# City of Eastvale Zoning Code

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# City of Eastvale
# Zoning Code

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# Chapter 1

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## Administration and Procedures

This chapter establishes administrative elements of the Zoning Code, as follows:

- Purpose and authority of the code as the key land use implementation tool.
- The procedures for land use entitlement applications.
- How to appeal decisions, amend the Zoning Code, handle nonconforming land uses and structures, and enforce Zoning Code provisions.
- Review and approve responsibilities that are assigned to the Planning Director.

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# Section 1.1 Zoning Code Purpose and Scope

## A. Intent

The intent of this Zoning Code or code is to set forth and coordinate city regulations governing the development and use of land in accordance with the city goals and policies. This code is specifically intended to do the following:

1. Facilitate prompt review of development proposals and provide for public information, review, and comment on development proposals that may have a significant impact on the community.
2. Create a comprehensive and consistent pattern of land uses to help ensure the provision of adequate water, sewerage, transportation, drainage, parks, open space, and public facilities.
3. Create a complete multimodal transportation network that promotes pedestrian-oriented development, safe and effective traffic circulation, and adequate facilities for all transportation modes (e.g., walking, bicycling, driving, and using transit).
4. Ensure compatibility between residential and nonresidential development and facilitate the development of compatible mixed-use developments.

## B. Scope of Regulations

The scope of regulations under this Zoning Code applies to all privately held property within the City of Eastvale and does not apply to federal-, state- or city-owned property.

1. **Conflicting regulations.** If any section of this code is in conflict with any other section thereof, or any other city ordinance, then the more stringent requirements shall apply.
2. **Private projects.** All land, buildings, and structures in the city shall be used only as hereinafter provided:
    a. No land, building, or structure shall be used, constructed, altered or maintained except in conformance with the provisions of this code.
    b. No use that requires a permit or approval of any kind under the provisions of this code shall be established or operated until the permit or approval is finally granted and all required conditions of the permit or approval have been completed to satisfaction of the Planning Director.
    c. No use that requires a permit or approval of any kind under the provisions of this code shall be established or operated in violation of, or contrary to, any of the terms and conditions of the granted permit or approval.
    d. The term "private project" shall include those projects of local agencies which are subject to city regulation under Government Code Sections 53090 to 53095, and shall also include any project proposed to be established or operated on government lands if the project is not primarily for a governmental purpose unless the government agency involved has exclusive jurisdiction or the field of regulation has been preempted by law.

3. **Public projects.** No federal, state, county or city governmental project shall be subject to the provisions of this code, including such projects operated by any combination of these agencies or by a private person for the benefit of any such government agency, unless the agency provides by contract or otherwise that the project shall be constructed or operated in compliance with any or all provisions of this code.

## C. City to be Held Harmless

Any person who obtains, or files an application to obtain, a permit or approval of any kind under the provisions of this code shall hold the City, its officers, employees and agents harmless from any liability or claim of liability, including any claims of the applicant, arising out of the issuance of the permit or approval, or the denial thereof, or arising out of any action by any person seeking to have a granted permit or approval held void by a court of law.

## Section 1.2 Planning Agency

The planning agency for City of Eastvale shall consist of the City Council, the Planning Commission, and the Planning Department. The planning agency shall perform all functions required by state law and this code.

### A. City Council

The City Council shall perform the duties and functions specified by state law and this code including, but not limited to, the duties related to legislative matters and the duties related to the appeal of quasi-judicial matters. The City Council shall also perform those planning and zoning duties and functions which are not expressly delegated or reserved to another body or officer.

### B. Planning Commission

The Planning Commission shall perform those planning and zoning duties specified by state law or code including, but not limited to, the duties related to legislative matters and the duties related to quasi-judicial matters and appeals thereof.

### C. Planning Director

The Planning Department under the direction of the Planning Director shall provide technical and clerical assistance to the Planning Commission and shall perform functions related to planning, zoning, and land divisions as may be required by state law, ordinance or order of the City Council. The Planning Director has the authority to make certain decisions on land use permits and entitlements as identified in this code.

# Section 1.3 Application Processing Procedures

## A. Pre-Application Review

A pre-application conference is available to acquaint applicants with the requirements of this code, the general plan, and other relevant criteria. To schedule a pre-application conference, the applicant shall submit a request and provide submittal requirements identified by the Planning Department in the application materials. The Planning Director shall schedule the pre-application conference with planning staff or with a project review team composed of department and/or agency representatives.

## B. Submittal Requirements

1. Applications for consideration of permits shall be made to the Planning Director on the forms provided by the Planning Department, shall be accompanied by the required filing fee, and shall include such information and documents as may be required by the Planning Director.
2. The following information shall be filed in conjunction with any Zoning Code amendment application related to single-family projects:
    a. If the application is intended to implement an adopted specific plan of land use, a statement shall be filed specifying how the specific plan is being implemented through the project.
    b. A comprehensive site plan, conceptual grading plan and tentative subdivision map, based upon application requirements specified by the Planning Director.

## C. Determination of Completeness Application

1. **Application Completeness Determination**. Within thirty (30) days of application submittal, the Planning Director shall determine whether or not the application is deemed complete. The applicant shall be notified in writing of the determination that either:
    a. All the submittal requirements have been satisfied and the application has been accepted as complete; or
    b. Specific information is still required to complete the application. The letter may also identify the preliminary information where plans may not be in compliance with City standards and requirements. The applicant may appeal the determination.
2. **Incomplete Application**. If additional information or submittals are required and the application is not made complete within six (6) months of the completeness determination letter, the application shall be deemed by the City to have been withdrawn, and no further action shall be taken. If the applicant subsequently wishes to pursue the project, a new application, including fees, plans, exhibits, and other materials, must then be filed in compliance with this chapter.

## D. Application Review

After acceptance of an application, the project deemed complete shall be reviewed in accordance with the environmental review procedures of the California Environmental Quality Act (CEQA). The Planning Director will consult with other departments as appropriate to ensure compliance with all provisions of the City's Municipal Code and other adopted plans and policies. The Planning Director will prepare a report to the designated approving authority describing the project, along with a recommendation to approve, conditionally approve, or deny the application.

## E. Public Hearing

If a public hearing is required, the notice of time, date and place of the hearing, the identity of the hearing body, and a general description of the location of the real property, which is the subject of the public hearing, shall be given at least ten (10) days prior to the public hearing by procedures established by the City.

# Section 1.4 Appeals

## A. Appeal of Planning Director Decisions

Any discretionary decision of the Planning Director may be appealed to the Planning Commission within ten (10) calendar days after the date of the decision. An appeal shall be in writing and submitted to the city clerk in the form provided by the Planning Department, which shall be accompanied by the required filing fee. The Planning Commission shall render its decision within thirty days (30) following the close of the hearing on the appeal.

## B. Appeal of Planning Commission Decisions

Any decision of the Planning Commission may be appealed within ten (10) calendar days after the date of the Planning Commission's decision to the City Council. The appeal shall be submitted in writing to the city clerk on the forms provided by the City, which shall be accompanied by the required fee. Upon receipt of a completed appeal, the city clerk shall set the matter for hearing before the City Council not less than five (5) days or more than thirty (30) days thereafter and shall give written notice of the hearing to the appellant, the applicant and the Planning Director. The City Council shall render its decision within thirty (30) days following the close of the hearing on the appeal.

# Section 1.5 Zoning Code Administrator

The Planning Director is the designated Zoning Code administrator for the City of Eastvale and has the authority to interpret and enforce code provisions. The director can also make determinations related to planning permits and entitlements as indicated by this code. The purpose of this section is to describe these determinations.

## A. Official Zoning Interpretation

1. **Applicability and Authority to Prepare.** Whenever the Planning Director determines that an ambiguity exists in how a particular zoning regulation applies, or a formal request for an interpretation is made by an applicant, property owner, or interested party, the Planning Director shall prepare an official zoning interpretation as described herein.
2. **Official Zoning Interpretation Defined – Threshold for Preparation of Official Zoning Interpretation.** An official zoning interpretation is a recorded decision on the meaning and/or application of the development standards, allowed use regulations, or other standards contained within the Eastvale Zoning Code. An official zoning interpretation is only prepared to address an ambiguity and is not prepared as part of the normal application of the code in review of development applications and Zoning Clearance.
3. **Content of Official Zoning Interpretation.** Official zoning interpretations shall be prepared by the Planning Director, in writing, and shall cite the provisions being interpreted, together with any explanation of the meaning or applicability of the provision(s) in the particular or general circumstances that caused the need for the interpretation. A copy of the official zoning interpretation shall be provided by the Planning Director to the City Manager, City Attorney, City Council, and to the applicant, property owner, or interested party requesting the interpretation.
4. **Appeal.** The decision by the Planning Director on official zoning interpretations may be appealed to the Planning Commission pursuant to Section 1.4.A.
5. **Keeping of Official Zoning Interpretations.** The Planning Director shall maintain a complete record of all official interpretations available for public review, indexed by the chapter number of this code that is the subject of the interpretation.
6. **Codification of Official Zoning Interpretations.** To the extent practical, official zoning interpretations will be incorporated into this code by amendment periodically.

## B. Amendments to Projects

1. Unless considered a minor amendment (see 2 below), all amendments to previously approved entitlements require the submittal of a new land use application and are subject to the zoning regulations currently in place.
2. **The following types of minor amendments to projects are permitted without a new application**. Limited minor amendments to previously approved entitlements may be approved by the Planning Director, as follows:
    a. Floor plan changes which do not result in more than a 10 percent or 5,000-square-foot change in total square footage, whichever is less;
    b. Parking and circulation configurations which do not change the basic parking areas or circulation concept;

c. Outside building configurations which do not create a greater bulk or scale, or significantly alter window or door placement;

d. Building placements which do not change the general location of the building and layout of the site;

e. Grading alterations which do not change the basic concept, increase slopes or building elevations, or change course of drainage, which could adversely affect adjacent or surrounding properties;

f. Landscape modifications which do not alter the general concept or reduce the effect or amount originally intended;

g. Architectural changes which do not change the basic form and theme;

h. Exterior material or color changes which do not conflict with the original architectural form and theme, and which are consistent and compatible with the original materials and colors.

3. **Consistency with Original Approval**. In addition to the above guidelines, the Planning Director must determine that the circumstances, standards, ordinances, conditions, and findings applicable at the time of the original approval still remain valid.

4. **Referral**. The Planning Director may refer any minor amendments or modifications to the Planning Commission or City Council (depending on the approval authority for the original approval) for recommendations prior to his final decision.

5. **Location in Airport Influence Area.** In the event that the project site is within the Chino Airport Influence Area, the Planning Director shall make the following findings:

   a. If the minor amendment increases the total square footage of any structure or use, the Planning Director must find that the change will not result in an intensity level that exceeds the allowable limits pursuant to the compatibility criteria identified in the most recently adopted version of the Airport Land Use Compatibility Plan;

   b. If the minor amendment changes the parking and circulation configurations or modifies landscaping plans, the Planning Director must find that the change will not reduce the open area on the site, pursuant to the most recently adopted version of the Airport Land Use Compatibility Plan;

   c. If the minor amendment changes building placement, the Planning Director must make the finding required in (a) and (b) above;

   d. If the grading alterations would result in an increase in the elevations above mean sea level at the highest point of any building or structure, the Planning Director must find that the increase would not require a revision to any letters issued by the Federal Aviation Administrator.

## C. Zoning Clearance

1. **Purpose.** The purpose of the Zoning Clearance process is to ensure that all new and modified uses and structures comply with applicable provisions of this code, using administrative procedures.
2. **Applicability.** Zoning Clearance shall be conducted by the Planning Director as part of the building permit or other city application review. Zoning Clearance is required for the following actions:
   a. All structures that require a building permit;
   b. Signs;
   c. Business licenses;
   d. All planning entitlement and permit approvals to ensure compliance with applicable conditions of approval; and
   e. All other city applications that may be subject to the provisions of this code, including, but not limited to, tree removal, business license, encroachment, and grading and improvement plans.
3. **Application Contents.** No separate application form is necessary for Zoning Clearance.
4. **Approving Authority and Procedure.** The Planning Director shall be the designated approving authority for Zoning Clearance. The procedures shall be established by the Planning Director.
5. **Notice and Hearing**. Public notice and public hearing are not required for Zoning Clearance.
6. **Appeals.** Zoning Clearance is a ministerial decision by the Planning Director or his designee and is not subject to appeal.

## D. Reasonable Accommodation

1. **Purpose.** This section provides a procedure to request reasonable accommodation for persons with disabilities seeking equal access to housing under the Federal Fair Housing Act and the California Fair Employment and Housing Act (together, the acts) in the application of zoning laws and other land use regulations, policies, and procedures.
2. **Applicability**
   a. A request for reasonable accommodation may be made by any person with a disability, their representative, or any entity, when the application of a requirement of this Zoning Code or other city requirement, policy, or practice acts as a barrier to fair housing opportunities. A person with a disability is a person who has a physical or mental impairment that limits or substantially limits one or more major life activities, anyone who is regarded as having such impairment, or anyone who has a record of such impairment. This section is intended to apply to those persons who are defined as disabled under the acts.
   b. A request for reasonable accommodation may include a modification or exception to the rules, standards, and practices for the siting, development, and use of housing or housing-related facilities that would eliminate regulatory barriers and provide a person with a disability equal opportunity to housing of their choice.
   c. A reasonable accommodation is granted to the household that needs the accommodation and does not apply to successors in interest to the site.

d. A reasonable accommodation may be granted in compliance with this section without the need for the approval of a variance.

3. **Procedure**

a. **Application.** A request for reasonable accommodation shall be submitted on an application form provided by the Planning Department or in the form of a letter to the Planning Director, and shall contain the following information:

1) The applicant's name, address, and telephone number;

2) Address of the property for which the request is being made;

3) The current actual use of the property;

4) The basis for the claim that the individual is considered disabled under the acts;

5) The Zoning Code provision, regulation, or policy from which reasonable accommodation is being requested; and

6) Why the reasonable accommodation is necessary to make the specific property accessible to the individual.

b. **Review with Other Land Use Applications.** If the project for which the request for reasonable accommodation is being made also requires some other discretionary approval (including conditional use permit, development review, etc.), then the applicant shall file the information required by subsection "Application" above together for concurrent review with the application for discretionary approval.

4. **Review Authority**

a. **Director.** A request for reasonable accommodation shall be reviewed by the director if no approval is sought other than the request for reasonable accommodation.

b. **Other review authority.** A request for reasonable accommodation submitted for concurrent review with another discretionary land use application shall be reviewed by the authority reviewing the discretionary land use application.

5. **Review**

a. **Director review.** The director shall make a written determination within forty-five (45) days of the application being deemed complete and either grant, grant with modifications, or deny a request for reasonable accommodation.

b. **Other review authority.** The written determination on whether to grant or deny the request for reasonable accommodation shall be made by the authority responsible for reviewing the discretionary land use application in compliance with the applicable review procedure for the discretionary review.

6. **Approval Findings.** The written decision to grant or deny a request for reasonable accommodation will be consistent with the acts and shall be based on consideration of the following factors:

a. Whether the housing in the request will be used by an individual considered disabled under the acts;

b. Whether the request for reasonable accommodation is necessary to make specific housing available to an individual considered disabled under the acts;

c. Whether the requested reasonable accommodation would impose an undue financial or administrative burden on the city;

d. Whether the requested reasonable accommodation would require a fundamental alteration in the nature of a city program or law, including but not limited to land use and zoning;

e. Potential impact on surrounding uses;

f. Physical attributes of the property and structures; and

g. Other reasonable accommodations that may provide an equivalent level of benefit.

7. **Conditions of Approval.** In granting a request for reasonable accommodation, the review authority may impose any conditions of approval deemed reasonable and necessary to ensure that the reasonable accommodation would comply with the findings. The conditions shall also state whether the accommodation granted shall be removed in the event that the person for whom the accommodation was requested no longer resides on the site.

## E. Crowing Fowl Permit

Whenever a request is made to increase the permitted numbers of mature crowing fowl where permitted according to the permitted use matrix in Chapter 3 (see **Table 3.2-1**). See Chapter 4 for development standards related to poultry.

Where permitted, the following provisions shall take effect:

1. **Application.** Every application for a crowing fowl permit shall be made in writing to the Planning Director on forms provided by the Planning Department, and shall be accompanied by the required filing fee.

2. **Hearing and Notice of Decision.** Upon acceptance of an application as complete, the Planning Department shall transmit a copy of the application to the Environmental Health Department and Animal Control Services and Licensing Division of the Health Services Agency for review and comment.

   a. Not less than thirty (30) days after an application is received as complete, the Planning Director or designee shall schedule the time and date on which the director's decision on the application is to be made. Not less than ten (10) days prior to the date on which the decision is to be made, the Planning Director shall give notice of the proposed use by mail or delivery to all owners shown on the last equalized assessment roll and any updates as owning real property within a 600-foot radius of the exterior boundaries of the proposed project.

      Notice of the proposed use shall also be given by publication in a newspaper of general circulation. No public hearing on the application shall be held before a decision is made unless a hearing is requested in writing by the applicant or other interested person, or if the Planning Director determines that a public hearing should be required. The Planning Director shall give notice of the decision to the applicant and to any other person who requests notice of the decision.

   b. If a hearing is requested, it shall be held per the requirements of this Code.

3. **Development Standards.** A crowing fowl permit shall only be approved if it complies with the following standards:
   a. The lot is zoned for the keeping of crowing fowl as a permitted use and subject to the restrictions of the zone.
   b. The crowing fowl shall be kept in an enclosed area located not less than twenty (20) feet from any property line and not less than fifty (50) feet from any residence, and shall be maintained on the rear portion of the lot in conjunction with a residential use. To mitigate potential noise and to avoid the creation of a public nuisance due to noise, the enclosed area shall be constructed and the crowing fowl shall be maintained as follows:
      1) The crowing fowl shall be kept in a solid walled enclosure with a solid roof attached to all perimeter walls of the enclosure.
      2) Crowing fowl shall be confined inside the walled and roofed enclosure between the hours of 8:00 p.m. and 6:00 a.m. each day.
      3) The walled and roofed enclosure shall be completely screened, except for its entry, by landscaping, including trees and shrubbery.
   c. All of the development standards of the zone in which the crowing fowl permit site is located shall be applicable to the permit.
   d. Findings are made by the Planning Director that there is no adverse impact on public health, safety, or welfare.
4. **Conditions.** Any crowing fowl permit granted shall be subject to such conditions as are necessary to protect the health, safety, and general welfare of the public. In addition, a permit shall be subject to the following conditions:
   a. In general, the life of the permit shall be unlimited provided the applicant continues to reside at and is the owner of the premises involved and the permit is being used in compliance with the provisions of this code, as well as any conditions of approval imposed in connection with the permit, and that all construction permits and inspections which may be required have been obtained. However, if the Planning Director finds that there is sufficient reason to limit the life of the permit, such as neighborhood concern, such limitation may be established by addition of condition of approval. Noncompliance with the conditions of approval and/or construction permits may result in the revocation of the permit.
   b. The lot is zoned for the keeping or raising of crowing fowl as a permitted use and subject to the restrictions of the zone.
   c. The keeping of crowing fowl is for the use of the occupants of the premises only.
5. **Appeal.** An applicant or any interested person may appeal the decision to the Planning Commission.

