

Exhibit B

Code Amendments to Standards for Specific Land Uses

These proposed Code amendments for to the standards for specific land uses are in draft form for Planning Commission review, with new text shown in **redline** format and deleted text as ~~striketrough~~. Ellipsis (...) denote where there would be no change to existing regulations beyond changes in section numbers for cross-references, the names of permits (Special Conditional Use Permits are proposed to be called Conditional Use Permits as this is best practices), and the title of the Director, which has changed from Director or Community Development to Director of Development Services. These sections are not included to make it easier for the Commission to see the changes and not have to go through pages of text with no amendments.

Chapter 20.512 – STANDARDS FOR SPECIFIC LAND USES

Sections:

- 20.512.010 Purpose
- 20.512.020 Agricultural produce standards
- 20.512.030 Alcoholic beverage sales.
- 20.512.040 Ancillary industrial facilities.
- 20.512.050 Animal keeping
- 20.512.060 Automobile rental and truck rental.
- 20.512.070 **Automobile sales and services**
- 20.512.080 Caretakers quarters.
- 20.512.090 Child day care facilities.
- 20.512.100 Cigar lounges and hookah bars.
- 20.512.110 **Commercial nurseries**
- 20.512.120 Commercial recreation.
- 20.512.130 Common interest subdivisions.
- 20.512.140 Congregate care facilities.
- 20.512.150 Convenience markets and grocery stores.
- 20.512.160 Conversion of residential structures.
- ~~20.512.190 Cyber cafes.~~
- 20.512.170 Drive-thru facilities.
- 20.512.180 Emergency shelters.
- 20.512.190 Equipment rental and sales.
- 20.512.200 Farm employee housing
- 20.512.210 **Group homes**
- 20.512.220 Gym/athletic instruction.
- 20.512.230 Hazardous materials use and storage.
- 20.512.240 Health care offices
- 20.512.250 Home occupations
- 20.512.260 Hotels, motels, and bed and breakfast and boarding houses.
- 20.512.270 Live entertainment.
- 20.512.280 Live/work units.
- 20.512.290 **Low barrier navigation centers**
- 20.512.300 **Manufactured Housing**
- 20.512.310 **Massage establishments**
- 20.512.320 Mobile home parks.
- ~~20.512.360 Motor vehicle sales and leasing.~~
- 20.512.330 Nightclubs, bars and cocktail lounges
- 20.512.340 **Non-traditional financial institutions** ~~Check-cashing.~~
- 20.512.360 Offices, professional/business.
- 20.512.370 Outdoor displays and sales.

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- 20.512.480 Outdoor manufacturing and processing.
- 20.512.390 Outdoor seating areas.
- 20.512.400 Outdoor storage and storage containers
- 20.512.350 **Outdoor vendors** (Carts, ~~and~~ kiosks **and mobile food vendors**).
- 20.512.410 Places of worship.
- 20.512.420 Portable toilets.
- 20.512.430 Public assembly.
- 20.512.440 Public storage.
- 20.512.450 Recycling facilities.
- 20.512.470 Residential care facilities, large.
- 20.512.480 Retail sales in conjunction with a manufacturing use.
- 20.512.490 Schools for personal enrichment.
- 20.512.500 Self-storage facilities**
- 20.512.520 Senior housing projects.
- 20.512.530 Service stations.
- 20.512.540 Smoke shops**
- 20.512.550 Tattooing, body piercing and body art.
- 20.512.560 Supportive Housing**
- 20.512.570 Transitional Housing**
- 20.512.580 Vehicle repair garages.
- 20.512.590 Vehicle towing services **and vehicle storage**.

20.512.010 – Purpose

The purpose of this chapter is to establish standards for specific land uses that apply citywide.

