be final and conclusive in the absence of a timely filed appeal to the City Council.

2. In granting a ~~special~~ conditional use permit, the Planning Commission may attach reasonable requirements, in addition to those required by this Zoning Code, which will ensure that the use, at its proposed location:

   a. Will not endanger the public health, safety or general welfare;

   b. Will not injure the value of adjoining or abutting property;

   c. Will not result in any significant environmental impacts;

   d. Will be in harmony with the area in which it is located; ~~and~~

   e. Will conform to the objective design and development standards of this Zoning Code~~Title~~; and

   f. Will be in conformity with the General Plan and/or applicable specific plan(s).

3. A ~~special~~ conditional use permit application for which an environmental impact report is prepared pursuant to the provisions of Public Resources Code Sections 21100 and 21151, shall be acted upon within one year following the date the application was accepted as complete pursuant to the provisions of subsection C (Application and Filing) of this section. If a negative declaration is to be adopted or the project is exempt from the provisions of Division 13 (commencing with Section 21000) of the Public Resources Code, the project shall be acted upon within 180 days following the date the application was accepted as complete pursuant to the provisions of subsection C.2 of this section.

G. **Findings**.

1. The proposed use is consistent with the goals and policies of the City's adopted General Plan and/or applicable specific plan(s);
2. The subject site is physically suitable, including, but not limited to, parcel size, shape, access and availability of utilities, for the type and intensity of use proposed;
3. The subject site relates to streets and highways properly designed, both as to width and type of pavement to carry the type and quantity of traffic generated by the proposed use;
4. The proposed use is compatible with those on abutting properties and in the surrounding neighborhood;
5. The proposed location, size, and operating characteristics of the proposed use will not be detrimental to the public interest, health, safety or general welfare;
6. The proposed use will not have a significant adverse impact on the environment; and
7. The minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed use.~~...~~

H. **Expiration.**

1. Application approval for a conditional use permit shall expire ~~one~~ two years from the date of approval if the approved use has not commenced**.**
2. The expiration date ~~for application approval~~ may be extended upon written request by the applicant to the Director of ~~Community~~ Development Services on a City application form.
3. Upon receipt of a time extension request, the Director of ~~Community~~ Development Services shall review the project and determine whether new or revised conditions of approval should be imposed. If the imposition of new or revised conditions of approval are warranted, the Director of ~~Community~~ Development Services shall forward the time extension request to the Planning Commission, who~~m~~ shall then approve, approve with new or revised conditions, or deny the time extension request.
4. If the Director of ~~Community~~ Development Services determines that no new or revised conditions of approval are warranted, the Director may extend the expiration date for a one year period. ~~, a maximum of 3~~three ~~times.~~ The Planning Commission shall review any subsequent time extension requests beyond the ~~3~~ one-year time period~~s~~ for a maximum of two one year time extensions~~.~~
5. Should the use for which ~~special~~ conditional use permit approval is granted cease to exist or is suspended for 180 or more consecutive days, such ~~special~~ conditional use permit shall be deemed null and void.

I. **Performance Guarantee.** The Planning Commission may require a project proponent provide a performance security to ensure the faithful performance of any or all conditions of approval.

20.603.060 – Temporary Use Permits

A. **Purpose**. This Chapter establishes a process for review and approval of certain uses that are intended to be of limited duration of time and will not permanently alter the character or physical facilities of the site where they occur, nor prevent development of future uses as envisioned by the General Plan or any applicable specific plan.

B. **Applicability.** A Temporary Use Permit is required for temporary uses that are not otherwise permitted in the base zoning district regulations but meet the standards of this Chapter and for temporary uses identified in base district regulations or regulations for specific uses in the 500 Series. Parades and special events are governed by Chapter 10.64, and special event vendor permits are authorized by Section 5.04.540, and Temporary Use Permits are not required for these activities.

C. **Common Procedures.** An application for a Temporary Use Permit must be filed and processed in compliance with procedures in Chapter 20.602. An application must be submitted at least ~~3~~60 days before the use is intended to begin. The application must include the written consent of the owner of the property or the agent of the owner.

D. **Decision-Maker.** The Director of Development Services may approve, approve with conditions, or deny applications for temporary uses, other than for special events, without a public hearing.

E. **Temporary Uses: Twenty-Four Hour Limit.** Within a nonresidential zone, a temporary use may be authorized for a period not to exceed 24 hours per event once a month for up to 12 events per year per site for any of the following uses:

1. A performance, exhibition, dance, celebration or festival requiring a liquor license, entertainment police permit, and/or other City permit when sponsored by an organized group of residents and/or business operators in the neighborhood; or

2. A performance, dance, or party requiring a liquor license, entertainment, and/or other City permit, an art exhibit, or other similar exhibition in each case if sponsored by a residential or commercial tenant or group of tenants or owner-occupants of the property or structure in which the temporary use is authorized.

When multiple events are proposed within the allowable annual time limit and City permits are to be issued to a particular applicant and premises, only one permit need be granted per annual time period.

F. **Temporary Uses: 60 Day Limit**. The following uses may be authorized in a nonresidential zone for a period not to exceed 60 days:

1. Exhibition, celebration, festival, circus, or neighborhood carnival;

2. Booth for charitable, patriotic, or welfare purposes;

3. Open air sale of agriculturally-produced seasonal decorations including, but not necessarily limited to, holiday or evergreen trees and Halloween pumpkins;

4. Outdoor sales in a parking lot; and

5. Parking that is accessory to any temporary use listed above.

G. **Temporary Uses: One to Five Year Limit.** Temporary uses authorized pursuant to this section may not exceed an initial approval period of up to five years. Extensions of this approval period may be authorized by the Director of Development Services in increments of up to five-year periods if the authorized use is consistent with the General Plan and applicable specific plans. More specifically, the following uses may be authorized in a nonresidential zone as temporary uses, subject to securing a building permit, if required:

1. -Farmers' markets;
2. Temporary structures and uses incidental to the construction of a building or a group of buildings, including but not limited to construction staging of materials and equipment;
3. Rental or sales office incidental to a new development, provided that it is located in the development project or in an adjacent temporary structure;
4. Structures and uses incidental to environmental cleanup and staging; and
5. Parking that is accessory to any temporary use listed above.

H. **Other Temporary Uses in Industrial Zoning Districts**. Any other use that is not listed above but is permitted in an industrial zoning district may be permitted as a temporary use for a time period to be determined by the Director of Development Services not to exceed five years, upon the determination by the Director of Development Services that authorizing the temporary use will not have a significant adverse effect on the overall timing and phasing of future development under the General Plan and any applicable specific plan. Periodic review will be required to ensure conditions of approval are met.

I. **Required Findings**. The Director of Development Services may approve an application for a Temporary Use only upon making both of the following findings:

1. The proposed use will not unreasonably affect adjacent properties, their owners and occupants, or the surrounding neighborhood, and will not in any other way constitute a nuisance or be detrimental to the health, safety, peace, comfort, or general welfare of persons residing or working in the area of such use or to the general welfare of the City; and
2. The proposed use will not unreasonably interfere with pedestrian or vehicular traffic or circulation in the area surrounding the proposed temporary use and will not create a demand for additional parking that cannot be safely and efficiently accommodated by existing or proposed parking areas on the site of the temporary use.

J. **Conditions of Approval.** The Director of Development Services may impose reasonable conditions deemed necessary to ensure compliance with the required findings for a Temporary Use Permit listed above, including, but not limited to: regulation of ingress and egress and traffic circulation; fire protection and access for fire vehicles; regulation of lighting; regulation of hours and/or other characteristics of operation; and removal of all trash, debris, signs, sign supports, and temporary structures and electrical service. The Director of Development Services may require reasonable guarantees and evidence that such conditions are being, or will be, complied with.

K. **Effective Date.** A Temporary Use Permit becomes effective on the date the permit is approved by the Director of Development Services.

L. **Appeals.** Any party aggrieved by the decision of the Director of Development Services to approve, approve with conditions, or deny a permit for a temporary use or structure may appeal the decision to the Planning Commission if the permit period is more than 10 days or to the City Manager for a permit period of 10 days or less. In the latter case, the City Manager shall act on the appeal within 48 hours of receipt unless an extension of time is mutually agreed.

M. **Expiration, Extensions, and Modifications.** Temporary Use Permits are effective and may only be extended or modified as provided for in Chapter 20.6021 (**Error! Reference source not found.**).

20.603.070 – Site Approvals

A. **Purpose and Intent.** The purpose of the site approval procedure is to provide a process whereby the integrity and character of the physical fabric of the residential, commercial, industrial, and agricultural areas of the City will be protected in a manner consistent with the goals and policies of the City's General Plan. This is assured through the review of development plans for the suitability of:

1. Location of buildings;
2. Off-street parking and loading facilities;
3. Dedication of streets and alleys;
4. Entrances and exits to the site;
5. Location of walls and landscaping;
6. Drainage and off-site improvements as recommended by the City Engineer;
7. Compliance with objective design standards~~Compatibility with the surrounding area~~;
8. Exterior building materials and colors;
9. Quality of proposed construction; and
10. Any conditions affecting the public health, safety and general welfare.

B. **Applicability**.

1. Site approval shall be required for the physical alteration of a lot or parcel, the construction of a new building, or the addition to or alteration of an existing building, except that site approval shall not be required for:

   a. The development of buildings or structures reviewed and approved pursuant to the provisions of Section 20.603.100 (Administrative Approval) or buildings that are permitted by right or ministerially approved unless ~~specifally~~specifically required by this Code;

   b. Changes in tenancy of an existing building, structure or land where that change does not involve the issuance of a ~~special~~ conditional use permit, or the alteration of either the site or the existing building; and

c. Tenant improvements wholly within an existing building.; and

d. Single family dwellings, accessory dwelling units, junior accessory dwelling units, caretaker units, and agricultural buildings in agricultural zones.

2. All conditions or requirements authorized by this section are enforceable to the same manner and to the same extent as any other applicable requirement of this Zoning Code.

C. **Application and Filing**.

1. An application for site approval may be initiated by the City or by an interested party in accordance with the provisions of Section 20.601.040~~23.030~~ (Applications and Fees) of this chapter.

2. Not later than 30 days after receiving an application for site approval, the Director of ~~Community~~ Development Services shall determine, in writing, whether the application is complete and shall immediately transmit the determination to the project applicant. If written determination is not made within the specified 30-day time period, the application shall be deemed complete for processing. Upon receipt of any resubmittal or revision to an accepted application, a new 30-day time period shall begin.

D. **Hearing and Notice.** All applications for site approval and all actions to amend or terminate such, shall be heard, scheduled and noticed in accordance with the provisions of Section 20.602.050~~23.140~~ (Public Notices and Hearings).

E. **Investigation.** The Director of ~~Community~~ Development Services shall investigate the facts bearing on the application and provide the information necessary for action on the application, consistent with this Zoning Code and the General Plan, and shall report all findings to the Planning Commission.

F. **Review and Action**.

1. An application for site approval shall be reviewed by the Planning Commission, who~~m~~ shall then approve, conditionally approve, or deny such permit. The decision of the Planning Commission shall be final and conclusive in the absence of a timely filed appeal to the City Council.

2. In granting an application for site approval, the Planning Commission may attach reasonable requirements (conditions), in addition to those required by this Zoning Code, which will ensure that the use, in its proposed location:

a. Will not endanger the public health, safety or general welfare;

b. Will not injure the value of adjoining or abutting property;

c. Will not result in any significant environmental impacts;

d. Will be in harmony with the area in which it is located; and

e. Will conform to the objective design and development standards of this Code; and

f. Will be in conformity with the General Plan and/or applicable specific plan(s).

3. A site approval application for which an environmental impact report is prepared pursuant to the provisions of Sections 21100 and 21151 of the Public Resources Code, shall be acted upon within one year following the date the application was accepted as complete pursuant to the provisions of subsection C (Application and Filing) of this section. If a negative declaration is to be adopted or the project is exempt from the provisions of Division 13 (commencing with Section 21000) of the Public Resources Code, the project shall be acted upon within 180 days following the date the application was accepted as complete pursuant to the provisions of subsection C.2 of this section.

4. A site approval application for large farm employee housing shall be reviewed and approved within the time limits established in Section 17021.8 of the California Health and Safety Code.

G. **Findings.** In reviewing a site approval application, the approving authority shall consider and clearly establish the following findings of fact, giving specific reasons as to how each of the findings has been met:

1. The proposed project is consistent with the goals and policies of the ~~City's adopted~~ General Plan and/or applicable specific plan(s);

2. The proposed project is permitted within the zoning district in which it is proposed and complies with all applicable provisions of ~~the City's~~ this Zoning Code;

3. The subject site is physically suitable, including, but not limited to, parcel size, shape, access and availability of utilities, for the type and intensity of development proposed, including objective development standards;

4. The subject site relates to streets and highways properly designed, both as to width and type of pavement to carry the type and quantity of traffic generated by the proposed project;

5. The proposed project is compatible with those on abutting properties and in the surrounding neighborhood;

6. The proposed location, size, and operating characteristics of the proposed project will not be detrimental to the public interest, health, safety or general welfare;

7. The proposed project will not have a significant adverse impact on the environment; and

8. The minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.

H. **Expiration.**

1. ~~Application~~ A site approval shall expire ~~one~~two-years from the date of approval, unless building permits have been issued.

2. The expiration date for ~~application~~ site approval may be extended upon written request by the applicant to the Director of ~~Community~~ Development Services on a City application form. Such a request shall be made at least 30 days prior to the project expiration date.

~~3.~~ Upon receipt of a time extension request, the Director of ~~Community~~ Development Services shall review the project and determine whether new or revised conditions of approval should be

imposed. If the imposition of new or revised conditions of approval are warranted, the Director of ~~Community~~ Development Services shall forward the time extension request to the Planning Commission, whom shall then approve, approve with revised conditions, or deny the time extension request. If the Director of ~~Community~~ Development Services determines that no new or revised conditions of approval are necessary, the Director may extend the expiration date for a one-year period. ~~, a maximum of 3~~three ~~times.~~ ~~The Planning Commission shall review a time extension request that exceeds the 3~~ The Planning Commission shall review any subsequent time extension requests beyond the one-year time period for a maximum of two one year time extensions. ~~one-year time periods.~~

I. **Performance Guarantee.** The Planning Commission may require a project proponent provide a performance security to ensure the faithful performance of any or all conditions of approval.

20.603.080 – Variances

A. **Minor Variance**.

1. ***Purpose and Intent.*** The purpose of the minor variance procedure is to provide a method whereby minor departures from the strict application of the design and development standards contained in this Zoning Code is permitted, when the strict application of such would deprive a property a development right possessed by other property in the same zone and vicinity.

2. ***Applicability.***

   a. When the strict and literal interpretation, and enforcement of this Zoning Code would result in practical difficulties, unnecessary hardships, or results inconsistent with the general purpose of this Zoning Code, the Director of ~~Community~~ Development Services shall have the authority to grant a minor variance from the provisions of this Zoning Code, provided that the addition will not result in a deviation of more than 25 percent from a measurable standard. In no case, however, shall a minor variance be granted which authorizes a use, activity or property right that is not expressly permitted by this Zoning Code.

   b. All conditions or requirements authorized by this Section are enforceable to the same manner and to the same extent as any other applicable requirement of this Zoning Code.

   c. A minor variance shall not be required when a right-of-way dedication required by the City creates a non-conformity with a development standard required by this Zoning Code, and where the non-conformity is not created by a proposed modification to the site.

3. ***Application and Filing.***

   a. An application for a minor variance may be initiated by the City or by an interested party in accordance with the provisions of Section 20.601.040~~23.030~~ (Applications and Fees) of this chapter.

   b. Not later than 30 days after receiving an application for a minor variance, the Director of ~~Community~~ Development Services shall determine, in writing, whether the application is

complete and shall immediately transmit the determination to the project applicant. If written determination is not made within the specified 30-day time period, the application shall be deemed complete for processing. Upon receipt of any resubmittal or revision to an accepted application, a new 30-day time period shall begin.

4. ***Hearing and Notice.*** All applications for a variance and all actions to amend or terminate such, shall be heard, scheduled and noticed in accordance with the provisions of Section 20.602.050~~23.140~~ (Public Notices and Hearings).

5. ***Review and Action.***

   a. An application for a minor variance shall be reviewed by the Director of ~~Community~~ Development Services, whom shall then approve, conditionally approve or deny such ~~permit~~ variance. The decision of the Director of ~~Community~~ Development Services shall be final and conclusive in the absence of a timely filed appeal to the Planning Commission.

   b. In granting an application for a minor variance, the Director of ~~Community~~ Development Services may attach reasonable requirements, in addition to those required by this Zoning Code, to ensure that the minor variance:

      i. Will not endanger the public health, safety or general welfare;

      ii. Will not injure the value of adjoining or abutting property;

      iii. Will not result in any significant environmental impacts;

      iv. Will be in harmony with the area in which it is located; and

      v. Will conform to the objective design and development standards of this Title; and

      vi. Will be in conformity with the General Plan and/or applicable specific plan(s).

6. ***Findings.*** In reviewing a minor variance request, the approving authority shall consider and clearly establish the following findings of fact, giving specific reasons as to how each of the findings has been meet:

   a. There are specific circumstances applicable to the property, including size, shape, topography, location or surroundings, when the strict application of this Zoning Code would deprive such property of privileges by other property in the vicinity and under identical zoning classification;

   b. The granting of such a variance will not constitute a grant of special privilege inconsistent with the limitations upon other property in the vicinity and zone in which the property is situated;

   c. The granting of such a variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, possessed by other property in the same zone or vicinity;

d. The granting of such a variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the zone or district in which the property is located; and

e. The granting of such a variance will not be inconsistent with or adversely affect implementation of the General Plan or applicable specific plan(s).

7. ***Expiration.***

a. ~~Application~~ Approval of a minor variance shall expire ~~one~~two-years from the date of approval, unless building permits have been issued.

b. The expiration date for ~~application~~ approval of a minor variance may be extended one ~~or~~ ~~two~~ years~~s~~ upon written request by the applicant to the Director of ~~Community~~ Development Services on a City application form. Such a request shall be made at least 30 days prior to the project expiration date.

8. ***Performance Guarantee.*** The Director of ~~Community~~ Development Services may require a project proponent provide a performance security to ensure the faithful performance of any or all conditions of approval.

B. **Major Variance**.

1. ***Purpose and Intent.*** The purpose of the major variance procedure is to provide a method whereby departures from the strict application of the design and development standards contained in this Zoning Code is permitted, when the strict application of such would deprive a property a development right possessed by other property in the same zone and vicinity.

2. ***Applicability.***

a. When the strict and literal interpretation, and enforcement of this Zoning Code would result in practical difficulties, unnecessary hardships, or results inconsistent with the general purpose of this Zoning Code, the Planning Commission shall have the authority to grant a major variance from the provisions of this Zoning Code, if the addition will result in a deviation of more than 25 percent from a measurable standard. In no case, however, shall a variance be granted which authorizes a use, activity or property right that is not expressly permitted by this Zoning Code.

b. All conditions or requirements authorized by this Section are enforceable to the same manner and to the same extent as any other applicable requirement of this Zoning Code.

c. A ~~Variance~~ major variance shall not be required when a right-of-way dedication required by the City creates a non-conformity with a development standard required by this Zoning Code, and where the non-conformity is not created by a proposed modification to the site.

3. ***Application and Filing.***

a. An application for a major variance may be initiated by the City or by an interested party in accordance with the provisions of Section 20.601.040~~23.030~~ (Applications and Fees) of this chapter.

b. Not later than 30 days after receiving an application for a major variance, the Director of ~~Community~~ Development Services shall determine, in writing, whether the application is complete and shall immediately transmit the determination to the project applicant. If written determination is not made within the specified 30-day time period, the application shall be deemed complete for processing. Upon receipt of any resubmittal or revision to an accepted application, a new 30-day time period shall begin.

4. ***Hearing and Notice.*** All applications for a major variance and all actions to amend or terminate such, shall be heard, scheduled and noticed in accordance with the provisions of Section 20.602.050~~23.140~~ (Public Notices and Hearings)

5. ***Investigation.*** The Director of ~~Community~~ Development Services shall investigate the facts bearing on the application for a major variance and provide the information necessary for action on the application, consistent with this Zoning Code and the General Plan, and shall report all findings to the Planning Commission.

6. ***Review and Action.***

a. An application for a major variance shall be reviewed by the Planning Commission, whom shall then approve, conditionally approve, or deny such ~~permit~~ variance. The decision of the Planning Commission shall be final and conclusive in the absence of a timely filed appeal to the City Council.

b. In granting an application for a major variance, the Planning Commission may attach reasonable requirements, in addition to those required by this Zoning Code, as will ensure that the use, in its proposed location:

i. Will not endanger the public health, safety or general welfare;

ii. Will not injure the value of adjoining or abutting property;

iii. Will not result in any significant environmental impacts;

iv. Will be in harmony with the area in which it is located; and

v. Will conform to the objective design and development standards of this Title; and

vi. Will be in conformity with the General Plan and/or applicable specific plan(s).

c. A major variance application shall be acted upon within 6 months following the date the application was accepted as complete pursuant to the provisions of subsection B.3 of this section.

7. ***Findings.*** In reviewing a variance request, the approving authority shall consider and clearly establish the following findings of fact, giving specific reasons as to how each of the findings has been meet:

a. There are specific circumstances applicable to the property, including size, shape, topography, location or surroundings, when the strict application of this Zoning Code would deprive such property of privileges by other property in the vicinity and under identical zoning classification;

b. The granting of such a variance will not constitute a grant of special privilege inconsistent with the limitations upon other property in the vicinity and zone in which the property is situated;

c. The granting of such a variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, possessed by other property in the same zone or vicinity;

d. The granting of such a variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the zone or district in which the property is located; and

e. The granting of such a variance will not be inconsistent with or adversely affect implementation of ~~will not adversely affect~~ the General Plan or applicable specific plan(s).

8. ***Expiration.***

a. A~~pplication a~~pproval of a major variance shall expire ~~one~~two ~~-~~year~~s~~ from the date of approval, unless building permits have been issued.

b. The expiration date for ~~application~~ approval of a major variance may be extended upon written request by the applicant to the Director of ~~Community~~ Development Services on a City application form. Such a request shall be made at least 30 days prior to the project expiration date.

9. Upon receipt of a time extension request, the Director of Community Development Services shall review the project and determine whether new or revised conditions of approval should be imposed. ~~-~~If the imposition of new or revised conditions of approval are warranted, the Director of Community Development Services shall forward the time extension request to the Planning Commission, whom shall then approve, approve with revised conditions, or deny the time extension request. If the Director of Community Development Services determines that no new or revised conditions of approval are necessary, the Director may extend the expiration date for a one-year period.~~, a maximum of three3 times.~~ The Planning Commission shall review any subsequent time extension requests beyond the one-year time period for a maximum of two one~~-~~-year time extensions.

~~a. The Planning Commission shall review a time extension request that exceeds the 3-year, 1-year time periods.~~

10. **Performance Guarantee.** The Planning Commission may require a project proponent to provide a performance security to ensure the faithful performance of any and all conditions of approval.

20.603.090 – Zoning Clearance

A. **Purpose and Intent.** A Zoning Clearance is an administrative review procedure for a ministerial approval whereby the City's action or decision is limited to only the use or reliance upon ~~fixed~~ objective design and development standards, including dimensional requirements and/or objective

measurements, rather than being based upon policy determinations and the discretionary exercising of judgment by the approving authority in deciding whether or how the project should be carried out. The purpose of the Zoning Clearance is to ensure that a proposed project complies with the permitted list of activities allowed within the applicable zoning district and that all regulations and objective design and development standards applicable to the type of use or development project proposed, have been met.