## F. Large Family Day Care Home Permits

Wherever an application for a large family day care home permit is submitted, the following provisions shall apply. For purposes of this code, a large family day care home means a home which provides family day care for no fewer than seven (7) and no more than fourteen (14) children, including children under the age of 10 who reside at the home.

1. **State Preemption.** Pursuant to section 1597.40 of the California Health and Safety Code, the legislature has declared that it is the public policy of the State of California to situate family day care homes for children in normal residential surroundings so as to provide children the same environment as would be found in a traditional home. The legislature has further declared that this policy is a matter of statewide concern and that the state occupies the field and prohibits any local restrictions relating to the use of single-family residences for family day care homes, except as specifically provided.
2. **Requirement for Permit.** In accordance with the above-referenced policy, the legislature has enacted section 1597.46 of the Health and Safety Code which provides that cities and counties shall not prohibit large family day care homes on lots zoned for single-family dwellings, but may require an applicant for a large family day care home to apply for a nondiscretionary permit. Section 1597.46 further provides that cities and counties shall grant the permit if certain specified standards, restrictions and requirements are met.
3. **Permit Procedure**
   a. **Application.** Every application for a large family day care home permit shall be made in writing to the Planning Department on the forms provided by the Planning Department and shall be accompanied by materials required by the Planning Director.
   b. **Issuance/Denial.** The Planning Director shall, within forty-five (45) days of the filing of a complete permit application, approve a large family day care home permit if the approval standards of this code have been met; otherwise, the permit shall be denied.
4. **Development Standards.** No application for a large family day care home permit shall be approved unless it complies with the following standards:
   a. The applicant shall provide to the city, at the time of application, a copy of a valid state license to operate a large family day care home.
   b. The site on which the proposed large family day care home is situated is zoned for residential uses.
   c. The site on which the proposed large family day care home is situated shall provide at least two off-street parking spaces, no more than one of which may be provided in a garage or carport. These parking spaces may include spaces provided to meet residential parking requirements.
   d. The unloading and loading of vehicle occupants shall only be permitted on the driveway, approved parking area, or directly in front of the site and shall not obstruct traffic flow. Residences located on arterial streets shall provide a drop-off and pickup area designed to prevent vehicles from backing into the roadway.
   e. The applicant shall comply with all applicable State Fire Marshall regulations.

f. The site shall not be located within 300 feet of any other large family day care home, measured property line to property line. Certain exceptions, in the form of legitimate barriers and buffers, such as a highway or arterial roadway, that would provide comparable separation, may be allowed as determined by the Planning Director.

g. For sites located less than 300 feet from any other large family day care home, measured property line to property line, approval of a Conditional Use Permit by the Planning Commission is required.

h. If the site has a swimming pool or spa, the pool or spa shall meet all current code regulations for fencing, gate latches, and alarms.

i. Not more than fourteen (14) children, including children under age 10 who reside at the home, may be cared for at any large family day care home, and not more than one family day care home shall be located on any single parcel.

j. An on-site identification sign may be permitted in accordance with the provisions of city sign requirements of this code or may be approved with the large family day care permit if submitted concurrently.

k. If the applicant fails to obtain a valid state license as required under subsection 4.a, the permit may be subject to revocation in accordance with the provisions of this code.

l. If the applicant fails to comply with any requirement of this section or, if the applicant ceases or suspends operation of the large family day care home for a continuous period of one (1) year or more, the permit may be subject to revocation in accordance with the provisions of this code.

## G. Temporary Event and Permits

1. **Purpose**. The purpose of this section is to ensure that the sponsors of temporary events obtain all required permits and approvals from the City and other agencies to ensure the safety of the public attending the events.

2. **Temporary Event Permit and Compliance with All City and Outside Agency Permits Is Required.** All temporary events shall obtain a temporary event permit from the City at least seven (7) calendar days before the event, and shall comply before, during, and after the event with all requirements, conditions, etc., which may be imposed by the City and/or outside agencies.

   City departments and other public agencies to be consulted include:

   a. City of Eastvale Building & Safety Department

   b. City of Eastvale Public Works Department

   c. City of Eastvale City Manager's Office

   d. Riverside County Fire Department

   e. City of Eastvale Police Department

   f. Riverside County Department of Environmental Health

   Coordination with these agencies will be facilitated and verified by the City, as described in subsection 6, below.

*Note: A temporary use permit is required for some types of commercially oriented temporary activities that are not considered temporary events. Please see Section 5.11 of this Code.*

*3.* **Application for a Temporary Event Permit.** The temporary event sponsor shall submit an application for a temporary event permit to the City with sufficient information for review by the City and other agencies not less than forty-five (45) days prior to the start of the temporary event.

*4.* **Temporary Events Defined.** Temporary events are generally one-time events, including annual or recurring events. Examples include fairs; carnivals; rodeos; shows; walking, running, and/or bicycling events and races; parades, and tent revival meetings.

*5.* **Prohibited Temporary Events.** Any temporary event that invites members of the public into or on a temporary structure on residential property by any person is prohibited. For the purposes of this section, "temporary structure" is any enclosed or unenclosed structure requiring assembly of materials or parts and erected for a period not to exceed forty-five (45) consecutive days. This definition excludes tables, chairs, umbrellas, or inflatable objects.

6. **Verification of Compliance with City and Agency Requirements**. Unless a temporary event is exempt as defined below, the Planning Department shall verify either that:

   a. The event does not require a review or permit by the departments or agencies listed in subsection 2, above.

   b. Any required permits from the departments and agencies listed in section 1.5.G.2 have been obtained.

   Once coordination has been verified by the Planning Department, a temporary event permit will be issued, and the temporary event may proceed.

7. Exempt **Temporary Events.** The following are exempt from the requirements of this section, unless they require approval or permits from any of the departments or agencies listed in subsection 2, above:

   a. Temporary facilities to accommodate emergency public health and safety needs and activities.

   b. Noncommercial events conducted at private homes (weddings, parties, etc.), which do not involve the construction of temporary structures in the front yard.

   c. Yard or garage sales, or holiday displays.

   d. Promotional events and grand opening celebrations in established commercial shopping centers that do not interfere with vehicular traffic on public or private streets and driveways, do not disrupt the proper functioning of parking areas, do not involve the outdoor sale of goods and merchandise, and do not exceed two (2) days in duration.

   e. Uses or events which are consistent with the clearly intended use of the facility (e.g., sporting events in a stadium or a play in a theater), as determined by the Planning Director.

   Note: While exempt from the requirements of this chapter, these temporary events must comply with all applicable City, County, and other requirements.

8. **Temporary Event Standards.** Temporary events must comply with the following standards:

a. All parking spaces for patrons and guests shall be provided on-site where the activity is taking place. On-street or off-site parking may be used in lieu of on-site parking if approved by the City.

b. Vehicular access to the event site shall not create traffic conflicts or congestion on city streets during the operation of the event.

c. Noise created by the event shall not exceed the levels outlined in the City of Eastvale Noise Ordinance.

d. The concentration or placement of persons, animals, structures, or vehicles shall not interfere with emergency access.

e. Temporary events shall be limited to 3 (three) days in length.

9. **Limitation.** The City may limit the number of temporary events at a location.

10. **Bond and Insurance.** Bonding or insurance may be required to be in place in advance of a temporary event, as follows:

    a. The City may require a sponsor of a temporary event to post a bond or to otherwise financially secure that the event location is restored to its original condition and that the City is fully reimbursed for any unanticipated law enforcement or emergency medical expenses. The City shall determine the amount of the bond or other security, and the event sponsor shall post it with the permitting authority.

    b. The City may require that the sponsor of a temporary event show proof of liability insurance naming the City as an additional insured.

*11.* **Enforcement**. The City may require the immediate closure of any nonexempt event that is operating without a temporary event permit or is not in compliance with any requirements, conditions, etc., which have been imposed by the City or any agency.

## H. Sign Permit

1. **Purpose.** No person shall erect, use, or maintain signs in the incorporated area of the city, except in accordance with the following provisions. The changing of an advertising message or customary maintenance of legally existing signs shall not require a permit pursuant to this section. All signs shall be constructed, used, and maintained in accordance with Section 5.7 (Signs).

2. Permit Procedure

    a. **Application.** In addition to all other applicable federal, state, and local laws, rules, regulations, and ordinances, no permanent or temporary signs shall be placed, erected, used or maintained until a sign permit or a temporary sign permit has been issued by the Planning Director on the form provided by the Planning Department accompanied by the required filing fee. The contents of the application shall be determined by the Planning Director.

    b. **Standards.** Sign permit applications shall be reviewed for compliance with Section 5.7 (Signs).

# Section 1.6 Nonconforming Structures and Uses

## A. Purpose and Intent

1. This section provides regulations for nonconforming land uses, structures, and parcels that were lawful before the adoption or amendment of this Zoning Code, but which would be prohibited, regulated, or restricted differently under the current terms of this code or future amendments.
2. It is the intent of this section to discourage the long-term continuance of nonconformities that have the potential to create nuisance or other incompatibility issues, and provide for their eventual elimination while allowing them to exist under the limited conditions outlined in this code.

## B. Restrictions on Nonconforming Uses and Structures

1. **Nonconforming Uses of Land.** A nonconforming use of land may be continued, transferred, or sold, provided that the use shall not be enlarged, intensified, nor extended to occupy a greater area than it lawfully occupied before becoming nonconforming.
2. **Nonconforming Structures.** A nonconforming structure may continue to be used as follows:
    a. **Changes to or Expansion of a Structure.** Changes to a nonconforming structure by addition, enlargement, extension, reconstruction, or relocation may be allowed if the changes conform to applicable provisions of this code.
    b. **Maintenance and Repair.** A nonconforming structure may be maintained and repaired.
    c. **Remodels.** Minor interior remodels (less than 25 percent of total square footage) may be completed. Remodels beyond 25 percent require conversion of the use to conforming status.
    d. **Other Modifications Allowed.** The enlargement, extension, reconstruction, or structural alteration of a nonconforming structure to improve safety, reduce fire hazard and/or to improve the appearance of the structure may be allowed with minor development review approval.

## C. Loss of Nonconforming Status

1. **Termination by Discontinuance**.
    a. If a nonconforming use of land or a nonconforming use of a conforming structure is discontinued for a continuous period of one (1) year or more, rights to legal nonconforming status shall terminate.
    b. The Planning Director shall base a determination of discontinuance on evidence including the removal of equipment, furniture, machinery, structures, or other components of the nonconforming use, disconnected or discontinued utilities, or no business records to document continued operation.
    c. Without further action by the city, any further use of the site or structure shall comply with all of the regulations of the applicable zoning district and all other applicable provisions of this code.

2. **Termination by Destruction**. Nonconforming status shall terminate if a nonconforming structure, or a conforming structure occupied by a nonconforming use, is involuntarily damaged or destroyed, provided that the structure may be repaired or rebuilt and reoccupied as follows:

   a. An involuntarily damaged or destroyed structure may be repaired or replaced with a new structure, except for industrial uses in an agricultural or residential zone, with the same footprint, height, and number of dwelling units, in compliance with current building and fire code requirements if the restoration is started within one (1) year of the date of damage and is diligently pursued to completion.

   b. Conditional use permit approval shall be required prior to restoring or reconstructing a structure for an industrial use in an agricultural or residential zone if the cost of repairing or replacing the damaged portion of the structure is more than 50 percent of the assessed value of the structure immediately before damage. Conditional use permit approval shall require a finding, in addition to those contained in this code, that the benefit to the public health, safety or welfare exceeds the detriment inherent in the restoration and continuance of nonconformity.

   c. A nonconforming mobile home may be replaced with a new or newer and larger mobile home placed in the same location as the former unit, subject to applicable provisions of this code.

## D. Nonconforming Parcels

1. **Legal Building Site.** A nonconforming parcel that does not comply with the applicable area or width requirements of this code shall be considered a legal building site if it meets at least one (1) of the following criteria, as documented to the satisfaction of the director by evidence furnished by the applicant:

   a. **Approved Subdivision.** The parcel was created by a recorded subdivision;

   b. **Individual Parcel Legally Created by Deed.** The parcel is under one (1) ownership and of record, and was legally created by a recorded deed before the effective date of the zoning amendment that made the parcel nonconforming;

   c. **Variance or Lot Line Adjustment.** The parcel was approved through the variance procedure or resulted from a lot line adjustment; or

   d. **Partial Government Acquisition.** The parcel was created in compliance with the provisions of this code, but was made nonconforming when a portion was acquired by a governmental entity so that the parcel size is decreased not more than 20 percent and the yard facing a public right-of-way was decreased not more than 50 percent.

2. **Subdivision of a Nonconforming Parcel.** No subdivision shall be approved that would increase the nonconformity of an existing parcel or any nonconforming use on the parcel.

## E. Nonconforming Due to Lack of Conditional Use Permit

1. **Conformity of Uses Requiring Conditional Use Permits**. A use lawfully existing without a conditional use permit that would be required by this code to have conditional use permit approval shall be deemed conforming only to the extent that it previously existed (e.g., maintain the same site area boundaries, hours of operation, etc.).
2. **Previous Conditional Use Permits in Effect.** A use that was authorized by a conditional use permit but is not allowed by this code in its current location may continue, but only in compliance with the original conditional use permit.

# Section 1.7 Zoning Code and Map Amendments

## A. Purpose

The purpose of a zoning amendment is to allow modification to any provisions of this code (including the adoption of new regulations or deletion of existing regulations) or to change the zoning designation on any parcel(s). This section is consistent with Section 65853 of the California Government Code.

## B. Approving Authority

The designated approving authority for zoning amendments is the City Council. The Planning Director and Planning Commission provide recommendations and the City Council approves, conditionally approves, or denies the zoning amendment in accordance with the requirements of this code.

## C. Initiation of Amendment

A zoning amendment to this code may be initiated by motion of the Planning Commission or City Council, by application by property owner(s) of parcel(s) to be affected by zoning amendment, or by recommendation of the Planning Director to clarify text, address changes mandated by state law, maintain General Plan consistency, address boundary adjustments affecting land use designation(s), or for any other reason beneficial to the city.

## D. Airport Land Use Commission Referral

Zoning amendments affecting land within the Chino Airport influence Area (including Citywide amendments) are subject to official review by the Airport Land Use Commission.

## E. Findings for Zoning Amendment

Zoning amendments shall be granted only when the City Council finds that the changes are consistent with the General Plan goals, policies, and implementation programs.

Additionally, if the amendment affects land within the Chino Airport Influence Area, The City Council must make an additional finding that the amendment is consistent with the most recent adopted version of the Chino Airport land Use Compatibility Plan.

## F. Conditions/Restrictions

When considering rezone applications, the City Council has the authority to impose restrictions on property including the restriction of use.

# Section 1.8 Enforcement

## A. Enforcement

The Planning Department, City Attorney, Planning Director and all city officials charged with the issuance of licenses and permits shall enforce the provisions of this code.

## B. Procedure, Remedies and Penalties

The procedures, remedies, and penalties for violation of this code and for recovery of costs related to enforcement are provided for in the City of Eastvale Municipal Code.

# Section 1.9 Revocation

## A. Revocation and Modification

A permit or entitlement may be revoked or modified for cause based on the following:

1. The original approving authority may, after a public hearing held in the manner prescribed in this code governing variances, conditional use permits or other land use entitlement, revoke or modify on any one (1) or more of the following grounds any conditional use permit, variance or other land use entitlement previously issued:
    a. That the approval was obtained by fraud.
    b. That the use for which such approval was granted is not being exercised.
    c. That the use for which such approval was granted has ceased to exist or has been suspended for one (1) year or more.
    d. That the conditional use permit, variance or other entitlement is being, or recently has been, exercised contrary to the terms or conditions of such approval or in violation of any statute, provision of this code, ordinance, law or regulation.
    e. That the use for which the approval was granted was so exercised as to be detrimental to the public health or safety, or so as to constitute a nuisance.
2. **Revocation hearing**. In its discretion, the designated approving authority may modify or delete the conditions of approval or add new conditions of approval in lieu of revoking a permit in order to address issues raised by the revocation hearing.

# Chapter 2

January 2014

## Land Use Permits and Entitlements

This chapter establishes the procedures for administering certain planning and zoning-related permits and entitlements.

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# Section 2.1 Development Review

## A. Purpose

Development Review provides a method for the City to review development proposals based on size, site characteristics and type of project. The following types of review apply:

1. Minor Amendments, as specified in Section 1.5.B in Chapter 1.
2. Zoning Clearance, as specified in Section 1.5.C in Chapter 1.
3. Minor Development Review, as specified in B. below.
4. Major Development Review, as specified in C. below.

## B. Minor Development Review

1. **Purpose and Intent.** The intent of this section is to provide a process to consider minor site plan or architectural changes related to new or existing buildings.
2. **Requirements.** Minor Development Review permit is required for the following items:
   a. Master home plans for single-family residential subdivisions;
   b. New construction of a multifamily residential building or structure with fewer than twenty (20) units;
   c. New construction of a nonresidential building or structure of less than five thousand (5,000) square feet (e.g., commercial, office, industrial, public/quasi-public);
   d. Additions of more than one thousand (1,000) square feet and less than five thousand (5,000) square feet to any building or structure or nonresidential buildings or structures;
   e. The exterior remodel of multifamily residential buildings or structures or nonresidential buildings or structures;
   f. Permanent outdoor storage and service uses;
   g. Permanent and seasonal outdoor seating; and
   h. Other items identified in this code.
3. **Exemptions.** The following structures are exempt from Minor Development Review. However, such structures may require Zoning Clearance, such as a ministerial building permit, to ensure compliance with adopted Building Code standards and applicable Zoning Code provisions:
   a. Single-family custom homes;
   b. Additions to or the exterior remodels of single-family residential homes;
   c. Additions of less than one thousand (1,000) square feet in size to buildings or structures;
   d. Accessory structures consistent with the provisions in this Code;
   e. Repairs and maintenance to the site or structure that do not add to, enlarge, or expand the area occupied by the land use, or the floor area of the structure and that employ the same materials and design as the original construction; and
   f. Interior alterations that do not change the permitted use of the structure.

4. **Approving Authority.** The Planning Director shall be the designated approving authority for Minor Development Review. Minor Development Review approval is required prior to issuance of any ministerial building permits or site improvement plans and prior to or in conjunction with discretionary action on any development applications (e.g., Conditional Use Permit, Variance, etc.).
5. **Planning Director–Elevation to Planning Commission.** The Planning Director may elevate a Minor Development Review permit to the Planning Commission for review and consideration. In such instances, the permit request shall become a Major Development Review.
6. **Procedure for Application Processing.** The procedures for Application Processing shall be as provided in Section 1.3 of this code.
7. **Findings.** Approval of a Minor Development Review may be made only when the designated approving authority makes all of the following findings in writing:
    a. The proposed project is consistent with the General Plan, and complies with applicable zoning regulations, specific plan provisions, and other applicable provisions adopted by the City;
    b. The proposed architecture, site design, and landscape are suitable for the purposes of the building and the site and will enhance the character of the neighborhood and community;
    c. The architecture, including the character, scale and quality of the design, relationship with the site and other buildings, building materials, colors, screening of exterior appurtenances, exterior lighting and signing and similar elements, establishes a clear design concept and is compatible with the character of buildings on adjoining and nearby properties;
    d. The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation.
    e. If the project is located within the Chino Airport influence Area, the proposed project is consistent with the most recently adopted version of the Chino Airport Land Use Compatibility Plan.
8. **Appeals.** Appeals per Chapter 1.4 of this code.