20.512.020 – Agricultural Product Stands

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20.512.030 – Alcoholic Beverage Sales

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20.512.040 – Ancillary Industrial Facilities

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20.512.050 – Animal Keeping

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20.512.060 – Automobile Rental and Truck Rental**A. Automobile Rental.**

1. Automobile rental agencies with 10 or fewer vehicles parked on site at any given time require an Administrative Approval. Automobile agencies with more than 10 vehicles parked on-site at any given time require a Conditional Use Permit.
2. The display of automobiles shall not occur in loading and parking areas required pursuant to Chapter 20.507 (Parking and Loading).
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.
4. Automobile display 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 Chapter 20.508 of this Code.

B. Truck and Trailer Rental.

1. 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. A Conditional Use Permit is required for the rental of trucks and/or trailers within a multi-tenant industrial park.
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 6-foot-high decorative screen wall or fence.
4. The display of truck and trailers shall not occur in loading and parking areas required pursuant to Chapter 20.507 (Parking and 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

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20.512.070 – Automobile Sales and Services

- A. Purpose and Intent.** This section establishes standards for automobile/vehicle sales and leasing and automobile/vehicle repair.
- B. General Requirement.** Automobile sales and services shall be located, developed, and operated in compliance with the following standards, where allowed by the 200 Series, Base Zoning Districts.
- C. Location.** Automobile sales and services are permitted on a site with at least one frontage on an arterial street or in a mixed use development.
- D. Minimum Lot Area.** A vehicle sales and leasing use shall not be conducted on a site less than one acre in size.
- E. 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.
- F. Vehicle Display Areas.**
1. Motor vehicle display areas shall not utilize parking spaces or loading areas required pursuant to Chapter 20.507 (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.~~
- G. 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 Development Services Director and the City Engineer.
- H. Projections into Setback Areas.** Open-air display areas shall not project into any required setback area.
- I. Screening.** Service and associated car storage areas shall be completely screened from public view.
- J. 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. ~~In addition to complying with the citywide landscaping standards, additional screening and buffering is required where automobile sales and services are adjacent Residential zones; see Chapter 20.508 (Landscaping).~~
- K. 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 least impact on the adjacent lot. All loading and unloading must occur during weekday business hours.
- L. Work Areas.** All work must be conducted within an enclosed building, except pumping motor vehicle fluids from a freestanding pump in an island, checking and supplementing fluids of customer's vehicles while they wait, and mechanical inspection and adjustments not involving any disassembly.

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- M. Equipment and Product Storage.** Exterior storage, including tires, must not be visible from arterial streets or a Residential Zone.
- N. Vehicle Storage.** All vehicles having service done on them shall be stored on site; no overnight storage on public streets is allowed.
- O. Spray/Paint Booths.** Spray booth stacks shall be screened from arterial streets and must be separated a minimum of 500 feet from Residential zones, parks, schools, and daycare centers. The Planning Commission may reduce this separation to no less than 100 feet if a human health risk assessment (HHRA), prepared by a qualified professional, demonstrates to the satisfaction of the Commission that levels of spray booth chemicals present in the ambient air at adjacent properties will be below applicable thresholds of concern for human health.
- P. Discarded Parts and Equipment.** No used or discarded automotive parts or equipment or permanently disabled, junked, unregistered, or wrecked vehicles shall be stored outside of the main building, except in a screened location refuse collection and recycling.
- Q. 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.

20.512.080 – 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 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.

20.512.090 – Child Day Care Facilities

- A. Purpose.** This section provides regulations for Child Day Care facilities to protect the safety and well-being of children and minimize impacts to neighboring properties.
- B. Types of Child Day Care Facilities.**
 1. Residential Day Care Facilities may provide care for up to 14 children and are required to have an adult assistant on the premises.

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2. Child Day Care Centers are childcare facilities that are not provided within a residential use. Child day care centers include pre-schools, nursery schools, infant care centers and after-school facilities.

C. General Standards that Apply to all Child Day Care Facilities.

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 day care provider. 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 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 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.

1. The use shall be clearly incidental and subordinate to the primary.
2. All required State licenses and permits shall be obtained.
3. There shall be a maximum of 14 children allowed per residential day care facility.