B. **Applicability**.

1. Within residential zones, a Zoning Clearance is required for the following:

   a. Construction of or alterations to non-habitable structures accessory to residential dwellings, including garages~~, when such structures are 600 square feet or less in area.~~.

   b. Single-story and second story additions to existing single family or duplex dwelling units.

   c. Alterations to existing multiple family dwellings and developments, provided that the addition will not result in an increase in density.

   d. Affordable housing projects that qualify for ministerial review unless Planning Commission oversight is required.

   e. Alterations to existing parking facilities accessory to any building or structure.

   f. Alterations to existing landscaping as required by Chapter 20.508-(Landscaping~~) Applicability~~) of this Zoning Code.

   g. Construction or alterations to walls and fences

   h. Construction or alterations to patios, patio covers and patio enclosures

   i. Alterations to on-site exterior lighting

   j. Alterations to existing single-family or duplex dwelling units.

   ~~k. The installation of solar panels on multi-family residential homes.~~

   ~~l~~k. The keeping of chickens in the RD 4.5 zones, consistent with the standards in Chapter ~~Section~~ 20.514.050-(Animal Keeping).

2. Within commercial and mixed use zones, a Zoning Clearance is required for the following:

   a. Affordable housing projects that qualify for ministerial review unless Planning Commission oversight is ~~requried~~required.

   b. Approval of or alterations to landscaping as required by Chapter 20.5078~~1.030~~ (Landscaping) of this Zoning Code.

   c. Construction of or alteration to walls and fences.

   d. Construction of patios, patio covers and patio enclosures

   e. Changes to exterior building color.

   f. Installation of or alteration to on-site exterior lighting.

g. Alterations and/or additions to any structure 600 square feet or less.

h. Construction of a building, structure, or addition totaling between 600 and 3,000 square feet in area, provided that all public services and facilities are available and that the development will not result in any adverse environmental impacts.

i. Construction of parking lots accessory to any building or structure.

~~h. Roof-mounted solar panels.~~

3. Within industrial zones, a Zoning Clearance is required for the following:

a. Approval of or alterations to landscaping as required by Chapter 20.508~~19.020~~ (Landscaping) of this Zoning Code.

b. Construction of or alteration to walls and fences.

c. Establishment of or changes to exterior building color.

d. Installation of or alteration to on-site exterior lighting.

e. Alterations and/or additions to any structure 1,200 square feet or less

f. ~~Roof-mounted solar panels.~~ Construction of a building, structure, or addition totaling between 1,200 and 10,000 square feet in area provided that all public services and facilities are available and that the development will not result in any adverse environmental impacts.

g. Construction of parking facilities accessory to any building or structure.

4. Within the Agricultural Zone, OS 1 Zone, and OS 2 Zone, a zoning clearance is required for the following:

a. Small farm employee housing pursuant to Section 20.514.190 (Farm Employee Housing).

C. **Review Authority.** The Director of ~~Community~~ Development Services or the Director's designee shall process all Zoning Clearance actions. Administrative Approvals may be required for those uses requiring a Zoning Clearance if it is determined by the Director of ~~Community~~ Development Services that the use may have a potential impact to adjoining property owners.

D. **Application Submittal, Review, and Action.**

1. An application for a Zoning Clearance shall be filed using a form approved by the Director of ~~Community~~ Development Services

2. The Director of ~~Community~~ Development Services or the Director's designee shall review the form to verify compliance with all applicable standards. If the project complies with all standards, the Director of ~~Community~~ Development Services or the Director's designee shall issue the Zoning Clearance.

~~E. **Special Procedures for Accessory Dwelling Units and Junior Accessory Dwelling Units.** The Development Services Director or the director's designee shall act on an application to create an~~

~~accessory dwelling unit or a junior accessory dwelling unit as required by State law, and no zoning clearance is needed.~~

~~F. **Special Procedure For Small Farm Employee Housing.** The Director of Development Services shall confirm that the standards of Section 20.512.23021.490 and other applicable requirements of this Title are met and act on an application to create small farm employee housing within 90 days from the date the City receives a completed application.~~

~~G.~~E. **Public Notice and Hearing.** No public notice or hearing is required for a Zoning Clearance.

20.603.100 – Administrative Approval

A. **Purpose and Intent.** Administrative approval is an administrative review procedure, which allows for the review and approval of certain land uses and minor development projects where the review is routine in nature, but by nature of the project, may require limited interpretation or discretion by the approving authority in determining compliance with established regulations or guidelines.

B. **Applicability**.

1. Administrative Approval is required for all land uses designated with an "A" in Tables 20.~~04~~201-1, 20.~~04~~201-2, 20.~~05~~202-1, 20.~~06~~203-1, 20.~~07~~204-1, and in 20.~~08~~205-1.

~~2. Within residential zones, Administrative Approval is also required for the following:~~

~~a. Single family or duplex development projects consisting of 4 or fewer dwelling units.~~

~~b. Construction of habitable structures accessory to residential dwellings with the exception of accessory dwelling units.~~

~~c. Construction of non-habitable structures accessory to residential dwellings, including garages, when such structures are between 600 square feet and 1,200 square feet in area, excluding patios, decks, patio covers and patio enclosures.~~

~~d. Second story additions added to existing single family or duplex dwelling units.~~

~~3.~~2. Within commercial and mixed use zones, Administrative Approval is also required for the following:

~~a. Construction of a building, structure, or addition totaling between 600 and 3,000 square feet in area, provided that all public services and facilities are available and that the development will not result in any adverse environmental impacts.~~

~~b. Construction of parking lots accessory to any building or structure.~~

~~c.~~a. The alteration of a building or structure's architectural features, including colors or modification of exterior finish materials, ~~unless they do not alter or compromise~~that are not consistent with the previously approved design theme or an objecgtive design standard, as determined by the Director of ~~Community~~ Development Services.

~~d.~~b. Addition to, or alteration of, existing parking facilities accessory to any building or structure.

~~e. Freestanding solar panels.~~

~~4.~~3. Within industrial zones, Administrative Approval is also required for the following:

~~a. Construction of a building, structure, or addition totaling between 1,200 and 10,000 square feet in area provided that all public services and facilities are available and that the development will not result in any adverse environmental impacts.~~

~~b. Construction of parking facilities accessory to any building or structure.~~

~~c.~~a. The alteration of a building or structures' architectural features, including colors or modification of exterior finish materials, ~~unless they do not alter or compromise~~that are not consistent with the previously approved design theme or an objective design standard, as determined by the Director of ~~Community~~ Development Services.

~~d.~~b. The addition to, or alteration of, existing parking facilities accessory to any building or structure.

~~e.~~c. Hangars up to 25,000 square feet constructed at the Chino Airport.

~~f. Freestanding solar panels.~~

~~5.~~4. Should the Director of ~~Community~~ Development Services determine that an administratively approved project would result in substantial opposition or controversy within the neighborhood wherein it is proposed or the community as a whole, the Director shall refer the application to the Planning Commission for review and action at a public hearing held in accordance with the provisions Section 20.~~23~~602.~~140~~050 (Public Notices and Hearings).

C. Application and Filing.

1. An administrative approval may be initiated by the City or by an interested party in accordance with the provisions of Section 20.~~23~~601.~~030~~040 (Applications and Fees) of this Chapter.

2. Not later than 30 days after receiving an application for an administrative approval, the Director of ~~Community~~ Development Services shall determine, in writing, whether the application is complete and shall immediately transmit the determination to the project applicant. If written determination is not made within the specified 30-day time period, the application shall be automatically deemed complete for processing. Upon receipt of any resubmittal or revision to an accepted application, a new 30-day time period shall begin.

D. **Hearing and Notice.** All administrative approval applications, and all actions to amend or terminate such, shall be heard, scheduled and noticed in accordance with the provisions of Section 20.~~23~~602.~~140~~050 (Public Notices and Hearings).

E. **Investigation.** The Director of ~~Community~~ Development Services shall investigate the facts bearing on the application and compile the information necessary for action on the application, consistent with this Zoning Code and the General Plan.

F. **Review and Action**.

1. An administrative approval application shall be reviewed by the Director of ~~Community~~ Development Services, whom shall then approve, conditionally approve or deny such permit.

2. An administrative approval application shall be acted upon within ~~45~~60 days following determination that such application is complete. The decision of the Director of ~~Community~~ Development Services shall be final and conclusive in the absence of a timely filed appeal to the City Planning Commission.

G. **Findings.** In reviewing an administrative approval application, the Director of ~~Community~~ Development Services shall consider the following:

1. The proposed project is permitted within the subject zoning district and complies with all applicable provisions of the Zoning Code, including prescribed use and development standards, and design guidelines;

2. The subject site is physically suitable, including, but not limited to, parcel size, shape, access and availability of utilities, for the type and intensity of project being proposed;

3. The proposed project is compatible with those on abutting properties and in the surrounding neighborhood;

4. The proposed location, size and operating characteristics of the proposed project will not be detrimental to the public interest, health, safety or general welfare;

5. The proposed project would not have a significant adverse impact on the environment; and

6. The minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.

H. **Expiration**.

1. Project approval shall expire two ~~one~~ years from the date of approval, unless building permits have been issued or the approved use has commenced, as applicable.

2. Should the use for which an administrative approval is granted cease to exist or is suspended for 180 or more consecutive days, such approval shall be deemed null and void.

3. The expiration date for project approval may be extended one or two years upon written request by the applicant to the Director of ~~Community~~ Development Services on a City application form. Such a request shall be made at least 30 days prior to the project expiration date.

20.603.110 – Special Procedures for Accessory Dwelling Units and Farmworkers Housing

A. **Special Procedures for Accessory Dwelling Units and Junior Accessory Dwelling Units.** The Development Services Director or the Director's designee shall act on an application to create an accessory dwelling unit or a junior accessory dwelling unit as required by State law, and no zoning clearance is needed, unless only a building permit is required for that type of accessory dwelling unit or junior accessory dwelling unit pursuant to Section 20.503.030 (Approvals Required).

B. **Special Procedure for Small Farm Employee Housing.** The Director of Development Services shall confirm that the standards of Section 20.514.190 (Farm Employee Housing) and other applicable requirements of this Title are met and act on an application to create small farm employee housing within 90 days from the date the City receives a completed application.

C. **Appeals.** The Director's decision may be appealed under Section 20.602.130.

~~20.603.110 –~~20.603.120 – Special Procedures for Streamlined Ministerial Approvals for Qualifying Housing Developments under Senate Bill 35/423 and Assembly Bill 2011

A. **Purpose.** The purpose of this section is to specify how the City will implement ministerial review procedures required for qualifying housing projects, including mixed-use projects, that comply with Government Code Section 65913.4 ("State Streamlined Ministerial Approval Process") pursuant to Senate Bill (SB) 35/423 or Government Code Sections 65912.100 through 65912.140 pursuant to Assembly Bill (AB) 2011 ("Affordable Housing and High Road Jobs Act of 2022"). These procedures are intended to facilitate the development of affordable housing consistent with the goals, policies, and programs of the General Plan.

B. **Definitions**. Terms defined in Government Code Section 65913.4 and Sections 65912.100 to 65912.105 shall apply to this chapter and shall control in the event of a conflict between definitions in this title and definitions in Government Code Section 65913.4.

C. **Applicability.** This section applies to housing development projects that contains two or more residential units, including projects applying for approval under Government Code Section 65913.4 or Sections 65912.100 through 65912.140, and this section replaces the City's procedures for reviewing discretionary applications, including design review regulations.

D. **Eligible Projects.** A housing development, including a mixed-use project, is eligible for streamlined ministerial review pursuant to Government Code Section 65913.4 if it:

1. Is a multi-family housing development that contains two or more units on an infill site that is zoned for residential use or residential mixed use or has a General Plan designation that allows for residential or mixed use development;

2. Has a~~A~~t least two-thirds of the floor area in the development ~~is~~ devoted to residential uses;

3. Meets the housing affordability requirements of Government Code Section 65913.4 (a)(4) and will ensure continued affordability for 55 years for units that are rented and 45 years for units that are owned;

4. Is not located on a site with wetlands or a site that contains habitat for protected species or land that has been identified for conservation in a natural community conservation plan or habitat conservation plan adopted by the City, San Bernardino County, or other public agency;

5. Is not located on a site with areas of special flood hazards which are established by Chapter 17.068, Floodplains, unless the development has received a no-rise certification in accord with Section 60.3(d)(3) of Title 44 or the Code of Federal Regulations and all requirements of Chapter 17.068 have been met;

6. Is not located within a delineated earthquake fault zone shown on maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission as modified by the City's building code~~.~~;

7. Is not located within a high or very high fire hazard severity zone, as determined by the California Department of Forestry and Fire Protection, unless the site has been excluded from the specified hazard zones by the City and will be subject to fire mitigation measures to protect the development~~.~~;

8. Is not on land subject to a conservation easement;

9. Is not located on a site that would require the demolition of the following types of housing:

   a. Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.

   b. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.

   c. Housing that has been occupied by tenants within the past 10 years.

   d. Housing that is occupied by tenants and units at the property are, or were, subsequently offered for sale to the general public by the subdivider or subsequent owner of the property.

10. Is not on a site previously used for housing that was occupied by tenants that was demolished within the preceding 10 years;

11. Does not require the demolition of a historic structure that was placed on a national, state, or City of Chino historic register;

12. Does not require an exception, modification, or any other discretionary entitlement;

13. Is not otherwise disqualified by criteria in the Government Code establishing eligibility requirements for ministerial approval; ~~and~~

14. ~~All~~ Pays all construction workers employed in the execution of the development ~~will be paid~~ at least the general prevailing rate of per diem wages for the type of work and geographic area as required by the Government Code Section 65913 (a)(8); and ~~and~~

15. Complies with the City's objective zoning standards, objective subdivision standards, and objective design standards, excluding any additional density or other concessions, incentives, or waivers of standards requested under Chapter 20.512 (Residential Density Bonus).

16. For AB 2011 projects, the eligibility criteria are those stated in Government Code Sections 65912.110 through 65912.131, which are incorporated by reference.

E. **Application Requirements; Review and Approval.**

1. An applicant shall file a notice of intent to submit an application in the form of a Preliminary Application that includes all of the information required by Government Code Section 65941.1 (a completed Eligibility Checklist, a complete set of project plans and documentation for each answer to a checklist question, and Tribal Consultation application). Complete Building Permit applications for the project shall be submitted concurrently with the Preliminary Application. Planning staff shall provide templates for Preliminary Applications to applicants on request and shall be available on the City's website. The Preliminary Application shall be accompanied by the required fee as established by the City.
2. Within 180 calendar days after filing a Preliminary Application, an applicant shall submit a Formal Application for Ministerial Review, provided scoping consultation has concluded consistent with Subsection (C), below.
3. Scoping Consultation for SB 35/ SB 423 Project Applications:
    a. Upon receipt of the Preliminary Application, the City shall contact the Native American Heritage Commission for assistance in identifying any California Native American tribe that should be notified. The Director of Development Services shall provide a formal notice of the applicant's intent to submit a formal application to each required California Native American tribe within 30 days of preliminary application submittal. The formal notice shall be consistent with Government Code Section 65913.4(b).
    b. If within 30 days of receipt of the formal notice, any California Native American tribe that was formally noticed accepts the invitation to engage in scoping consultation, the Director of Development Services shall commence scoping consultation within 30 days of receiving that response.
    c. The scoping consultation shall be conducted consistent with Government Code Section 65913.4(b). If, after scoping consultation is concluded, a development is not eligible for a streamlined ministerial approval, the Director of Development Services shall provide written documentation as required by Government Code Section 65913.4(b) to the applicant and any California Native American tribe that is a party to that scoping consultation.
    d. Tribal consultation concludes either 1) upon documentation of an enforceable agreement regarding the treatment of tribal resources at the project site or 2) one or more parties to the consultation, acting in good faith and after a reasonable effort, conclude that a mutual agreement cannot be achieved.
4. If the development remains eligible to apply streamlined ministerial approval after scoping consultation, if required, has concluded, an applicant may file a Formal Application. Only the items necessary to determine compliance with the provisions contained in Government Code Section 65913.4(a) for SB 35/423 projects and Government Code Sections 65912.110 through 65912.113 and Sections 65912.120 through 65912.123, and the fair labor standards in Government Code Sections 65912.130 and 65912.131 and compliance with any applicable objective standards, shall be required.

5. The review of a Formal Application shall be done by the Director of Development Services to determine if the application complies with all of the provisions contained in this chapter, Government Code Section 65913.4(a) for SB 35/423 projects, Government Code Sections 85913.100 through 65913.140 for AB 2011 projects, and applicable objective standards, and shall occur within the following timeframes:

   a. Within 90 calendar days of Formal Application submittal for applications that include 150 or fewer housing units.

   b. Within 180 calendar days of Formal Application submittal for applications that include 151 or more housing units.

6. If the Formal Application does not demonstrate compliance with all of the provisions contained in Government Code Section 65913.4(a) and all applicable objective standards, the Director of Development Services shall provide the applicant with written documentation of which standards the development conflicts with and an explanation of the reasons the development conflicts with each standard. If the application can be brought into compliance with minor changes to the proposal (e.g., changes in building dimensions that are less than 10 percent), the Director of Development Services may allow the development proponent to correct any deficiencies within the timeframes for determining project consistency specified in E(2) above. For major changes, a new application will be required.

7. The Director of Development Services is the review authority for ministerial approvals for qualifying housing developments. The Director of Development Services shall approval a Formal Application upon finding that all of the requirements of Government Code Section 65913.4 and this chapter have been met. The Director may impose reasonable conditions of approval, provided those conditions of approval are objective and broadly applicable to development within the City.

8. ***Optional: Planning Commission Design Review Public Oversight***. The Director also may submit a qualifying affordable housing development project application to the Planning Commission for review of compliance with the City's Eligibility Criteria and the City's objective design and development standards that apply to the project at the proposed location.

   a. The Planning Commission, at a noticed public meeting, shall undertake ministerial design review and public oversight as provided for in California Government Code Sections 65913.4, 65912.114, 65912.124, and other applicable State requirements for streamlined ministerial review. Planning Commission review shall include review of the Director's determination under paragraph 7, above. Furthermore, the Planning Commission's/City Council's review under this process shall be objective and strictly focused on the project's compliance with the criteria required for a streamlined project pursuant to the California Government Code Sections 65913.4 and 65912.100, and consistency with the City's objective zoning standards, objective subdivision standards, and objective design review standards established by this Title that are applicable to the project, which were adopted prior to the applications submittal to the City and are applicable to other developments within the City.

b. The Planning Commission's review and a final determination on whether an application complies with the criteria under California Government Code Sections 65913.4 and 65912.100, and the reasonable objective zoning standards, objective subdivision standards, and objective design review standards applicable to the project, must be completed in 90 days for projects with 150 or fewer units and 180 days for projects with more than 150 units, measured from the date of the application submittal.

c. The Planning Commission's ministerial review and public oversight process shall not in any way inhibit, chill, or preclude the ministerial approval of the project if it is in compliance with criteria specified in Government Code Sections 65913.4 and 65912.100, and consistent with the objective zoning standards, objective subdivision standards, and objective design review standards applicable to the project.

9. Any necessary subsequent permits shall be issued on a ministerial basis subject to applicable objective standards. If a public improvement is necessary to implement a development subject to this chapter, and that public improvement is located on land owned by the City, the City shall process any approvals needed as required by Government Code Section 65913.4(h).

10. The Planning Commission's decision is final and not appealable.

F. **Post-Approval Modifications**.

1. An applicant or the Director of Development Services may request a modification to an approved development if that request is made prior to the issuance of the final building permit.

2. The City shall only apply objective standards in effect when the original application was submitted, except that objective standards adopted after the date of original submittal may be applied in any of the following instances:

a. The total number of residential units or total square footage of construction changes by 20 percent or more; or

b. The total number of residential units or total square footage of construction changes by five percent or more, and it is necessary to subject the development to an objective standard beyond those in effect when the application was submitted in order to mitigate or avoid a specific adverse impact upon public health of safety, for which there is no feasible alternative method to satisfactorily mitigate or avoid; or

c. Objective building standards contained in the California Building Code, as adopted by the City, that have come into force after the date of original application may be applied to all modifications.

3. The Director of Development Services shall determine if the modification is consistent with applicable objective standards and issue a decision on the applicant's modification request within 60 days after submittal.

4. An application found consistent with this chapter and approved shall remain valid for three years; however, an application approval shall not expire if the development includes public investment in housing affordability, beyond tax credits, where 50 percent of the units are

affordable to households making at or below 80 percent of the area median income consistent with Government Code Section 65913.4(e).

5. At the discretion of the Director, a one-year extension may be granted consistent with Government Code Section 65913.4(e).

~~20.603.120~~ 20.603.130 – Procedures for SB 330 Applications for Housing Developments

A. **Purpose.** The purpose of this section is to specify how the City will implement streamlined review procedures and establish vested rights for qualifying housing developments, including mixed-use projects, pursuant to Senate Bill 330 (SB 330), the Housing Crisis Act of 2019.

B. **Applicability.**

1. This section applies to qualifying housing development projects as defined by California Government Code Section 65589.5(h)(2), including multi-family development, mixed use projects with at least two-thirds of the building area devoted to residential uses, and/or transitional and supportive housing.

2. This section shall remain in effect for the same time period as provisions contained in the California Government Code Section 65589.5 (Housing Accountability Act). Any provisions that are not extended by the State Legislature shall be repealed as of the date those provisions in the Housing Accountability Act are deemed null and void.

3. This section provides additional procedures that shall be followed for qualifying housing development projects. If conflicts occur between other permitting and approval procedures in this title and the procedures of this section, this section shall control.

C. **Definitions.** Terms defined in California Government Code Section 65589.5 shall apply to this Section and shall control in the event of a conflict between definitions in this title and definitions in California Government Code Section 65589.5.

D. **Application Filing**.

1. To receive the vested rights and benefit from the streamlining established for SB 330 applications, the applicant may initiate the process by filing a preliminary application consistent with Government Code Section 65941.1.

   a. A preliminary application shall be filed on the City's application form.

   b. Within 180 calendar days after submitting a preliminary application, an applicant shall submit a full application for the housing development.

2. An applicant may file a Formal Application for a zoning clearance, administrative approval, or site approval, whichever may be required, for a qualifying housing development without filing a preliminary application. The Full Application shall be filed on a form provided by the City of Chino accompanied by the required fee. Complete Building Permit applications for a qualifying housing project shall be submitted concurrently with the Full Application.

E. **Compliance Review.**

1. ***Scope of Review.***

a. A qualifying housing development for which a Preliminary Application was submitted shall only be subject to the ordinances, policies, and objective standards adopted and in effect when the Preliminary Application is submitted, except in the following circumstances:

i. A fee, charge, or other monetary exaction increase resulting from an automatic annual adjustment based on an independently published cost index establishing the fee or monetary exaction.

ii. A preponderance of the evidence in the record establishes that subjecting the housing development to an ordinance, policy, or standard beyond those in effect when the preliminary application was submitted is necessary to mitigate or avoid a specific, adverse impact upon the public health or safety, and there is no feasible alternative method to satisfactorily mitigate or avoid the adverse impact.

iii. Subjecting the housing development to an ordinance, policy, standard, or any other measure, beyond those in effect when the preliminary application was submitted is necessary to avoid or substantially lessen an impact consistent with the California Environmental Quality Act.

iv. The housing development has not commenced construction within 2.5 years following the date of the housing development's final approval (as defined in California Government Code Section 65589.5(o)(1)(D)).

v. The number of residential units or square footage of construction proposed changes by 20 percent or more, exclusive of any increase resulting from a density bonus, incentive, concession, waiver, or similar provision.

b. When no Preliminary Application was submitted, a housing development shall be subject to objective standards in effect when the Full Application was deemed complete.