## C. Major Development Review

1. **Purpose and Intent.** The purpose of this section is to provide a process for the review of development projects within the community. The provisions are intended to promote the orderly and harmonious growth of the city; to encourage development in keeping with the desired character of the city; to ensure physical, visual, and functional compatibility between uses; and to help prevent the depreciation of land values by ensuring proper attention is given to site and architectural design.
2. **Requirements.** A Major Development Review permit is required for the following types of projects:
    a. Single-family residential subdivision maps (more than five (5) lots);
    b. New construction of a multifamily residential building or structure with twenty (20) or more units;
    c. New construction of a nonresidential building or structure of five thousand (5,000) square feet or more (e.g., commercial, office, industrial, public/quasi-public);

d. Additions of five thousand (5,000) square feet or more to any building or structure;

e. Other items identified in this code.

3. **Exemptions.** Anything subject to Minor Development Review or exempt from Minor Development Review is exempt from Major Development Review. Refer to Section 2.1.2.B.2. (Requirements) and 2.1.2.B.3. (Exemptions).

4. **Approving Authority.** The Planning Commission shall be the designated approving authority for Major Development Review. The Planning Commission shall approve, approve with conditions, or deny applications for Major Development Review after making the necessary findings. Major Development Review approval is required prior to issuance of any building permits or site improvement plans and prior to or in conjunction with discretionary action on corresponding development applications (e.g., Conditional Use Permit, Variance).

5. **Procedure for Application Processing.** The procedures for Application Processing shall be as provided in Section 1.3 of this Code.

6. **Findings.** Major Development Review shall be granted only when the designated approving authority makes all of the following findings in writing:

   a. The proposed project is consistent with the objectives of the General Plan, and complies with applicable zoning regulations, specific plan provisions, special planning area provisions, design guidelines, and improvement standards adopted by the City;

   b. The proposed architecture, site design, and landscape are suitable for the purposes of the building and the site and will enhance the character of the neighborhood and community;

   c. The architecture, including the character, scale and quality of the design, relationship with the site and other buildings, building materials, colors, screening of exterior appurtenances, exterior lighting and signing and similar elements, establishes a clear design concept and is compatible with the character of buildings on adjoining and nearby properties;

   d. The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation; and

   e. For residential subdivisions, the subdivision is well-integrated with the City's street network, creates unique neighborhood environments, reflects traditional architectural styles, and establishes a pedestrian-friendly environment.

   f. If the project is located within the Chino Airport Influence Area, the proposed project is consistent with the most recently adopted version of the Airport Land Use Compatibility Plan.

7. **Appeals.** Appeals per Chapter 1 of this code.

# Section 2.2 Conditional Use Permits

## A. Purpose and Applicability

The purpose of the Conditional Use Permit is for the individual review of uses, typically having unusual site development features or operating characteristics, to ensure compatibility with surrounding areas and uses. A Conditional Use Permit is required for all uses specifically identified as requiring a Conditional Use Permit in Chapter 3 (Zoning Districts Regulations), Chapter 4 (Standards Related to Specific Uses) and Chapter 5 (Development Standards) of this code.

## B. Approving Authority

The designated Approving Authority for a Conditional Use Permit is the Planning Commission. The Planning Director provides a recommendation and the Planning Commission approves, conditionally approves, or denies the Conditional Use Permit in accordance with the requirements of this code.

## C. Findings

Conditional Use Permits shall be granted only when the Planning Commission determines that the proposed use or activity complies with all of the following findings:

1. The proposed use is consistent with the General Plan and all applicable provisions of this code.
2. The establishment, maintenance or operation of the use applied for will not, under the circumstances of the particular case (location, size, design, and operating characteristics), be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood of such use, or the general welfare of the City.
3. If the project is located within the Chino Airport Influence Area, the proposed project is consistent with the most recently adopted version of the Airport Land Use Compatibility Plan.

## D. Conditions/Guarantees

The Planning Commission may impose conditions and/or require guarantees for the Conditional Use Permit to ensure compliance with this section and other applicable provisions of this code and to prevent adverse or detrimental impact to the surrounding neighborhood.

## E. Permit Issuance

The final action on the Conditional Use Permit by the Planning Commission shall constitute approval of the permit. Such permit shall only become valid after the designated ten-day appeal period (Section 1.4 (Appeals) has been completed.

# Section 2.3 Adjustments

## A. Intent

This section allows for adjustments to certain Zoning Code provisions to allow creative design solutions and to accommodate unique site conditions. Adjustments are not intended to convey special privileges to a property beyond what would be otherwise permitted within the zoning district and are only for minor deviations from the code. (See Section 2.4 (Variances) for more significant deviations from the code and Section 5.1 for Height Exceptions.)

While an adjustment allows for creative design, the Variance is reserved for limited circumstances where the property is severely constrained through dimension, topographical, or other site limitations (for comparison, see Variance in Section 2.4).

## B. Applicability

An adjustment may be granted to modify certain requirements of this Zoning Code, as listed in **Table 2.3-1**.

**Table 2.3-1: Standards Subject to Adjustment**

| Standard | Maximum Reduction or Increase |
|---|---|
| Parking or loading spaces–Number required | 10% |
| Setbacks (reduction) | 25% |
| Maximum lot coverage (increase) | 10% |
| Maximum height (increase) | 10% |

## C. Procedure

The Planning Director makes final determinations on adjustment applications. The Planning Director may choose to refer any adjustment application to the Planning Commission for hearing and decision.

## D. Findings for all Adjustment Requests

The review authority may approve an adjustment, with or without conditions, only after first making all of the following findings:

1. That the proposed development is of sufficient size and is designed so as to provide a desirable environment within its own boundaries.
2. The proposed development is compatible with existing and proposed land uses in the surrounding area.
3. That any exceptions to or deviations from the density, requirements or design standards result in the creation of project amenities that would not be available through strict adherence to code provisions (e.g., additional open space, protection of natural resources, improved pedestrian connectivity, public plazas, etc.).
4. Granting the adjustment will not adversely affect the interests of the public or the interests of residents and property owners in the vicinity of the premises in question.

5. The adjustment is consistent with the General Plan or any applicable Specific Plan or development agreement.
6. The adjustment is the minimum required.
7. If the project as adjusted is located within the Chino Airport Influence Area, the proposed adjustment is consistent with the most recently adopted version of the Airport Land Use Compatibility Plan.

## E. Conditions of Approval

In approving an adjustment, the review authority:

1. May impose conditions to ensure that the adjustment does not grant special privileges inconsistent with the limitations on other properties in the vicinity and zoning district in which the property is located.
2. May impose any reasonable conditions (e.g., the placement, height, nature, and extent of the use, buffers, landscaping and maintenance, off-site improvements, performance guarantees, screening, surfacing, hours of operation) to ensure that the approval complies with the findings required by this chapter.

# Section 2.4 Variances

## A. Intent

A Variance request allows the City to grant exceptions to the development standards of this code under unique and limited circumstances (see Section 5.1 for Height Exceptions).

## B. Approving Authority

The designated approving authority for a Variance is the Planning Commission. The Planning Director provides a recommendation and the Planning Commission approves, conditionally approves, or denies the Variance in accordance with the requirements of this code.

## C. Findings

The review authority may approve a Variance, with or without conditions, only after first making all of the following findings:

1. That there are special circumstances applicable to the property, including size, shape, topography, location, or surroundings, such that the strict application of this code deprives such property of privileges enjoyed by other properties in the vicinity and under identical land use zoning district classifications.
2. That granting the Variance does not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and land use zoning district in which such property is located.
3. That granting the Variance will not adversely affect the interests of the public or the interests of residents and property owners in the vicinity of the premises in question.
4. That granting the Variance is consistent with the objectives of the General Plan and Zoning Code.
5. If the project as approved with the variance is located within the Chino Airport Influence Area, the approved variance is consistent with the most recently adopted version of the Airport Land Use Compatibility Plan.

## D. Conditions

The Planning Commission may impose conditions for the Variance to ensure compliance with this section and other applicable provisions of this code.

## E. Issuance

The final action on the Variance by the Planning Commission shall constitute approval of the Variance. The Variance shall only become valid after the designated ten-day appeal period has been completed.

# Section 2.5 Specific Plans

## A. Purpose

The Specific Plan process is established to provide the opportunity for unique and imaginative planning standards and regulations not provided through the application of standard zoning districts.

Where it is used as part of a land use master plan, the Specific Plan encourages the creative and imaginative planning of integrated, mixed-use developments which provide a balance of residential, commercial, industrial, open space, and support land uses.

Where it is used in conjunction with a development project (a Conditional Use Permit, tentative map, or other project), the Specific Plan process is used to provide detailed site planning, landscaping, and other requirements and standards which will govern a particular project.

Once approved, a Specific Plan will contain land use regulations and development standards that replace certain provisions of this Zoning Code. In this sense, each Specific Plan will be the Zoning Code for the properties that it governs. Thus, a Specific Plan must contain sufficient detail to allow City staff to implement its provisions and to describe to developers how properties within a Specific Plan may be developed. Where no specific standard is contained in a Specific Plan (for example, parking or landscaping standards), the applicable provisions of the Zoning Code shall govern.

## B. Designation

The abbreviation SP appearing on the zoning map indicates that the property so classified is subject to the provisions of this article and an adopted Specific Plan.

## C. Initiation of Specific Plan Zoning

Proposals to prepare a Specific Plan may be initiated by the City of Eastvale or by any person in the same manner as a Change of Zone as provided in this Zoning Code.

## D. Mandatory Contents of the Specific Plan

An SP Zone shall be established by ordinance, and each SP Ordinance shall set forth in text, maps, and diagrams the following items, at the level of detail deemed appropriate by the City for the Specific Plan submittal. It is expressly intended that information for projects which are long-term in nature or for which detailed planning may occur at a later date may provide some information at a conceptual level. If required elements are not provided, or are provided at a conceptual level, the Specific Plan shall include a schedule or program for providing these items, and may be conditioned to require the provision of these items prior to the approval of development projects within the Specific Plan:

1. An existing setting description which includes:
    a. A description of the physical characteristics of the site. The location of structures and other significant improvements shall be shown;
    b. Available public services and facilities;
    c. The capacity of the existing and planned circulation system;
    d. The existing and planned land use of adjacent properties within one thousand (1,000) feet;

   e. A boundary survey map of the property and a calculation of the gross land area within the proposed Specific Plan and any districts, planning areas, etc., within the Specific Plan. A tentative subdivision map may be substituted if the applicant proposes to subdivide the property; and

   f. An aerial photograph of the Specific Plan area and surrounding properties.

2. A discussion of specific objectives and limits for development of the property which recognize and respond to identified opportunities and constraints of the Specific Plan area.

3. Proposed land uses which correspond to the land use categories established by the General Plan, and a statement of how the Specific Plan relates to the General Plan. The density ranges of residential uses must correspond to density ranges established in the General Plan.

4. A land use plan identifying areas within the proposed Specific Plan and uses to be developed, supported by such related planning and development data as the City may require, including but not limited to: proposed or projected acreage, population, housing units, and employment. The distribution of land uses shall be expressed in terms of acreage and the total number of residential units and/or square footage of nonresidential buildings allowed.

5. A circulation plan showing existing and proposed public and private streets, pedestrian ways, trails, and related transportation access or circulation features required to serve the proposed development. The circulation plan shall be supported by schematic designs of principal traffic and circulation improvements and such traffic engineering data as required by the City to demonstrate that existing and proposed facilities, both within and outside the zone, shall be adequate to serve land uses proposed by the development plan.

6. A development plan and preliminary time schedule indicating the general phasing or anticipated schedule indicating the total phasing of the Specific Plan and areas to be developed in phases, and the anticipated time schedule for beginning of construction and for completion of each phase of development. This is specifically intended to be a generalized schedule and may be adjusted according to market constraints as the community develops.

7. Development standards for each of the proposed land use categories, including, but not limited to, regulations specifying:

   a. Permitted, conditionally permitted, and prohibited land uses

   b. Setbacks

   c. Building heights

   d. Site coverage

   e. Parking

   f. Provision of open space

   g. Grading

   h. Design guidelines, including site planning, architectural, and landscaping guidelines specific to the project

   i. Signs

   j. Nonconforming uses, structures, and signs

8. A preliminary report and overall plan describing anticipated requirements and proposed means of providing utility facilities and public services, including but not limited to storm drainage, sewage disposal, water supply, parks and recreation, and school facilities.
9. Significant natural features and areas to be retained for common open space, and provisions for preserving, maintaining, and using those areas.
10. Known man-made and natural hazards, and the methods for mitigating the impacts of these hazards.
11. Procedure for review of proposed development. The procedures may include:
    a. Types of projects that require review, and the reviewing and approving authority for each type of project;
    b. Documents required from developers;
    c. Review and hearing procedures, if any.
12. If a Specific Plan incorporates by reference any provision of this Zoning Code, this shall be specifically stated in the plan. Reference may be made only to the most current version of the Zoning Code in effect at the time a permit is issued; the Specific Plan may not be used to "vest" standards in this Zoning Code in effect at the time of the Specific Plan's approval.

## E. Findings for Approval or Amendment of the Specific Plan

Prior to adopting or amending a Specific Plan, the City Council shall make the following findings:

1. That the proposed Specific Plan is consistent with the goals, policies, and objectives of the General Plan.
2. That the proposed Specific Plan meets the requirements set forth in this code.
3. If the Specific Plan site, if any portion thereof, is located within the Chino Airport Influence Area, The City Council must find that: a) the Specific Plan and amendment has been reviewed by the Airport Land Use Commission and b) the Specific Plan is consistent with the most recently adopted version of the Chino Airport Land Use Compatibility Plan.
4. The language and contents of the Specific Plan shall be acceptable and must meet all applicable City standards.

## F. Application for Amendment to the Specific Plan Land Use Zone

The procedures for amending a Specific Plan adopted pursuant to this article shall be the same as for any amendment to the Zoning Code, as set forth in Section 1.7.

# Chapter 3

January 2014

## Zoning District Regulations

This chapter establishes each zone in the city and identifies the allowed use provisions and development standards for each of the zones.

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# Section 3.1 Zone Classifications

## A. List of Zones

For the purpose of providing a uniform basis for zoning, the following zone classifications, referred to alternately herein as zones, may be applied to the land in the City of Eastvale.

1. **Residential and Agricultural Zones**

   A-1 – Light Agriculture

   A-2 – Heavy Agriculture

   R-A – Residential Agricultural

   R-R – Rural Residential

   R-1 – One-Family Dwellings

   R-2 – Multiple Family Dwellings

   R-3 – General Residential

   PRD – Planned Residential Developments

   R-5 – Open Space Combined Zone - Residential Developments

   R-6 – Residential Incentive

   R-T – Mobile Home Subdivision and Mobile Home Park

2. **Commercial, Business Park, and Industrial Zones**

   C-1/C-P – General Commercial

   C-P-S – Scenic Highway Commercial

   C-O – Commercial Office

   I-P – Industrial Park

   M-SC – Manufacturing - Service Commercial

   M-M – Manufacturing - Medium

   M-H – Manufacturing – Heavy

3. **Special Purpose Zones**

   W-1 – Watercourse, Watershed, and Conservation Areas

   S-P – Specific Plan

## B. Zone Classifications Boundaries

Where uncertainty exists as to the boundaries of any zone classification, the following shall apply:

1. Where boundaries are indicated as approximately following street lines, alley lines, or lot lines, such lines shall be construed to be boundaries;
2. Where boundaries divide lots, the location of such boundaries shall be determined by use of the scale appearing on the underlying map, unless the boundaries are indicated by specific dimensions;
3. If any public street, alley, or other right-of-way is vacated or abandoned, the land formerly in such street, alley, or right-of-way shall be included within the boundaries of the zone classification applicable to the adjoining property on each side. In the event such street, alley, or right-of-way was a zone classification boundary, the new zone classification boundary shall be the former center line of such street, alley, or right-of-way.

## C. Allowed Uses

The terminology used in Section 3.1 of this code is general only and is not intended to be descriptive of all uses allowed in the zone classifications. The zone classifications are specifically set forth in the subsequent articles of the code to which reference should be made to determine all the uses permitted therein. When a use is not specifically listed as permitted or conditionally permitted in a zone classification, the use is prohibited unless, in circumstances where this code empowers him or her to do so, the Planning Director makes a determination that the use is substantially the same in character and intensity as those uses permitted or conditionally permitted in the zone classification.

# Section 3.2 Residential and Agricultural Permitted Uses and Development Standards

## A. Purpose

The purpose of this section is to establish agricultural and residential zones in the city, along with allowed uses and development standards applicable to those zones.

## B. Permitted Uses

The permitting requirements identified in **Table 3.2-1** are:

**Permitted (P).** A land use shown with a "P" indicates that the land use is permitted by right in the designated Zoning District, subject to compliance with all applicable provisions of this Zoning Code (e.g., development standards, Development Review). Uses or activities that are incidental to a permitted use are permitted along with a primary use (e.g., a pole barn that stores tractors within an agricultural zone). Accessory uses that are included as part of or adjacent to a primary use, but not traditionally related to that use (e.g., retail store as part of a farming operation), are only permitted or conditionally permitted if so listed on the use matrix.

**Conditional (C).** A land use shown with a "C" indicates that the land use is permitted in the designated zones upon issuance of a conditional use permit from the designated approving authority, subject to compliance with all applicable provisions of this Zoning Code (e.g., development standards, Development Review).

**Not Permitted ("blank").** A land use shown with a "blank" in the table is not allowed in the applicable zones. Uses not shown in the table are not permitted. Please refer to Section 1.5.a Official Zoning Interpretation, when a specific use is not listed.