E. Child Day Care Centers.

1. 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. The operator must obtain the written consent of the property owner when the child day care facility is located.
3. Outside play areas shall have a minimum fence height of 5 feet.
4. Outside play areas shall be located a minimum of 10 feet from public right-of-ways.
5. Outside play areas shall be a minimum of 75 square feet per child, excluding infants.

20.512.100 – Cigar Lounges and Hookah Bars

Cigar lounges and hookah bars shall comply with the following regulations.

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- A. **Distance from Residential Zone.** Cigar lounges, vape 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, vape 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, vape 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, vape lounges, or hookah bars shall be at least 21 years.

20.512.110 – Commercial nurseries

- A. **Purpose.** The purpose of this section is to establish standards for commercial nurseries and garden centers.
- B. **General Requirements.** 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.
- C. **Minimum Lot Area.** The minimum lot area is 10,000 square feet.
- D. **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, tools other than for soil preparation and general landscaping.
- E. **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.
- F. **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.

20.512.120 – Commercial Recreation

- 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 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 approval of a commercial recreation facility:
 1. The proposed hours of operation.

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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 with a Conditional Use Permit.

20.512.130 – Common Interest Subdivisions

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20.512.140 – Congregate Care Facilities

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20.512.150 – Convenience Markets and Grocery Stores

- 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 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 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.

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- 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.

20.512.160 – 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 Conditional Use Permit. 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. **Replacement housing is provided as required by Government Code Section 66300.6. The replacement housing shall be developed prior to or concurrently with the development project. The required replacement housing may be located on a site other than the project site that is within the City provided the land use regulations for the applicable zoning district allows residential uses. The project proponent may contract with another entity to develop the required replacement housing.**
 - a. Any existing occupants 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.

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- b. 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.

B. Improvements Required. A structure that is permitted to be converted shall be remodeled and upgraded to meet all federal, State and local codes and ordinances for commercial buildings, which are in effect at the time of conversion.

~~20.512.170 — Cyber Cafes~~

~~All cyber cafes shall comply with the following regulations:~~

~~A. Location and Design.~~

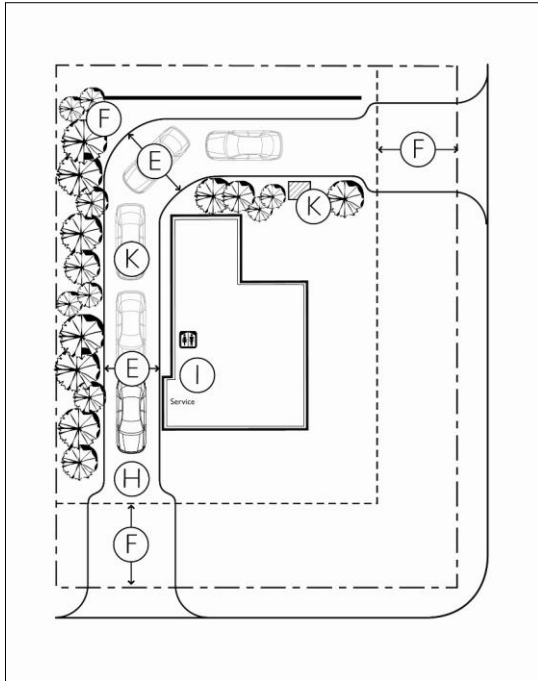
- ~~1. No cyber cafe shall be maintained within 500 feet of any primary or secondary public or private school, park or public playground.~~
- ~~2. Front windows shall not be tinted, shaded, painted, blacked out, or similarly covered or obscured during business hours.~~
- ~~3. A waiting area inside the 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.~~

20.512.180 – Drive-Thru Facilities

Drive-through facilities shall be developed in accordance with the following standards, as shown in Figure 20.512-1:

(Graphic to be updated)

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FIGURE 20.12-1 DRIVE-THROUGH FACILITY STANDARDS (ADDITIONAL EDITS PENDING.)