2. ***Review Timeframes.***

a. Formal Applications for qualifying housing development containing 150 or fewer units shall be reviewed for compliance with applicable objective standards within 30 calendar days of being deemed complete.

b. Formal Applications for qualifying housing development containing more than 150 units shall be reviewed for compliance with applicable objective standards within 60 calendar days of being deemed complete.

c. The Director of Development Services shall be the Review Authority consistent with the City of Chino's permitting procedures for the Formal Application.

3. ***Compliance Determination.***

a. In the compliance review of a Formal Application, the Review Authority shall identify the specific objective standard(s) that the project does not comply with, if any, and provide an

explanation of the reason(s) why the housing development is considered to be inconsistent or non-compliant with identified provisions, and shall provide the written determination to the applicant and to the Planning Commission. The review timeframes of paragraph (2), above, apply to the compliance review.

b. A qualifying housing development is considered in compliance with this Zoning Code, and shall not require a Zoning Map Amendment, if the housing development complies with the General Plan's objective development standards and land use designations, but the zoning for the housing development site is inconsistent with the General Plan Land Use Diagram.

c. If a qualifying housing development complies with all of the applicable objective zoning, design, and subdivision standards, the City shall not conduct more than five public hearings (including continuances), workshops, study sessions, or similar meetings after the full application is deemed complete in connection with the approval of the housing development. This limitation is established by California Government Code Section 65905.5. Meetings required by CEQA are exempt from the limit.

F. **Findings and Decision**

1. If the proposed housing development complies with applicable General Plan, specific plan, zoning, design, and subdivision standards, the Review Authority may only deny the housing development or conditionally approve the housing development at a lower density if it makes written findings supported by a preponderance of the evidence in the record that:

   a. The housing development would have a specific, adverse impact upon the public health or safety unless the housing development is denied or conditionally approved at a lower density. A "specific, adverse impact" means a "significant, quantifiable, direct, and unavoidable impact, based on identified written public health or safety standards, policies, or conditions as they existed on the date that the project was deemed complete;" and

   b. There is no feasible method to satisfactorily mitigate or avoid the adverse impact other than the denial of the housing development or conditional approval of the housing development at a lower density.

2. If the housing development includes 20 percent of units affordable to very low or low- income households, 100 percent of units affordable or moderate- or middle-income households, or an emergency shelter, the Review Authority shall approve the housing development unless the Commission makes written findings supported by a preponderance of the evidence in the record, as to at least one of the findings in California Government Code Section 65589.5(d).

3. The City shall approve or deny the housing development within the applicable time periods established in California Government Code Section 65950 and related sections.

4. ***Post-Decision Procedures.*** The City's post-decision procedures for the required permit based on the Formal Application shall be those procedures in California Government Code Section 65589.5.

20.603.140 – Replacement Housing for Housing Development Projects

A. **Purpose.** This section establishes requirements for replacement housing for housing development projects, as required by State law.

B. **Definitions**.

1. ***"Housing development project"*** shall have the same meaning as defined in paragraph (3) of subdivision (b) of Section 65905.5 of the California Government Code; however, it shall not include a housing development project located within a very high fire hazard severity zone.

2. ***"Protected units"*** has the same meaning as set forth in California Government Code Section 66300(d)(2).

3. ***"Very high fire severity zone"*** has the same meaning as provided in California Government Code Section 51177.

C. **Applicability**. This section shall apply only to housing development projects that on or after the effective date of the ordinance codified in this title submit a complete application to the Development Services Department or a complete set of building plans for plan check and permit to the Building Division, along with any associated submittal fee.

D. **Replacement Obligations.**

1. The City shall not approve a zoning clearance or other permit or entitlement, or issue a building permit, for a housing development project that will require the demolition of one or more residential dwelling units unless the project will create on-site or off-site at least as many residential dwelling units as will be demolished.

2. The City shall not approve a zoning clearance or other permit or entitlement, or issue a building permit, for a housing development project that will require the demolition of occupied or vacant protected units, unless the housing development project meets all of the requirements of California Government Code Section 66300(d)(2).

3. Any protected units replaced pursuant to this section shall be deemed to be an affordable housing unit in determining whether the housing development project satisfies the affordable housing requirements of the AHO and MUO overlay districts.

4. This replacement obligation does not apply to demotion of an existing short-term rental unit that is rented for a period of fewer than 30 days.

E. **Exemptions.** This section shall not apply to a project that meets all of the following conditions:

1. The project is an industrial use;

2. The project site is entirely within a zone that does not allow residential uses;

3. The zoning applicable to the project site that does not allow residential uses was adopted prior to January 1, 2022; and

4. The protected units that are or were on the project site are or were nonconforming uses.

F. **Occupant Protections.** Any existing occupants on the project site will be allowed to occupy their units until six months before the start of construction activities. The project proponent shall provide existing occupants with written notice of the planned demolition, the date they must vacate, and their rights under this section. Notice shall be provided at least six months in advance of the date that existing occupants must vacate.

1. Any existing occupants that are required to leave their units shall be allowed to return at their prior rental rate if the demolition does not proceed and the property is returned to the rental market.

2. The developer agrees to provide both of the following to the existing occupants of any protected units that are lower income households:

   a. Relocation benefits that are equivalent to the relocation benefits required to be paid by public entities pursuant to Chapter 16 (commencing with Section 7260) of Division 7 of Title 1 of the Government Code.

   b. A right of first refusal for a comparable unit available in the new housing development, or in any required replacement units associated with a new development that is not a housing development, affordable to the household at an affordable rent or an affordable housing cost. This subparagraph shall not apply to any of the following:

      (A) A development project that consists of a single residential unit located on a site where a single protected unit is being demolished.

      (B) Units in a housing development in which 100 percent of the units, exclusive of a manager's unit or units, are reserved for lower income households.

3. If one or more single-family homes that qualify as protected units are being replaced in a development project that consists of two or more units, "comparable unit" means either of the following, as applicable:

   a. A unit containing the same number of bedrooms if the single-family home contains three or fewer bedrooms; or

   b. A unit containing three bedrooms if the single-family home contains four or more bedrooms.

   A comparable unit is not required to have the same or similar square footage or the same number of total rooms.

4. This section does not confer additional legal protections upon an unlawful occupant of a protected unit.

20.603.150 – Planned Development

A. **Purpose**. This section provides procedures for establishing a Planned Development (PD) District to facilitate orderly development of larger sites in the City consistent with the General Plan, including

sites subject to an MPO Master Plan Overlay where a particular mix of uses or character is desired that can best be achieved through an integrated development plan.

B. **Applicability.** The procedures in this section shall apply to all proposals to establish a PD District.

C. **Procedures.**

1. ***Decision-Making Body.*** A PD District must be adopted by the City Council as a zone change. A public hearing before the Planning Commission is required prior to City Council review, and the Planning Commission shall make a recommendation to the City Council.

2. ***Review Procedures.***

   a. *Rezoning.* An application for rezoning to a PD District shall be processed as zone change pursuant to Section 20.603.030 (Zone Changes and Amendments) and an amendment to the Zoning Map, according to the procedures of Section 20.603.030 (Zone Change and Amendments) and shall include a Specific Plan or PD Plan.

   b. *PD Plan.* The PD Plan shall be accepted and processed concurrently, in the same manner as a Conditional Use Permit application, pursuant to Chapter 20,.602, Common Procedures, and Section 20.603.050 (Conditional Use Permits), although additional information is required to be submitted in order to determine that the intent of this Zoning Code and the General Plan will be fulfilled.

   c. *Tentative Subdivision Map.* When a PD requires the submission of a tentative subdivision map, this map and all supporting documents shall be prepared and submitted concurrently with the application for the PD.

3. ***Initiation.*** An amendment to reclassify property to PD shall be initiated by a property owner or authorized agent or a motion of the Planning Commission or the City Council. If the property is not under a single ownership, all owners must join the application, and a map showing the extent of ownership shall be submitted with the application.

4. ***Application Content.*** An application for a PD, made on the City's application form, shall be filed with the Planning Division, accompanied by the required fee. Applications shall contain all of the following:

   a. *Legal Description.* A legal description of the site and a statement of the number of acres, or square feet if less than one acre, contained therein.

   b. *Title Report.* A title report verifying the description and the ownership of the property.

   c. *Ownership Declaration.* A declaration as to whether the site is to remain under the same ownership and control or to be divided into small units during or after development and the manner and method of the division.

   d. *Project Narrative.* A generalized narrative describing the location of the site, its total acreage, and the existing character and use of the site and adjoining properties; the concept of the proposed development, including proposed uses and activities, proposed residential

densities if appropriate, and physical land alteration required by the development; and the relation of the proposed PD to the Chino General Plan.

e. *Development Schedule.* A development schedule, including anticipated timing for commencement and completion of each phase of development, tabulation of the total number of acres in each separate phase and percentage of such acreage to be devoted to particular uses, and an indication of the proposed number and type of dwelling units by phase of development, if applicable.

f. *Maps and Diagrams.* Maps, diagrams, and other graphics necessary to establish the physical scale and character of the development and demonstrate the relationship among its constituent land uses, buildings and structures, public facilities, and open space. These graphics shall at a minimum indicate:

i. A map showing the perimeter boundaries of the project site, the perimeter of the ownership, the location and dimensions of any existing property lines and easements within the site, and all uses and structures within a 300-foot radius of the project area boundaries;

ii. Existing and proposed changes in the topography of the site, including the degree of land disturbance, the location of drainage channels or water courses, and the direction of drainage flow in one-foot contour intervals on areas of cross-slopes of less than five percent and at two-foot intervals on areas of cross-slopes of five percent or more;

iii. A circulation diagram indicating proposed movement of vehicles, goods, bicycles, and pedestrians within the PD district and to and from adjacent areas, including streets and driveways, sidewalks and pedestrian ways, and off-street parking and loading areas;

iv. A site plan indicating existing and proposed uses, location and dimension of buildings and structures, gross floor area of existing and proposed structures, and identification of structures to be demolished or removed;

v. Detailed engineering site plans, including proposed finished grades and all public improvements as well as estimates of grading volume (cut and fill), with accompanying grading sections or other technical drawings acceptable to the Director of Public Works;

vi. Detailed engineering plans for the provision of public utilities for the site, including provisions for off-site connections and facilities necessary to serve the site;

vii. A detailed tabulation of the proposed densities of dwelling units, bedroom count, building coverage, paving coverage, private and common open space, landscaped areas, parking dedication, and height of structures;

viii. Lighting for the building and adjacent parking and pedestrian travel areas;

ix. Utilization of all buildings and structures, including activities and the number of living units in each one;

x. Reservation of land for public uses, including schools, parks, playgrounds, public plazas, privately-owned public open spaces, and other open spaces;

xi. Dimensioned building elevations showing proposed architectural concepts, color program, and material samples; and

xii. A comprehensive sign program, including the size and location of all proposed signs.

g. *Open Space and Landscaping Plan.* An existing and proposed open space and landscaping plan meeting the requirements of Chapter 20.508 (Landscaping), including landscape concept and type of plant materials, recreation areas, parking, service and other public areas used in common on the property, and a description of intended improvements to and maintenance of the open area of the property.

h. *Other Information.* Any other information deemed necessary by the Director of Development Services to ascertain if the project meets the required findings for a PD Plan and re-zoning.

5. ***Required Findings.*** A PD Plan and re-zoning shall only be approved if the Planning Commission and the City Council make the following findings:

a. The proposed development is consistent with the General Plan and any applicable specific plan, including the density and intensity limitations that apply;

b. The subject site is physically suitable for the type and intensity of the land use being proposed;

c. Adequate transportation facilities, utilities, and public services exist or will be provided in accord with the conditions of PD plan approval, to serve the proposed development; and the approval of the proposed development will not result in a reduction of traffic levels of service or public services so as to be a detriment to public health, safety, or welfare;

d. The proposed development will not have a substantial adverse effect on surrounding land uses and will be compatible with the existing and planned land use character of the surrounding area;

e. The development generally complies with applicable objective design standards; and

f. The proposed development is demonstratively superior to the development that could occur under the standards applicable to the underlying base district, and will achieve superior community design, environmental preservation, and/or substantial public benefit. In making this determination, the following factors shall be considered:

i. Appropriateness of the use(s) at the proposed location.

ii. The mix of uses, housing types, and housing price levels.

iii. Provision of units affordable to persons and families of low and moderate income or to lower income households.

iv. Provision of infrastructure improvements.

v. Provision of open space.

vi. Compatibility of uses within the development area.

vii. Creativity in design and use of land.

viii. Quality of building materials and landscaping, and adequacy of light and air provided to the interior spaces of the buildings.

ix. Overall contribution to the enhancement of neighborhood character and the environment of Chino in the long term.

6. ***Conditions.*** In approving a PD Plan and re-zoning, the City Council may impose reasonable conditions deemed necessary to:

   a. Ensure that the proposal conforms in all significant respects with the General Plan and with any applicable specific plans or policies that the City has adopted;

   b. Achieve the general purposes of this Code and the regulations and standards applicable to proposed uses and structures;

   c. Achieve the findings listed above; or

   d. Mitigate any potentially significant impacts identified as a result of review conducted in compliance with the requirements of the California Environmental Quality Act.

7. ***Guarantees.*** The City Council may require reasonable guarantees and evidence that such conditions are being, or will be, complied with.

D. **Expiration and Renewal.**

1. ***Expiration.***

   a. *PD Plan.* A PD Plan shall be effective on the same date as the ordinance creating the PD District for which it was approved and shall expire two years after the effective date unless actions specified in the conditions of approval have been taken, or a building permit has been issued and construction diligently pursued. An approved PD Plan may specify a development staging program exceeding two years.

   b. *Tentative Map.* Where a tentative map has been approved in conjunction with a PD Plan, the PD Plan shall expire upon the expiration of the tentative map.

   c. *Phased Development.* In the event that the applicant intends to develop the project in phases, and the City Council approves phased development, the PD Plan shall remain in effect so long as not more than one year lapses between the end of one phase and the beginning of the next phase.

2. ***Renewal.*** An approved PD Plan that has not been exercised may be renewed for a two-year period approved by the Planning Commission after a duly noticed public hearing. Application for renewal shall be made in writing between 30 and 120 days prior to expiration of the original approval. The Planning Commission may renew a PD Plan if it finds the renewal consistent with the purposes of this chapter.

E. **Amendments of Approved Plans.**

1. ***Changed Plans***. Amendments to a PD District or PD Plan or Specific Plan may be requested by the applicant or its successors. Amendments to the approved PD District or PD Plan or Specific Plan shall be classified as major or minor amendments. Upon receipt of an amendment application, the Director shall determine if the proposed amendment constitutes a major or minor amendment.

2. ***Major Amendments***. Major Amendments to an approved PD District or PD Plan or Specific Plan shall be considered by the City Council at a duly noticed public hearing. An amendment will be deemed major if it involves one or more of the following changes:

   a. A change in the boundary of the PD District;

   b. An increase or decrease in the number of dwelling units for the PD District that is 10 percent greater than the maximum or 10 percent less than the minimum stated in the PD Plan or Specific Plan;

   c. An increase or decrease in the floor area for any non-residential land use that results in the floor area exceeding the minimum or maximum stated in the PD Plan or Specific Plan by 10 percent or more;

   d. Any change in land use or density that is likely to negatively impact or burden public facilities and utilities infrastructure as determined by the City Engineer;

   e. Any change in land use or density that is likely to negatively impact or burden circulation adjacent to the PD District or adversely affect the overall major street system by increasing vehicle miles of travel by more than 10 percent, as determined by the City Engineer; or

   f. Any other proposed change to the PD Plan or Specific Plan or the conditions of approval that substantively alters one or more of its components as determined by the Director.

3. ***Minor Amendments.*** Amendments not meeting one or more of the criteria listed in subsection E(2) above shall be considered minor if they are consistent with the original findings and conditions of approval. Minor Amendments may be approved by the Director. The Director may, at his/her discretion, refer any request for an amendment ~~to a~~ to a PD Plan that may generate substantial public interest to the Planning Commission for a decision after a duly-noticed public hearing, rather than acting on it himself/herself.

F. **Status of Specific Plan**. A Specific Plan adopted by resolution of the City Council shall be administered as prescribed by the Council, consistent with Government Code Section 65450.

G. **Development Plan Review**. Plans for a project in a PD District shall be accepted for planning and building permits or subdivisions only if they are consistent with an approved PD Plan or Specific Plan

and any conditions of approval. No project may be approved and no building permit issued unless the project, alteration, or use is consistent with an approved PD Plan or Specific Plan.

H. **Failure to Comply with Conditions.** Failure to comply with any PD permit condition or development schedule is a violation of this chapter and subject to Chapter 20.605~~,~~ (Enforcement). The Planning Commission or City Council may initiate revocation proceedings under this Code or suspend the applicant's permit until such time as the applicant conforms to the conditions thereof.

I. **Revocation or Modification of Planned Development Permit**. A PD permit may be revoked or modified as provided by Section 20.602.160 (Revocation Procedure).

Chapter 20.604 – SPECIAL PROCESSING REQUIREMENTS AND HAZARDOUS WASTE FACILITIES.

Sections:

20.604.010 Pre-application Procedures
20.604.020 Local Assessment Committee
20.604.030 Post-application Procedures
20.604.040 Technical Assistance Grants
20.604.050 Appeal Procedures

In addition to the requirements for a ~~special~~ conditional use permit, a request for approval of a hazardous waste facility shall be reviewed and processed in accordance with the following procedures:

20.604.010 – Pre-Application Procedures

A. At least 90 days prior to filing an application with the City for a land use decision relative to a hazardous waste facility, the proponent shall file a Notice of Intent to make an application with the State of California Office of Permit Assistance (OPA), the City of Chino, and the County of San Bernardino. The Notice of Intent shall specify the proposed location and include a complete description of the nature, function and scope of the project.

B. Upon receipt of a Notice of Intent, the City shall provide notice in each of the following ways:

1. Notice shall be published, at least one time, in a newspaper of general circulation in the area affected by the proposed project;

2. Notice shall be posted on the property upon which the facility is proposed;

3. Notice shall be mailed or delivered to the owner of the property that is the subject of the hearing or the owner's duly authorized agent, and to the project applicant; and

4. Notice shall be mailed or delivered to all owners of real property shown on the latest equalized assessment roll within a 300 FT radius of the property that is the subject of the hearing. In lieu of utilizing the assessment roll, the City may utilize records of the county assessor or tax collector that contain more recent information than the assessment roll.

C. The Notice of Intent filed with the City shall be accompanied by the appropriate fee adopted by the City. A Notice of Intent is not transferable to another location, and shall remain in effect for one year from the date it is filed with the City, or until it is withdrawn by the proponent, whichever occurs first.

D. Within 90 days following the filing of a Notice of Intent with OPA, OPA shall convene a pre-application meeting in the City to inform the public of the nature, function and scope of the proposed hazardous waste facility, and the procedures required for approving an application for the facility.

20.604.020 – Local Assessment Committee

A. Any time after the Notice of Intent is filed with the City, but no later than 30 days after the application for the land use decision is accepted as complete, the City Council shall appoint a seven-member Local Assessment Committee (LAC) for the purpose of advising the City in considering an application for a land use decision on the proposed hazardous waste facility.

B. LAC membership shall broadly reflect the makeup of the community, and shall include 3 representatives of the community at large, 2 representatives from environmental or public interest groups and 2 representatives from affected businesses and industries. Members of the LAC shall have no direct financial interest (as defined in Government Code Section 87103) in the proposed facility.

C. The LAC shall, as its primary function, advise the Planning Commission of the terms and conditions under which the proposed hazardous waste facility may be acceptable to the community. In carrying out this function, the LAC shall:

1. Enter into a dialogue with the project proponent to determine the measures that should be taken by the proponent in connection with the operation of the proposed facility to protect the public health, safety and welfare, and the environment of the City, as well as the special benefits and remuneration the proponent will provide to the City as compensation for the local costs associated with the operation of the facility;

2. Represent the interests of the residents of the City and the interests of adjacent communities in meetings with the project proponent;

3. Receive and expand any technical assistance grants available pursuant to Part M.1.d (Technical Assistance Grants) of this Section;

4. Adopt rules and procedures which are necessary to perform the duties of the LAC; and

5. Advise the Planning Commission of the terms, provisions and conditions for project approval which have been agreed upon by the LAC and the project proponent, and of any additional information which the LAC deems appropriate.

D. The City council may use the findings and recommendations of the LAC for its independent consideration of the project and shall provide staff resources to assist the LAC in performing its duties.

E. A LAC established pursuant to this Part shall cease to exist after final administrative action by the State and the City have been taken on the application for which the LAC was formed.

F. Following completion of all pre-application procedures specified herein, the project proponent may submit a ~~special~~ conditional use permit application for a land use decision with the City. Within 30

days of receipt of the application, a determination must be made as to the completeness of the application. Within 10 days following the acceptance of the application as complete for processing, notification shall be sent to OPA that the proposed facility has been accepted as complete.

20.604.030 – Post-Application Procedures

A. Within 60 days an application being accepted as complete, OPA shall convene a post-application meeting involving lead and responsible agencies, the project proponent, the LAC and interested members of the public.

B. The post-application meeting shall take place within the City. The purpose of this meeting will be to determine the issues that concern the agencies that are required to review the project and the issues that concern the public. The post-application meeting shall be held following the completion and availability of an Initial Study or Notice of Preparation for an Environmental Impact Report (EIR) for public review and comment.

C. It shall be the responsibility of OPA to work with the lead and responsible agencies, and the LAC to find a mutually acceptable place and time for the post application meeting. OPA shall then notify the lead and responsible agencies, the project proponent, and the LAC, by letter, of the date, time and place of the post-application meeting. It shall be the responsibility of the City to notify the public and any other local agencies of the meeting. The OPA procedure for conducting the post application meeting shall follow a format similar to of the pre-application meeting. The agenda and procedures shall be provided by OPA.

D. Completion of the post-application meeting, and the transmittal of any summary documents to the various agencies and interested parties, constitutes the termination of OPA's routine involvement under Health and Safety Code Section 25199, et. seq.

E. Following the post-application meeting, the project proponent and the LAC shall meet and confer on the proposed hazardous waste facility for the purpose of establishing the terms and conditions under which the facility will be acceptable to the community.

F. If the LAC and project proponent cannot resolve any differences through the meetings, OPA may assist in the resolution pursuant to Health and Safety Code Section 25199.4.

G. Upon completion of the post-application procedures, a hazardous waste facility shall be processed in accordance with the provisions of Section 20.~~23~~603.~~080~~ 050 (~~Special~~ Conditional Use Permits).

20.604.040 – Technical Assistance Grants

A. If the LAC finds that it requires assistance and independent advice to adequately review a proposed hazardous waste facility, it may request technical assistance grants from the City to enable the committee to hire a consultant. The LAC may then use the funds made available to it to perform any, or all, of the following:

1. Assist the LAC in reviewing and evaluating the application for the proposed facility, any environmental documents prepared for the project pursuant to the provisions of the California Environmental Quality Act (CEQA), and any other documents, materials and information which are required by the city in connection with the application for a land use decision; and/or
2. Advise the LAC in their discussions with the project proponent regarding the terms and conditions under which the proposed facility will be acceptable to the community.