Included in **Table 3.2-1** are the following categories:


| | |
|---|---|
| Agricultural Uses | page 3-4 |
| Residential Uses | page 3-5 |
| Recreation, Education, and Public Assembly Uses | page 3-6 |
| Retail and Consumer Service Uses | page 3-6 |
| Business Operations and Services Uses | page 3-7 |
| Industrial, Manufacturing, and Processing Uses | page 3-7 |


*Note to the reader: If a site is located within an Airport Influence Area, as generally shown on the zoning map, the applicable Airport Land Use Compatibility Plan must be consulted for any additional restrictions.*

## TABLE 3.2-1 USE MATRIX FOR RESIDENTIAL AND AGRICULTURAL ZONES

| Land Use | A-1 | A-2 | R-A | R-R | R-1 | R-2 | R-3 | PRD | R-5 | R-6 | R-T | Special Provisions |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Agricultural Uses** | | | | | | | | | | | | |
| Animal Keeping, Noncommercial | P | P | P | P | | | | | | | | Section 4.8 |
| Animal Keeping, Poultry | P | P | P | P | | P | P | | | | | |
| Animal Keeping, Small | P | P | P | P | | | | | | | | |
| Commercial Breeding | C | | | C | | | | | | | | |
| Commercial Fertilizer Operation | P | P | | | | | | | | | | Section 4.6 |
| Commercial Poultry Operation | C | C | | | | | | | | | | |
| Crop Production [G] | P | P | P | P | | | | | | | | |
| Dairy Farm | C | P | | C | | | | | | | | |
| Farm Stand, Temporary | P | P | P | P | | | | | | | | |
| Stand, Permanent | P | P | | | | | | | | | | |
| Grazing [G] | P | P | | P | | | | | | | | |
| Grazing, Temporary | | | P | | | | | | | | | |
| Kennel, Class I [G] | P | P | P | P | | | | | | | | Section 4.7 |
| Kennel and Cattery, Class II [G] | P | P | P | P | | | | | | | | |
| Kennel and Cattery, Class III [G] | P | P | | P | | | | | | | | |
| Kennel and Cattery, Class IV [G] | C | C | | C | | | | | | | | |
| Livestock Sales Yard | | C | | | | | | | | | | |
| Packaged Dry Fertilizer Storage, not including Processing | C | | | C | | | | | | | | Section 4.6 |
| Pen-Fed Beef Cattle Operation | | C | | | | | | | | | | |

| Land Use | A-1 | A-2 | R-A | R-R | R-1 | R-2 | R-3 | PRD | R-5 | R-6 | R-T | Special Provisions |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Residential Uses** | | | | | | | | | | | | |
| Agricultural Workers Housing [G] | P | P | P | C | | | | | | | | |
| Bungalow Courts | | | | | | P | P | | | | | |
| Congregate Care Facilities (7 or more persons) | | | | | | C | C | | | | | Section 4.3 |
| Dwelling, Multiple Family | | | | | | P | P | P | | P | | |
| Dwelling, Second Unit | P | P | P | P | P | P | P | P | | | P | Section 4.1 |
| Dwelling, Single Family | P | P | P | P | P | P | P | P | | | P | |
| Dwelling, Two Family | | | | | | P | P | | | P | | |
| Family Day Care, Large | | | P | P | P | P | P | P | P | P | P | Section 1.5 |
| Family Day Care, Small | | | P | P | P | P | P | P | P | P | P | |
| Group Homes (6 or fewer persons) | | | P | P | P | P | P | P | P | P | P | |
| Home Occupations | P | P | P | P | P | P | P | P | P | | P | Section 4.4 |
| Mobile Home Parks | C | | C | C | C | C | C | C | | C | C | Section 4.2 |
| Mobile Home | P | P | P | P | P | P | P | P | | | P | Section 4.2 |
| Planned Residential Developments | | | P | | | P | P | | | P | | Section 4.5 |
| Restricted Single-Family Residential Subdivisions | | | | | | P | P | | | | | |
| Senior Housing | | | | | | | P | | | P | | |
| Supportive and Transitional Housing | | | P | P | P | P | P | P | P | P | P | |

| Land Use | A-1 | A-2 | R-A | R-R | R-1 | R-2 | R-3 | PRD | R-5 | R-6 | R-T | Special Provisions |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Recreation, Education, and Public Assembly Uses** | | | | | | | | | | | | |
| Community Auction and Sales Yards | C | C | | C | | | | | | | | |
| Fraternal Lodges, including Grange Halls | P | P | | P | | | | | | | | |
| Fraternity and Sorority Houses | | | | | | | P | | | | | |
| Hunting Clubs | | C | | C | | | | | | | | |
| Libraries | P | P | | P | | P | P | | | | | |
| Museum and Art Galleries | | | | P | | P | P | | | | | |
| Nursery Schools for Preschool Day Care and Child Care | | | | | | | P | | | | | |
| Private Recreation or Event Facilities | | | C | | | | | | | P | P | |
| Public Recreation, Nonprofit Community Centers, Social Halls, Parks, Community Recreation Facilities | P | P | P | P | | P | P | P | P | | | |
| Religious Institutions | P | P | C | | C | P | P | P | P | P | | |
| Schools, Private[1] | P | P | | P | | P | P | | | | | |
| **Retail and Consumer Service Uses** | | | | | | | | | | | | |
| Beauty Shops [G] | P | P | P | P | | P | P | | | | | |
| Feed and Grain Sales | P | P | | P | | | | | | | | |
| Nurseries | P | P | P | P | | | | | | | | |

[1] Public schools are not regulated by this code.

| Land Use | A-1 | A-2 | R-A | R-R | R-1 | R-2 | R-3 | PRD | R-5 | R-6 | R-T | Special Provisions |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Business Operations and Services Uses** | | | | | | | | | | | | |
| Agricultural Equipment Sales and Repair | | P | | | | | | | | | | |
| Animal Hospitals, Large and Small | | P | | C | | | | | | | | |
| Automobile Storage Space | | | | | | | | | | | | |
| Commercial Stables and Riding Academies | C | P | | C | | | | | | | | |
| Hotels and Motels | | | | C | | | | | | | | |
| Landing Strip or Heliport | | C | | | | | | | | | | |
| Professional Offices [G] | | | | C | | | P | | | | | |
| Real Estate Offices | P | P | | P | | | | | | | | |
| Real Estate Offices, Temporary | | | P | P | | | P | P | | P | P | |
| Riding Academies and Stables | | | | | | | | | C | | | |
| Truck Transfer Stations | | P | | | | | | | | | | |
| Winery, not associated with Vineyard [G] | | C | | | | | | | | | | |
| Winery, with Onsite Vineyard [G] | P | | | P | | | | | | | | |
| **Industrial, Manufacturing, and Processing Uses** | | | | | | | | | | | | |
| Abattoirs | | C | | | | | | | | | | |
| Canning, Freezing, and Packing Plants | | P | | | | | | | | | | |
| Meat Cutting and Packaging Plants | | P | | | | | | | | | | |

[G] Denotes a specific definition. Please see Section 6 Glossary of this code.

## C. Development Standards

The following development standards are applicable to the agricultural and residential zones. These standards, along with other development standards (e.g., landscaping requirements, signs, and parking standards) are intended to assist property owners and project designers in understanding the City's minimum requirements and expectations for high-quality development.

### TABLE 3.2-2 DEVELOPMENT STANDARDS FOR RESIDENTIAL AND AGRICULTURAL ZONES

| Development Standards | A-1 | A-2 | R-A | R-R | R-1 | R-2 | R-3 | PRD | R-5 | R-T |
|---|---|---|---|---|---|---|---|---|---|---|
| Lot Dimensions | | | | | | | | | | |
| Lot Size per Dwelling | -- | -- | -- | -- | -- | -- | -- | -- | -- | [8] |
| Minimum Lot Size | 20,000sf | 20,000sf | 20,000sf | 21,780sf[2] | 7200sf[2] | 7200sf[2] | 7200sf[2] | -- | -- | 5,000sf[2] |
| Minimum Lot Width | 100ft | 100ft | 100ft | 80ft | 60ft[3] | 65ft[3] | 60ft[3] | -- | -- | [9] |
| Minimum Lot Depth | 150ft | 150ft | 150ft | 150ft | 100ft | 100ft | 100ft | -- | -- | [9] |
| Setbacks | | | | | | | | | | |
| Front | 20ft | 20ft | 20ft | 20ft | 20ft [4] | 20ft [4,10] | 10ft [4, 10] | -- | 50ft[4] | [9] |
| Side – Interior | 5ft | 10ft | 10ft | 10ft | 5ft[4] | 5ft [4,7] | 5ft [4, 7,] | -- | 50ft [4] | [9] |
| Side – Street | 5ft | 10ft | 10ft | 10ft | 10ft [4] | 10ft [4,5] | 5ft [4, 5] | -- | 50ft [4] | [9] |
| Rear | 10ft | 10ft | 10ft | 10ft | 10ft [4] | 10ft [4,10] | [5] | -- | 50ft [4] | [9] |
| Separation | -- | -- | -- | -- | -- | 10/15/20ft [6] | -- | -- | 20ft | [9] |
| Height | | | | | | | | | | |
| Primary Building | 40ft | 40ft | 40ft | 40ft | 40ft | 40ft | 50ft | -- | 50ft | 35ft |
| Primary Building (per Section 5.1) | 75ft | 75ft | 75ft | 75ft | 75ft | 75ft | 75ft | -- | 75ft | 75ft |
| Maximum Lot Coverage | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- |
| Density | Established by the Eastvale General Plan, Land Use Map | | | | | | | | | |

*Note to the reader: prior to adoption of this Code, the PRD zone was referred to as the R-4 zone.*
*In addition to these development standards, the standards of the Countywide Design Guidelines adopted by the City shall also apply. In the event of a conflict between this Zoning Code and the Countywide Design Guidelines, the more stringent standard shall apply.*

## *Footnotes*

1. *Development standards will be established as set forth in the Planned Residential Development. Density is established by the Eastvale General Plan.*
2. *Minimum lot area shall be determined by excluding that portion of a lot that is used solely for access to the portion of a lot used as a building site (e.g. flag lot).*
3. *The portion of a lot used for access on flag lots shall have a minimum width of 20 feet*
4. *No structural encroachments shall be permitted in the front, side, or rear except as provided for in Section 5.2 of this code.*
5. *Street side yards shall be measured from the existing right-of-way or from any future right-of-way on any public or private street.*
6. *No one-story building shall be closer than 10 feet to any other one-story main building on the same lot, no two-story main building shall be closer than 15 feet to any other two-story main building on the same lot and no three-story main building shall be closer than 20 feet to any other main building on the same lot.*
7. *The minimum side yard shall be 5 feet for buildings that do not exceed 35 feet in height. Any portion of a building which exceeds 35 feet in height shall be set back from each side lot line 5 feet plus 2 feet for each (1) foot by which the height exceeds 35 feet; if the side yard adjoins a street, the side setback requirement shall be the same as required for a front setback. No structural encroachments shall be permitted in the front, side, or rear yard except as provided in Chapter 5 of this Code.*
8. *The allowable density of a project will be determined by the physical and service constraints of the property and the area in which the property is located; however, the density of each approved development must exceed 4 units per gross acre.*
9. *Setbacks, building separations, lot size and lot coverage shall be approved as part of the design of the project and as provided in Section 4.2 of this Code.*
10. *The minimum front and rear yards shall be 10 feet for buildings that do not exceed 35 feet in height. Any portion of a building which exceeds 35 feet in height shall be set back from the front and rear lot lines no less than 10 feet plus 2 feet for each (1) foot by which the height exceeds 35 feet. The front setback shall be measured from any existing or future street line as shown on any specific street plan of the city. The rear setback shall be measured from the existing rear lot line or from any recorded alley or easement; if the rear line adjoins a street, the rear setback requirement shall be the same as required for a front setback.*

# Section 3.3 Commercial and Industrial Permitted Uses and Development Standards

## A. Purpose

The purpose of this section is to establish zones in the city that support commercial and industrial uses.

## B. Permitted Uses

The permitting requirements identified in **Table 3.3-1** are:

**Permitted (P).** A land use shown with a "P" indicates that the land use is permitted by right in the designated Zoning District, and subject to compliance with all applicable provisions of this Zoning Code (e.g., development standards, Development Review). Uses or activities that are incidental to a permitted use are permitted along with a primary use (e.g., a bakery within a grocery store). Accessory uses that are included as part of or adjacent to a primary use, but not traditionally related to that use (e.g., bakery within a factory), are only permitted or conditionally permitted if so listed on the use matrix.

**Conditional (C).** A land use shown with a "C" indicates that the land use is permitted in the designated zones upon issuance of a conditional use permit from the designated approving authority, and subject to compliance with all applicable provisions of this Zoning Code (e.g., development standards, Development Review).

**Not Permitted ("blank").** A land use shown with a "blank" in the table is not allowed in the applicable zones. Uses not shown in the table are not permitted. Please refer to Section 1.5.a Official Zoning Interpretation, when a specific use is not listed.

Included in Table **3.3-1** are the following categories:


| | |
|---|---|
| Retail and Consumer Service Uses | page 3-11 |
| Business Operations and Services Uses | page 3-12 |
| Public and Quasi-Public Uses | page 3-14 |
| Recreation, Education, and Public Assembly Uses | page 3-15 |
| Industrial, Manufacturing, and Processing Uses | page 3-16 |
| Agricultural Uses | page 3-19 |
| Residential Uses | page 3-19 |


*Note to the reader: If a site is located within an Airport Influence Area, as generally shown on the zoning map, the applicable Airport Land Use Compatibility Plan must be consulted for any additional restrictions.*

## TABLE 3.3-1 USE MATRIX FOR COMMERCIAL, BUSINESS PARK, INDUSTRIAL, AND SPECIAL PURPOSE ZONES

| Land Use | C-1/C-P | C-P-S | C-O | I-P | M-SC | M-M | M-H | W-1 | Special Provisions |
|---|---|---|---|---|---|---|---|---|---|
| **Retail and Consumer Service Uses** | | | | | | | | | |
| Alcohol Sales | All sales require a conditional use permit, regardless of primary use | | | | | | | | Section 4.9 |
| Banks and Financial Institutions | P | P | P | P | P | P | P | | |
| Barber and Beauty Shops | P | P | | P | P | P | P | | |
| Bars and Cocktail Lounges | C | C | C | | | | | | |
| Cigar, Cigarette and Tobacco Sales | C | C | | | | | | | |
| Cigar, Hookah, and Cigarette Lounges | C | C | | | | | | | |
| Clinics, including Medical, Dental, Chiropractic | P | P | C | | | | | | |
| Day Care Centers | P | P | P | P | P | P | P | | |
| Department Stores | P | P | | | | | | | |
| Drive-In or Drive-Through Operations or Facilities (any use) | C | C | C | P | | | | | |
| Farmers Markets | C | C | C | | | | | | Section 4.10 |
| Fortune-Telling, Spiritualism, or similar activity | P | | | | P | | | | |
| Grocery Stores/Market/ Food Stores | P | P | | | | | | | |
| Hardware and Home Improvement Centers | P | P | | | P | P | P | | |
| Hotels and Motels | P | P | C | P | P | P | P | | |
| Liquor Stores | C | C | | | | | | | Section 4.9 |
| Massage Parlors, Turkish Baths, or similar personal service establishments | C | C | | | | | | | |
| Medical Marijuana Dispensary [G] | Not permitted in any zone per the Eastvale Municipal Code | | | | | | | | |
| Nurseries and Garden Supply Stores | P | P | | | P | P | P | | |

| Land Use | C-1/C-P | C-P-S | C-O | I-P | M-SC | M-M | M-H | W-1 | Special Provisions |
|---|---|---|---|---|---|---|---|---|---|
| Religious Institutions | P | | P | P | P | P | P | | |
| Restaurants and other eating establishments, including fast food restaurants and sandwich shops (see Drive-In and Drive-Through Uses) | P | P | C | P | P | P | P | | |
| Retail Sales and Services, Small Scale [G] | P | P | C | C | C | C | C | | |
| Schools, Business and Professional, including Art, Barber, Beauty, Dance, Drama, Music and Swimming | C | C | C | | | | | | |
| Swap Meets | C | | | | | C | C | | |
| Tattoo Parlors | C | C | | | | | | | |
| Theaters, not including Drive-Ins | P | P | | | | | | | |
| Tourist Information centers | P | P | P | | | | | | |
| Wedding Chapels | | P | | | | | | | |
| **Business Operations and Services Uses** | | | | | | | | | |
| Animal Hospitals | C | C | | P | | | | | |
| Animal Training | | | | P | | P | | | |
| Apiaries | | | | | | | | P | |
| Aquaculture | | | | | | | | P | |
| Auction Houses | P | | | | | | | | |
| Automobile Parts and Supply Stores | P | P | | P | | | | | |
| Automobile Service and Repair | C | C | | P | P | P | P | | |
| Blueprint and Duplicating Services | P | P | | P | P | P | P | | |
| Boat and other Marine Sales and Rental | C | C | | P | | | | | |
| Boat Services | | C | | P | | | | | |

| Land Use | C-1/C-P | C-P-S | C-O | I-P | M-SC | M-M | M-H | W-1 | Special Provisions |
|---|---|---|---|---|---|---|---|---|---|
| Body and Fender Shops and Spray Painting | | | | | P | P | P | | |
| Building Materials Sales Yards | | | | | P | P | P | | |
| Building Movers Storage Yard | | | | | P | P | P | | |
| Car and Truck Washes | P | C | | | P | P | | | |
| Employment Agencies | P | P | P | | | | | | |
| Equipment Rental Services | P | C | | | | | | | |
| Equipment Sales and Storage | | | | P | | | | | |
| Feed and Grain Sales | P | P | | | P | P | P | | |
| Gasoline Service Stations, not including the concurrent sale of beer and wine for off-premises consumption | P | P | | | | P | P | | |
| Gasoline Service Stations, with concurrent sale of beer and wine | C | C | | | C | | | | |
| Golf Cart Sales and Service | P | P | | | | | | | |
| Golf Courses, not including the construction of buildings | | | | | | | | P | |
| Laboratories, Film, Dental, Medical, Research, or Testing | P | P | C | P | P | P | P | | |
| Liquid Petroleum Service Stations [G] | C | C | | | | | | | |
| Lumber Yards, including only incidental mill work | | | | P | P | P | | | |
| Meteorological Towers | | | | | | | | P | |
| Mini Storage | C | | | C | P | P | P | | Section 4.12 |
| Mobile Home Sales and Storage, Trailer Sales and Rental House Trailers | P | | | | | | | | |
| Mobile Home Sales Lot | | | | | P | P | P | | |

| Land Use | C-1/C-P | C-P-S | C-O | I-P | M-SC | M-M | M-H | W-1 | Special Provisions |
|---|---|---|---|---|---|---|---|---|---|
| Parcel Delivery Services | | | | P | P | P | P | | |
| Petroleum and Bulk Fuel Storage, above ground | | | | | C | C | C | | |
| Printers or Publishers | P | P | | P | P | P | P | | |
| Professional Offices | P | P | P | P | P | P | P | | |
| Sale, Rental, Repair, or Demonstration of Motorcycles, Scooters, and Motorbikes | C | C | | P | | | | | |
| Sex-oriented Businesses | Subject to the provisions of the Eastvale Municipal Code | | | | | | | | |
| Stations, Bus, Railroad and Taxi | P | P | | | | | | | |
| Tire Recapping | | | | | | | P | | |
| Tire Sales and Service, not including recapping | P | C | | P | | | | | |
| Trailer and Boat Storage | P | | | | | | | | |
| Travel Trailers and Recreational Vehicle Sales and Service | | C | | | | | | | |
| Truck and Trailer Sales and Rental | | | | | P | P | P | | |
| Truck Service | C | C | | | P | P | P | | |
| **Public and Quasi-Public Uses** | | | | | | | | | |
| Airports | | | | C | C | C | C | | |
| Ambulance Services | C | C | | P | P | P | P | | |
| Cemeteries, Crematories and Mausoleums | | | | | C | C | | | |
| Communications and Microwave Installations | | | | | P | P | P | | Section 4.14 |
| Fire and Police Stations | | | | P | P | P | P | | |
| Hazardous Waste Facilities | | | | | | | C | | |
| Heliports | C | C | | C | P | P | P | | |