- 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 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 10-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 locations are subject to approval of the Director of Development Services.
- 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 shall be consistent with the center in terms of architectural design and detailing, roof material, exterior finish materials and color.
- 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 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 require a longer queue lane or double lanes for high volume facilities.

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20.512.190 – 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. Duration of stay.
 - a. Emergency shelter shall be available to residents for no more than 90 days.
 3. Staff and services shall be provided to assist residents in obtaining permanent shelter, at no cost to the residents.
 4. 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.
 5. Proximity to other emergency shelters. Emergency shelters shall be located a minimum of 300 feet from any other emergency shelter.
 6. Hours of operation. Facilities shall establish set hours for client intake and discharge.
 7. On-site management. On-site personnel shall be provided at all times.
 8. Lighting. Facilities shall provide security and safety lighting in the parking lot, on buildings, and areas of pedestrian access.
 9. Security. Facilities shall provide secure areas for personal property.
 10. Waiting area. If intake of clients will occur on-site, a minimum 200 square foot 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.
 11. 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.
 12. **Parking.** Each emergency shelter shall have a minimum of one parking space for every two on-site employees and two bicycle parking spaces.
 13. **Emergency Home Shelter Management Plan.** The operator of an Emergency Homeless 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; services provided to assist

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residents with obtaining permanent shelter and income; and screening of residents to ensure compatibility with services provided at or through the shelter.

20.512.200 – Equipment Rental and Sales

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20.512.210 – Farm Employee Housing

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20.512.220 – Group homes

- A. **Purpose.** The purpose of this section is to establish standards for group homes within residential and residential mixed use zoning districts to ensure land use compatibility, while also facilitating development of this type of housing to meet the City’s housing needs.
- B. **General Requirements.** Group residential 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.
- C. **Minimum Lot Area.** When located in a Residential zoning district, the minimum lot area is 10,000 square feet.
- D. **Laundry Facilities.** Laundry facilities must be provided on-site, either in the units or in a shared facility.
- E. **Common Open Space.** Common open space of 20 square feet for each person who resides in the facility must be provided. 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 twenty 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 twenty 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 twenty-five percent of the total common open space.
 - 3. For group homes for 20 people or more, up to thirty percent of the required common open space area may be provided within a recreational building.
- F. **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

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lighting. If circumstances warrant, the facility operator may control access to a parking garage by other persons.

- G. **Building Accessibility and Safety Equipment.** Indoor common areas and living units shall be designed to accommodate persons with disabilities, 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.
- H. **Parking.** The entrance to off-street parking spaces shall be located a maximum of 150 feet from building entrances.

20.512.230 – Gym/Athletic Instruction

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20.512.240 – 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 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 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.

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D. Outdoor Propane Storage. ...

20.512.250 – Health Care Offices

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20.512.260 – Home Occupations

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20.512.270 – Hotels, Motels, and Bed and Breakfast, and Boarding Houses

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20.512.280 – Live Entertainment

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20.512.290 – Live/Work Units

A. Purpose. This section establishes standards for dwelling units that function as both work space and a residential accommodation.

B. Limitations on Use.

1. ...

C. 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 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.

D. Design Standards.

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20.512.300 – 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.

20.512.310 – Manufactured Housing

- A. Purpose.** This section establishes regulations and standards for manufactured housing in the City, consistent with the General Plan and State and federal law.
- B. General Requirements.** Manufactured homes, including mobile homes on permanent foundations, shall be located, developed, and operated in compliance with the following standards, where allowed by the 200 Series, Base Zoning Districts. More specifically, 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.

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- C. **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.
- D. **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.
- E. **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.
- F. **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.

20.512.320 – Massage Establishments¹

- 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 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:
 7. The sole proprietor of a sole proprietorship operating a massage establishment.

¹ Following Commission review, Title 5 will be updated to be consistent with the Zoning Code Update.