B. The proponent of the proposed hazardous waste facility shall pay to the City, a fee equal to the amount of any technical assistance grants. The local agency shall deposit such fee in an account created in the City treasury, maintain records of all expenditures from the account, and return any unused funds and accrued interest to the project proponent upon completion of review of the proposed facility.

20.604.050 – Appeal Procedures

A. Any applicant or any interested person may appeal to the City Council, any action or decision of the Planning Commission to the City Council pursuant to the provisions of Section 20.~~23~~602.~~150~~130 (Appeals).

B. An action or decision of the City Council may be appealed to the Governor, or his/her designee, within 30 days following the City Council Action or decision.

C. If an application for a land use decision on a hazardous waste facility is denied by the City before an EIR for the project is prepared and certified, or before a Negative Declaration for the project is adopted pursuant to the provisions of CEQA, the project proponent may file an appeal of the denial with the Governor, or his/her designee.

D. If a ~~special~~ conditional use permit for a hazardous waste facility is approved by the City, the project proponent may file an appeal of the conditions of approval imposed on the facility with the Governor, or his/her designee. Said appeal shall specify the particular condition(s) imposed by the City that is the subject of the appeal. The appeal shall be based solely upon the grounds that the condition(s) imposed on the operation of the facility by the City are so onerous and restrictive, that their imposition is the same as a denial of the proposed facility.

E. If a ~~special~~ conditional use permit for a hazardous waste facility is approved by the City, any interested person(s) may file an appeal of the approval with the Governor, or his/her designee. Said appeal shall state why the condition(s) imposed on the facility do not adequately protect the public health, safety or welfare, and shall specify additional conditions which are necessary to provide such protection. The appeal may be based solely upon the grounds that the condition(s) imposed upon the project by the City do not adequately protect the public health, safety or welfare.

Chapter 20.605 – ENFORCEMENT

Section:

20.604.010 Purpose and Intent
20.604.020 Applicability
20.606.030 Remedies
20.604.040 Penalties
20.604 050 Fees

20.605.010 – Purpose and Intent

The purpose of these provisions is to prescribe procedures for the enforcement of the provisions of this title and any entitlement thereunder.

20.605.020 – Applicability

A. The Planning Commission shall have jurisdiction of, and be responsible for, the administration of the regulations and provisions of this Zoning Code. It shall have the power to exercise this jurisdiction as hereafter provided, and shall have the authority to act in its administrative capacity on: variances, conditional use permits, site approvals, adjustments, and interpretations of this Zoning Code.

B. In exercising its jurisdiction, the Planning Commission shall adopt from time to time, such general rules and regulations relating to its procedure, as may be deemed necessary.

20.605.030 – Remedies

A. It shall be the duty of the Director of ~~Community~~ Development Services and all officers of the City otherwise charged with the enforcement of the law, to enforce the provisions of this Zoning Code.

B. The City Attorney, at the direction of the City Council, Planning Commission or Director of ~~Community~~ Development Services, is authorized to institute any legal proceedings necessary to enforce the provisions of this Zoning Code, including the initiation of an injunction to restrain, or any other such action or proceedings to enforce such provisions.

C. All remedies concerning this Zoning Code shall be cumulative and not exclusive. The conviction and punishment of any person(s) hereunder shall not relieve such person(s) from the responsibility of correcting prohibited conditions or removing prohibited structures or improvements, and shall not prevent the enforced correction or removal thereof.

D. Any construction in violation of this Zoning Code, or any condition(s) imposed on a permit, license or other entitlement, shall be subject to the issuance of a "Stop Work Order."

20.605.040 – Penalties

A. **Infraction.**

1. Any person, firm or corporation violating any of the provisions of this Zoning Code shall be guilty of an infraction, and upon conviction thereof, shall be punishable by a fine as established by Chino Municipal Code Section 1.12.010.B. However, such fines and penalties shall not be deemed exclusive. When applicable, the City shall have the right to enforce the provisions of this Zoning Code by civil process, including injunction and all other civil remedies.

2. Every day any violation of this Zoning Code continues shall constitute a separate offense.

B. **Misdemeanor.** In alternative to the provisions of Part A~~D~~.1 *(Infraction)* of this Section, at the City's discretion, any person, firm or corporation violating any of the provisions of this Zoning Code may be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine not to exceed $1,000 or by imprisonment in the county jail for a period not exceeding six months, or by both such fine and imprisonment.

20.605.050 – Fees

The City may impose fees on complainants to cover the full costs incurred by the City for the monitoring and enforcement of the requirements of this Zoning Code, as well as those conditions and mitigation measures imposed on an approved permit, license or other such entitlement.

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Table of Contents

Chapter 20.701 – Glossary 1
20.701.010 – Purpose 1
20.701.020 – Definitions 1

List of Figures

Figure 20.701-1 Example of Floor Area Ratio (FAR) 13
Figure 20.701-2 Lot And Yard Types 21
Figure 20.701-3 Setback 34

700 Series - Glossary

Chapter 20.701 – GLOSSARY

Sections:

20.701.010 – Purpose
20.701.020 – Definitions

20.701.010 – Purpose

This chapter provides definitions of terms and phrases used in this Zoning Code that are technical or specialized, or which may not reflect common usage. If any of the definitions in this chapter conflict with others in the City Code, these definitions shall control for only the provisions of this Zoning Code. If a word is not defined in this chapter or in other provisions of the Chino Zoning Code, the Director shall determine the appropriate definition.

20.701.020 – Definitions

A. Definitions, "A".

Abandoned shopping cart. Any cart removed from a business establishment's premises without written permission of the owner and located on either public or private property.

Abandon use. A business or activity with no reported sales or activity for a period of at least one hundred eighty days. Exceptions are temporary closures for repairs, alterations, or other similar situations.

Accessibility. The combination of various elements in a building, facility, site or area, or portion thereof which allows access, circulation and the full use of the building and facilities by persons with disabilities.

Accessible. A site, building, facility, or portion thereof that is approachable and usable by persons with disabilities.

Accessory building. See "Building, accessory."

Accessory dwelling unit (ADU). An attached or detached dwelling unit that provides complete, independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. This definition shall be interpreted as consistent with the definition for "Accessory Dwelling Unit" in Government Code § 65852.2.

Accessory use. A use or structure clearly incidental to and customarily found in connection with an established primary use of a site, or of a building located on the same site. The terms "incidental use" and "accessory use" shall be used interchangeably within this Title.

ACLUP (airport comprehensive land use plan). A master plan prepared in accordance with Public Utilities Code Section 21670 et seq., which provides for the orderly growth of airports and provides measures for mitigating the public's exposure to excessive noise and safety hazards within areas around public airports.

Administrative approval. A permit for a specified land use, building or structure that is issued by the Director of ~~Community~~ Development Services at the City's discretion.

Adult oriented businesses. See Title 5 of the Municipal Code for a definition of Adult Oriented Businesses.

~~*Affordable dwelling units.* See "Target units."~~

Affordable housing unit. A residential dwelling unit that is restricted by deed or other recorded document for rent or sale at an affordable housing cost to persons and families of low or moderate income ~~A housing unit which is available for rent or sale to households with income levels at the very low-, low-, or moderate-income level~~ as those terms are defined in this section.

Affordable housing development. A development project of ten or more residential units, including mixed-use developments, that includes one or more affordable housing units.

Affordable housing agreement. A legally binding agreement between an Applicant and the City of Chino to ensure that continued affordability of affordable housing units that may be required by this Title persists and the units are maintained in accordance with this Title.

Affordable rent. means the total housing costs paid by a qualifying household, which shall not exceed a specified fraction of their gross income, adjusted for family size appropriate for the unit, as follows:

- For purposes of the City's density bonus in the AHO and MUO zoning districts, the low income rent shall be based on 30 percent of 80 percent multiplied by the area median income for San Bernardino County as published by the California Department of Housing and Community Development.
- For applicants seeking a density bonus under Government Code Section 65915, the calculation methodology in Section 50053(b) of the Health and Safety Code will be applied.

Affordable sales price. The maximum purchase price that can be charged for an affordable unit calculated in accordance with Section 50052.5 of the California Health and Safety Code. The affordable sales price is equal to the lesser of: 1) the sum of the assumed mortgage cost plus the benchmark down payment, which is used solely for calculation of the affordable sales price, or 2) the purchase price prospective buyers are willing to pay in return for purchasing a home that is subject to restrictive covenants. The benchmark down payment is set at five percent of the affordable sales price.

Agriculture. The tilling of soil, the raising of crops, horticulture, livestock farming, dairying or animal husbandry, including accessory supply, service, storage and processing areas and facilities to accommodate agricultural products produced on the premises; provided, however, that the accessory uses shall not include slaughter houses, feed yards, hog farms, fertilizer works, bone yards, plants for the rendering of animal matter or similar commercial or industrial uses.

Agricultural processing, on-site. A facility used for the cooking, dehydrating, refining, bottling, canning, washing, packaging, or other treatment of agricultural products which changes the naturally grown product for consumer use. May include warehousing and packaging as secondary uses.

Agricultural products. Fresh or processed products that may include whole fresh fruits, nuts, vegetables, herbs, cultivated mushrooms, shell eggs, dairy, honey, flowers, livestock meat, poultry meat, rabbit meat, fish, including shellfish, unprocessed grains, nursery stock, and similar items.

Agricultural product stands. A structure where unprocessed produce, including fruits, vegetables and nuts is sold.

Airport. Any area of land or water designated and set aside for the landing and taking off of aircraft, which is utilized or will be utilized in the interest of the public for such purposes, and has a valid permit to operate from the state of California.

Alcoholic beverage sales. The retail sale of beer, wine or distilled spirits for on-premise or off-premise consumption.

Alley. An unnamed public or private right-of-way designed to provide vehicular access to a property through a side or rear yard.

Amendments. Any material added to a soil to improve its physical properties, such as water retention, permeability, water infiltration, and drainage.

Amusement or theme park. A commercially operated park with a predominance of outdoor games and activities for entertainment, including motorized rides, waterslides, miniature golf, batting cages and the like.
Animal keeping, commercial. Any establishment that keeps animals for sale or hire, provides medical treatment for animals on the premises or regularly offers any temporary boarding facilities for animals.
Animal keeping, household. Any establishment that keeps animals only as pets, or for the production of eggs, milk or meat for personal use.
Animal sales and services. A retail sales establishment primarily involved in the sale of products for domestic animals, such as dogs, cats, fish, birds, and reptiles, including indoor boarding, grooming, or veterinary services as incidental to the primary retail use; a retail sales establishment primarily involved in the sale of domestic animals, such as dogs, cats, fish, birds, and reptiles; or any place or establishment, public or private, where domestic animals are bathed, clipped, or combed for the purpose of enhancing their aesthetic value and/or health for which a fee is charged.
Antenna. Any system of towers, poles, panels, rods, wires, drums, reflecting discs or similar devices used for the transmission or reception of electromagnetic waves. See also "Satellite dish" and "Satellite antenna."
Anti-drain valve. See "Check valve".
Anti-transpirant. A protective coating, generally applied to plant materials prior to or immediately after transplanting, that reduces water loss through the leaf surface.
Apartment. One or more rooms in an apartment building intended or designed to be occupied by one family for living and sleeping purposes, and containing a kitchen and bath facilities.
Apartment building. A building or portion of a building, other than a temporary lodging such as a hotel or motel, containing three or more dwelling units.
Applicant. Any person required to submit an application for a permit for development or other land use entitlement. ~~Landscape Documentation Package~~. Applicant may include the property owner or an agent of the owner or any person, corporation, partnership or other legal entity that has a legal or equitable title to land that is the subject of a development proposal or is the holder of an option or contract to purchase such land or otherwise has an enforceable proprietary interest in such land.
Application rate. The depth of water applied to a given area, usually measured in inches per hour.
Applied water. The portion of water supplied by the irrigation system to the landscape.
Area, Adjusted Gross. See "Net Acre." ~~The area of a lot, exclusive of all land within the ultimate right-of-way for Expressways, Major Arterials, Primary Arterials, Secondary Arterials, and Collector Streets, as shown in the Transportation Infrastructure Element of the General Plan. (The number of residential units permitted for a parcel is determined by multiplying the residential density factor by the adjusted gross acres of the parcel.)~~
Area, Gross. The area of a lot measured to the centerline of the street or alley.
Area, Net. ~~The area of a lot, exclusive of all street and alley rights-of-way, and dedications transferring title of land to a public agency~~. See "Net Acre."
Area of a Lot. The net area of a single recorded lot.
Art gallery. A room or structure in which original works of art or limited editions of original art are bought, sold, loaned, appraised or exhibited to the general public.
As-builts. See "Record drawing."
Athletic instruction. A facility offering instruction and/or study oriented toward dance, sports, or fitness, such as yoga studios, martial arts, social and artistic dance, cheerleading, gymnastics, CrossFit, indoor batting cages, and individual or team sports. Facilities operated by a public agency are not included in this definition.

Automatic irrigation controller. A timing device used to remotely control valves that operate an irrigation system. Automatic irrigation controllers are able to self-adjust and schedule irrigation events using either evapotranspiration (weather-based) or soil moisture data.
Automobile and vehicle sales and rental. The use of any building or portion thereof, or other premises or portion thereof, for the display, sale, rental or lease of new motor vehicles, or used motor vehicles as an ancillary use of a zoning lot, and any warranty repair work and other repair service or bus/van conversions conducted as an accessory unit. This term includes "Auto mall.". Vehicle sales also include the sale of aircraft (including commercial, private and/or military aircraft), primarily at the Chino Airport.
Automobile, light truck and van cleaning. Mechanical facilities for the washing, waxing, and vacuuming of automobiles, light trucks and vans.
Auto mall. A planned development with clustered dealerships and showrooms, repair and servicing facilities and ancillary uses supporting vehicle sales of both new and used (pre-owned) vehicles, including manufacturer's direct-to-customer sales rooms.
Awning. A cloth, plastic or other nonstructural covering that either is attached permanently to a building or can be raised or retracted to a position against the building when not in use.

B. Definitions, "B".
Backflow prevention device. A safety device used to prevent pollution or contamination of the water supply due to the reverse flow of water from the irrigation system.
Balcony. A platform that projects from the wall of a building and is surrounded by a railing.
Bank or financial service. A financial institution such as a bank, credit agency or lending institution.
Bar. An area primarily devoted to the serving of alcoholic beverages and in which the service of food is only incidental to the consumption of such beverages.
Base density. The maximum residential density allowed in a zone before adding any additional density for community benefits, amenities, or provision of affordable housing.
Battery Energy Storage System. A facility using one or more rechargeable battery systems or related electrochemical technologies capable of storing electrical energy for later injection to the electrical grid, on-site use, or emergency backup purposes, together with associated control systems, inverters, transformers, safety systems, and accessory equipment.
Basement. A story of a building that is partly below grade and is located so that the vertical distance from the grade to the floor is greater than the vertical distance from the grade to the ceiling.
Bed and breakfast. A residential structure with one family or manager in permanent residence and from two to six guest rooms rented for overnight lodging, where meals may be provided for compensation subject to applicable Health Department regulations and where no provision is made for cooking in any individual room or suite. A bed and breakfast with more than six guest rooms shall be considered a hotel or motel, as applicable.
Bedroom. A habitable space within a dwelling unit in which people sleep, which can also include permanent provisions for living, eating, and either sanitation or kitchen facilities but not both.
Block. All property fronting on one side of a street between intersecting and intercepting streets; or between a street, railroad right-of-way, waterway, natural barrier or unsubdivided acreage.
Boardinghouse. A single-family residential dwelling, ~~accessory dwelling unit, or junior accessory dwelling unit~~ wherein two or more rooms, with or without individual or group cooking facilities, are rented, licensed or otherwise provided in exchange for rent or other remuneration to an individual or individuals under separate written or oral rental leases, licenses or other agreements. ~~Notwithstanding the previous sentence, a~~A boardinghouse does not include a single-family residential dwelling that includes a junior accessory dwelling

unit and an attached or detached accessory dwelling unit ~~where the junior accessory dwelling unit and attached accessory dwelling unit are both rented~~..

Botanical gardens and arboretums. A public or private facility for the demonstration and observation of the cultivation of flowers, fruits, vegetables, or ornamental plants.

Breezeway. A roofed structure open on at least two sides attached to and connecting portions of a main building, or portions of a main building and an accessory building.

Bridle path. See "Neighborhood equestrian trail."

Broadcasting studios. A commercial or public facility where broadcasts originate.

Build-to Line. A line parallel to the lot line where the façade of the building is required to be located.

Building. A structure having a roof or similar enclosure supported by columns or walls ~~and~~ with interior space intended or used for shelter, confinement or housing of any person, animal or property, equipment, goods or materials.

Building, accessory. A ~~subordinate~~ detached building, the use of which is clearly incidental and secondary to that of the main building on the same site in terms of both use and size. A building shall be considered part of the principal building if connected to it by a common roof line or fully enclosed space.

Building, apartment. See "Apartment building."

Building, attached. A building that has at least one of its walls permanently attached, in part or in whole, to the wall of another building.

Building, detached. A building with none of its walls permanently attached to the walls of another building.

Building, main. A building in which one of the site's principal and permitted uses is conducted. In residential districts, the largest building on a site that contains a dwelling unit shall be deemed the main building. A site may have more than one main building.

Building, nonconforming. A building or structure, or a portion of a building or structure, that does not conform to the regulations contained in this chapter.

Building area. The total amount of ground area occupied by all buildings and structures on a parcel of land.

Building frontage. A building wall facing a parcel boundary that abuts a street.

Building height. See "Height, building or structure"

Building Official. The Building Official, or his or her authorized representative.

Building site. See "Site."

Building supply. A wholesale or retail establishment that sells lumber, wallboard, fixtures and similar large building materials. The term "building supply" does not include establishments primarily devoted to the retail sale of tools, paint and similar products, which are classified as general retail.

Bus and large truck cleaning. Mechanical facilities for the washing, waxing and vacuuming of heavy trucks and buses.

Bus and large truck repair and maintenance. Repair and maintenance facilities for buses and large trucks whose primary or incidental uses include but are not limited to uses such as repair, service, towing, and finishing.

Business, freeway-oriented. Any business that supplies food, fuel or lodging that is essential to support travelers on a freeway, and that is directly dependent upon and adjacent to a freeway.

Business support service. An establishment primarily within a building that provides services that are necessary to other businesses, such as clerical, employment, protective, or minor processing to firms, including blueprinting, computer rental and repair, mailing and mailbox services, copying and quick printing, secretarial, and other services of like kind or character.

C. Definitions, "C".

California Invasive Plant Council (Cal-IPC). Across California, invasive plants damage wildlands. Invasive plants displace native plants and wildlife, increase wildfire and flood danger, consume valuable water, degrade recreational opportunities, and destroy productive range and timber lands. Cal-IPC works with land managers, researchers, policy makers, and concerned citizens to protect the state from invasive plants.
California Irrigation Management Information System (CIMIS). CIMIS is a program in the Office of Water Use Efficiency (OWUE), California Department of Water Resources (DWR) that manages a network of over 120 automated weather stations in the state of California. CIMIS was developed in 1982 by the California Department of Water Resource and the University of California at Davis to assist California's irrigators manage their water resources efficiently.
Canopy. A permanent covering over a walkway or driveway that is wholly supported on each side by posts or walls.

Cannabis. All parts of the plant *Cannabis sativa L.*, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin, as defined by California law, including cannabis products for medicinal or adult use. Cannabis does not include industrial hemp, which is defined separately under State and federal law.

Cannabis Retailer (Dispensary). A facility engaged in the retail sale, dispensing, or delivery of cannabis or cannabis products to consumers for medicinal or adult use, including accessory storage, security, and incidental educational or administrative functions

Car wash. A permanent, self-service or full-service establishment that provides facilities for car washing, including washing of light trucks and vans.
Caretaker quarters. A permanent residence that is provided as an accessory use to a non-residential use, and is used to house a caretaker and the caretaker's family for security purposes or to provide around-the-clock care or monitoring of the site or any person or thing on the site.
Carport. A permanent roofed building that is open on at least two sides and is used or designed for the shelter and storage of vehicles.
Cart/Kiosk. Means any portable, non-motorized wagon, cart, or similar non-wheeled unit used by a vendor from which retail goods, food, and/or beverages are offered for sale.
Catering service. A business that prepares food for consumption on the separate premises of a client, and that is not part of a restaurant. A vehicular food vendor or a restaurant that provides catering shall not be considered a catering service.
Cemetery. Any place for the burial, disposal or long-term storage of human remains, including but not limited to a columbarium, crematory or mausoleum.
Centerline. The right-of-way centerline for a street or alley, as established by official survey.
Certified Farmers' Market. A farmers' market that has been issued a Certified Farmers' Market Certificate by the San Bernardino County Agricultural Commissioner authorizing sales of agricultural products and ancillary products by certified producers and other vendors.
Certified Irrigation Designer. A person certified to design irrigation systems by an accredited academic institution, a professional trade organization or other program such as the US Environmental Protections Agency's WaterSense irrigation designer certification program and Irrigation Association's Certified Irrigation Designer program.
Certified Landscape Irrigation Auditor. A person certified to perform landscape irrigation audits by an accredited academic institution, a professional trade organization or other program such as the US Environmental

Protection Agency's WaterSense irrigation auditor certification program and Irrigation Association's Certified Landscape Irrigation Auditor program.

Certified Producers. A farmer, rancher, or other agricultural producer that is authorized by the San Bernardino County Agricultural Commissioner to sell their agricultural products in a certified farmers' market.

CFS. Cubic feet per second.

Check cashing services. A place of business where one can cash a check for a fee.

Check valve. A valve located under a sprinkler head to hold water, or other location in the irrigation system, to hold water in the system to prevent drainage from sprinkler heads when the sprinkler is off.

Chicken coop. An enclosed area for chicken habitation that contains a chicken run and a henhouse.

Chicken run. An outdoor area within the coop that provides a protected place for chickens to freely wander about; the equivalent to a dog run.

Child or family-oriented business. A business establishment that has as its primary clientele children or families with children, including but not limited to toy stores, children's clothing stores, family amusement arcades, or family recreation facilities.

Cigar lounges. An establishment where patrons can smoke and purchase cigars. This definition includes lounges with membership programs.

City Engineer. The City Engineer, or his or her authorized representative.

Club. Buildings and facilities, owned or operated by a corporation, association, person or persons, for a social, educational or recreational purposes, to which membership is required for participation and not primarily operated for profit not to render a service that is customarily carried on as a business.

CNEL (community noise equivalent level). An average daily noise level (averaged for each twenty-four hours) and weighted more heavily during evening and nighttime hours to account for the lower tolerance of persons to noise during those hours.

Code. The Municipal Code of the City of Chino.

Code ~~Enforcement~~ Compliance Official. The ~~Lead~~ Supervising Code Compliance Inspector, or his or her authorized representative.

Co-generation Energy Facilities. Co-generation energy facilities, also known as combined heat and power systems, enable simultaneous generation of electricity and thermal energy from the same energy source. They enable a fuel, such as natural gas, biomass, or waste heat, to be burned to produce electricity, and the waste heat from the electricity generation process is captured and used for heating or other industrial processes.

Commercial animal keeping. See "Animal keeping, commercial."