| Land Use | C-1/C-P | C-P-S | C-O | I-P | M-SC | M-M | M-H | W-1 | Special Provisions |
|---|---|---|---|---|---|---|---|---|---|
| Hospitals | C | C | | | | | | | |
| Mortuaries | P | C | | | | | | | |
| Public Utility Substations and Storage Yards | | | | P | P | P | P | | |
| Sewage Treatment Plants | | | | | | C | C | | |
| **Recreation, Education, and Public Assembly Uses** | | | | | | | | | |
| Art Gallery, Library, Reading Room, Museum | P | P | P | | | | | | |
| Indoor Amusement/Entertainment Facility:<br>Establishments providing indoor amusement and entertainment services as primary uses for a fee or admission charge, including dance halls and ballrooms and electronic game arcades. Establishments with four or more electronic games or coin-operated amusements, or where 50 percent or more of the floor area is occupied by amusement devices, are considered an electronic game arcade as described above; three or fewer machines are not considered a land use separate from the primary use of the site. | P | P | | | | | | | |
| Indoor Fitness and Sports Facility:<br>Predominantly participant sports and health activities conducted entirely within an enclosed building. Typical uses include bowling alleys, billiard parlors, ice/roller skating rinks, indoor racquetball courts, indoor climbing facilities, soccer areas, athletic clubs, and health clubs. | C | C | C | P | P | P | P | | |
| Outdoor Commercial Recreation:<br>Facility for various outdoor participant sports and types of recreation where a fee is charged for use (e.g., amphitheaters, amusement and theme parks, golf driving ranges, health and athletic clubs | C | C | | | | | | C | |

| Land Use | C-1/C-P | C-P-S | C-O | I-P | M-SC | M-M | M-H | W-1 | Special Provisions |
|---|---|---|---|---|---|---|---|---|---|
| with outdoor facilities, miniature golf courses, skateboard parks, stadiums and coliseums, swim and tennis clubs, water slides, zoos). | | | | | | | | | |
| Public or Private Recreation, including Parks | | | | | | | | C | |
| Recreational Vehicle Parks | | | | | | | | C | |
| Hunting Clubs, Skeet, Trap, Rifle and Pistol Ranges | | | | | | | | C | |
| **Industrial, Manufacturing, and Processing Uses** | | | | | | | | | |
| Abattoirs | | | | | | C | C | | |
| Acid and Abrasives Manufacturing | | | | | C | C | C | | |
| Auto Wrecking and Junk Yards | | | | | | C | C | | |
| Blast Furnaces | | | | | | | C | | |
| Breweries, Distilleries and Wineries | | | | | C | P | P | | |
| Casting Metals | | | | | | | C | | |
| Cold-Storage Plant | | | | | P | P | P | | |
| Communications and Microwave Installations | | | | P | P | P | P | | Section 4.14 |
| Concrete Batch Plants and Asphalt Plants | | | | | C | C | C | | |
| Contractor Storage Yards | | | | | P | P | P | | |
| Disposal Service Operations | | | | | | C | C | | |
| Disposal Service Operations, not including Transfer Stations | | | | | C | | | | |
| Fertilizer Production and Processing Organic or Inorganic | | | | | C | C | C | | Section 4.6 |
| Field, Tree and Bush Crops; Flower and Herb Gardening | | | | | | | | P | |
| Hauling, Freighting, and Trucking Operations | | | | | C | P | P | | |

| Land Use | C-1/C-P | C-P-S | C-O | I-P | M-SC | M-M | M-H | W-1 | Special Provisions |
|---|---|---|---|---|---|---|---|---|---|
| Industrial and Manufacturing Uses | | | | P | P | P | P | | |
| Manufacturing, Limited:<br>Limited manufacturing, fabricating, processing, packaging, treating, and incidental storage related thereto, provided any such activity shall be in the same line of merchandise or service as the trade or service business conducted on the premises. | | | | P | P | P | P | | |
| Manufacturing, Minor:<br>Manufacturing, fabrication, processing, and assembly of materials from parts that are already in processed form and that, in their maintenance, assembly, manufacture, or plant operation, do not create excessive amounts of smoke, gas, odor, dust, sound, or other objectionable influences that might be obnoxious to persons conducting business on-site or on an adjacent site. Uses include but are not limited to furniture manufacturing and cabinet shops, laundry and dry cleaning plants, metal products fabrication, and food and beverage manufacturing. | | | | C | P | P | P | | |
| Manufacturing, Major:<br>Manufacturing, fabrication, processing, and assembly of materials in a raw form. Uses in this category typically create greater than usual amounts of smoke, gas, odor, dust, sound, or other objectionable influences that might be obnoxious to persons conducting business on-site or on an adjacent site. Uses include but are not limited to batch plants, rendering plants, aggregate processing facilities, plastics and rubber products manufacturing. | | | | | C | P | P | | |

| Land Use | C-1/C-P | C-P-S | C-O | I-P | M-SC | M-M | M-H | W-1 | Special Provisions |
|---|---|---|---|---|---|---|---|---|---|
| Meat and Poultry Products, not including Meat Packing or Slaughtering | | | | | P | P | P | | |
| Meat Packing Plants | | | | | C | | | | |
| Paints and Varnishes | | | | | | | P | | |
| Paints and Varnishes Manufacturing and Incidental Storage | | | | | C | C | | | |
| Paper Storage and Recycling, not within a building | | | | | C | C | C | | Section 4.11 |
| Poultry and Egg Processing | | | | | C | C | C | | |
| Railroad Yards and Stations | | | | | P | P | P | | |
| Recycling Collection Facilities | P | P | | P | P | P | P | | Section 4.11 |
| Recycling of Wood, Metal, Construction Wastes and other materials | | | | C | C | C | P | | Section 4.11 |
| Sand Blasting | | | | | | C | C | | |
| Smelting Metal and Foundries | | | | | | C | C | | |
| Trailer and Boat Storage, outdoor | | | | | C | C | C | | |
| Trailer, Recreational Vehicle, and Boat Storage within an enclosed building | | | | P | P | P | P | | |
| Vehicle Storage and Impoundment within an enclosed building | | | | P | P | P | P | | |
| Vehicle Storage and Impoundment, outdoor | | | | | C | C | C | | |
| Vehicles, Aircraft, Boats and Parts Manufacture | | | | | P | P | P | | |
| Warehousing and Distribution | | | | | P | P | P | | |
| Warehousing and Distribution, including Mini-Storage Facilities | | | | P | P | P | P | | Section 4.12 |

| Land Use | C-1/C-P | C-P-S | C-O | I-P | M-SC | M-M | M-H | W-1 | Special Provisions |
|---|---|---|---|---|---|---|---|---|---|
| **Agricultural Uses** | | | | | | | | | |
| Agricultural Uses of the Soils for Crops | | | | | P | P | P | | |
| Grazing [G] | | | | | | | | P | |
| Kennel and Cattery, Class I [G] | | | | | P | P | P | | Section 4.7 |
| Kennel and Cattery, Class II [G] | | | | | P | P | P | | |
| Kennel and Cattery, Class III [G] | | | | | P | P | P | | |
| Kennel and Cattery, Class IV [G] | | | | | C | C | C | | |
| **Residential Uses** | | | | | | | | | |
| Caretakers Unit [G] | P | P | | P | P | P | P | | |
| Congregate Care Residential Facilities (7 or more persons) | C | | | | | | | | Section 4.3 |
| Emergency Shelters | | | | P | | | | | |
| Mobile Homes | P | P | | P | P | P | P | | Section 4.2 |
| Single-Room Occupancy Units | C | | | | | | | | |

[G] Denotes a specific definition. Please see Section 6 Glossary of this code.

## C. Development Standards

The following development standards are applicable to the commercial and industrial zones. These standards, along with other development standards (e.g., landscaping requirements, signs, parking standards) are intended to assist property owners and project designers in understanding the City's minimum requirements and expectations for high-quality development.

### TABLE 3.3-2 DEVELOPMENT STANDARDS FOR COMMERCIAL AND INDUSTRIAL ZONES

| Development Standards | C-1/C-P | C-P-S | C-O | I-P | M-SC | M-M | M-H | W-1 | S-P [9] |
|---|---|---|---|---|---|---|---|---|---|
| Lot Dimensions | | | | | | | | | |
| Minimum Lot Size | [1] | [1] | [1] | 20,000sf | 10,000sf [7] | 10,000sf [7] | 10,000sf [7] | -- | -- |
| Minimum Lot Width | 75ft | 75ft | 75ft | 100ft | 75ft [7] | 75ft [7] | 75ft [7] | -- | -- |
| Setbacks | | | | | | | | | |
| Front | -- | -- | 25ft | [3,4] | 25ft [8] | 25ft [8] | 25ft [8] | -- | -- |
| Side – Interior | -- | -- | 25ft | 10ft [5] | 25ft [8] | 25ft [8] | 25ft [8] | -- | -- |
| Side – Street | -- | -- | 25ft | 10ft [5] | 25ft [8] | 25ft [8] | 25ft [8] | -- | -- |
| Rear | -- | -- | 25ft | 15ft | 25ft [8] | 25ft [8] | 25ft [8] | -- | -- |
| Height | | | | | | | | | |
| Primary Building | 50ft | 50ft | 40ft | 35ft [6] | 40ft | 40ft | 40ft | 40ft | -- |
| Primary Building (per Section 5.1)[10] | 75ft | 75ft | 75ft | 75ft | 75ft | 75ft | 75ft | 75ft | -- |

## *Footnotes*

1. *There is no minimum lot area requirement, unless specifically required by zone classification, Specific Plan, or otherwise required for a particular area.*
2. *Where the front, side, or rear yard adjoins a street, the minimum setback shall be 25 feet from the right-of-way line. Where the front, side, or rear yard adjoins a lot zoned R-R, R-1, R-A, R-2, R-3, PRD, R-6, R-T, or SP with a residential use, the minimum setback shall be 25 feet from the property line.*
3. *A minimum 25-foot setback shall be required on any street. A minimum 10-foot strip adjacent to the street line shall be appropriately landscaped and maintained, except for designated pedestrian and vehicular access ways. The remainder of the setback may be used for off-street automobile parking, driveways or landscaping.*
4. *A minimum 50-foot setback shall be required on any boundary where the industrial property abuts a residential or commercially zoned property. A minimum of 20 feet of the setback shall be landscaped, unless a tree screen is approved, in which case the setback area may be used for automobile parking, driveways or landscaping. Block walls or other fencing may be required.*
5. *The minimum side yard setback shall equal not less than 10 feet for the two side lot areas combined.*
6. *The maximum height of all structures, including buildings, shall be 35 feet at the yard setback line. Any portion of a structure that exceeds 35 feet in height shall be set back from each yard setback line not less than 2 feet for each (1) foot in height that is in excess of 35 feet. All buildings and structures shall not exceed 50 feet in height, unless a height up to 75 feet for buildings, or 105 feet for other structures, is specifically permitted under the provisions of this code.*
7. *Except that a lot size not less than 7,000 square feet and an average width of not less than 65 feet may be permitted when sewers are available and will be utilized for the development.*
8. 
   - *Where the front, side, or rear yard adjoins a lot zoned R-R, R-1, R-A, R-2, R-3, PRD, R-6, or R-T the minimum setback shall be 25 feet from the property line.*
   - *Where the front, side, or rear yard adjoins a lot with zoning classification other than those specified in note (1) above, there is no minimum setback.*
   - *Where the front, side, or rear yard adjoins a street, the minimum setback shall be 25 feet from the property line.*
   - *Within the exception of those portions of the setback area for which landscaping is required, the setback area may only be used for driveways, automobile parking, or landscaping. A setback area which adjoins a street separating it from a lot with a zoning classification other than those zones specified in note (1) above may also be used for loading docks.*
9. *Uses shall conform to the development standards, conditions and any special restrictions contained in the adopted specific plan and any amendments thereto; provided, however, that if the specific plan lacks one or more standards, the applicable standards from the zoning classification which most closely fits the land use assigned to the site shall be utilized.*
10. *Granted per Section 5.1 (Height Exemptions) of this code.*

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# Chapter 4

January 2014

## Standards Related to Specific Uses

This chapter includes special provisions for certain land use categories and activities. These regulations are in addition to other development standards and regulations in other parts of this code, such as Chapter 5 (Development Standards). The intent of this chapter is to ensure that the uses regulated are compatible with the surrounding uses.

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# Section 4.1 Second Dwelling Unit

## A. Intent

The intent of this section is to regulate second dwelling units in residential zoning districts and on residential property consistent with state law. Implementation of this section is intended to expand housing opportunities for low- and moderate-income or elderly households by increasing the number of rental units available within existing neighborhoods while maintaining the primarily single-family residential character of the area.

## B. Development Standards

All Second Dwelling Unit Development standards are consistent with state law. No second unit shall be approved unless it complies with the following requirements:

1. The lot is zoned for a one-family dwelling as a permitted use.
2. No second unit shall be permitted on any lot less than twelve thousand (12,000) square feet. Second units are permitted as follows:

| Usable Lot Area | Allowable Living Area * |
|---|---|
| 12,000 square feet but less than 1 acre | 500 square feet minimum; 800 square feet maximum |
| 1 acre or larger | 500 square feet minimum; 1,200 square feet maximum |

**Living area includes the interior habitable area of a second unit including basements and attics but does not include a garage or any accessory structure.*

3. The lot contains one, and only one, existing primary detached one-family dwelling unit, and the existing primary dwelling unit will be the dwelling unit of an owner-occupant.
4. Off-street parking shall be required for the second unit in addition to any off-street parking requirements for the existing dwelling unit. A minimum of one parking space shall be provided for a second unit. If a second unit contains more than one bedroom, an additional parking space shall be provided for each additional bedroom. The required off-street parking for a second unit may be located in setback areas or through tandem parking.
5. The second unit shall be used as a dwelling unit only, and no businesses or home occupations of any kind may be conducted in the second unit.
6. Second units shall be located at the rear or in the side portions of the lot and shall not be located in front of the existing dwelling unit.
7. The second unit shall comply with all development standards of the zone in which the lot is located, including, but not limited to height, setbacks, and lot coverage.
8. No second unit shall exceed the height of the existing primary dwelling unit.
9. Any second unit located more than 150 feet from a public right-of-way shall provide all-weather access for emergency vehicles.

A second unit shall be subject to such conditions as are necessary to assure compliance with this code and any other provision of law, including, without limitation, the following:

1. The second unit may not be sold as a separate unit unless the lot is subdivided pursuant to all applicable laws and local ordinances.
2. A dwelling unit originally permitted as a second unit may not later be considered a primary dwelling unit for any purpose.
3. An owner of the lot shall occupy the primary dwelling unit. Written certification of continued compliance with the occupancy restriction of this subsection shall be kept on file with the Planning Director.
4. The second unit may be occupied by any person without rent or may be rented.

# Section 4.2 Mobilehomes

## A. Intent

For the purposes of this code, the term "mobilehome" shall be synonymous with the term "manufactured housing." Installation of mobilehomes not on foundations is permitted in several of the City's existing zone classifications. Provisions allow mobilehomes to be installed on foundations in compliance with Government Code Section 65852.3, as amended, and continue to allow the installation of mobilehomes not on foundations in certain zone classifications. This code is intended to supplement the provisions of this code relating to mobilehomes, but shall take precedence over any portion of this code that is inconsistent herewith.

## B. Findings

Pursuant to Section 65852.3 of the Government Code, all lots zoned to permit the construction of conventional single-family dwellings are compatible for the installation of a mobilehome on a foundation system.

## C. Mobilehomes on Foundations

A mobilehome may be installed on a foundation on any lot that is zoned to permit the construction of a conventional single-family dwelling; subject to development standards of that zone.

## D. Mobilehomes Not on Foundations

All specific mobilehome provisions in the various zone classifications refer to mobilehomes not on a foundation system and shall continue in effect irrespective of the fact that certain zones may then provide for mobilehomes both on and not on a foundation system. For purposes of permit issuance, the mobilehome on a foundation is allowed whenever a conventional single-family dwelling is allowed, subject to the requirements of this article. The mobilehome not on a foundation is allowed whenever it is specifically so provided in the various zone classifications subject to any requirements set forth therein. When a mobilehome is not in conformance with the development standards of the zone classification in which it is located, that mobilehome constitutes a nonconforming use, and as such cannot be altered except to comply with the requirements of this article.

## E. Mobilehome Parks in Residential Zones

1. **Standards.** A mobilehome park that is permitted with a Conditional Use Permit in a residential zone, not including the R-R Zone, shall comply with the following requirements:

    a. **Unit size.** The mobilehome unit shall have a floor living area of seven hundred fifty (750) square feet, excluding patios, porches, garages, and similar structures;

    b. **Opaque skirt.** The area between the ground level and floor level and the unit shall be screened by an opaque skirt;

    c. **Density.** The average density of the mobilehome park shall be in conformance with the density of the underlying zone classifications, provided that a density bonus of 25 percent of the density permitted by the underlying zoning may be allowed if it is determined that the higher density is compatible with the area in which the development is proposed to be located;

d. **Minimum size space.** Notwithstanding subsection c. above, the minimum size of each space shall be three thousand six hundred (3,600) square feet, provided that a minimum space size of two thousand five hundred (2,500) square feet may be permitted when deemed compatible with the surrounding development. Each space shall have a minimum width of thirty (30) feet;

e. **Wall.** A masonry wall six (6) feet in height shall be erected along the perimeter of the mobilehome park.

## F. Mobilehome Parks in the R-R Zone

1. **Standards.** A mobilehome park permitted in the R-R Zone shall comply with the following requirements:

   a. **Unit size.** The mobilehome unit shall have a floor living area of four hundred fifty (450) square feet, excluding patios, porches, garages, and similar structures;

   b. **Opaque skirt.** The area between the ground level and floor level and the unit shall be screened by an opaque skirt;

   c. **Density.** The overall density of the mobilehome park shall be determined by the physical and service constraints of the parcel being considered, and the compatibility of the proposed mobilehome park with the surrounding development;

   d. **Minimum size space.** Notwithstanding subsection c. above, the minimum size of each space shall be two thousand five hundred (2,500) square feet. Each space shall have a minimum width of thirty (30) feet;

   e. **Wall.** A masonry wall six (6) feet in height shall be erected along the perimeter of the mobilehome park;

   f. **Automobile storage.** Automobile storage shall be provided as required by Section 5.6 of this code.

## G. Mobilehomes in Non-Residential Zones

1. **Standards.** A mobilehome that is permitted in a non- residential zone shall comply with the following requirements:

   a. The mobilehome must be kept mobile and licensed pursuant to state law;

   b. The mobilehome may only be used by a caretaker or security officer's unit; and

   c. No more than one mobilehome per parcel is permitted.

## H. Recreation and Open Space

Open space or recreation facilities are not required for mobilehome parks approved in residential zones.

# Section 4.3 Congregate Care Residential Facilities

## A. Intent

Alternative housing opportunities for those persons capable of independent living who do not need the level of care provided at convalescent facilities may be provided, subject to the provisions of this section. This article will provide needed housing for those persons who have been identified as impacted groups by the City of Eastvale General Plan. The City also finds that this section will provide a standard for distinguishing between congregate care residential facilities and other multifamily uses.