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8. Any general partner of a general or limited partnership that owns a massage establishment.
 9. Any person who has a ten percent or greater ownership interest in a corporation that owns a massage establishment.
 10. Any person who is a member of a limited liability company that owns a massage establishment.
 11. All owners of any other type of business association that owns a massage establishment.
 12. “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 **are** allowed by right with a zoning clearance 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. 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 be served simultaneously in the same room. Male and female patrons shall not simultaneously use massage rooms, dressing areas, lockers and toilet facilities.
 2. Lighting of not less than forty 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.
- E. 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.

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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 ten 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

20.512.330 – Mobile Home Parks

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~~**20.512.340 – Motor Vehicle Sales and Leasing**~~

~~Motor vehicle sales and leasing establishments shall comply with the following standards:~~

- A. ~~**Minimum Lot Area.** A vehicle sales and leasing use shall not be conducted on a site less than 2.5 acres in size.~~
- B. ~~**Minimum Building Size.** A minimum 300-square-foot 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.~~
- C. ~~**Vehicle Display Areas.**~~
 1. ~~Motor vehicle display areas shall not utilize parking spaces or loading areas required pursuant to Chapter 20.507 (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.~~
- D. ~~**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 Development Services Director and the City Engineer.~~

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- E. ~~Projections into Setback Areas.~~ Open air display areas shall not project into any required setback area.
- F. ~~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.
- G. ~~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.~~

20.512.350 – Nightclubs, Bars, and Cocktail Lounges

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~~20.512.360 – 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 (RC), and Service Commercial (SC) 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 use.
 - 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 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.

EXHIBIT B: CODE AMENDMENTS AND STANDARDS FOR SPECIFIC LAND USES

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. The site must be maintained free of litter at all times. Trash, litter, and debris also must be removed from all abutting sidewalks.
6. A security plan shall be provided to the Chino Police Department and Planning Division for review and approval.
7. Graffiti shall be removed within 72 hours of application to property on the check cashing premises.

20.512.370 – Offices, Professional/Business

Executive and business 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 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. ...

20.512.380 – Outdoor Displays and Sales

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20.512.390 – Outdoor Manufacturing and Processing

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20.512.400 – Outdoor Seating Areas

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EXHIBIT B: CODE AMENDMENTS AND STANDARDS FOR SPECIFIC LAND USES

20.512.410 – 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 finalized and shall not exceed 6 months. Additional time may be granted by the Director of 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 pursuant to the requirements of Chapter 20.203 of this code; a temporary use permit is required; see Section 20.602.060. 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 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.

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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 Conditional Use Permit, if they find that the exemption will not endanger the public health, safety or general welfare.

20.512.420 – Outdoor Vendors (Carts, ~~and~~ 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.
- B. Permits Required.**
1. Outdoor vendors shall obtain a City business license and an administrative approval. Reasonable conditions of approval may be imposed to ensure that the standards of this section are met.
 2. If food and/or beverages are being sold, a Mobile Food Facility Health Permit must be obtained from the County Environmental Health Services Office of the Public Health Department².
 3. Any mobile food vending unit owner shall provide proof that the vehicle is State-certified as a mobile food preparation truck.
 4. Proof of current insurance and registration of the vehicle must be presented with the application for administrative approval.
 5. The administrative approval for an outdoor vendor is temporary and is granted only for a maximum of two years. It may be renewed.
- C. Locational Criteria.**
1. Outdoor vending activities shall only be allowed in Mixed Use, Commercial and Institutional Districts.
 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. Washdown of the outdoor vending units shall only be permitted at an approved facility that will capture the wastewater and convey it to the public sewer system.

² San Bernardino County Environmental Health Services has a robust permitting and inspection program for mobile food vendors which will ensure safe operations; see: <https://ehs.sbcounty.gov/programs/food-facilities/#mobilefoodfacility>

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5. 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.