Commercial Nursery. Establishments primarily engaged in retail or wholesale sales of nursery and garden products—such as trees, shrubs, plants, seeds, bulbs, and sod—that are predominantly grown elsewhere. Fertilizer and soil products are stored and sold in packaged form only. This term includes garden centers, which sell nursery and garden products, irrigation supplies, pots, and tools used for gardening. This classification does not include the sale of house plants or other nursery products entirely within a building, which is considered to be general retail.

Commercial recreational facility. Any establishment that provides entertainment activities or services for a fee or admission charge, including bowling alleys, electronic game arcades, billiard rooms, ~~miniature golf courses,~~ trampoline parks, axe throwing, indoor shooting ranges, escape rooms, laser tag, indoor/virtual golf facilities, sports clubs, indoor party centers, karaoke, amusement centers, amphitheaters, and other uses of like kind or character. An establishment that offers a small number of game machines to its customers as an accessory use, such as a restaurant or laundromat, shall not be considered a commercial recreational facility. Facilities operated by a public agency are not included in this definition.

Common interest developments. Community apartment projects, condominium projects, planned development, and stock cooperatives per Civil Code Section 4100.

Common open space. See "Open space, common."

Compost. The safe and stable product of controlled biologic decomposition of organic materials that is beneficial to plant growth.

Conditional Use Permit. A permit to allow a specified land use, building or structure that is not allowed as of right on a given property, subject to the discretion of the City.

Condominium. Means an undivided interest in common in a portion of real property coupled with a separate interest in space called a unit, the boundaries of which are described on a recorded final map, parcel map, or condominium plan.

Congregate Care Facility. See "Residential Care Facility." ~~A facility for long-term residence exclusively by persons 60 years of age or older, and which shall include, without limitation, common dining and social and recreational features, special safety and convenience features designed for the needs of the elderly such as emergency call systems, grab bars and handrails, special door hardware, cabinets, appliances, passageways, and doorways designed to accommodate wheelchairs, and the provision of social services for residents which must include at least two of the following: meals services, transportation, housekeeping, linen, organized social activities, health screenings, and health/nutrition education.~~

Construction yard. A temporary staging area for supplies, equipment and materials that are being used in conjunction with an approved building permit or grading permit. A construction yard may include a temporary contractor's office as an accessory use.

Control Valve. A device used to control the flow of water in the irrigation system. It may also mean all of the sprinklers or emitters in a line controlled by the valve.

Controlled Environment Agriculture (CEA). The production of crops within buildings, greenhouses, or other structures using controlled light, temperature, humidity, nutrients, or water systems, including hydroponic, aquaponic, and aeroponic cultivation methods.

Controller. An automatic timing device used to control valves or heads to operate an irrigation system. A weather-based controller is a controller that uses evapotranspiration or weather data. A self-adjusting irrigation controller is a controller that uses sensor data (i.e. soil moisture sensor).

Conversion factor. A number that converts acre-inches per acre per year, to gallons per square foot per year. The conversion factor is calculated as follows:

(325,851 gallons/43,560 SF)/12 inches=0.62

Where: 325,851 gallons = 1 acre-foot
43,560 = 1 acre
12 inches = 1 foot

To convert gallons per year to 100 CF per year, divide gallons per year by 748 (748 gallons equals 100 CF).

Converted Accessory Dwelling Unit. A unit created from space in a single-family residence or another accessory structure, such as a garage, under the authority of Section 66323 of the Government Code.

Correctional institutions and facilities. Publicly or privately-operated facilities housing persons awaiting trial or persons serving a sentence after being found guilty of a criminal offense.

Courtyard. An open, unoccupied space other than a yard on the same site with a building and bounded on two or more sides by one or more buildings on the site.

Covered patio. See "Patio, covered."

Crematorium. A location containing properly installed, certified apparatus for use in the act of cremation.

Crop cultivation. The process of growing, farming, fertilizing and producing agricultural produce.

Cultivated landscape area. Planted areas that are frequently maintained by mowing, irrigating, pruning, fertilizing, etc.

~~*Cyber cafes.* An establishment that provides more than six computers and/or other electronic devices for access to the Internet, e-mail, video games or computer software programs for the primary purpose of recreation, which are networked or which function as a client/server program, and which seeks compensation from users. Cyber cafe is synonymous with PC cafe, internet cafe, computer gaming center, or cyber centers.~~

D. Definitions, "D".

Dairy. Any premises where milk or a milk product is produced for sale or distribution and where ten or more cows or goats are in lactation.

Data Center. A facility or portion of a facility used primarily for the housing, storage, processing, management, routing, and transmission of digital data through servers, computers, telecommunications equipment, and related equipment, including supporting mechanical equipment, cooling systems, emergency backup power systems, and associated infrastructure. A data center may include accessory administrative offices, security operations, and equipment maintenance. This classification excludes telecommunications facilities and office or industrial uses involving incidental server rooms.

Day care ~~facility~~center. Any facility that provides non-medical care and supervision of adults or minor children for periods of less than 24 hours; that does not qualify as a small or large family day care home; and that meets the licensing requirements of the State. ~~Any establishment may provide child day care as an accessory use that is not subject to additional permit requirements, provided that the establishment offers child day care only to its customers or employees, and only during the period when the customers or employees are visiting or working in the establishment.~~

Day spa. An establishment where professionals provide personal beauty, health and therapeutic treatments including massage, facials, excluding full body massage services. This classification includes wellness centers.

dBA. An A-weighted sound level, in decibels, as measured on a sound level meter equipped with weighting networks that represent the way the human ear hears certain sounds.

Dead storage. The storage of inactive items that will not be used for an extended period of time.

Decibel (db). A unit for describing the intensity or level of sound, equal to twenty times the logarithm to the base ten of the ratio pressure of the sound measured to a standard reference pressure.

Deck. A roofless, floored structure, typically with a railing, that adjoins a building or is located on a rooftop. A deck may include a pool or other recreational amenity.

Density bonus. An increase in the maximum number of residential dwelling units that are allowed on a site, granted in exchange for reserving dwelling units for certain types of households with qualifying incomes.

Desertscape. Inherently involves fewer plants and large areas of open unplanted space. Seen as undesirable because it may be devoid or almost devoid of life, uncultivated, and desolate.

Developer. A landowner or owner's agent responsible for the development of land. Does not include homeowners or landlords of single-family homes.

Development. The uses to which land will be put; the buildings and structures to be constructed on the land; and all alteration of the land and other construction incidental to these uses, buildings and structures.

Development, infill. Any vacant lot or parcel within developed areas of the city, where at least 75 percent of the perimeter of the site adjoins land that has been developed for urban uses, and where water, sewer, streets, schools, and fire protection have already been developed and are provided.

Development review. The process of reviewing a development proposal or proposed land use.

Development Costs. The aggregate of all costs incurred in connection with a development which are reasonable and necessary, including, but not limited to, those costs listed in California Health and Safety Code Section 50065.

Development standard. A site or construction condition, including, but not limited to, height limits, required setbacks, maximum floor area ratio, on-site open-space requirement, or required parking that applies to a development pursuant to any ordinance, General Plan, Specific Plan, or other local condition, law, policy, resolution, or regulation.

Director of Development ~~Development.~~Services The Director of ~~Community~~ Development Services , or his or her authorized representative.

Director of Parks. The Director of Community Services, Parks and Recreation, or his or her authorized representative.

Discretionary approval. Any entitlement or approval, including but not limited to a use permit, variance, site approval, and subdivision map

Distributed Energy Systems. Small-scale units for local energy generation, energy storage, and demand-side resources that are connected to the distribution network rather than the central grid. They include technologies, such as rooftop solar panels, small-scale wind turbines, battery storage systems, and energy demand responsive equipment.

Distribution uniformity. The measure of the uniformity of irrigation water over a defined area.

District. An area defined on the official Zoning Map within which certain regulations and requirements apply under the provisions of this chapter.

Drip irrigation. Any non-spray low volume irrigation system utilizing emission devices with a flow rate measured in gallons per hour. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.

Drive-in theater. Any land, building or structure used for the showing of outdoor motion pictures for compensation, the viewing of which is from the patron's automobile.

Drive-thru facilities. A building where a customer is permitted or encouraged, either by the design of physical facilities or by the service procedures offered, to be served while remaining seated within a vehicle, including but not limited to drive-through restaurants, pharmacies, automatic teller machines (ATMs), and automatic car washes.

Dry Port. An inland intermodal freight facility where cargo is transferred, sorted, stored, consolidated, or distributed between truck, rail, or other freight modes, functioning as an inland extension of a seaport or major cargo terminal. A dry port may include container handling, transloading, warehousing incidental to freight movement, customs-related activities, and accessory administrative offices.

Duplex. Two dwelling units on one residential lot of record and designed for occupancy by two independent households. Each dwelling unit of a duplex dwelling contains its own cooking, sleeping and sanitary facilities; its own entrance; and, shares no common interior space. Duplex dwellings may be attached (e.g. sharing a common wall or a single unit on the first floor with another above it) or detached.

Dwelling, multiple-family. A property consisting of attached dwelling units that share common open space, which may include apartment buildings, condominiums, and mixed use structures.~~A building or portion of a building that provides three or more dwelling units. Multiple-family dwellings include apartment buildings, as well as townhouses or rowhouses that have apartments located above them. Multiple-family dwellings do not include temporary lodging such as hotels or motels~~.

Dwelling, single-family. A single dwelling unit, including kitchen and bath facilities, that is designed for occupancy exclusively by one family. A single-family dwelling may be either detached or attached.

Dwelling, single-family, attached. A two-story or three-story single-family dwelling, such as a townhouse or rowhouse, within a dwelling group in which no unit is located above another unit.
Dwelling, single-family, detached. A single-family dwelling that is not attached to any other single-family dwelling, other than an attached accessory dwelling unit.
Dwelling group. A group or row of detached or semi-detached dwellings that share a yard, courtyard or other open space, including apartment buildings and townhouses, but not including temporary lodging such as hotels or motels.
Dwelling unit. A building or a portion of a building containing one or more habitable rooms used or designed for occupancy by one family for living and sleeping purposes, including kitchen and bath facilities.
Dwelling unit, primary. A dwelling unit located in a main building.

E. Definitions, "E".
Easement. A space on a parcel of land, indicated on a subdivision map or in a deed restriction, where the owner has granted one or more property rights to a person, corporation, public agency or other entity.
Ecological restoration project. A project where the site is intentionally altered to establish a defined, indigenous, historic ecosystem.
Effective precipitation. The portion of total precipitation which becomes available for plant growth.
Electronic Data Processing Center. See "Data center."
Emergency shelter. A structure that provides temporary shelter and feeding of indigents or disaster victims, and that is operated by a public or non-profit agency.
Emitter. A drip irrigation emission device that delivers water slowly from the system to the soil.
Engineering design standards. The engineering requirements developed by the City Engineer, and adopted by resolution of the City Council, for the construction and configuration of various types of infrastructure within the city, including but not limited to rights-of-way, water and sewer lines, storm drainage and parking areas.
Equipment rental and sales, heavy equipment. Establishments primarily engaged in the sale or rental of tools, trucks, tractors, construction equipment, agricultural implements, and similar industrial equipment, and the rental of mobile homes.
Equipment rental and sales, light equipment. Establishments primarily engaged in the sale or rental of small trucks and light equipment including chain saws, hedge trimmers, drills, saws, etc.
Equity share agreement. An agreement by which appreciation on the value of an affordable unit from the time of the original purchase at an affordable price to the time of resale shall be shared between the purchaser of the affordable unit and the City according to details specified in the Affordable Housing Agreement for the project. Having such an agreement shall be a condition of sale of the affordable unit.
Established landscape. The point at which plants in the landscape have developed significant root growth into the soil. Typically, most plants are established after one or two years of growth.
Establishment period of the plants. The first year after installing the plant in the landscape or the first two years if irrigation will be terminated after establishment. Typically, most plants are established after one or two years of growth. Native habitat mitigation areas and trees may need three to five years of establishment.
Estimated total water use (ETWU). The annual total amount of water estimated to be needed to keep plant material in a landscaped area in a healthy and thriving condition, based upon such factors as the local evapotranspiration rate, the size of the landscaped area, the types of plants and the efficiency of the irrigation system.
ET adjustment factor (ETAF). A factor of 0.~~7~~55 for residential areas and 0.45 for non-residential areas, that, when applied to reference evapotranspiration, adjusts for plant factors and irrigation efficiency, two major influences upon the amount of water that needs to be applied to the landscape. The ETAF for new and

existing (non-rehabilitated) Special Landscape Areas shall not exceed 1.0. The ETAF for existing non-rehabilitated landscapes is 0.8.
ETo. See the Reference evapotranspiration.
Evapotranspiration Rate. The quantity of water evaporated from adjacent soil and other surfaces and transpired by plants during a specific time.
EV Capable Space. A vehicle parking space with electrical panel capacity, feeder and branch-circuit wiring (but no receptacle or EV charger installed) installed to support future installation of electric vehicle charging equipment.
EV Charging Station. A parking station with electric vehicle supply equipment for charging electric vehicles that is installed in accord with the California Electric Code, Article 625.
Exotic Animal. Any animal that is not commonly domesticated in the United States or is wild by nature.

F. Definitions, "F".
FAA (Federal Aviation Administration). A federal agency charged with regulating air commerce to ~~pro-mote~~promote its safety and development, encouraging and developing civil aviation, air traffic control and air navigation, and promoting the development of a national system of airports.
Fair Market value. The real estate market value of an affordable housing unit at the time of initial purchase of that unit without regard to any restrictions on sales price, as substantiated by an appraisal in a form and substance, and by an appraiser, acceptable to the City.
Fairgrounds. An area wherein buildings, structures and land are used for the exhibition of livestock, farm products, and other things and/or for carnival-like entertainment, with eating and drinking spaces, farmers' markets, and retail sales booths.
Family. One or more persons sharing a dwelling unit in a living arrangement that includes the sharing of living expenses, such as rent or mortgage payments, food costs and utilities; the maintenance of a single lease or rental agreement for all persons sharing the dwelling unit; or other characteristics indicative of a single household.
Family day care home. A facility that regularly provides care, protection, and supervision for 14 or fewer children, in the provider's own home, for periods of less than 24 hours per day, while the parents or guardians are away, and is either a large family daycare home or a small family daycare home.

- *Family day care home, large.* ~~In accordance with Section 1597.465 of the Health and Safety Code, "large family day care home" means a home~~ A home that regularly provides care, protection and supervision of ~~9~~ seven to 14 children, including children under the age of 10 years who reside in ~~the home, in~~ the provider's own home~~, . for periods of less than 24 hours, while the parents or guardians are away.~~ The large family daycare home is where the daycare provider resides and includes a dwelling or a dwelling unit that is rented, leased, or owned.
- *Family day care home, small.* ~~Means a~~A home that regularly provides care, protection and supervision of eight or fewer children, including children under the age of 10 years who reside in the home, in the provider's own home~~, for periods of less than 24 hours while the parents or guardians are away.~~

Farm employee. A person employed in agriculture or activities associated with agricultural packing and storage and transportation of agricultural products. The employment may be full-time, full-time seasonal, temporary, or part-time.
Farm employee housing, large. Farm employee housing consisting of more than 36 beds in group quarters used exclusively for farm employees, or more than 12 units or spaces designed for use by a single family or household with one or more farm employees.

Farm employee housing, small. Farm employee housing consisting of no more than 36 beds in group quarters used exclusively for farm employees, or 12 units or spaces designed for use by a single family or household with one or more farm employees. Farm employee housing includes single-family dwelling units occupied by a farmworker employed full-time and working on-site where the dwelling unit is located and the farmworker's household.

Farmers' market. An outdoor market where farmers, ranchers, and other producers sell agricultural products directly to the public or to individuals, organizations, or entities that subsequently sell them directly to the public; it may include secondary sales of hand-made arts and crafts and prepared food and beverages.

Feature, noncontributing. Any property, structure or object which adds to the historical integrity or architectural qualities that make a historic district significant.

Federal Communications Commission (FCC). The federal agency charged with regulating communications, radio and television.

Fence. A structure forming a physical barrier made of wire, wood, metal, masonry, vinyl or other material, including walls; trellises; and barriers of plant material that substantially obstruct visibility, such as hedges. A wall of a building shall not be considered a fence.

Fence, solid. An opaque or substantially opaque fence, such as a cinderblock wall, vinyl fence or a wooden fence with minimal gaps between boards. A chain-link fence with slats shall not be considered a solid fence.

Fire Chief. The Fire Chief of the Chino Valley Independent Fire District, or his or her authorized representative.

Floor area, gross. See "Gross floor area."

Floor area ratio (FAR). The ratio of the total gross floor area of all buildings on a site, excluding structured parking areas, divided by the total site area. For example, if a 10,000-square foot site has one two-story building, and the gross floor area of each story is 2,500 square feet, the site has a total gross floor area of 5,000 square feet and an FAR of 0.5, as shown in Figure 20.~~24~~701-1. See also Chapter 20.103 (Rules of Measurement).

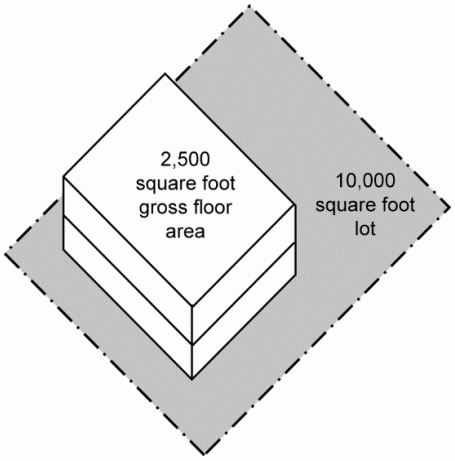


FIGURE 20.~~24~~701-1 EXAMPLE OF FLOOR AREA RATIO (FAR)

Flow rate. The rate at which water flows through pipes, valves, and emission devices, measured in gallons per minute, gallons per hour, or cubic feet per second.

Flow sensor. An inline device installed at the supply point of the irrigation system that produces a repeatable signal proportional to flow rate. Flow sensors must be connected to an automatic irrigation controller, or flow monitor capable of receiving flow signals and operating master valves. This combination flow sensor/controller may also function as a landscape water meter or sub meter.

Food and beverage sales. A retail establishment in which the majority of the floor area open to the public is occupied by food products or non-alcoholic beverages that are packaged for consumption away from the store. A food and beverage sales establishment may also sell alcoholic beverages, provided that this is not the establishment's primary business purpose.

Food ~~Preparation~~preparation facility. A place where food is prepared to be consumed off premises including catering, ghost kitchens, or test kitchens but excluding "Food and beverage manufacturing."

Food and beverage manufacturing. Establishments engaged in the processing, production, brewing, fermenting, roasting, bottling, packaging, or wholesale manufacture of food or beverage products for distribution or sale,

including, but not limited to, canneries, coffee roasters, production breweries, wholesale bakeries, wineries, distilleries, dairy processing facilities, frozen food manufacturing, and similar uses. This use includes incidental storage, packaging, and distribution activities conducted on-site, but does not include restaurants, retail bakeries, eating and drinking establishments, or small-scale craft production accessory to a retail use.

Food truck commissary. A facility used for the servicing, supply, storage, preparation, and support of mobile food vendors, including the storage of food, beverages, and supplies; cleaning and sanitizing of equipment and utensils; disposal of liquid and solid waste; potable water replenishment; fueling or battery charging where permitted; overnight parking of mobile food vending trucks; and related commissary functions required to support mobile food operations.

Fortunetelling. Means the telling of fortunes, forecasting of future events, or furnishing of any information not otherwise obtainable by the ordinary process of knowledge, by means of any occult or psychic power, including, but not limited to, clairvoyance, clairaudience, cartomancy, psychometry, phrenology, tea leaves, or other reading, seership, prophecy, augury, astrology, palmistry, life reading, mind reading, fortunetelling by handwriting analysis, spirit photography, spirit writing, spirit materialization, character reading, necromancy, telepathy, card reading, talisman, magnetized article or substance, crystal gazing, or magic of any kind or nature.

Fowl. All birds, domesticated or wild, kept or maintained for any purpose.

Freeway-oriented business. See "Business, freeway-oriented."

Friable. A condition that allows soil to be easily crumbled or loosely compacted down to a minimum depth per planting material requirements, whereby the root structure of newly planted material will be allowed to spread unimpeded.

Front lot line. See "Lot line, front."

Front setback. See "Setback, front."

Front yard. See "Yard, front."

Funeral parlor. See "Mortuary."

G. Definitions, "G".

Garage. An enclosed attached or detached accessory structure that is primarily used for the parking or temporary storage of automobiles by the occupants of the primary structure(s). It may include space for storage, workshops, and home occupations.

Garden supply store. ~~An establishment engaged in the wholesale or retail sale of ornamental plants and other nursery products, including sales outside and within a building. Garden supply stores do not include the sale of house plants or other nursery products entirely within a building, which is considered to be general retail.~~See "Commercial Nursery"

Gas station. "See Service Station."

General Plan. The City's statement of goals, ~~and~~ policies, and actions adopted by the City Council as a long-range, comprehensive guide to the City's growth and development.

General retail. A retail establishment that sells a variety of merchandise and is not otherwise identified in this chapter as a unique retail use, including but not limited to antique stores, bookstores, drugstores, hobby shops, secondhand stores, retail bakeries, hardware stores, appliance and electronics stores and any use of like kind or character.

Golf course. A commercial recreational facility that provides at least nine holes for playing the game of golf and is improved with tees, greens and fairways. A golf course may include accessory uses such as a clubhouse.

Golf course, miniature. An outdoor theme-oriented recreational facility, typically comprised of nine or 18 putting greens, each with a "cup" or "hole," where patrons in groups of one to four pay a fee to move in consecutive order from the first hole to the last.

Good neighbor standards. Objective standards governing site and building locations, landscaping, lighting, parking, and business operations that are intended to minimize adverse impacts on adjacent uses and conflicts between a use and surrounding neighborhoods.

Government facility. Any facility owned and operated by the City, county, State or federal government, regardless of the use. Any use that is listed as an allowed use for a given district may be provided as a government facility, even if the district does not list "government facility" as an allowed use.

GPM. Gallons per minute.

Grade. The average finished ground level at the center of all the exterior walls of a building or structure.

Graywater. Untreated wastewater that has not been contaminated by any toilet discharge, has not been affected by infectious, contaminated, or unhealthy bodily wastes, and does not present a threat from contamination by unhealthful processing, manufacturing, or operating wastes. "Graywater" includes, but is not limited to, wastewater from bathtubs, showers, bathroom washbasins, clothes washing machines, and laundry tubs, but does not include wastewater from kitchen sinks or dishwashers. Health and Safety Code Section 17922.12.

Gross floor area. The area within the inside perimeter of a building's exterior walls, including corridors, stairways, closets, the thickness of interior walls, columns and other features. The gross floor area shall not include vent shafts, interior courtyards, or any area used for off-street vehicle parking or loading.

Ground cover. Plants, other than turf grass, normally reaching an average maximum height of not more than two feet at maturity.

Ground floor unit. A residential unit located on the ground floor of building, with direct access to the street or indirect access from the main building entrance through a hall or corridor.

Ground–mounted antenna. Any antenna that is attached to a support structure resting on the ground, and that has an overall height not greater than 10 feet above the finished grade at the base of the structure. This definition includes the types of antennas that are sometimes referred to as "post mounts" and "ground builds."

Group homes. A private residence that provides foster care to children, housing ~~for the mentally or physically handicapped or chemically dependent~~ for people with cognitive or mobility disabilities, or persons with substance use disorders.