## B. Development Standards

The following standards of development shall apply for congregate care residential facilities.

1. **Density.** The allowable density for a project shall not exceed the density permitted by the underlying zoning classification or the applicable General Plan land use category, whichever is less.
2. **Location.** The project shall be located in accordance with all applicable developmental and locational guidelines under the General Plan and shall be located in those areas which offer appropriate services for the residents of these facilities, including necessary medical, transportation, shopping, recreational, and nutritional programs.
3. **Elevators.** No building shall be constructed that exceeds one story in height unless it contains elevators for the use of the occupants. Elevators shall be spaced in a manner which will minimize the walking distance from the elevators to the residential units.
4. **Dwelling units.**
    a. The net livable area for each unit shall not be less than four hundred (400) square feet for a studio unit, five hundred fifty (550) square feet for a one-bedroom unit, and seven hundred (700) square feet for a two-bedroom unit;
    b. Not less than 4 percent of the residential units shall be accessible for the handicapped, and all other units shall be adaptable for the handicapped. The handicap units shall be distributed equally throughout the project. All handicap units shall meet the standards set forth in Title 24, Part II of the California Administrative Code;
    c. Kitchenettes may be permitted provided that they are sized to meet the immediate needs of the occupants of the unit;
    d. No more than 30 percent of the units shall be studio units.
5. **Hallways and walkways.** Hallways should be kept to a minimum length to avoid the appearance of an oversized home or an institution. Paved pedestrian walkways five (5) feet in width shall be installed between the dwelling units and the recreational areas of the project. All hallways and pedestrian walkways shall be maintained with a minimum of five (5) feet of unobstructed width and adequate vertical clearance to provide unobstructed walking capability. Not less than one accessible route for handicapped persons to all on-site facilities shall be provided. Hallways shall be designed to accommodate the use of walkers, canes, or other mechanical assistance.

6. **Open space and recreation facilities**. Not less than 40 percent of the net area of the project shall be used for open space, recreational facilities, or a combination thereof. Not less than 25 percent of the required open space area shall be used for active recreational facilities, such as pool, spa, tennis, and gardening by residents. Recreational, public assembly, and similar buildings may be permitted within the project if they are intended for the primary use of persons residing within the project and are located so as not to be detrimental to adjacent properties.
7. **Yard setbacks.** Building setbacks from a project's exterior streets and boundary lines shall be the same as those prescribed by the zone in which the project is located; however, in no case shall such building setbacks for any project be less than those prescribed in the R-3 Zone. The minimum building setback for interior drives and parking areas shall be ten (10) feet.
8. **Building height.** The height of buildings shall not exceed that which is permitted in the zone in which the project is located. The maximum permitted height limits must be reduced if it is determined to be necessary for a planned development to achieve compatibility with the area in which the development is located.
9. **Trash areas.** Adequate enclosed trash pickup areas, convenient to the residents which they are intended to serve, shall be provided in the project. Trash areas will be screened by a six (6)-foot-high decorative block wall.
10. **Screening.** A six (6)-foot-high decorative block wall shall be constructed on all project boundary lines to provide adequate security and privacy. The exterior side of all block walls shall be coated with a protective coating that will facilitate the removal of graffiti.
11. **Parking.** The number of required automobile storage spaces shall be determined at the time of the approval of the project; however, notwithstanding any provision of this code to the contrary, a 20 percent reduction in the total number of required vehicle parking spaces for residential purposes may be allowed if appropriate, and an additional 5 percent reduction may be allowed if the applicant proposes alternative senior citizen transportation programs; however, in no case shall the reduction of parking spaces exceed 25 percent of the total spaces required. Public street parking and tandem parking shall not be counted in this requirement. All required parking spaces shall be located entirely within the development, accessible to the units which they serve, and no parking space shall be located more than one hundred fifty (150) feet from the unit it is designed to serve. Parking requirements for other facilities within the development may not be reduced. Not less than 10 percent of the required parking spaces shall be designed and designated for use by handicapped persons; however, there shall be at least one designed and designated handicapped parking space provided for each handicapped resident. Handicapped parking spaces shall be distributed evenly throughout the parking areas.
12. **Access.** The number and location of vehicular access openings into a project shall be as specified by the Road Commissioner. Projects must be located on a street with a minimum sixty-six (66)-foot right-of-way.

13. **Supportive services.** Services that support the residents shall be provided. At a minimum the following services shall be provided.
    a. **Laundry facilities.** One washing machine and dryer shall be provided for every twenty (20) rooms;
    b. **Housekeeping and linen service.** At a minimum, weekly service shall be provided;
    c. **Communications.** A "panic button," intercom, or other similar device shall be provided in each room so communication with the central office/security desk is available;
    d. **Central dining.** A central dining room shall be provided. The size of the room shall be sufficient to accommodate all of the residents. The minimum room size shall be the product of the proposed maximum number of residents in the facility multiplied by five (5) square feet per resident; however, in no instance shall the central dining room be less than three hundred fifty (350) square feet;
    e. **Miscellaneous facilities.** The following services are permitted within a congregate care residential facility provided they do not exceed 5 percent of the total square footage of the area in the building:
        1) Barber and beauty shops;
        2) Religious facilities;
        3) Commercial uses that are compatible with the proposed use and provide a service to the residents. Such uses may be open to the general public.
14. **Public transit access.** A public transit turnout shall be included within the project's design.
15. **Airport Influence Area.** Proposed facilities shall not be located within the Airport Influence Area, as depicted on the maps included in the most recently adopted version of the Chino Airport Land Use Compatibility Plan.

# Section 4.4 Home Occupations

## A. Intent

The regulations contained in this section shall apply to home occupations to ensure the compatibility of the home occupations with the principal residential uses in order to protect the integrity and character of neighborhoods.

## B. Definition

A home occupation is an accessory, nonresidential business activity that is conducted within a dwelling by its inhabitants, incidental to the residential use of the dwelling, which does not change the character of the surrounding area by generating more traffic, noise, or storage of material than would be normally associated with a residential zone.

## C. Approval Process

A home occupation shall not be conducted prior to approval of Zoning Clearance (see Chapter 2, Development Review).

## D. Business Registration

Business registration is required for any home occupation.

## E. Development Standards

Home Occupation shall be subject to the following limitations:

1. **Number of home occupations.** There is a limit of one (1) home occupation per residence, provided that the performance standards identified in this section are met. All of the following standards are calculated and/or applied based on a single residence.
2. **Employees.** Off-site employees or partners are permitted as part of the home occupation so long as they do not report for work at the subject property.
3. **Habitable floor area.** The use of the dwelling for the home occupation shall be clearly incidental and subordinate to its use for residential purposes.
4. **Off-site effects.** There shall be no mechanical equipment or operation used which creates or makes dust, odor, vibration, or other effects detectable at the property line. Noise level at the property line shall not exceed 55 dBA (A-weighted decibel) and shall comply with the City's noise ordinance. No process shall be used which is hazardous to public health, safety, morals, or welfare.
5. **On-site sales.** There shall be no products sold on the premises except artist's originals or products individually made to order on the premises.
6. **On-site production.** Products which are not "artist's originals" or "individually made to order" may be constructed on-site, using equipment normally found in a residence; however, these products may only be sold at a permitted commercial location.
7. **Display.** There shall be no display of products produced by occupants of the dwelling which are visible in any manner from the outside of the dwelling unit.

8. **Traffic/vehicles.** The use shall not generate pedestrian or vehicular traffic beyond that which is normal in a residential district, nor in any case require the parking of more than two (2) additional vehicles at the home at any one time. No motor vehicle that is used or kept on the premises in conjunction with the home occupation shall exceed two axles or a length of twenty (20) feet.
9. **Storage.** There shall be no storage of material or supplies within view of a public right-of-way, and storage shall not utilize a required parking space (e.g., within a required garage).
10. **Exterior appearance.** There shall be no remodeling or construction of facilities especially for the home occupation which changes the external appearance of the neighborhood from a residential to a more commercial look when viewed from the front of the building.
11. **Signs.** No signs other than one unlighted identification sign, not more than two (2) square feet in area, shall be erected on the premises.
12. **Visitors and customers.** Visitors and customers shall not exceed those normally and reasonably occurring for a residence, including not more than one business visitor an hour and eight per day, during the hours of 8:00 a.m. to 7:00 p.m. (regardless of how many businesses operate out of the home).
13. **Deliveries.** Deliveries shall not exceed those normally and reasonably occurring for a residence and not more than one (1) delivery of products or materials a week. Deliveries of materials for the home occupation shall not involve the use of commercial vehicles except for FedEx, UPS, or USPS-type home pickups and deliveries.
14. **Hazardous materials.** No storage of hazardous materials is permitted beyond normal household use. Businesses that require hazardous chemicals (e.g., pest control, pool cleaning, etc.) are not permitted as home occupations.

## F. Limitations on Specific Home-Based Businesses

1. Certified massage practitioners are permitted if the following criteria are met:
   a. Only one client is on-site at a time and by appointment only;
   b. The use shall be conducted on a part-time basis;
   c. The practitioner must submit proof of a certificate of training from a state-approved school (e.g., Department of Education, Office of Post Secondary Education);
   d. The use will not be conducted in such a fashion as to constitute a public or a private nuisance.
2. Mobile food vendor vehicles cannot be parked at a private residence.
3. Taxicab, limousine, or pedicab service shall not be on-call and available for service; no vehicle shall be dispatched from the residence by radio, telephone, or other means, but may be parked at the residence when not in service.

## G. Prohibited Home Occupations

1. Alcohol beverage manufacturing or sales business
2. Ambulance service
3. Ammunition reloading, including custom reloading
4. Boarding house, bed-and-breakfast hotel, timeshare condominium
5. Carpentry, cabinet makers
6. Ceramics (kiln of six (6) cubic feet or more)
7. Firearms sales
8. Health salons, gyms, dance studios, aerobic exercise studios
9. Medical, dental, chiropractic, or veterinary clinics
10. Mortician, hearse service
11. Noncertified massage practitioners
12. Palm-reading, fortune-telling
13. Private clubs
14. Repair or reconditioning of boats or recreation vehicles
15. Restaurants or taverns
16. Retail sales from site (except direct distribution of artist's originals)
17. Sex-oriented businesses
18. Storage, repair, or reconditioning of major household appliances
19. Storage, repair, or reconditioning of motorized vehicles or large equipment on-site
20. Tattoo and piercing service
21. Tow truck service
22. Veterinary uses (including boarding)
23. Welding services

# Section 4.5 Planned Residential Developments

## A. Intent and Applicability

Planned Residential Developments (PRDs) provide development standards that vary from the standard requirements of the City's residential zoning districts.

A PRD can be used to addresses site-specific conditions, or can be proposed to allow the development of residential products than cannot be accommodated by standard residential zoning.

## B. General Requirements for All PRDs

1. PRDs may be established on any property designated by the General Plan for residential use.

2. The PRD is a replacement for standard residential zoning, and shall be designated as "PRD" on the Zoning Map.

3. The total number of dwelling units in a PRD project may not exceed that which would be permitted by the General Plan. The permitted density may be reduced from the maximum potential per the General Plan if it is determined to be necessary to achieve compatibility with the area in which the development is located.

4. Variety in housing types is desired to provide visual interest and provide a range of housing types within the community.

5. PRDs may not be used to establish different permitted and/or conditional uses than are included in the City's standard residential zoning districts.

## C. Mandatory PRD Contents

All PRDs shall include development standards (in written and/or illustrative form, as appropriate) for the following:

1. **Yards Setbacks and Building Separations.** Minimum setbacks must be established by the PRD. Setback should be based on the proposed residential product type and configuration, topography, and compatibility with the area in which the development is located.

2. **Height limits.** All PRDs shall establish height limits for all types of structures. Maximum permitted height limits lower than those permitted in standard zoning districts may be established if it is determined to be necessary for a planned development to achieve compatibility with the area in which the development is located.

3. **Open Space.** All PRDs shall include standards for open space, recreation, and community amenities.

4. **Maintenance of Common Areas.** All PRDs must provide a mechanism for the funding of ongoing maintenance of common areas in a manner acceptable to the City.

5. **Community Design and Unit Placement.** All PRDs must include standards for the design and placement of individual housing units and/or multifamily buildings. These standards must ensure

that privacy from unit to units and from unit to private open space is maximized, including window placement and orientation of units. These standards shall seek to minimize conflict between pedestrian and auto movements and to reduce the visual prominence of garage doors for individual units.

6. **Other Standards.** All PRDs must identify the standard zoning district(s) to be consulted for standards (such as permitted and conditionally permitted uses) which are not addressed in the PRD.

## D. Standards Applicable to all PRDs

The following development standards shall apply to all PRDs, whether or not they are included in the PRD document:

1. **Screening.** A six (6)-foot-high masonry wall shall be constructed on any project boundary line where it is determined necessary to protect the adjacent property and ensure compatibility with the area in which the development is located.

2. **Setbacks at Project Boundaries.** In no case shall building setbacks from a project's exterior streets and boundary lines be less than ten (10) feet. All other setbacks and building separations shall be established by the site plan and development standards of the PRD.

3. **Minimum Open Space Requirement.** Not less than 40 percent of the net area of a project shall be used for open area or recreational facilities, or a combination thereof. The net area of a project shall be determined by excluding all streets, drives, and automobile storage areas. Neighborhoods should be arranged around common open space and amenities to create a sense of place.

4. **Streets and Circulation.** All streets shall be designed and constructed in accordance with City standards. The circulation plan shall demonstrate a hierarchal street pattern design to promote a sense of place and provide a logical progression to community amenities and project entrances.

## E. Special Requirements for Age-Restricted PRDs

The following specific requirements apply to all PRD developments intended for senior citizens:

1. **Design.** The overall development shall be designed for ease of use by persons of advanced age. Not less than one accessible route for handicapped persons to all on-site facilities shall be provided. Where public facilities exist, such as bus stops, sidewalks and drop-off zones, accessible routes for handicapped persons shall be provided;

2. **Location.** Developments shall be located in areas which offer services to the aged, such as transportation, shopping, recreation, and nutrition programs;

3. **Elevators.** No building shall be constructed that exceeds one story in height unless it contains elevators for the use of the occupants. Residential buildings which exceed one story shall provide additional elevators if they are needed due to the number of units or project design proposed. Elevators shall be spaced in order to minimize the walking distance from the elevators to the residential units.

4. **Recreation.** Common recreational facilities or buildings designed for senior citizen use shall be provided for the use of the occupants.

5. **Medical.** Medical offices and convalescent facilities, not including hospitals, may be required for the use of the occupants.

6. **Handicapped Units.** At least 10 percent of the residential units shall be adaptable for handicapped persons. Those units shall meet the standards set forth in the California Code of Regulation, Title 24.

# Section 4.6 Commercial Fertilizer Operations

## A. Intent

The following regulations shall apply to the commercial stockpiling, drying, mechanical processing, and sale of farm animal manure (with the exception of poultry operations) produced on the premises, in any zone that permits such use.

## B. Development Standards

1. The minimum parcel size on which such fertilizer processing operation will be permitted is ten (10) gross acres with a minimum parcel width of six hundred sixty (660) feet.
2. Driveways and employee parking areas shall be surfaced with an asphaltic penetration coat at the rate of two (2) gallons per square yard, followed in six (6) months by an asphaltic seal coat.
3. There shall be no manufacturing of chemical additives on the premises.
4. Inorganic chemical additives shall be limited to 10 percent by volume of the organic manure processed.
5. The use shall comply with all requirements of the County Health Department and the South Coast Air Quality Management and the State Regional Water Quality Control Board.
6. Manure stockpiles shall be maintained at least one hundred fifty (150) feet from any road right-of-way and thirty-five (35) feet from side and rear property lines.
7. No manure stockpile shall exceed a height of twenty-five (25) feet.
8. Stockpiles shall be shaped to a one to four minimum slope to prevent detrimental water seepage into the ground and minimize the stockpile area subject to rainfall.
9. There shall be no draining of runoff water from any stockpile area onto adjoining properties.
10. No commercial fertilizer operations or manure stockpiles shall be permitted within the Airport Influence Area, as depicted in the most recently adopted version of the Chino Airport Land Use Compatibility Plan.

# Section 4.7 Kennels and Catteries

## A. Intent

The intent is to ensure that parcels containing kennels or catteries are adequate for the uses to reduce negative impacts on adjacent properties (i.e., noise, health, and other potential impacts)

## B. Permitted Zoning

Kennels or catteries are only permitted in zones identified in Chapter 3 (Zoning District Regulations).

## C. Development Standards

1. **Residency.** In those zones permitting Class I Kennels, such kennels may be placed upon parcels containing detached single-family dwelling units. All Class II Kennels and all catteries shall include a single-family dwelling to be used by a live-in caretaker. Notwithstanding any provision within this code to the contrary, no parcel with a kennel or cattery shall contain more than the maximum number of detached single-family dwelling units permitted by the existing zoning on the property. Multifamily dwelling units and attached single-family dwelling units shall not be permitted in conjunction with kennels or catteries; provided, however, that a guest dwelling or second unit shall be permitted.

2. **Minimum lot size.** The minimum lot size for a kennel or cattery in an agricultural, residential, rural, or open space zone is one (1) acre (gross). There is no minimum lot size for a kennel or cattery in an industrial zone other than what is required by the zoning on the property.

3. **License.** The applicant shall obtain and continuously maintain all necessary licenses from the Riverside County Health Department.

## D. Zoning Clearance Requirements

Each kennel or cattery shall obtain a Zoning Clearance from the Planning Director prior to establishment.

# Section 4.8 Animal Keeping

## A. Intent

The following provisions provide minimum development standards for animal keeping.

## B. Noncommercial

1. **Hogs.** The noncommercial raising of hogs shall comply with the following standards:
   a. Shall not exceed five (5) hogs;
   b. The total number of hogs permitted on parcels of less than one (1) acre shall not exceed two (2) hogs;
   c. No hogs shall be permitted on lots of less than twenty thousand (20,000) square feet; and
   d. For the purposes of determining the number of hogs on a parcel, both weaned and unweaned hogs shall be counted.

2. **Miniature pigs.** The noncommercial raising of miniature pigs shall comply with the following standards:
   a. In the RR and A1 zones:
      1) not more than (5) miniature pigs on lots of not less than 20,000 square feet,
   b. In the R-A, R-1, R-2, and R-3 zones:
      1) Minimum lot size of seven thousand two hundred (7,200) to nineteen thousand nine hundred ninety-nine (19,999) square feet for not more than one (1) miniature pig;
      2) Minimum lot size is twenty thousand (20,000) square feet, for not more than two (2) miniature pigs;
   c. Any person owning or having custody or control of a miniature pig over the age of four (4) months shall pay for and obtain a license from the Animal Control Department;
   d. Any miniature pig kept or maintained on a lot as a permitted use shall be spayed or neutered as a condition of being licensed. No license shall be issued unless the owner or custodian of the miniature pig presents a valid certificate from a veterinarian. All unaltered miniature pigs shall be subject to immediate impoundment;
   e. No miniature pig may weigh more than two hundred (200) pounds;
   f. Any person owning or having charge, care, custody, or control of any miniature pig shall keep such pig exclusively upon his or her own premises; however, such pig may be off such premises if under restraint of a competent person; and
   g. The miniature pig must be kept in an enclosure that is no closer than thirty (30) feet from the front property line, fifteen (15) feet from any side or rear property line, and no closer than thirty-five (35) feet from any dwelling unit other than the dwelling unit on the subject lot.