D. 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 a professional office, commercial, or mixed-use development.
2. 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 Development Services on a case-by-case basis based on unique site or user circumstances.
3. 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.
4. The number of employees per individual cart/kiosk shall be a maximum of two persons at any one time.
5. 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.
6. All packaging containers or boxes shall be stored within the cart/kiosk.
7. The sale of alcoholic beverages shall be prohibited.
8. The design, color scheme and signage of the cart/kiosk shall be appropriate to its location.

20.512.430 – Places of Worship

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20.512.440 – Portable Toilets

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20.512.450 – Public Assembly

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20.512.460 – Public Storage

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EXHIBIT B: CODE AMENDMENTS AND STANDARDS FOR SPECIFIC LAND USES

20.512.470 – Recycling Facilities

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20.512.480 – Residential Care Facilities, Large

- A. Purpose.** This section establishes standards for residential care facilities for the physically and/or mentally handicapped 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 approval of a 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 and the multiple family residential design standards in Chapter 20.505 (Design Standards).

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20.512.490 – Retail Sales in Conjunction with a Manufacturing Use

The area used for retail sales in conjunction with warehousing and manufacturing shall be limited to 20 percent of the gross floor area of the building. A Conditional Use Permit shall be required for all retail sales areas larger than 20 percent of the gross floor area of the building.

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20.512.500 – Schools for Personal Enrichment

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20.512.510 – Self-storage Facilities

- A. Purpose.** This section establishes regulations and standards for self-storage facilities in the City, consistent with the General Plan.
- B. General Requirement.** 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.
- C. Buffering and Screening Adjacent to Residential Districts.** A landscaped setback is required adjacent to a Residential District; see Chapter 20.506.
- D. Business Activity.** All personal 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.
- E. No Hazardous Materials Storage.** No storage of hazardous materials is permitted.
- F. Notice to Tenants.** As part of the rental process, 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.
- G. 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.
- H. Internal Circulation.** Driveway aisles shall be a minimum of 20 feet wide.
- I. 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.
- J. 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.
- K. 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.

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20.512.520 – Senior Housing Projects

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20.512.530 – Service Stations

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20.512.540 – 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,

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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, bong, water bong, 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.

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- 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.

20.512.550 – Tattooing, Body Piercing, and Body Art

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20.512.560 – 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.
- C. **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.
- D. **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 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 specific zone specify another limit.
 - 1. Supportive housing may be provided in a multiple-unit structure or group residential facility.
 - 2. Only a zoning clearance is required for supportive housing projects.
 - 3. 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.
- E. **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.

EXHIBIT B: CODE AMENDMENTS AND STANDARDS FOR SPECIFIC LAND USES

1. Landscape areas having minimum dimensions of less than twenty 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 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 percent of the total common open space.
 3. Up to one-third of the required recreational area may be provided within a recreational building.
- F. Building Accessibility and Safety Equipment.** Indoor common areas and living units shall be handicapped adaptable and be provided with all necessary safety equipment (e.g., grab bars, ramps etc.), as well as emergency signal/intercom systems.
- G. Parking.** The entrance to off-street parking spaces shall be located a maximum of 150 feet from building entrances.
- H. 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.

20.512.570 – 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.
- C. 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.
- D. 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 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 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.

EXHIBIT B: CODE AMENDMENTS AND STANDARDS FOR SPECIFIC LAND USES

- 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.
- E. 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.
- F. Building Accessibility and Safety Equipment.** Indoor common areas and living units shall be handicapped adaptable and be provided with all necessary safety equipment (e.g., grab bars, ramps etc.), as well as emergency signal/intercom systems.
- G. Parking.** Then entrance to off-street parking spaces shall be located a maximum of 150 feet from building entrances.
- H. 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.
- I. 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.

20.512.580 – Vehicle Repair Garages

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20.512.590 – Vehicle Towing Services and Vehicle Storage

- A.** Outdoor storage in conjunction with a towing service requires an Administrative Approval subject to the following standards:
 - 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.
- B.** 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.