Guns and ammunition sales. Any premises or portion thereof used for the sale, vending, dealing, exchange or transfer of firearms and ammunition.

Gym. A fitness center or health club that provides exercise machines, free weights, rooms for classes, group exercises, yoga, or indoor cycling, or a swimming area for use by clients.

H. Definitions, "H".

Hardscape. Decorative materials used within required landscape areas such as ~~mulch,~~ garden walkways, decorative pavers (pervious or non-pervious), paved patios or courtyards, fountains or statues, boulders, decorative rock (e.g. decomposed granite, pea gravel, river rock), and dry riverbed swale features. Other materials not listed are subject to the approval of the Director of ~~Community~~ Development Services.

Hazardous waste. Any refuse or discarded material that has the potential to cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; or pose a substantial hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed.

Hazardous waste facility. Any structure, appurtenances and/or improvements on the land, and all contiguous land, used for treatment, transfer, storage, resource recovery, disposal or recycling of hazardous waste, including the following: (1) Hazardous Waste Landfill. A disposal facility or part of a disposal facility where hazardous waste is placed in or on land that is not a land treatment facility, a surface impoundment, or injection treatment well (Title 22, Section 66123, CCR); (2) Land Farming (Land Application, Land Spreading). A treatment technique that involves spreading waste on land and utilizing evaporation and microbial action to degrade wastes. Used primarily for crude oil waste; (3) Off-Site Hazardous Waste Facility. An operation involving the handling, treatment, storage or disposal of hazardous waste at a site physically separate from the site where the waste was generated; at a site not owned by, or leased to the producer of the waste; or at a site that receives waste from more than one generator; (4) On-Site Hazardous Waste Facility. An operation involving the handling, treatment, storage or disposal of hazardous waste on land owned by, or leased to the waste producer, at or next to the site of waste generation, and that receives hazardous waste projected only by the generator; (5) Residuals Repository. A hazardous waste facility that only accepts treated hazardous waste, meets all applicable federal and state regulations, and holds a hazardous waste facility permit; (6) Specified Hazardous Waste Facility. An off-site hazardous waste facility that accepts waste from more than one producer of hazardous waste (Section 25199.1(m), HSC). For the purpose of the city's hazardous waste management plan, a household hazardous waste collection center with a capacity less than fifty drums of waste is not considered a specified hazardous waste facility and is not subject to the requirements specified thereto; (7) Storage Facility. An off-site or on-site hazardous waste facility where hazardous wastes are maintained for a period greater than ninety-six hours (Section 25123.3, HSC); (8) Surface Impoundment. A facility, or part of a facility, which is a natural topographic depression, man-made excavation, or diked area formed primarily of earthen materials (although it may be lined with man-made materials), which is designed to hold an accumulation of liquid wastes containing free liquids, and is not an injection well. Examples of surface impoundments include holding, storage, settling and aeration pits, ponds and la-goons (Title 22, Section 66200, CCR); (9) Transfer Station. Any hazardous waste facility where hazardous wastes are loaded, unloaded, pumped or packaged (Title 22, Section 66122, CCR); (10) Treatment Facility. Any facility at which hazardous waste is subjected to treatment, or where a resource is recovered from a hazardous waste; or (11) Waste Pile. Any non-containerized accumulation of solid, non-flowing hazardous waste used for treatment or storage (Title 22, Section 66160, CCR).

Hazardous waste treatment and disposal facility. All structures, other appurtenances and improvements on the land used for treating, storing, or disposing of hazardous waste, including all operations or storage areas, diked overflow, or emergency spillway areas. A hazardous waste disposal facility may consist of several treatment, storage or disposal operational units; it includes all areas where hazardous waste may be received, stored, handled or processed.

Hedge. A barrier formed by branches, shrubs, or small trees growing close together in a line with ~~interwoven~~ overlapping branches.

Height, building or structure. The height measured in accordance with the requirements of Section 20.~~10.030~~103.050 (Measuring Height) of this Title.

Heliport. An area designed to be used for the landing or takeoff of helicopters including operations facilities, such as maintenance, loading and unloading, storage, fueling, or terminal facilities.

Henhouse. A small structure located within the coop where chickens sleep (roast) and lay eggs; the equivalent to a dog house.

Historic integrity. The authenticity of a landmark or landmark site's historic identity, evidenced by the survival of physical characteristics, such as location, design, setting, materials, workmanship and overall character, that

existed at the time of the construction or events that make the landmark or landmark site historically significant.

Hookah lounge/ bar. An establishment where patrons communally smoke flavored tobacco.

Hospital. A medical facility engaged primarily in the provision of diagnostic services and extensive medical treatment, including surgical services and inpatient beds.

Hotel. A facility containing seven or more guestrooms that provides paid lodging on a short-term basis. The term "hotel" may be used interchangeably with the term "motel."

Household hazardous waste collection center. A collection center operated by a public agency, or its contractor, for the purpose of collecting, handling, treating, storing, recycling, or disposing of household hazardous waste. Household hazardous waste collection facilities include permanent household hazardous waste collection facilities, temporary household hazardous waste collection facilities, recycle-only household hazardous waste collection facilities, curbside household hazardous waste collection programs, door-to-door household hazardous waste collection program or household hazardous waste residential pickup service, and mobile household hazardous waste collection facility. ~~with a capacity less than 2,750 gallons of hazardous waste, which accepts household hazardous waste from residents, including, but is not limited to, paint, waste oil, thinners, sol-vents, and household cleansers. In approving such a use, the final approving authority may impose special operational conditions, requirements or standards, as it deems necessary to ensure the public health, safety and general welfare~~.

Household, extremely-low-income. "Extremely-low-income household" means persons and families whose income does not exceed the qualifying limits for extremely-low-income families, as established and amended from time to time and published by the State of California.

Household, lower-income. "Lower-income household" means persons and families whose income does not exceed the qualifying limits for lower-income families, as established and amended from time to time and published by the State of California.

Household, moderate-income. "Moderate-income household" means persons and families whose income does not exceed the qualifying limits for moderate-income families, as established and amended from time to time and published by the State of California.

Household, very-low-income. "Very-low-income household" means persons and families whose income does not exceed the qualifying limits for very-low-income families, as established and amended from time to time and published by the State of California.

Hydro zone. A portion of landscaped area having plants with similar water needs and rooting depth. A hydro zone may be irrigated or non-irrigated.

I. Definitions, "I".

Incidental use. A use or structure clearly incidental to and customarily found in connection with an established primary use of a site, or of a building located on the same site. The terms "incidental use" and "accessory use" shall be used interchangeably within this Title.

Income (household), very low. A household whose gross income does not exceed 50 percent of the area median income for San Bernardino County, adjusted for family size, as published and periodically updated by the U.S. Department of Housing and Urban Development and the State Department of Housing and Community Development pursuant to Section 50105 of the California Health and Safety Code.

Income (household), low. A household whose gross income does not exceed 80 percent of the area median income for San Bernardino County, adjusted for family size, as published and periodically updated by the U.S. Department of Housing and Urban Development and the State Department of Housing and Community Development pursuant to Section 50079.5 of the California Health and Safety Code.

Income (household), lower. A household whose gross income falls under the categories of extremely low income, very low-, or low-income as those terms are defined in this glossary.

Income (household), moderate. A household whose gross income does not exceed 120 percent of the area median income for the San Bernardino County, adjusted for family size, as published and periodically updated by the State Department of Housing and Community Development pursuant to Section 50093 of the California Health and Safety Code.

Indoor shooting range. A building, designed and operated for the discharge of firearms at stationary or moving targets for purposes of sport shooting, marksmanship training, firearms instruction, or recreational use, including accessory classrooms, safety briefing rooms, equipment rental, and incidental retail sales of shooting-related supplies. An indoor shooting range does not include outdoor shooting ranges or retail firearms sales.

Infill. Development on a site within the City's urbanized area that has been previously developed for urban uses or is located adjacent to parcels that are developed with urban uses, can be served by all required utilizes and public services, and a minimum of 75 percent of the surrounding land is developed with urban uses.

Infiltration rate. The rate of water entry into the soil, expressed as a depth of water per unit of time (inches per hour).

Invasive plant species. Species of plants not historically found in California that spread outside cultivated areas and can damage environmental or economic resources. Invasive species may be regulated by the county agricultural agencies as noxious species. List of invasive plants are maintained at the California Invasive Plant Inventory and USDA invasive and noxious weeds database.

IPH. Inches per hour.

Irrigation Audit. An in-depth evaluation of the performance of an irrigation system conducted by a Certified Landscape Irrigation Auditor. An irrigation audit includes, but is not limited to: inspection, system tune-up, system test with distribution uniformity or emission uniformity, reporting overspray or runoff that causes overland flow, and preparation of an irrigation schedule. The audit must be conducted in a manner consistent with the Irrigation Association's Landscape Irrigation Auditor Certification program or other U.S. Environmental Protection Agency "Watersense" labeled auditing program.

Irrigation efficiency. The measurement of the amount of water beneficially used, divided by the amount of water applied. Irrigation efficiency is derived from measurements and estimates of irrigation system characteristics and management practices. The irrigation efficiency for purposes of the *Landscaping* Chapter is 0.75 for overhead spray devices and 0.81 for drip systems.

Irrigation survey. An evaluation of an irrigation system that is less detailed than an irrigation audit. An irrigation survey includes, but is not limited to: inspection, system test, and written recommendations to improve performance of the irrigation system.
Irrigation system. A permanent, artificial watering system designed to transport and distribute water to plants.
Irrigation water use analysis. A review of water use data based on meter readings and billing data.

J. Definitions, "J".

Junior accessory dwelling unit. A unit that is no more than 500 square feet in size and contained within or attached to a single-family residence. A junior accessory dwelling unit may include separate sanitation facilities or may share sanitation facilities with the existing structure. This definition shall be interpreted as consistent with the definition for "junior accessory dwelling unit" in Government Code § 65852.22.
Junk. Any worn-out, cast-off or discarded articles or materials that are ready for destruction or have been collected or stored for salvage or conversion to some other use. Any article or material that can be used for its original purpose as readily as when it was new with only reconditioning, and without any other changes or alterations, shall not be considered junk.
Junk yard. The primary or accessory use of a site for the dismantling or wrecking of automobiles or other motor vehicles or machinery, or for the storage or keeping of junk, including scrap metal or other scrap materials.

K. Definitions, "K".

Kennel. An establishment licensed to operate a facility providing shelter and care for domestic animals (e.g., cats and dogs), including exercising, feeding, grooming services and incidental medical care, on a commercial basis for a period not to exceed 48 hours, ~~where 5 or more animals are boarded, maintained, kept for hire, or trained.~~ The term "kennel" includes for-profit establishments, such as a pet boarding service, as well as nonprofit and charitable organizations, such as an animal shelter. The term "kennel" does not include animal sales and services establishments providing limited boarding services,, pet clinics or animal hospitals or veterinarians, provided that all animals in those facilities are housed indoors.
Kiosk. See "Cart."
Kitchen. Any room or space used or intended for cooking or preparation of food.

L. Definitions, "L".

Land use. An activity conducted on a site or in a structure, or the purpose for which a site or structure is designed, arranged, occupied or maintained.
Landmark. Any site, including buildings, structures, furniture, signs, works of art, natural features, trees, permanent landscaping or other objects, that has special historic interest or value, and that has been designated as a landmark as provided in this chapter.
Landmark site. The site on which a landmark is situated, and any abutting land used by and constituting part of the landmark's premises; or any site designated as a landmark.
Landscape Architect. A person licensed to practice landscape architecture as defined in California Business and Professions Code, Section 5615.
Landscape Area. All planting areas, turf areas, and water features in a landscape design plan subject to the Maximum Applied Water Allowance (MAWA) calculation. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, parking lots, decks, patios, gravel or stone walks, other pervious or non-pervious hardscapes, and other non-irrigated areas designated for non-development (e.g., open spaces and existing native vegetation).

Landscape contractor. A person licensed by the State of California to construct, maintain, repair, install, or subcontract the development of landscape systems.

Landscape Documentation Package. The documents required under Section 20.~~19~~508.030 (Landscape Documentation Package).

Landscape irrigation audit. A process to perform site inspections, evaluate irrigation systems and develop efficient irrigation schedules.

Landscape material sales. A wholesale or retail establishment that sells unpackaged landscape material such as rocks, gravel and bark. The term "landscape material sales" does not include garden supply stores, which are separately defined.

Landscape project. Total area of landscape in a project as defined in "landscape area" for the purposes of this ordinance, meeting requirements under ~~20.19.020.~~Chapter 20.508 (Landscaping).

Landscape water meter. An inline device installed at the irrigation supply point that measures the flow of water into the irrigation system and is connected to a totalizer to record water use.

Landscaping. Any combination of living plants (such as turf, ground cover, shrubs, vines, hedges or trees) and nonliving landscape material (see Hardscape).

Large family day care home. See "Family day care home, large."

Large format retail sales. Retail establishments with over 35,000 square feet of sales area that sell merchandise and bulk good for individual consumption, including membership warehouse clubs, where sales of grocery items do not occupy more than 25 percent of the floor area. Retail sales may be combined with other services, such as automatic teller machines (ATMs), optical services, financing services, pharmacies, food services, equipment rental, and small item repairs, which may be provided by subtenants or by the retail establishment itself.

Lateral line. The water delivery pipeline that supplies water to the emitters or sprinklers from the valve.

Laundry or dry-cleaning plant. A service establishment that is primarily engaged in high-volume laundry and garment services, including dry-cleaning and garment pressing, linen suppliers, uniform services, diaper services, industrial laundries, and carpet and upholstery cleaners. The term "laundry or dry-cleaning plant" does not include facilities that are considered "personal services," including coin-operated laundries and dry-cleaning stores where the dry-cleaning does not occur on site.

Level 2 EV charging station. For Level 2, the EV charging station must be capable of supplying 208/240V alternating current at 40 amperes or greater.

Level 3 EV charging station. For Level 3, the EV charging station must be capable of over 400V of direct current for fast charging of 50 to 350 kilowatts.

Library. A public, quasi-public or privately-owned facility that is open to the public for the use, but not sale, of literary, musical, artistic or reference materials. A library may sell used books as an incidental use for fund-raising purposes.

Live/Work Units. Buildings or spaces within buildings that are used jointly for commercial and residential purposes where the residential use of the space is secondary or accessory to the primary use as a place of work.

Livestock. Larger animals traditionally kept for use on a farm, including but not limited to pigs, sheep, goats, equine and bovine animals such as horses and cows, and ratites such as ostriches and emus.

Living area. The interior habitable area of a dwelling unit, including finished basements and attics but not including garages or accessory structures.

Loading space. A space or berth that is on the same site with a building or contiguous to a group of buildings; that is designed for the temporary parking of a commercial vehicle while loading and unloading merchandise or materials; and that can be accessed from a street or alley.

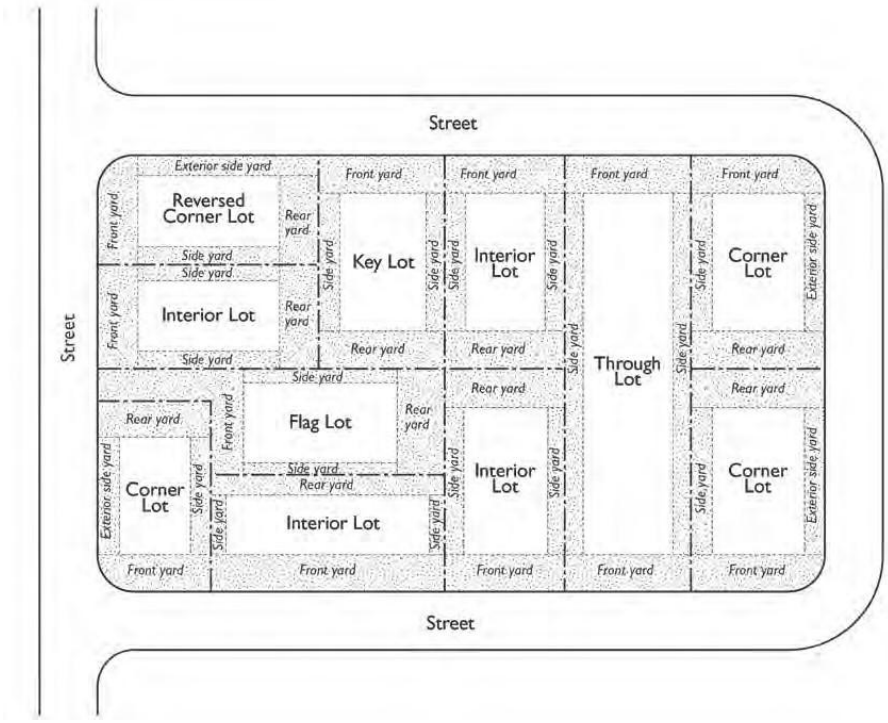
Local water purveyor. Any entity, including a public agency, city, county, or private water company that provides retail water service.

Lodge. See "club."

Lot. A recorded lot or parcel of real property, lawfully created in accordance with all applicable requirements of the Subdivision Map Act and of this Code. Lot types include the following; they are illustrated in Figure 20.701-2.

- *Abutting lot.* A lot having a common property line or separated by a public path or lane, private street, or easement to the subject lot.
- *Corner lot.* A lot located at the intersection of two or more streets having an angle of intersection of not more than 120 degrees If the angle of intersection is more than 120 degrees, the lot shall be considered an interior lot.
- *Lot, reversed corner.* A corner lot, the rear of which abuts the side of another lot, whether across an alley or not.
- *Double-frontage lot.* A lot that has frontages on two streets that do not intersect, not including alleys, and that has the right of access to both streets.
- *Flag lot.* A lot that has no frontage on any street except for a narrow access strip, and that has boundaries such that another lot is located between the main portion of the flag lot and the street.
- *Interior lot.* A lot abutting only one street.
- *Through lot.* A lot having frontage on two parallel streets or a lot that is not a corner lot that has frontage on two streets, each of which may provide access to the lot.

FIGURE 20.701-2 LOT AND YARD TYPES



Lot area. The total area included within the lot lines of a parcel of land.
Lot coverage. The total area of a site covered by buildings, accessory buildings, structures and covered patios. For structures that have walls, the site coverage is measured based on the perimeter of the exterior wall. For structures with no walls, such as a patio cover, the site coverage is measured based on the dimensions of the overhead canopy.
Lot depth. The horizontal length of a straight line drawn from the midpoint of the front lot line to the midpoint of the rear lot line.
Lot line types:

- *Front lot line, front.* In the case of an interior lot, "front lot line" means a line separating the lot from the ~~street~~ public right-of-way; and in the case of a corner lot, "front lot line" means a line separating the narrowest street frontage of the lot from the right of way.
- *Rear line, rear.* A lot line that is opposite and most distant from the front lot line. If the lot has an irregular or triangular shape, the rear lot line shall be a line within the lot at least 10 feet in length, located parallel to the front lot line and as far as possible from the front lot line
- *Side lot line.* Any lot line other than the front or rear lot line.

Lot width. The distance between the side lot lines, measured at the minimum front yard building setback line, parallel to the street.
Lounge. See "Bar."
Low-Head Drainage. Drainage from a sprinkler that is caused by water flowing down an irrigation system from a higher level of elevation.
Low-impact personal services. See "Personal services, low-impact."
Lower-income household. See "Household, lower-income."
Low volume irrigation. The application of irrigation water at low pressure through a system of tubing or lateral lines and low-volume emitters such as drip, drip lines, and bubblers. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.

M. Definitions, "M".
Machine shop. A facility for the production or assembly of metal parts, not including shops that use casting, smelting, drop hammers or punch presses.
Main building. See "Building, main."
Main line. The pressurized pipeline that delivers water from the water source to the valve or outlet.
Manufactured home. ~~In accordance with Section 18007 of the Health and Safety Code, "manufactured home" means a~~ A structure constructed on or after June 15,1976 that is transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width, or 40 body feet or more in length, or when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained in the home; except that this term shall include any structure that meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification and complies with the standards established under this part. "Manufactured home" includes a mobile home, subject to the National Manufacturing Housing Construction and Safety Act of 1974 (42 U.S.C., Section 5401 et seq).
Manufacturing and processing, general. Any establishment engaged in any of the following activities within enclosed structures: manufacturing or compounding of raw materials, manufacturing of finished products or parts from predominantly previously prepared materials, fabrication, assembly, processing or distribution. This classification includes operations such as agriculture processing; biomass energy conversion; production

apparel manufacturing; photographic processing plants; leather and allied product manufacturing; wood product manufacturing; paper manufacturing; chemical manufacturing; plastics and rubber products manufacturing; nonmetallic mineral product manufacturing; primary metal manufacturing; fabricated metal product manufacturing; and automotive and heavy equipment manufacturing.

- *Manufacturing and processing, heavy*. The manufacture or compounding process of raw materials. These activities or processes would necessitate the storage of large volumes of highly flammable, toxic matter or explosive materials needed for the manufacturing process. These activities may involve outdoor operations as part of their manufacturing process.
- *Manufacturing and processing, light*. The manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment and packaging of such products, and incidental storage, sales and distribution of such products, but excluding basic industrial processing and custom manufacturing. These activities exclude "Food and beverage production."
- *Manufacturing and processing, outdoor*. Manufacturing facilities, usually classified as heavy industrial uses, which are located outdoors. ~~and may produce negative impacts to adjacent properties~~.

Marquee. A permanent structure other than a roof that is attached to, supported by and projecting from a building and that provides protection from the elements.

~~*Massage.* Any method of pressure on, or friction against or stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulating the external parts of the human body with the hands or with the aid of any mechanical or electrical apparatus or appliance, or with or without supplementary aids such as rubbing alcohol, liniment, antiseptic, oil, powder, cream, ointment, or other similar preparations commonly used in this practice.~~

~~*Massage establishment.* Any establishment having a fixed place of business where any individual, firm, association, partnership, corporation, or combination of individuals, engages in, conducts, carries on or permits to be engaged in, conducted or carried on, massages, or health treatments involving massage where fifteen percent or more of the floor area is used for such activities carried on in the establishment.~~

Massage technician. Any person who performs massage in exchange for anything of any value whatsoever, whether or not that person has a valid permit from the city.

Master shut-off valve. An automatic valve installed at the irrigation supply point which controls water flow into the irrigation system. When this valve is closed water will not be supplied to the irrigation system. A master valve will greatly reduce any water loss due to a leaky station valve.

Maximum allowable density. The maximum number of dwelling units per acre as allowed under the General Plan Land Use Designation. Where an Affordable Housing Development is permitted by an overlay in a Land Use Designation that does not provide a residential density allowance, the maximum allowable density shall be calculated in reference to the residential density allowance designated in the Zoning Code for the overlay zone. In non-residential zones, the Maximum Allowed Density shall be the maximum number of dwelling units, without the inclusion of Density Bonus Units or associated incentives, concessions, waivers, and reductions, that can be developed on the site in substantial conformance with General Plan policies, and applicable Development Standards.

Maximum applied water allowance. For design purposes, the upper limit of annual applied water for the established landscaped area. The maximum applied water allowance (MAWA) is based upon the reference evapotranspiration, the evapotranspiration adjustment factor (ETAF) and the size of the landscaped area. Special landscape areas, including recreation areas, areas permanently and solely dedicated to edible plants such as orchards and vegetable gardens, and areas irrigated with recycled water are subject to the MAWA with an ETAF not to exceed 1.0. MAWA = (ETo)(0.62)[(ETAF x LA) + ((1-ETAF) x SLA)].