3. **Horses, cattle, sheep, and goats***:* The noncommercial keeping of horses, cattle, sheep, and goats shall comply with the following standards:
   a. Lots or parcels shall be more than twenty thousand (20,000) square feet in area and one hundred (100) feet in width;
   b. Must be kept, fed, and maintained not less than fifty (50) feet from any residence;
   c. Two (2) such animals may be kept on each twenty thousand (20,000) square feet up to one (1) acre and two (2) such animals for each additional acre, except within the R-R zone(see below);
   d. Within the R-R zone, such animals are not to exceed five (5) per acre.

## C. Poultry

1. **Crowing fowl (including chickens, peafowl, and guinea fowl).** The keeping or raising of male and female crowing fowl shall comply with the following standards:
   a. Maximum crowing fowl per lot:

| Maximum Number of Crowing Fowl | Lot Size |
|---|---|
| 4 mature female crowing fowl | 7,200 to 39,999 square feet |
| 12 mature female crowing fowl | 40,000 square feet or more |
| 50 mature female crowing fowl and 10 male crowing fowl | 5 acres or more |

   b. Crowing fowl shall be kept in an enclosed area located not less than twenty (20) feet from any property line and not less than fifty (50) feet from any residence and shall be maintained on the rear portion of the lot in conjunction with a residential use.

*Refer to Chapter 1 for crowing fowl permit requirements.*

## D. Small Animals

1. **Rabbits, fish, frogs, guinea pigs, parakeets, chinchillas, poultry, crowing fowl (chickens only) or other similar small fowl or animals.** The raising or breeding shall comply with the following standards:
   a. If a lot is one acre or more:
      1) Animals may be kept for the use of the occupants of the premises only;
      2) Animals must be kept and maintained in an enclosed area;
      3) Located not less than twenty (20) feet from any property line; and
      4) At least fifty (50) feet from any residence existing at the time such use is established.

# Section 4.9 Alcoholic Beverage Sales

## A. Intent

The following provisions provide minimum development standards for alcoholic beverage sales. These standards are designed to provide for the appropriate development of alcoholic beverage sales and to protect the health, safety, and welfare of residents by furthering awareness of laws relative to drinking.

## B. Permitted Zoning

Refer to Chapter 3 (Zoning District Regulations).

## C. Development Standards

1. A Conditional Use Permit shall be required for any type of alcohol sales.
2. Such facilities shall not be situated in such a manner that vehicle traffic from the facility may reasonably be believed to be a potential hazard to a school, church, public park or playground.
3. Notice of hearing shall be given to all owners of property within one thousand (1,000) feet of the subject facility, to any elementary school or secondary school district within whose boundaries the facility is located, and to any public entity operating a public park or playground within one thousand (1,000) feet of the subject facility. The Planning Director may require that additional notice be given, in a manner the Director deems necessary or desirable, to other persons or public entities.
4. The following additional development standards shall apply to the concurrent sale of motor vehicle fuels and beer and wine for off-premises consumption:
    a. Only beer and wine may be sold;
    b. The owner of each location and the management at each location shall educate the public regarding driving under the influence of intoxicating beverages, minimum age for purchase and consumption of alcoholic beverages, driving with open containers and the penalty associated with violation of these laws. In addition, the owner and management shall provide health warnings about the consumption of alcoholic beverages. This educational requirement may be met by posting prominent signs, decals, or brochures at points of purchase. In addition, the owner and management shall provide adequate training for all employees at the location as to these matters;
    c. No displays related to alcoholic beverages shall be located within five (5) feet of any building entrance or checkout counter;
    d. Cold beer or wine shall be sold from or displayed in the main, permanently affixed electrical coolers only;
    e. No advertising related to alcoholic beverages shall be located on gasoline islands; and no lighted advertising for beer, wine, or other alcoholic beverages shall be located on the exterior of buildings or within window areas;
    f. Employees selling beer and wine between the hours of 10:00 p.m. and 2:00 a.m. shall be at least 21 years of age;
    g. No sale of alcoholic beverages shall be made from a drive-in window.

## D. Additional Development Requirements

Additional development standards may be required as conditions of approval.

# Section 4.10 Farmers Markets

## A. Intent

The following provisions are intended to ensure that farmers markets complement adjacent land uses and do not have negative impacts on nearby properties.

## B. Definitions

1. **Farm products.** Fruits, vegetables, mushrooms, herbs, nuts, shell eggs, honey or other bee products, flowers, nursery stock, fish, and livestock food products including meat, milk, cheese and other dairy products.
2. **Farmers market.** An outdoor market open to the public, operated by a governmental agency, a nonprofit corporation, or one or more producers, at which:
   a. At least 75 percent of the products sold are farm products or value-added farm products; and
   b. At least 75 percent of the vendors regularly participating during the market's hours of operation are producers, or family members or employees of producers.
3. **Producer.** A person or entity that raises or produces farm products on land that the person or entity farms and owns, rents, or leases.
4. **Value-added farm product.** Any product processed by a producer from a farm product, such as baked goods, jams, and jellies.

## C. Permitted Zoning

Farmers markets are only permitted in zones identified in Chapter 3 (Zoning District Regulations).

## D. Development Standards

1. The market must be located within the buildable portion of the lot on which it is to be located.
2. All farmers markets and their vendors shall comply with all federal, state, and local laws and regulations relating to the operation, use, and enjoyment of the market premises.
3. All farmers markets and their vendors shall receive all required operating and health permits, and these permits (or copies) shall be in the possession of the farmers market manager or the vendor, as applicable, on the site of the farmers market during all hours of operation.
4. All farmers markets shall have an established set of operating rules addressing the governance structure of the farmers market, hours of operation, maintenance, and security requirements and responsibilities; and appointment of a market manager.
5. All farmers markets shall have a market manager authorized to direct the operations of all vendors participating in the market on the site of the market during all hours of operation.
6. All farmers markets shall provide for composting, recycling, and waste removal in accordance with all applicable City of Eastvale, Riverside County Health Department, and other outside agency codes and regulations.

# Section 4.11 Recycling Facilities

## A. Intent

The following provisions provide minimum development standards for recycling facilities. These standards are designed to provide appropriate development of recycling facilities pursuant to the 1986 California Beverage Container Recycling and Litter Reduction Act (Public Resources Code Section 14500 et.seq.).

## B. Permitted Zoning

1. State-certified reverse vending machines and mobile recycling units shall be permitted in any commercial or industrial zone, provided that the use is located within a convenience zone designated by the State of California Department of Conservation.
2. Recycling collection facilities shall be permitted in the following zones:
    a. C-1/C-P and C-P-S Zones with an approved Minor Development Review and provided the facility operates within an enclosed building with not more than two hundred (200) square feet of outside storage;
    b. I-P Zone with an approved Minor Development Review provided the facility operates totally within an enclosed building with no outside storage;
    c. M-SC, M-M and M-H Zones with an approved Minor Development Review.
3. Recycling processing facilities shall be permitted in the following zones:
    a. M-SC, and M-M Zones with an approved Conditional Use Permit;
    b. M-H Zone with an approved Minor Development Review;
    c. I-P Zone with an approved Minor Development Review provided the facility operates totally within an enclosed building with no outside storage.

## C. Development Standards

1. **Reverse Vending Machines (see Chapter 6—Glossary for definition)**
    a. **Location.** Reverse vending machines shall be established in conjunction with supermarkets or other commercial or industrial uses which are subject to approved development review or Conditional Use Permits, and shall be located within thirty (30) feet of the entrance to the commercial or industrial structure, without obstructing pedestrian or vehicular traffic, or occupying parking spaces required by the primary use;
    b. **Parking.** No additional parking spaces for access or use shall be required;
    c. **Size.** Reverse vending machines shall occupy no more than fifty (50) square feet of floor area per machine, and shall be no more than eight (8) feet in height;
    d. **Design.** Reverse vending machines shall be constructed and maintained with durable waterproof and rustproof material, and shall be clearly marked to identify material to be deposited, operating instructions, and the identity and the telephone number of the operator or responsible person to contact in the event of machine malfunction or if the machine is inoperative;
    e. **Signs.** Signs shall have maximum surface area of four (4) square feet;

f. **Maintenance.** Units shall be maintained in a clean, litter-free condition, and shall be sufficiently illuminated to ensure safe operations at all times;

g. **Operating hours.** Such facilities shall have operating hours at least the same as the primary use.

2. **Mobile Recycling Units**

a. Mobile recycling units shall be established in conjunction with supermarkets or other commercial or industrial uses which are subject to approved development review or Conditional Use Permits;

b. Mobile recycling units shall be no larger than five hundred (500) square feet and occupy no more than five (5) parking spaces, not including space needed for material removal or transfer;

c. Such facilities shall accept only glass, metals, plastics, papers, and such other nonhazardous materials suitable for recycling;

d. No additional parking spaces for customer use at facilities located at established parking lots of a primary use shall be required. Mobile recycling units shall have an area which is clearly marked to prohibit other vehicular parking during times when the mobile unit is scheduled to be present;

e. **Setbacks.**

1) Units shall be set back at least ten (10) feet from any street line and shall not obstruct pedestrian or vehicular traffic;

2) The storage, operation, and concealment of materials shall conform to the setback and development standards of the zone in which the project is located;

3) Containers for 24-hour material donation shall be at least thirty (30) feet from any residentially zoned property unless superseded by an acoustic barrier approved by the Planning Director.

f. **Storage**.

1) Storage containers shall be securable and constructed of waterproof and rustproof materials;

2) Storage of recyclable materials outside of containers or mobile unit when an attendant is not present is prohibited;

3) Containers shall be clearly marked to indicate the type of material acceptable for collection. The facility shall identify the operator and hours of operation.

g. Maintenance facilities shall be maintained in a safe and litter-free condition.

h. **Hours of operation.**

1) Facilities located within one hundred (100) feet of any residentially zoned property shall operate only between the hours of 9:00 a.m. and 7:00 p.m.

2) All facilities shall be attended while in operation.

i. **Signs.**

1) All on-site signs shall comply with the provisions of Section 5.7 of this code;

2) Directional signs may be installed, as approved by the City, if necessary to facilitate traffic circulation;

3) A sign shall be affixed to the facility prohibiting the deposit of hazardous or toxic materials after hours or at any time an attendant is not present.

j. **Noise.** The facility shall not exceed noise levels of 60 dBA as measured at the exterior property line of residentially zoned property. In no event shall the noise level exceed 70 dBA.

k. **Landscaping.** Facilities shall be located so as not to affect the landscaping required for any concurrent land use.

l. **Additional development requirements**. Additional development standards may be required as conditions of approval.

3. **Recycling Collection Facilities**

a. **Standards that apply to all zones:**

1) Collection facilities shall be set back at least one hundred (150) feet from property zoned or designated for residential use pursuant to the General Plan;

2) Containers provided for after hours donation shall be set back at least fifty (50) feet from any property zoned or occupied for residential use, and shall be constructed of sturdy and durable containers that have the capacity to accommodate donated materials.

b. **Standards that apply to the Commercial Zones:**

1) In the C-1/C-P and C-P-S Zones, the collection facility area shall at least be enclosed by an opaque block wall or solid wood fence at least six (6) feet in height and landscaped on all street frontages.

c. **Standards that apply to the Manufacturing/Industrial Zones:**

1) In the I-P, M-SC, M-M, and M-H Zones, collection facilities shall comply with the setback, landscape, and structural requirements of the zone in which the project is located.

d. **Standards that apply only to the I-P Zone:**

1) In the I-P Zone, collection facilities shall operate totally within an enclosed building. Outside storage shall not be permitted.

e. **Storage of Materials:**

1) All exterior storage of materials shall be in sturdy weatherproof and rustproof containers which are covered, baled, or palletized, and which are secured and maintained in good condition;

2) Storage for flammable materials shall be in nonflammable containers;

3) Storage for the recycling of oil shall be in containers approved by the County Health Department.

f. **Parking.** Parking shall be provided for six (6) vehicles or the anticipated peak customer demand load, whichever is greater. One (1) additional parking space for each commercial vehicle operated by the facility shall be provided.

g. **Noise.** The facility shall not exceed noise levels of 65 dBA as measured at the exterior property line of residentially zoned property. In no event shall the noise level exceed 75 dBA.

h. **Hours of operation.** If the facility is located within five hundred (500) feet of property zoned or designated for residential use pursuant to the General Plan, it shall not operate between the hours of 7:00 p.m. and 7:00 a.m.

i. **Signs.** All on-site signs shall be in conformance with the standards set forth in this code, and shall clearly identify the responsible operating parties and their telephone numbers.

j. **Power-driven machinery.** The use of power-driven machinery shall be limited to state-approved reverse vending machines. In addition:

1) Machinery which is necessary for the temporary storage, efficient transfer, or securing of recyclable materials may be permitted with the approval of development review;

2) In the I-P, M-SC, M-M, and M-H Zones, power-driven machinery which is used to briquette, shred, transform, and otherwise process recyclable materials may be approved with a Conditional Use Permit.

k. **Additional development requirements.** Additional development standards may be required as conditions of approval.

4. **Recycling Processing Facilities.**

a. In the I-P Zone, the processing facility shall operate totally within an enclosed building with no outside storage, and shall be located at least one hundred (150) feet from property zoned for residential use. Outside storage shall not be permitted.

b. In the M-SC, M-M, and M-H Zones, setbacks, landscaping and structural requirements shall comply with the development standards of the underlying zone.

c. **Storage of materials.**

1) All outside storage of materials shall be in sturdy weatherproof and rustproof containers which are covered, baled, or palletized; and which are secured and maintained in good condition;

2) Storage for flammable materials shall be in nonflammable containers;

3) Storage for the recycling of oil shall be in containers approved by the County Health Department;

4) Storage of recyclable materials outside of containers or mobile/recycling unit when attendant is not present is prohibited;

5) Containers shall be clearly marked to indicate the type of material accepted for collection.

d. **Parking.** Parking shall be provided on site for the peak load circulation and parking of customers. If the facility is to service the public, parking spaces shall be provided for a minimum of ten customers, or the peak customer demand load, whichever is greater.

e. **Noise.** The facility shall not exceed noise levels of 65 dBA as measured at the exterior property line of residentially zoned property. In no event shall the noise level exceed 75 dBA.

f. **Hours of operation.** The facility shall identify the operator and the hours of operation. If the facility is located within five hundred (500) feet of property zoned or planned for residential use pursuant to the Eastvale General Plan, it shall not operate between the hours of 7:00 p.m. and 7:00 a.m.

g. **Signs.** All on-site signs shall be in conformance with the standards set forth in Section 5.7 of this code, and shall clearly identify the responsible operating parties and their telephone numbers.

h. **Site condition.** The site shall be maintained in a safe and litter-free condition on a daily basis.

i. **Additional development requirements.** Additional development standards may be required as conditions of approval.

# Section 4.12 Mini-Storage Facilities

## A. Intent

The following provisions provide minimum development standards for mini-storage facilities. These standards are designed to provide for the appropriate development of mini-storage facilities and to protect the health, safety, and welfare of City residents using such facilities or who live or conduct business adjacent to such facilities.

## B. Permitted Zoning

Mini-storage facilities shall be allowed per Section 3 (Zoning District Regulations) of this Code.

## C. Permitted Uses

Mini-storage facilities shall be designed and operated for the storage of goods in individual compartments or rooms, which are available for use by the general public on a rental or lease basis. In no case shall storage spaces be used for manufacturing, retail or wholesale selling, compounding, office functions, other business or service uses, or human habitation.

## D. Development Standards

1. **Storage spaces.** Individual storage spaces within a mini-warehouse shall have a maximum gross floor area of five hundred (500) square feet.
2. **Walls.** A six (6)-foot-high decorative masonry wall combined with an earthen berm or landscaping to provide an eight (8)-foot-high screen shall be provided around the entire mini-warehouse land use, unless otherwise approved by the hearing body. The rear and sides of mini-warehouse buildings may be used in place of portions of the required wall where no individual storage units are accessible from the building sides. The exterior side of all perimeter masonry walls and building sides (if used in place of portions of the walls), shall be coated with a protective coating that will facilitate the removal of graffiti.
3. **Surface covering.** All surfaces shall be color coated in coordinating colors as approved by the hearing body.
4. **Roofing.** Roofing materials shall be compatible with area development.
5. **Lighting.**
    a. All lighting shall be indirect, hooded, and positioned so as not to reflect onto adjoining property or public streets;
    b. Lighting fixtures may be installed in each individual storage space, provided that the fixtures shall not include or be adaptable to provide electrical service outlets;
    c. Light fixtures shall be controlled by time switches located in the respective individual storage unit with a maximum of thirty (30) minute time limit per activation.
6. **Gates.** All gates shall be decorative wrought iron, chain link, other metal type, or wood. All metal type or wood gates must be painted in a color which coordinates with the rest of the mini-warehouse development. All gates shall be subject to review and approval by the Fire Department and Police Department to assure adequate emergency access.

7. **Landscaping.** All street setbacks and walls serving as buffers between the mini-warehouse use and residentially zoned property shall be landscaped. This landscaping shall include shrubs, trees, vines, or a combination thereof which act to soften the visual effect of the walls. This landscaping shall be in addition to and coordinated with the landscaping required for parking areas.
8. **Setbacks.**
    a. No building, structure or wall shall be located closer than twenty (20) feet from any street right-of-way;
    b. No building shall be located closer than twenty (20) feet from any residential zoned property. Walls shall be located so as to provide a buffer between the residential zone and the mini-warehouse zone;
    c. All open areas, including interior setbacks, may be used for driveways, parking, outdoor storage or landscaping.
9. **Caretaker's residence.** One caretaker's residence may be included within the site plan for a mini-warehouse land use. Where a caretaker's residence is proposed, a minimum of two (2) parking spaces shall be provided for the caretaker's residence in addition to those required for the mini-warehouse land use.
10. **Prohibited materials.** The following materials shall not be stored in mini-storage facilities:
    a. Flammable or explosive matter or material;
    b. Matter or material which creates obnoxious dust, odor, or fumes;
    c. Hazardous or extremely hazardous waste, as defined by applicable provisions of the Hazardous Waste Control Law (Health and Safety Code Section 25100, et seq.);
    d. Any other prohibited materials per state or federal law.
11. **Prohibited facilities.**
    a. No water, sanitary facilities, or electricity, with the exception of lighting fixtures, shall be provided in individual storage spaces;
    b. Prefabricated shipping containers shall not be used as mini-storage facilities.
12. **Additional development requirements.** Additional development standards may be required as conditions of approval.

# Section 4.13 Metal Shipping Containers

## A. Intent

The following provisions establish minimum development standards for the placement of metal shipping containers. These standards are designed to enhance the aesthetic appearance of the community, preserve property values, and protect the public health, safety, and welfare.