Mausoleum. See "Cemetery."

Maximum Applied Water Allowance (MAWA). For design purposes, the upper limit of annual applied water for the established landscape area as specified in Section 20.507.040.B of this Chapter *(Calculation of the Maximum Applied Water Allowance)*. The maximum applied water allowance is based upon the reference evapotranspiration, the ET adjustment factor, and the size of the landscape area.

Medical clinics ~~and labs~~. A facility, not including a hospital or medical laboratory, where medical, mental, dental, or other personal health services are provided. All services are provided on an outpatient basis.

Medical laboratory. A facility engaged in the analysis of biological specimens for diagnosis, treatment monitoring, screening, or other health-related purposes, including pathology, blood analysis, imaging-related testing support, and similar activities. The use may include specimen collection incidental to laboratory operations.

Medical marijuana. See "Cannabis." ~~Marijuana used for medical purposes, where that medical use is deemed appropriate and has been recommended by a physician who has determined that the person's health would benefit from the use of marijuana in the treatment of cancer, anorexia, AIDS, chronic pain, spasticity, glaucoma, arthritis, migraine, or any other serious medical conditions for which marijuana is deemed to provide relief as defined in subsection h of the California Health and Safety Code Section 11362 7.~~See

Medical marijuana dispensary. See "Cannabis Retailer (Dispensary)." ~~A facility or location where medical marijuana is made available to and or distributed by any of the following: a qualified patient, a person with an identification card, or a primary caregiver. Each of these terms is defined herein and shall be interpreted in strict accordance with California Health and Safety Code Sections 11362 5 and 11362 7 et seq as such sections may be amended from time to time.~~

Medical and dental o~~O~~ffice. Offices of individual practitioners, firms, or organizations providing consultation, diagnosis, therapeutic, prevention, or corrective person treatment services by ~~medical services and containing medical professionals such as~~ physicians, dentists, chiropractors, optometrists or other similar medical professionals or practitioners of the healing arts with supporting staff as appropriate licensed by the Strate of California. This classification includes medical or dental laboratories incidental to an office use.

Meeting facility. Any facility for public or private meetings, excluding commercial entertainment facilities. Meeting facilities include community centers, clubs, lodges, houses of worship, auditoriums, union halls and other uses of like kind or character.

Metalwork. Any manufacturing or repair use that involves the production, assembly or dismantling of metal parts, including machine shops, welding shops and sheet metal shops.

Micro-brewery. A State-licensed commercial facility for manufacture, blending, fermentation, processing, and packaging of malt liquor that produces less than 10,000) barrels (310,000 gallons) of beer annually. It may be a stand-alone facility or ancillary to a restaurant, such as a brewpub.

Micro-distillery. A State-licensed facility for the distillation, blending, bottling, and packaging of distilled spirits, including accessory tasting rooms, retail sales of products produced on-site, educational tours, and incidental food service with a maximum production of 25,000 gallons of distilled spirits annually.

Microclimate. The climate of a small, specific area that may contrast with the climate of the overall landscape area due to factors such as wind, sun exposure, plant density, or proximity to reflective surfaces.

Microgrids. A microgrid is a localized group of energy sources, including renewable energy, that can operate independently or in conjunction with the main electrical grid. Microgrids are typically designed to enhance energy resilience and reliability by providing backup power during outages or disturbances. They can include renewable energy generation (e.g., solar or wind), energy storage (e.g., batteries), and backup generators. Microgrids can be operated autonomously (islanding) or be connected to the main grid.

Mined-land reclamation projects. Any surface mining operation with a reclamation plan approved in accordance with the Surface Mining and Reclamation Act of 1975.

Mini-storage facility. See "Self-storage facility."~~A building or group of buildings in a controlled access compound that contains varying sizes of individual, compartmentalized and controlled access stalls or lockers for self-service storage of customers' goods.~~

Mixed-use development. A development that provides both residential and nonresidential uses. A mixed-use development may include vertical mixed use, with residential units located above nonresidential uses, as well as horizontal mixed use, with residential units located behind nonresidential uses. It also may include a mix of nonresidential uses, such as offices over groundfloor retail space

Mobile food vendor. ~~Any food service establishment designed to be readily movable, including but not limited to carts, mobile kitchens, food truck, taco trucks and catering trucks, in which food is heated or otherwise prepared and then sold.~~ See "Mobile Vending Unit."

Mobile home. ~~In accordance with Section 18008 of the Health and Safety Code, "mobile home" means a~~ A structure, constructed prior to June 15, 1976, transportable in one or more sections, designed and equipped to contain not more than two dwelling units to be used with or without a foundation system. The term "mobile home" does not include a recreational vehicle, commercial coach or manufactured housing.

Mobile home park. A residential development designed and developed for occupancy by mobile and manufactured homes. Home sites (spaces) within a mobile home park may be rented or leased by park residents, or the park may be owned in common by all residents.

Mobile vending unit. A vehicle (e.g. truck, trailer, or wagon) or structure not permanently fixed to a permanent foundation that may be moved under its own power, moved by hand, towed by a motor vehicle, or carried upon on or in a motor vehicle or trailer. A mobile vending unit does not include news racks or vending machines but does include mobile vending food preparation units and vehicles, such as "taco trucks."

Moderate-impact personal services. See "Personal services, moderate-impact."

Moderate-income household. See "Household, moderate-income."

Mortuary. Any funeral home or parlor where the deceased may be prepared for burial or cremation, funeral services may be conducted and cremation may occur. A mortuary may include funeral merchandise sales as an accessory use.

Motel. See "hotel."

Motion Picture Production and Distribution Services. Facilities which include indoor, outdoor, or both indoor and outdoor facilities for the production and/or distribution of motion pictures, television, video, music, or other media. Motion picture production and distribution service facilities may include outdoor sets, backlots, indoor workshops and craft shops. Warehouse-type soundstage facilities for the production and use of indoor sets may also be considered motion picture production and distribution services.

Mulch. Any processed organic material such as shredded leaves, bark, straw, compost, or inorganic mineral materials such as rocks, gravel, or decomposed granite left loose and applied to the soil surface for the beneficial purposes of reducing evaporation, suppressing weeds, moderating soil temperature, and preventing soil erosion.

Multiple-family dwelling. See "Dwelling, multiple-family."

Multiple-tenant building. A shopping center, office complex or any other nonresidential development where multiple tenants share a building or complex of buildings.

Mural. A work of graphic art on an exterior building wall that may or may not contain a commercial logo or trademark but does not serve to advertise any business, product, activity, service, interest, or entertainment. A mural is not a sign, subject to Title 16 (Signs).

Museum. A building having public significance by reason of its architecture or former use or occupancy or a building serving as a repository for a collection of natural, scientific, or literary curiosities or objects of interest, or works of art, and arranged, intended, and designed to be used by members of the public for viewing, with or without an admission charge, and which may include as an accessory use the sale of goods to the public as gifts or for their own use.

N. Definitions, "N".

NIER professional. A certified professional electrical engineer, health physicist or other technical expert with an understanding of NIER and its health effects. An NIER professional must have substantial professional experience performing environmental measurements of radio frequency (RF) exposure and preparing RF environmental evaluation reports for a variety of entities.

Natural resource extraction. The extraction, quarrying, and preparing of minerals removed from the earth and the operation or development of oil and gas fields and wells.

Neighborhood equestrian trail. A trail developed for the use of equestrians in rural residential neighborhoods, which may or may not be connected to other equestrian trails.

Net acre. A net acre is 43,560 square feet of land area, exclusive of ultimate rights-of-way for expressways, arterials, and collector streets and land dedicated for public open space, but including land for local public and private streets, alleys, and easements.

New construction. For the purposes of landscaping described in Chapter 20.~~19~~507 (Landscaping), a new building with a landscape or other new landscape, such as a park, playground, or greenbelt without an associated building.

Nightclub. A commercial establishment dispensing alcoholic beverages for consumption on the premises and in which dancing and musical entertainment are permitted.

Nonconforming building. See "Building, nonconforming."

Nonconforming lot. A lot that does not conform to the development standards, including area and width regulations, of the district in which it is located or that does not conform to subdivision regulations.

Nonconforming use. A use that lawfully occupied a building or land at the time the use was established, but that no longer conforms with the use regulations of the district in which it is located.

Noncontributing feature. See "Feature, noncontributing."

Non-ionizing electromagnetic radiation (NIER). Electromagnetic radiation is associated with the extra low frequency, radio, microwave, infrared and visible light portions of the electromagnetic spectrum.

Nonprofit organizations and human services. Facilities other than offices providing a human service directly to the adjacent community, such as food banks, blood banks, employment training, homeless services, etc.

Non-residential landscape. Landscapes in commercial, institutional, industrial and public settings that may have areas designated for recreation or public assembly. It also includes portions of common areas of common interest developments with designated recreational areas.

Non-traditional financial institutions. Establishments engaged in short-term lending and buy-back activities in which customers take part in one-time or infrequent transactions and do not open long-term accounts. Typical uses include check cashing services, payday lenders, auto title loans, cash for gold dealers, and similar activities.

Nursery. See "D~~Child d~~ay care center."

O. Definitions, "O".

Objective design standard. A design standard that involves no personal or subjective judgment by a public official and is uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official before submittal.

Occupancy. The use of a structure, or any portion of a structure, by an owner or tenant.

OFA (object free area). A two-dimensional ground area surrounding runways, taxiways and taxi lanes, which is completely clear of objects, excepting those whose location is fixed by function.

Office~~, professional~~. An office used by persons, organizations or public agencies who provide business, executive, managerial, administrative, design, or professional services, including but not limited to accountants, architects, dentists, doctors, engineers, lawyers, and real-estate agents. The term "~~professional~~ office" shall not include any facility that provides ~~intensive~~ medical treatment or overnight lodging for persons, such as a hospital; any facility that provides permanent or temporary boarding of animals, such as a veterinary office or kennel; any use that is considered a "personal service," as defined in this chapter; or any adult-oriented business.

Open porch. A landing or platform providing a transition from the interior to the exterior of a structure that is covered with a roof and open on two or more sides.

Open space, common. A usable open space that is shared by all of the residents of a residential development.

Open space, private. A usable open space that is available only to the residents of a single dwelling unit.

Open space, usable. An outdoor space that includes landscaping or other features which provide for active or passive recreation, including any ornamental landscaping that is a part of the outdoor space. Parking and loading areas, service areas, driveways, walkways and areas that provide access to dwelling units shall not be counted as usable open space.

Operating pressure. The pressure at which the parts of an irrigation system are designed by the manufacturer to operate.

Operator. Any person or organization that controls the operation and maintenance of a facility.

Outdoor Sports Courts, Private. Any private, outdoor recreational facility on residentially-zoned property, ancillary to the primary dwelling unit, requiring fencing and lighting, and for the sole use of the occupants of the premises and their guests, including but not limited to tennis courts, basketball courts, and soccer fields, but excluding pools and driveways used exclusively for access to a garage.

Outdoor storage. See "Storage, outdoor."

Outdoor vendor. A person who sells or displays for sale any type of goods or services on private property, but not within a structure constructed on a permanent foundation. Outdoor vendors include persons operating "Mobile vending units" and also selling from carts and wagons. Persons engaged in a business conducted from a structure constructed on a permanent foundation, including kiosks, that involves outdoor display, sale, or storage of the same type of goods sold as part of the primary business activity shall not be considered outdoor vendors.

Overhead sprinkler irrigation systems. Systems that deliver water through the air (e.g., spray heads and rotors).

Overspray. The irrigation water which is delivered beyond the target area.

P. Definitions, "P".

Paint and auto body repair. Establishments engaging in the repair, alteration, restoration, painting or finishing of automobiles, trucks and other vehicles as a primary use.

Park or playground. A non-commercial public outdoor recreational facility that provides active or passive recreational opportunities.

Parking area, public. An open area, other than a street or alley, that is paved or otherwise surfaced; used for parking and storage of vehicles; and available for public use, whether for free or for compensation, or as an

accommodation for patrons, customers or clientele of a business, professional office or other commercial enterprise.

Parking garage. Any building or structure, other than a garage on the premises of and used exclusively by a single-family dwelling, that is used for the parking or storage of vehicles, whether for free or for compensation.

Parking lot. Any property used temporarily or permanently for parking or storage of vehicles of any type in exchange for compensation, or as an accommodation for patrons, customers, or clientele of a business, professional office, or other commercial enterprise.

Parking space. A space within a parking lot, parking garage, building or other designated parking area that is designated for the temporary parking or storage of one vehicle or bicycle.

Parkway, landscaped. The landscaped area between a ~~sidewalk~~ right-of-way line and the curb or traffic lane. This area is planted with or without pedestrian egress and may include a sidewalk~~.~~

Patio. A paved area adjacent to a building that is intended for people's recreational use that is not used for vehicle parking and that is separated from parking areas by landscaping or other physical barriers.

Patio, covered. A patio that includes an impermeable roof or canopy.

Pawn shop. A facility that lends money at a specified rate of interest on articles of personal property left as security.

Payday advance. An establishment that is not a bank and provides services such as short-term loans, unsecured loans (signature loans), and auto-title loans intended to cover a borrower's expenses until his or her next payday.

PD Plan. See "Planned development plan."

Permit, administrative. See "Administrative permit."

Permit, use. See "~~Use~~ Conditional use permit."

Personal services. An establishment other than a professional office that provides services to individuals as a primary use, which tends to create minimal adverse impacts on its surroundings, and that may provide accessory retail sales of products related to the services provided. Typical uses include, but are not limited to beauty and barber shops, shoe repair shops, tailor shops, dry-cleaning services with no on-site dry-cleaning equipment~~, laundromats~~, tanning salons, photocopying and photo finishing services, and travel agencies mainly intended for the consumer and other uses of like kind or character. This term does not include gyms, exercise clubs, or studios offering performing arts, martial arts, physical exercise, or yoga training and similar types of instruction, adult-oriented businesses, or massage establishments.

Personal Services, Restricted. An establishment other than a professional office that provides services as a primary use which are typically limited by specific use attributes or appearance, including but not limited to ~~tattoo parlors, body piercing~~, pawnshops, spas and hot tubs for hourly rental, ~~massage establishments,~~ and adult oriented businesses as defined in Title 5 of the Municipal Code.

Pervious. Any surface or material that allows the passage of water through the material and into the underlying soil.

Pharmacy. A professional office where medications are dispensed by licensed pharmacists.

Pistol, skeet, rifle and archery ranges. A facility designed or used for shooting at targets with rifles, pistols, shotguns or bow and arrow.

Places of worship, community scale. A place of worship having a seating capacity of less than one thousand five hundred persons in the sanctuary or main activity/assembly area.

Places of worship, large storefront. A place of worship located in a structure not typically used for such purposes or activities, such as a commercial shopping center, commercial offices, or business park having a seating capacity of one hundred or more persons in the sanctuary or main activity/assembly area.

Places of worship, regional scale. A place of worship having a seating capacity of one thousand five hundred or more persons in the sanctuary or main activity/assembly area.

Places of worship, small storefront. A place of worship located in a structure not typically used for such purposes or activities, such as a commercial shopping center, commercial offices, or business park having a seating capacity of less than one hundred persons in the sanctuary or main activity/assembly area.

Planned development plan. A Planned Development (PD) plan is the comprehensive plan required for development in a PD Planned Development zoning district.

Plant factor. A factor that when multiplied by referenced evapotranspiration, estimates the amount of water used by plants. For the purposes of this Chapter, the plant factor range for: very low water use plants is 0 to 0.1; low water use plants is 0.1 to 0.3; moderate water use plants is 0.4 to 0.6; and high-water use plants is 0.7 to 1.0. Plant factors cited in Chapter 20.~~19~~507 (Landscaping) are derived from the publication "Water Use Classification of Landscape Species." Plant factors may also be obtained from horticultural researchers from academic institutions or professional associations as approved by the California Department of Water Resources (DWR).

Plant water use factor. See "Plant factor."

Playground. See "Park or playground."

Porch. A 1-story structure attached to a building that has no floor space located above it, and with at least one side that is not enclosed by a vertical wall, window or screening material.

Potable Water. Water meant for human consumption that is treated to legal standards for human consumption.

Pot-bellied pig. Pot-bellied pig shall mean a domesticated miniature Vietnamese, Chinese or Asian pot-bellied pig not exceeding 90 pounds in weight and 18 inches in height (measured at the shoulder) and characterized by a swayed back and straight tail.

Poultry. Domestic fowl including chickens, cocks, turkeys, ducks, geese, guinea fowl, and game birds raised or kept for eggs, meat, or hobby use.

Pre-existing. Existing before the effective date of the ordinance updating or amending Title 20 of the Chino Municipal Code.

Pressure Regulator. A device used in sprinkler systems for radius and high-pressure control.

Primary dwelling unit. See "Dwelling unit, primary."

Primary frontage. The street frontage that provides the main pedestrian access to a site and where the principal building entrance is located. The primary frontage may include driveways or driveways and access to parking may be provided on the side or rear from a secondary frontage.

Primary use. An activity or combination of activities that comprise one of the main purposes for which the land or structures are intended, designed or ordinarily used. A site may have more than one primary use.

Private open space. See "Open space, private."

Project. Any proposed development for a site.

PSI. Pounds per square inch.

Public parking area. See "Parking area, public."

Public safety facility. A facility operated by a public agency for the purpose of protecting public safety, including but not limited to fire stations and other fire-fighting facilities, police stations and ambulance dispatch facilities.

Public storage facility. A business comprised of any more than one small, compartmentalized storage structures for individual access, for rental or sale and designed to meet temporary storage needs.

Public view. Structures or activities seen by a person travelling or walking in a public right-of-way or in a public park from eye height.

Q. Definitions, "Q".

Qualified Applicant. An applicant who submits a complete application that includes all of the information required by this Title or State law and meets the standards and criteria for approval as set forth in this Title or in State law. This term includes applicants who submit projects for streamlined ministerial approval and meet the minimum requirements set out in State law for such an approval.

Quonset Hut. A lightweight, prefabricated structure clad in corrugated galvanized iron, or other metal, with a semicircular cross section and ribbing supports.

R. Definitions, "R".

Radio frequency (RF). The measure of the amplitude of the radio wave on which a given signal is transmitted.

Rain sensor. A component which automatically suspends an irrigation event when it rains.

Rain sensing shutoff device. See "Rain sensor."

Ranch. A lot used primarily for the breeding of horses; raising of livestock; boarding only of horses, mules or ponies directly involved with current breeding or training activities; and ancillary sales and previews of livestock. Permanent housing for ranch employees shall be permitted as an accessory use to the ranch.

Rear lot line. See "Lot line, rear."

Rear setback. See "Setback, rear."

Reclaimed water. See "Recycled water."

Record drawing. A set of reproducible drawings which show significant changes in the work made during construction and which are usually based on drawings marked up in the field and other data furnished by the contractor.

Recording and Podcast Studio. An indoor facility for sound production, editing, post-production and administrative functions relating to motion pictures, podcasts, television, video, sound, computer and other media production. These facilities may include sound stages such as foley stages, recording studios, and other indoor facilities for the production of media in the above or similar formats.

Recreational area. Areas, excluding private single family residential areas, for active play, recreation or public assembly in parks, sports fields, picnic grounds, amphitheaters or golf course tees, fairways, roughs, surrounds and greens.

Recreational Facility. Country clubs, riding stables, golf courses and other outdoor recreation areas and indoor recreational facilities or recreation centers, including but not limited to gyms and fitness centers, dance studios, indoor climbing facilities, bounce-ball centers, swimming pools and other facilities for recreation.

Recreational vehicle (RV). A vehicle towed or self-propelled on its own chassis or attached to the chassis of another vehicle and designed or used for recreational or sporting purposes. The term recreational vehicle includes, but is not limited to, travel trailers, pick-up campers, truck campers, camping trailers, fifth-wheel trailers, motor homes, converted trucks or buses, boats and boat trailers, off-road vehicles and trailers used in their transport, personal watercraft and trailers used in their transport, and utility trailers.

Recreational vehicle living unit. A fully functional and operable motor home, fifth-wheel trailer, converted bus, or truck camper (camper mounted on a truck), or similar vehicle, designed for human habitation for recreational, emergency, or other occupancy, that contains one or more habitable rooms designed to be occupied by one family with facilities for living, sleeping, cooking, eating and sanitation.

Recycled Water. Treated or recycled wastewater of a quality suitable for non-potable uses, such as landscape irrigation and water features. This water is not intended for human consumption.

Recycling facility. A center for the collection and/or processing of recyclable materials certified by the California Department of Conservation as meeting the requirements of the California Beverage Container Recycling and Litter Reduction Act ~~of 1986~~, as amended. A recycling facility does not include storage

containers or processing activity on the premises of a residential, commercial or industrial use, and used solely for the recycling of material generated by the residential property, business or industry. For the purposes of these provisions, recyclable material shall mean reusable material, including, but not limited to metals, glass, plastic and paper intended for reuse, remanufacture or reconstitution for the purpose of using the altered form. Recyclable material may include used motor oil collected and transported in accordance with the California Health and Safety Code.

Recycling facilities, heavy processing. Any processing facility other than a light processing facility. Such a facility shall meet all requirements specified in this table for light processing facilities. In approving such a use, the final approving authority may impose special operational conditions, requirements or standards, as it deems necessary to ensure the public health, safety and general welfare.

Recycling facilities large collection. A center for the acceptance by donation, redemption or purchase, of recyclable materials from the public, that occupies an area of more than five hundred square feet, is not appurtenant to a host use and may use a permanent building. In addition, large collection facilities may have the capacity for aggregating and storing large amounts of material on-site.

Recycling facilities, light processing. A facility used for the collection and processing of recyclable materials that occupies less than forty-five thousand square feet of gross collection, processing and storage area; and has an average of up to two out bound truck shipments per day. Light processing facilities are limited to baling, briquetting, crushing, compacting, grinding, shredding, and sorting of source-separated recyclable materials, and repairing of reusable materials sufficient to qualify as a certified processing facility. The facility shall not shred, compact or bale ferrous metals, other than food and beverage containers. For the purposes of these provisions, "processing" means the preparation of materials for efficient shipment, or to an end-users specifications, by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning, and/or manufacturing.

Recycling facilities, material recovery facility (MRF). A facility that receives, processes and recycles municipal mixed solid wastes, commercial high-grade wastes (such as corrugated cardboard, newspaper, mixed papers, etc.), construction debris, commingled recyclable materials and green waste, and ships recovered recyclables and residual solid waste to market or disposal destinations. Such facilities typically include (1) Materials handling, sorting, processing and compacting equipment and facilities; (2) Shipping/hauling of sorted materials, either by truck or rail; (3) Administrative functions, such as office, employee and training areas; (4) Weighing of vehicles and collection of fees; and 5) Maintenance of vehicles and equipment.

Recycling facilities, reverse vending machines. An automated mechanical device that accepts one or more types of empty beverage containers, including, but not limited to, aluminum cans, glass and plastic bottles and issues a cash refund or a redeemable voucher. A reverse vending machine may sort and process containers mechanically, if the entire process is enclosed within the machine.

Recycling facilities, small collection. A center of not more than 500 square feet in area for the acceptance by donation, redemption or purchase, of recyclable materials from the public, and consisting of one or more of the following: (1) A Mobile Recycling Unit in the form of an automobile, truck, trailer or van, licensed by the Department of Motor Vehicles, which is used for the collection of recyclable materials. A mobile recycling unit also means bins, boxes or containers transported by trucks, vans or trailers, and used for the collection of recyclable materials; (2) A Bulk Reverse Vending Machine, larger than fifty square feet in area and is designed to accept more than one container at a time, paying by weight rather than by individual container; (3) A kiosk-type portable recycling unit which may include small permanent structures; or (4) Unattended containers placed for the donation of recyclable material.

Reference evapotranspiration. A standard measurement of environmental parameters which affect the water use of plants. ETo is expressed in inches per day, month, or year and is an estimate of the evapotranspiration of a

large field of four-to seven-inch tall, cool-season grass that is well watered. Reference evapotranspiration is used as the basis of determining the Maximum Applied Water Allowance so that regional differences in climate can be accommodated.

~~*Rehabilitated*~~ *Rehabilitation Project, Landscape.* Any re-landscaping project that requires a permit, plan check, or design review, meets the requirements of Section 20.508~~19~~.020 (Applicability).

Repair service facility. Any facility where electrical, electronic or mechanical equipment is repaired away from the premises of the customer. The term "repair service" does not include vehicle service or repair.

Repair service, small appliances. A repair service that repairs small household items, such as televisions and stereo systems.

Repair service, large equipment. A repair service that repairs large household items, such as refrigerators and air conditioners, or large commercial machinery.

Repair service, vehicle. See "Vehicle service or repair."

Required minimum setback. See "Setback, required minimum."

Research laboratory. A facility for scientific research, including pharmaceutical, chemical and biotechnology research, or the design, development and testing of electrical, electronic, magnetic, optical, computer or telecommunications components.

Residential care facility. Facilities that provide permanent living accommodations and 24-hour primarily non-medical care and supervision for persons in need of personal services, supervision, protection, or assistance for sustaining the activities of daily living. Living accommodations are shared living quarters with or without separate kitchen or bathroom facilities for each room or unit. This classification includes facilities that are operated for profit as well as those operated by public or not-for-profit institutions, including group homes for minors, persons with disabilities, people in recovery from alcohol or drug additions, and hospice facilities.~~In accordance with Section 1502 of the Health and Safety Code, "residential care facility" means any family home, group care facility or similar facility for 24-hour nonmedical care of persons in need of personal services, supervision or assistance essential for sustaining the activities of daily living or for the protection of the individual.~~

- ~~*Residential care facilities, large.* Housing that provides seven or more residents with a program of assisted-living services to deal with the activities and instrumental activities of daily living.~~
- ~~*Residential care facilities, small.* Housing that provides less than seven residents with a program of assisted-living services to deal with the activities and instrumental activities of daily living.~~
- *Residential care facilities, senior.* A housing arrangement chosen voluntarily by the resident, the resident's guardian, conservator or other responsible person, where residents are 60 years of age or older and where varying levels of care and supervision are provided as agreed to at the time of admission or as determined necessary at subsequent times of reappraisal. This classification includes continuing care retirement communities and life care communities licensed for residential care by the State of California.
- *Hospice, General.* A facility that provides residential living quarters for more than six terminally ill persons.
- *Hospice, Limited.* A facility that provides residential living quarters for up to six terminally ill persons.

Residential landscape. Landscapes surrounding single or multifamily homes.

Restaurant. Any retail business that sells ready-to-eat food or beverages for on-premise or off-premise consumption.

Retail, general. A commercial enterprise that provides goods and/or services directly to the consumer where such goods are available for immediate purchase and removal from the premises by the purchaser.

~~*Retail, thrift and secondhand stores.* A profit or nonprofit business or organization that engages in or specializes in the sale or resale of previously owned or use goods and merchandise.~~

Retaining wall. A wall that is designed to resist lateral pressure and prevent the advance of soil or other materials.

Review authority. The City official or City body that is responsible, under the provisions of this chapter, for approving or denying a development review application, permit application or other request for official City approval.

Roof-mounted. Any object or equipment attached to the roof or the top-most level or levels of a building.

RPZ (runway protection zone). A two-dimensional ground area located beyond the runway ends used to enhance the safety of aircraft operations, as shown in the ACLUP prepared for Chino Airport.

Roof pitch. The slope of a roof, expressed as the ratio of the vertical rise to the horizontal run (e.g., 4:12, meaning a four inch rise for each 12 inches of horizontal distance).

Runoff. Water that is not absorbed by the soil or landscape to which it is applied and flows from the landscape area. For example, runoff may result from water that is applied at too great a rate (application rate exceeds infiltration rate) or when there is a steep slope.

S. Definitions, "S".

Safety zone. An area located in the vicinity of an airport in which land use restrictions are established to protect the safety of the public. Safety zone is further de-fined as follows: (1) Safety Zone I, also known as the RPZ; (2) Safety Zone II (Outer Safety Zone), a three-dimensional area extending from the end of each runway, the center of which runs along an imaginary projection of the runway centerline, as shown in the ACLUP prepared for Chino Airport; (3) Safety Zone III (Traffic Pattern/Overflight Zone), an area consisting of the envelope of aircraft flight paths associated with aircraft take-off and landing (traffic pattern area), and the area used by aircraft for maneuvering to enter a pattern for landing (overflight area), as shown in the ACLUP prepared for Chino Airport.

Salvage yard. See "Junk yard."

San Bernardino County area median income. The median income published by the California Department of Housing and Community Development ("HCD") each year as required by California Code of Regulations, Title 25, Section 6932 and Health and Safety Code Section 50093, as amended.

Satellite antenna. Any device ~~incorporating a reflective surface that is solid, open mesh, or bar-configured to form a shallow dish, cone, horn or cornucopia~~ used to transmit or receive electromagnetic signals. This definition includes antennas that are sometimes called "SES," "TVRO," "TVBS" and "DBS."

Satellite dish. See "Satellite antenna."

School for personal enrichment and fulfillment. A facility offering instruction and/or study oriented toward one's personal growth, fulfillment and/or enrichment, such as arts and crafts, music, candle making, cooking, culinary arts, dance, fashion/textiles, pottery, quilting, etc. excluding tutoring.

School, private. An academic institution that is not operated under the authority of a public-school board or district. The term "private school" shall include only elementary, middle and high schools, as well as colleges and universities, and shall not include training or tutoring facilities.

School, public. An academic institution that is operated under the authority of a public-school board or district, including a charter school.

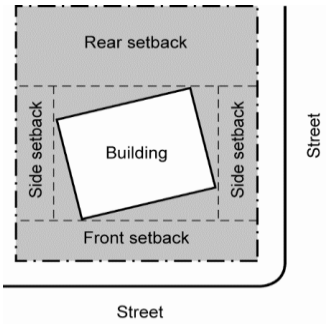
Secondary frontage. The street frontage of a lot that is not the primary frontage, usually on a corner or a through-lot.

Self-storage facility. A building or group of buildings in a controlled access compound that contains varying sizes of individual, compartmentalized and controlled access stalls or lockers for self-service storage of customers' goods, including novelties and collectibles.

Service station. Any building, structure, premise or other place used primarily for the retail sale and dispensation of motor fuels, lubricants and motor vehicle accessories, and the rendering of services and minor repairs to such vehicles, not including painting, body work or fender work. A gas station may include food and beverage sales, as well as a car wash, as an accessory use.

Setback. The minimum distance by which a building or structure must be separated from a lot line, as shown in Figure 20.~~24~~701-~~7~~3.

FIGURE 20.~~24~~701-~~37~~ SETBACK



- ~~*Setback*~~*Front setback.*~~, front.~~ A setback extending across the full width of the site, the depth of which is the distance between the front lot line and the foundation of any structure. The designation of the front setback of a corner lot shall be as described in the definition of the term "Lot line, front".
- ~~*Setback*~~*Rear setback*~~, rear~~. A setback extending across the 1full width of the site, the depth of which is the distance between the rear lot line and the foundation of any structure.
- *Required minimum s*~~S~~*etback*~~, required minimum~~. The smallest setback from any lot line that is allowed under the provisions of this chapter.
- *Side setback*~~, side.~~ A setback between the foundation of any structure and the side lot line, extending from the front setback to the rear setback. ~~The width of the side setback shall be measured horizontally from the nearest point of the side lot line to the nearest part of the foundation of any structure.~~
- *Setback line.* A line parallel to a specified lot line that defines a required minimum setback for the foundation of any structure.

Shade tree. A self-supporting woody plant or species normally growing to a mature height of at least 20 feet and a mature spread of at least 15 feet. Clusters of more than one tree may be used when it is demonstrated that the grouping of trees will, at maturity, surpass the 15 feet diameter requirement and that the grouping of trees is suitable for the proposed location.

Shed roof. A single-slope roof surface that slopes in one direction only, with no ridge, typically attached to a taller wall on one side.

Shopping center. A primarily retail-oriented commercial site with at least three separate businesses that share common pedestrian and parking areas.

Short-Term Rental. Rental of any residential building, portion of such building, or group of such buildings in which there are guest rooms or suites, including housekeeping units, for transient guests, where lodging with or without meals is provided for a period of less than a calendar month or less than 31 consecutive days.

Shrub. A self-supporting woody perennial plant of low to medium height, characterized by multiple stems and branches continuous from the base, usually not more than eight feet in height at maturity.
Side lot line. See "Lot line, side."
Side setback. See "Setback, side."
Single-family dwelling. See "Dwelling, single-family."
Site. A parcel or adjoining parcels that are under single ownership or single control, and that are considered a unit for the purposes of development or other use.
Site area. The total area included within the boundaries of a site.
Slaughter House. A facility for the slaughtering and processing of animals and the refining of their byproducts.
Small family day care home. See "Family day care home, small."
SMART Irrigation Controller. A controller that monitors and uses information about environmental conditions, such as soil moisture, rain, wind, slope, soil type, plant type, etc., to automatically adjust watering schedules for specific hydro zones.
Social services, charitable institutions and services. See "Nonprofit Organizations and Human Services." ~~Facilities other than offices providing a social service directly to the adjacent community, such as food banks, blood banks, employment training, etc.~~
Solar reflective index. A measure of a surface's ability to reflect solar heat combining reflectance and emittance intone number. It is defined so that a standard black is zero and a standard white is one hundred.
Solid fence. See "Fence, solid."
Soil moisture sensing device (soil moisture sensor). A device that measures the amount of water in soil. The device may also suspend or initiate an irrigation event.
Soil test. A test done by a soil test lab that indicates at minimum soil texture, water holding capacity, pH, and soluble salts.
Soil texture. The classification of soil based on its percentage of sand, silt, and clay.
Soil Type. The classification of soil based on the percentage of its composition of sand, silt, and clay.
~~*Special Conditional Use Permit.* A permit to allow a specified land use, building or structure that is not allowed as of right on a given property, subject to the discretion of the City.~~
Special Landscape Area (SLA). Landscape areas dedicated to edible plants, recreational areas, areas irrigated with recycled water, or water features using recycled water.
Specified anatomical areas. See Title 5 – Business Licenses and Regulations.
Specified sexual activities. See Title 5 – Business Licenses and Regulations.
Sports Club. A club or business establishment designed to host sporting activities, including, but not limited to, football, soccer, basketball, volleyball, hockey, boxing, tennis, airsoft, paintball, etc.
Sports stadium or arena. A large open or enclosed space used for games or major events, and partly or completely surrounded by tiers of seats for spectators.
Sprinkler head. A device which delivers water through a nozzle.
Stables, commercial. A structure and/or land use in or on which horses, mules or ponies are sheltered, fed and/or kept for hire.
Stables, private. A detached accessory building for the keeping of horses, mules or ponies owned by the occupants of the premises and not kept for remuneration, hire or sale.
Static water pressure. Water supply pressure when it is not flowing.
Station. An area served by one valve or by a set of valves that operate simultaneously.
Storage area. Any place outside of a structure where various materials are stored.
Storage business. A business that accepts and stores goods from one or more customers but does not provide individual, compartmentalized and controlled access to each customer's goods.

Storage container. Any fully-enclosed area other than a structure, such as a cargo container or shipping container, where various materials are stored or could be stored.
Storage, outdoor. The storage of various materials, equipment and/or vehicles outside of a structure, either as an accessory or a primary use.
Storage, public. See "Public storage facility."
Story. Any one of a building's floors that has a ceiling at least six feet above its floor and at least six feet above grade.
Street. A thoroughfare, including a road or highway, which provides the principal means of access to abutting property. For the purpose of interpreting this chapter, any throughway except an alley shall be considered a street.
Street line. The boundary line between the street right-of-way and abutting property.
Structural alteration. Any change in the supporting members of a building or structure, including bearing walls, columns, beams or girders, floor joists, ceiling joists or roof rafters.
Structure. That which is built or constructed.
Structure, mounted. Any object or equipment attached to a building, billboard, tank, sign, utility pole, or other structure, but not attached to a dedicated support structure resting on the ground. When referring to wireless communication facilities, this definition includes antennas sometimes referred to as "facade mounts "and "sign mounts."
Structure, temporary. A structure that is erected for a limited period of time, typically no longer than two years, and that does not permanently alter the character or physical facilities of a property.
Sunset Western Climate Zone System. The Sunset Western Climate Zone System utilizes data from climate zones to determine which plants are best suited for each climate zone.
Supportive Housing. Housing with no limit on length of stay that is occupied by a target population, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.
Swap meet. A building or open area in which stalls or sales areas are set aside, and rented or otherwise provided, and which are used or intended for use by unrelated individuals to sell, trade, exchange, or swap articles that are either new, homemade, homegrown, old, obsolete, or antique and includes the selling of goods and/or services at retail by businesses or individuals who are generally engaged in retail trade.
Swimming pool. Any pond, wading pool, swimming pool, or similar body of water that is more than one and one-half feet in depth, whether located above or below ground.
Swing joint. An irrigation component that provides a flexible, leak-free connection between the emission device and lateral pipeline to allow movement in any direction and to prevent equipment damage.
Sub meter. A metering device to measure water applied to the landscape that is installed after the primary utility water meter.

T. Definitions, "T".

Tattoo, body piercing and body art establishments. An establishment providing tattooing, body piercing, branding, scarification, or similar body art services.
~~*Target unit.* A dwelling unit within a housing development that is reserved for very low income, lower income, moderate income or senior citizen households.~~
Temporary commercial recreation facility. Any establishment that provides entertainment activities or services on a temporary basis, that may have a fee or admission charge, including miniature golf courses, sports clubs, outdoor inflatable theme parks and obstacle courses, amphitheaters, parking lots and other uses of like kind or character. Facilities operated by a public agency are not included in this definition.

Temporary structure. See "Structure, temporary."
Temporary use. A short-term activity that may or may not meet the normal development or use standards of the applicable zoning district, but that occurs for a limited period of time and does not permanently alter the character or physical facilities of a property.
Theaters and auditoriums. A building or part of a building devoted to showing motion pictures, or for dramatic, dance, musical, comedy, improvisational, or other live performances.
~~*Through lot.* A lot having frontage on two parallel streets or a lot that is not a corner lot that has frontage on two streets, each of which may provide access to the lot.~~
Thrift, vintage and consignment stores. A profit or nonprofit business or organization that engages in or specializes in the sale or resale of previously owned or used goods and merchandise.
Treated sewage effluent water. See "Recycled water."
Tower-mounted. Any object or equipment attached to a dedicated support structure resting on the ground whose principal use is to support similar objects or equipment, and that has an overall height greater than 10 feet above finished grade at the base of the structure. When referring to wireless communication facilities, this definition includes antennas that are sometimes referred to as "monopoles," "lattice towers" and "guyed towers."
Townhouse. See "Dwelling, single-family, attached."
Trade and vocational schools. A specialized instructional establishment that provides on-site training of business, commercial and/or trade skills such as accounting, data processing, computer repair, hairdressing and automobile repair.
Trade Service. A business that provides services to residential and non-residential customers for the maintenance and improvement of facilities, including but not limited to plumbing, electrical, extermination, cleanup and restoration, janitorial, landscaping, etc. These businesses often have vehicles and equipment stored at their offices that are deployed to the field when called for service.
Training facility. A private school that primarily provides specialized education or training for a particular profession or trade.
Transfer business. A business whose primary purpose is the movement of goods from one location to another, and which may use storage facilities incidentally ~~to~~for that purpose.
Transitional housing. A facility in which occupants live for a specified period of time while they receive assistance and counseling in personal and household income management.
Transportation Terminals. A depot or station that functions as a passenger loading and unloading facility specifically designed for public and private transportation modes, such as buses and trains, but excluding airports and airport operations. Transportation terminals are usually located along major transportation routes and may include ancillary uses, such as passenger ticket booths, long-term parking areas and small retail shops and restaurants. For the purposes of these provisions, transportation terminals also include park and ride, kiss and ride or other similar facilities but exclude "Dry Ports."
Tree. Any self-supporting woody perennial plant which has a trunk diameter of 2-inches or more and which attains an overall height of at least 15 feet at maturity, usually with one main stem or trunk and many branches; however, in some cases, may appear to have several stems or trunks.
Truck and Trailer Storage Yard. A site used primarily for the parking or storage of commercial trucks, truck tractors, semitrailers, containers, chassis, or similar freight equipment when not actively engaged in loading, unloading, or dispatch operations.
Turf. A ground cover surface of mowed grass. Annual bluegrass, Kentucky bluegrass, Perennial ryegrass, Red fescue, and Tall fescue are cool-season grasses. Bermuda grass, Kikuyugrass, Seashore Paspalum, St. Augustine grass, Zoysia grass, and Buffalo grass are warm-season grasses.

Tutoring center. A commercial establishment providing academic tutoring, test preparation, or supplemental educational instruction for individuals or small groups, not granting degrees and not operating as a trade or vocational school, a state-licensed private school or a school for personal enrichment or fulfillment.

U. Definitions, "U".

Understory. Assemblages of natural, low-level, woody herbaceous and ground cover species that exist in the area below the canopy of trees.

Usable rainfall. See "Effective precipitation."

Usable open space. See "Open space, usable."

Use. See "Land use."

Use, accessory. See "Accessory use."

Use, nonconforming. See "Nonconforming use."

Use, primary. See "Primary use."

Use, temporary. See "Temporary use."

Urban uses. Urban uses include residential, commercial, industrial, governmental, and institutional land uses, including schools, parks, and civic facilities, as defined by the California Public Resources Code Section 21072. This term excludes land used for agricultural or natural open space uses.

Utilities, major. Services of a regional nature that normally entail the construction of new buildings or structures such as generating plants and sources, electrical switching facilities, stations or substations, large scale energy storage systems, cogeneration facilities, microgrids and distributed energy systems, solar energy systems, community wastewater treatment plants, and similar facilities.

Utilities, minor. Services that are necessary to support development within the immediate vicinity and that involve only minor structures. Included in this use type are small facilities such as transformers, relay and booster devices, battery energy storage systems, small-scale distributed energy storage systems, small-scale cogeneration facilities for on-site energy production and use, microgrids for industrial and office park development, solar panels, on-site distributed energy systems, and well, water and sewer pump stations.

Utility building or substation. Any facility that is used for production, distribution or processing related to a public utility that involves the use of direct physical connections, such as water, sewage, electricity, natural gas or telecommunications services.

V. Definitions, "V".

Valve. A device used to control the flow of water in an irrigation system.

~~*Vape Lounge.* An establishment where patrons can smoke and purchase vapor products and e-cigarettes.~~

Vegetation, native. Any plant species with a geographic distribution indigenous to all or part of the southern region of the state of California. Plant species that have been introduced by man are not native vegetation.

Vehicle. A device by which any person or property may be propelled, moved or drawn, except a device moved by human power or used exclusively upon stationary rails or tracks.

Vehicle customization service. An establishment engaged in the installation, repair, or replacement of vehicle accessories or appearance modifications, including window tinting, vinyl wraps, paint protection film, graphics application, detailing, and similar services, conducted primarily within an enclosed building.

Vehicle storage condominium facility: A building with individually owned garage or storage condominium units for storage of motor vehicles and related accessory uses. Also known as "car condominiums" or "air space parking facilities."

Vehicle depot. A facility that is used primarily for the storage of operative vehicles in a fleet, including associated repair facilities for temporarily inoperative vehicles.
Vehicle sales. An establishment for the retail sales or rental of vehicles. Vehicle sales may include parts sales and vehicle repair, provided that these activities are incidental to the sale of vehicles.
Vehicle service or repair. An establishment that provides any repair, alteration, servicing, restoration or finishing of any vehicle as a primary use, including but not limited to muffler and radiator shops, oil change and quick-lube shops, tire and battery sales and installation, and towing. The term "vehicle service or repair" does not include repair shops that are part of a vehicle sales establishment on the same site.
Vending station. The vehicle, cart or other device used by a mobile food vendor for the preparation and distribution of food.
Very-low-income household. See "Household, very-low-income."
Veterinary Clinics. A professional office where animals receive medical treatment on the premises from a licensed veterinarian, and where all animals are housed indoors. The outdoor housing of animals shall be considered a "kennel" and is not permitted as an accessory use.
Viable. In the judgment of the Director of Community Development, a tree, shrub, or any other type of plant capable of sustaining its own life processes, unaided by man, for a reasonable period of time.

W. Definitions, "W".
Walk-in clientele. A business providing direct services to patrons or clientele that may or may not require appointments. This classification includes employment agencies, insurance agent offices, real estate offices, travel agencies, utility company offices, and offices for elected officials.
Warehousing. The provision of facilities used primarily for the storage of commercial goods, including documents. It also may provide for storage of novelties. "Warehousing" does not include ~~mini~~ "Self-storage facilities."
Water conserving plant species. A plant species identified as having a very low or low plant factor.
Water feature. A design element where open water performs an aesthetic or recreation function. Water features include ponds, lakes, waterfalls, fountains, artificial streams, spas, and swimming pools (where water is artificially supplied). The surface area of water features is included in the high water use hydro zone of the landscape area. Constructed wetlands used for on-site wastewater treatment or storm water best management practices that are not irrigated and used solely for water treatment or storm water retention are not water features and, therefore, are not subject to the water budget calculation.
Watering window. The time of day irrigation is allowed.
Wholesaling and distribution. The provision of facilities used primarily for selling or distributing goods to retailers, contractors, commercial purchasers or other wholesalers, or to the branch or local offices of a company or organization.
Wireless facility. See Chapter 20.~~22~~515 (Wireless Telecommunications Facilities On Private Property).
WUCOLS. The "Water Use Classification of Landscape Species" published by the University of California Cooperative Extension, and the Department of Water Resources, 2014. The project was developed by the San Francisco and San Mateo County Office in cooperation with 32 landscape professionals. This project was initiated and funded by DWR. The purpose and intended use is to provide guidance to landscape professionals when selecting plant material, while taking into consideration water needs. It also serves as a guide to assist in developing irrigation schedules for existing landscapes.

X. Definitions, "X". No specialized terms beginning with "X" are defined.

Y. Definitions, "Y".

Yard. See "Setback."

Yard, Front. The portion of a lot between the front line of the lot and the portion of the front line of the main building which faces the front and is closest to the street and which extends across the entire width of the lot; provided however, that upon vacant property, the front yard shall be the yard between the front line of the lot and the front yard setback line ascribed to such lot, and which extends across the entire width of the lot.

Z. Definitions, "Z".

Zone. See "District."

Zoning clearance. A verification by the Director of Community Development that a proposed structure or use meets the requirements of this Title.

Zoning map. The official map and its underlying Geographic Information System (GIS) data, adopted by the City of Chino, that serves to delineate the boundaries of each district as defined in this chapter.

Zoological garden. An area, building, or structures which contain wild animals on exhibition for viewing by the public.