## B. Permitted Zoning and Development Standards

Placement of metal shipping containers shall be subject to the following limitations:

1. Metal shipping containers shall not be allowed as a principal use in any zone.
2. Metal shipping containers shall be allowed in all zones during construction or grading operations for the site where located and when utilized solely for the storage of supplies and equipment that are used for construction or grading on that site.
3. In commercial and industrial zones, placement of metal shipping containers as an accessory use is permitted provided development review has been approved pursuant to the provisions of Section 2.1 of this code or the placement has been approved as part of development review, Conditional Use Permit or other approval.
4. In all zones, other than commercial and industrial zones, placement of metal shipping containers is allowed as an accessory use subject to the following development standards as well as the standards in Section 5.11 of this code:
    a. The minimum lot size shall be five (5) acres;
    b. No more than one (1) metal shipping container shall be permitted on any parcel;
    c. The setback from all property lines shall be a minimum of fifty (50) feet.
    d. Placement shall be to the rear of the main building on the rear half of the property;
    e. The metal shipping container shall be fully screened with an opaque fence or fast-growing landscaping. Fencing may not be provided by any type of chain link fencing;
    f. The metal shipping container shall be painted a neutral color.

## C. Exception

The provisions of this section shall not apply in the A-2 Zone and the placement of metal shipping containers shall be permitted in the A-2 Zone.

# Section 4.14 Wireless Communication Facilities

## A. Intent

The intent of this article is to do each of the following:

1. Enhance the ability of telecommunication service providers to effectively and efficiently provide new wireless communication services.
2. Encourage the design and placement of wireless communication facilities in a way that minimizes their impact to the visual character, health, economic vitality, and biological resources.
3. Encourage and maximize the use of existing and approved wireless communication facilities, buildings, and other structures while taking into account the use of concealment technology in order to reduce the number of facilities needed to serve businesses and residents.
4. Ensure continuous maintenance of new and existing wireless communication facilities.
5. Ensure the timely removal of any unused or outdated wireless communication facilities.

## B. Exclusions

This article shall not apply to any tower or antenna that is less than one hundred five (105) feet in total height and that is owned and operated by a federally licensed amateur radio station operator. This article shall also not apply to any tower or antenna used for commercial radio or television purposes.

## C. Definitions

The following terms shall have the following meanings for purposes of this article:

1. **Antenna.** A device used for the purpose of transmitting and/or receiving wireless communication signals.
2. **Antenna structure**. An antenna and its associated support structure, such as a monopole or tower.
3. **Equipment enclosure**. Any freestanding or mounted structure, shelter, cabinet, or vault used to house and protect the electronic and supporting equipment necessary for processing wireless communication signals. Supporting equipment includes, but is not limited to, air conditioners, emergency generators, and other back-up power suppliers.
4. **Monopole**. A vertical, unguyed structure erected on the ground to support an antenna.
5. **Telecommunication service provider**. The private sector entity that is responsible for providing wireless communication to the general public or the private sector entity that owns or operates a wireless communication facility.
6. **Tower.** A structure that supports, holds, or contains equipment that sends and/or receives wireless communication signals, including, but not limited to, antennas.
7. **Wireless communication facilities.** Facilities that send and/or receive personal wireless communication signals, including, but not limited to, antennas, microwave dishes or horns, antenna structures, towers, equipment enclosures and the land upon which they are all situated. Wireless communication facilities are classified as follows:
    a. **Concealed wireless communication facilities**. Facilities blended into the environment so as not to be seen at all or, if seen, not to be recognized as wireless communication facilities.

Concealed wireless communication facilities include, but are not limited to, architecturally screened roof-mounted facilities, facade-mounted design feature facilities, clock tower facilities, and entry statement signage facilities. The Planning Director shall make the final determination as to whether a facility under review constitutes a concealed wireless communication facility.

b. **Disguised wireless communication facilities**. Facilities designed and sited so as to be minimally visually intrusive. Disguised wireless communication facilities include, but are not limited to, disguised palm trees (monopalms), disguised pine trees (monopines), disguised ball field light poles, disguised water towers, disguised street lights, disguised electric utility poles, suspended wire antennas, and painted poles located within a grove of live trees. The Planning Director shall make the final determination as to whether a facility under review constitutes a disguised wireless communication facility.

c. **Co-located wireless communication facilities**. Facilities owned by one telecommunication service provider that are attached to facilities owned by a different telecommunication service provider. The Planning Director shall make the final determination as to whether a facility under review constitutes a co-located wireless communication facility.

d. **Other wireless communication facilities.** Facilities that are not concealed, disguised or co-located.

## D. Concealed Wireless Communication Facilities

1. **Appropriate location.** Concealed wireless communication facilities may be located in any zone classification.

2. **Permit application.** An application for development review shall be made to the Planning Director. The application shall be classified as a development review that is not subject to the California Environmental Quality Act (CEQA) and that is not transmitted to any governmental agency other than the Planning Department for review and comment. A City public hearing on the application shall not be required. Notwithstanding above, the Planning Director may require the applicant to submit a separate application to the Airport Land Use Commission.

3. **Requirements for approval.** No development review application for a concealed wireless communication facility shall be approved unless:

   a. The facility is designed so that it is not visible at all or, if visible, it is not recognizable as a wireless communication facility;

   b. Supporting equipment is located entirely within an equipment enclosure that is architecturally compatible with the surrounding area or is screened from view;

   c. The application has met the processing requirements set forth in this article;

   d. The application has met the location and development standards set forth in this article.

   e. The Planning Director or approving body has either: (1) determined that notice to the Federal Aviation Administration is not required; or, (2) received a determination of No Hazard to Air Navigation for the project issued by the Federal Aviation Administration.

## E. Disguised Wireless Communication Facilities

1. **Appropriate location.** Disguised wireless communication facilities may be located in the following zone classifications: I-P, M-SC, M-M, M-H, A-1 (lots larger than two and one-half (2 and 1/2) acres), A-2, A-D, W-1, C-1/C-P, C-P-S, C-O. Disguised wireless communication facilities may also be located in the following zone classifications: A-1 (lots two and one-half (2 and 1/2) acres and smaller), R-3, R-5, R-R, R-A, R-1, R-2, PRD, R-6, R-T.
2. **Permit Application.** An application for a Minor Development Review shall be made to the Planning Director. A notice shall be sent to all property owners within six hundred (600) feet of the parcel on which the disguised wireless communication facility would be located.
3. **Requirements for approval.** No development review application for a disguised wireless communication facility shall be approved unless:
   a. The facility is designed and sited so that it is minimally visually intrusive;
   b. Supporting equipment is located entirely within an equipment enclosure that is architecturally compatible with the surrounding area or is screened from view;
   c. The application has met the processing requirements set forth in this article;
   d. The application has met the location and development standards set forth in this code;
   e. The application has met the requirements for approval set forth in Section 2.1 of this code.
   f. The Planning Director or approving body has either: (1) determined that notice to the Federal Aviation Administration is not required; or, (2) received a determination of No Hazard to Air Navigation for the project issued by the Federal Aviation Administration.

## F. Co-Located Wireless Communication Facilities

1. **Appropriate location.** Co-located wireless communication facilities may be located in any zone classification.
2. **Permit Application.** An application for a Minor Development Review shall be made to the Planning Director. A notice shall be sent to all property owners within six hundred (600) feet of the parcel on which the disguised wireless communication facility would be located.
3. **Requirements for approval.** No application for a co-located wireless communication facility shall be approved unless:
   a. The facility is owned by one telecommunication service provider and is attached to a facility owned by a different telecommunication service provider or tower owner or operator;
   b. The height of the existing facility is not increased by more than ten (10) feet;
   c. Supporting equipment is located entirely within an equipment enclosure that is architecturally compatible with the surrounding area or is screened from view;
   d. The application has met the processing requirements set forth in this article;
   e. The application has met the location and development standards set forth in this article.

## G. Other Wireless Communication Facilities

1. **Appropriate location.** Other wireless communication facilities may be located in the following zone classifications: I-P, M-SC, M-M, M-H, A-1 (lots larger than two and one-half (2 and 1/2) acres) W-1.
2. **Permit application.** An application for a Conditional Use Permit is required.
3. **Requirements for approval.** No Conditional Use Permit for another wireless communication facility shall be approved unless:
   a. The facility is not located within a sensitive viewshed;
   b. Supporting equipment is located entirely within an equipment enclosure that is architecturally compatible with the surrounding area or is screened from view;
   c. The application has met the processing requirements set forth in this article;
   d. The application has met the location and development standards set forth in this article.
   e. The Planning Director or approving body has either: (1) determined that notice to the Federal Aviation Administration is not required; or, (2) received a determination of "No Hazard to Air Navigation" for the project issued by the Federal Aviation Administration

## H. Effect of Location on Public Property

Whether located on public or private property, wireless communication facilities cannot be constructed unless a permit has first been obtained in accordance with this section.

## I. Effect of Encroachment Permit Issuance

An encroachment permit does not, under any circumstances, authorize the construction of wireless communication facilities.

## J. Processing Requirements

1. In addition to the application requirements of the appropriate permit, all of the following shall be submitted with a wireless communication facility application:
   a. A site plan drawn to scale by a California-licensed land surveyor or civil engineer showing property lines; the location of the proposed facility; the distance of the proposed facility from property lines; adjacent roadways and rights-of-way; contours; the height of the proposed facility and the facility type; guy wires and anchors; facility dimensions; setbacks; existing structures on the underlying property; elevation drawings depicting the typical design of the proposed facility; parking; access easements; elevation above mean sea level at the base of the antenna structure and at the top of the antenna structure and fencing;
   b. A conceptual landscape plan indicating all existing vegetation, identifying landscaping that is to be retained on the site and identifying any additional vegetation that is needed to satisfactorily control erosion and screen the facility from adjacent land uses and public vistas. All existing trees larger than four (4) inches in diameter at a height of four and one-half (4 and 1/2) feet shall be identified in the landscape plan by species type, and the plan shall indicate whether the trees are to be retained or removed. Landscape plans are not required for concealed wireless communication facilities;

c. Propagation diagrams showing the existing network coverage within one (1) mile of the site and the proposed coverage based upon the proposed facility at the proposed height;

d. Photo simulations showing the proposed facility from all public roads and all residential developments within a half-mile radius of the site;

e. A letter stating whether or not Federal Aviation Administration (FAA) clearance is required. If FAA clearance is required, a letter stating the type of lighting necessary and the tower color. The Planning Director and his or her designee shall independently whether FAA notice is required, based on the elevation information provided and the distance of the site from the runways at the Chino Airport.

f. A fully executed copy of the lease or other agreement entered into with the owner of the underlying property. The lease or other agreement shall include a provision indicating that the telecommunication service provider, or its successors and assigns, shall remove the wireless communication facility completely upon its abandonment. The lease or other agreement shall also include a provision notifying the property owner that if the telecommunication service provider does not completely remove a facility upon its abandonment, the City may remove the facility at the property owner's expense and lien the property for the cost of such removal. Proprietary information in the lease may be redacted;

g. A list of all towers owned by the applicant located within Eastvale. The list shall include:

   1) Zoning permit numbers

   2) Assessor's Parcel Number(s)

   3) GPS coordinates

   4) Street addresses

   5) Thomas Brothers map page and coordinates (identify edition used)

   6) Type of facility (concealed, disguised, co-located, other)

   7) Number of antennas on each facility

h. If required by the City Geologist, a geotechnical report that shall include the following:

   1) Soils and geologic characteristics of the site based upon site-specific sampling and testing;

   2) Foundation design criteria for the proposed facility;

   3) A slope stability analysis;

   4) Grading criteria for ground preparation, cuts and fills and soil compaction;

   5) A geologic hazards evaluation to include regional seismicity, potential for strong ground shaking, all appropriate primary and secondary seismic hazards, and recommended mitigation measures;

   6) A detailed fault hazard evaluation prepared by a California-registered geologist or certified engineering geologist for any wireless communication facility located within an Alquist-Priolo Special Studies Zone, County Fault Zone, or within one hundred fifty (150) feet of any other active or potentially active fault; and

7) A detailed liquefaction hazard evaluation prepared by a California-registered geologist or certified engineering geologist for wireless communication towers located within a county liquefaction zone.

i. If required by the City Biologist, a biological assessment that shall include the following:

1) A proposed facility description including location, height of tower as measured from the ground, description of associated equipment, width and length of access roads and driveways, and length and right-of-way width of power and communication lines;

2) Existing biological resources onsite including quantification of vegetation and habitat types, color photo documentation of onsite and surrounding vegetation, a description of water resources, potential habitat for federal and state-listed species, and sensitive species habitats;

3) The results of any focused surveys for federally listed species (if required); and

4) Impacts to biological resources including quantification of the habitat to be removed as a result of the proposed facility.

## K. Development Standards

All wireless communication facilities shall comply with the following development standards:

1. **Area disturbance.** Disturbance to the natural landscape shall be minimized. Disturbed areas shall be remediated immediately after construction. Remediation techniques may vary depending on the site.

2. **Fencing and walls.** All wireless communication facilities shall be enclosed with a decorative block wall, wrought iron fence, or other screening option at a maximum height of six (6) feet as deemed appropriate by the Planning Director. Such fencing/walls shall conform to the City Design Standards and Guidelines.

3. **Height limitations.** Concealed wireless communication facilities are subject to the height limitations of the zone classification in which they are located. Disguised wireless communication facilities in nonresidential zone classifications shall not exceed seventy (70) feet. Disguised wireless communication facilities in residential zone classifications shall not exceed fifty (50) feet. Co-located wireless communication facilities in the following nonresidential zone classifications shall not exceed one hundred five (105) feet: I-P, M-SC, M-M, M-H, A-1, A-2, W-1. Co-located wireless communication facilities in the following nonresidential zone classifications shall not exceed seventy (70) feet: C-1/C-P, C-P-S, C-O. Co-located facilities in residential zone classifications shall not exceed fifty (50) feet. Other wireless communication facilities shall not exceed one hundred five (105) feet. Notwithstanding the above height of any new wireless communication facility may be subject to lower maximum levels, if required in order to achieve a "Determination of No Hazard to Air Navigation" from the Federal Aviation Administration.

4. **Impacts.** All wireless communication facilities shall be sited so as to minimize adverse impacts to the surrounding community and biological resources.

5 **Landscaping.** All wireless communication facilities shall have landscaping around the perimeter of the leased area and shall match and/or augment the natural landscaping in the area. Wireless communication facilities constructed to look like trees shall have other similar tree species planted adjacent to and/or around the facility to enhance the concealing effect. If landscaping is deemed necessary in native habitats, only native plant species shall be used in order to avoid introduction

of exotic invasive species. All landscaping shall be irrigated, unless a water source is unavailable within the parcel on which the facility is located. If a water source is not available, indigenous plants shall be used and manually watered until established.

6. **Lighting.** Outside lighting is prohibited unless required by the FAA or the California Building Code, including the appendix and standards adopted by the California Building Standards Commission. All towers that require a warning light to comply with FAA regulations shall use the minimum amount possible. Any security lighting shall meet the requirements of the Neighborhood Preservation Standards in Chapter 5. Any lighting system installed shall also be shielded to the greatest extent possible so as to minimize the negative impact of such lighting on adjacent properties and so as not to create a nuisance for surrounding property owners or a wildlife attractant. Telecommunication towers and related equipment shall be unlit except when a manually operated or motion detector-controlled light above the equipment shed door may be provided, except that the light shall remain off except when personnel are present at night.

7. **Noise.** All noise produced by wireless communication facilities shall be minimized ,and in no case shall noise produced exceed 45 db (decibel) inside the nearest dwelling and 60 db at the property line.

8. **Parking.** Temporary parking for service vehicles may be permitted on site. No off-site parking shall be allowed for any service vehicle. Paving for the parking shall be required, where appropriate, and may not be removed without proper mitigation. No vehicles may remain parked overnight, with the exception of technicians working at the site during the night. If a new wireless communication facility is placed on existing parking spaces required by the use currently on-site, the parking spaces shall be replaced so that the current use has the necessary parking required. If such replacement of spaces is not feasible, a Variance may be requested.

9. **Paved access.** All wireless communication facilities located within residential developments containing lots eighteen thousand (18,000) square feet or smaller shall be accessed via a paved road. All wireless communication facilities within residential developments containing lots larger than eighteen thousand (18,000) square feet shall be accessed via an all-weather surface.

10. **Power and communication lines.** No above-ground power or communication lines shall be extended to the site, unless an applicant demonstrates that undergrounding such lines would result in substantial environmental impacts or a letter is received from the power company indicating it is unable to underground the wires. All underground utilities shall be installed in a manner to minimize disturbance of existing vegetation and wildlife habitats during construction. Removal of underground equipment upon the abandonment of a facility is not recommended unless leaving the equipment underground would pose a threat to health, safety or sensitive resources.

11. **Roof-mounted facilities.** Wireless communication facilities mounted on a roof shall be less than ten (10) feet above the roofline.

12. **Sensitive viewshed.** Wireless communication facilities proposed on ridgelines and other sensitive viewsheds shall be concealed and sited so that the top of the facility is below the ridgeline as viewed from any direction.

13. **Setbacks.** Concealed wireless communication facilities shall meet the setback requirements of the zone classification in which they are located. Disguised wireless communication facilities in or adjacent to nonresidential zone classifications shall be set back from habitable dwellings a distance equal to 125 percent of the facility height. Disguised wireless communication facilities in

or adjacent to residential zone classifications shall be set back from habitable dwellings a distance equal to 200 percent of the facility height or shall be set back from residential property lines a distance equal to 100 percent of the facility height, whichever is greater. Co-located wireless communication facilities shall meet the setback requirements of the zone classification in which they are located. Other wireless communication facilities shall be set back from habitable dwellings a distance equal to one thousand (1,000) feet.

14. **Support facilities**. Freestanding equipment enclosures shall be constructed to look like adjacent structures or facilities typically found in the area and shall adhere to the City Design Standards and Guidelines where appropriate. Where there are no structures in the immediate vicinity, equipment enclosures shall blend with existing naturally occurring elements of the viewing background and/or shall be screened from view by landscaping, fencing/walls or other methods. Equipment enclosures shall not exceed thirteen (13) feet in height.

15. **Treatment.** Wireless communication facilities shall be given a surface treatment similar to surrounding architecture. All finishes shall be dark in color with a matte finish and have a reflective rating of 38 percent.

## L. Abandoned Sites

1. Any wireless communication facility that is not continuously operated for a period of sixty (60) days shall be deemed abandoned.

2. The telecommunications service provider shall have sixty (60) days after a notice of abandonment is mailed by the City to make the facility operable, replace the facility with an operable facility, or remove the facility.

3. Within ninety (90) days of the date the notice of abandonment is mailed, the City may remove the wireless communication facility at the underlying property owner's expense and shall place a lien on the property for the cost of such removal.

4. The owner of the property shall, within one hundred twenty (120) days of the City's removal, return the site to its approximate natural condition. If the owner fails to do so, the City can restore and revegetate the site at the property owner's expense.

5. If there are two (2) or more users of a single facility, the facility shall not be deemed abandoned until all users abandon it.

# Chapter 5

January 2014

## Development Standards

This chapter provides standards to ensure that development is safe and functional, interconnected with adjacent properties and the surrounding neighborhood, and visually consistent with the community.

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# Section 5.1 Dimensional Requirements

## A. Intent

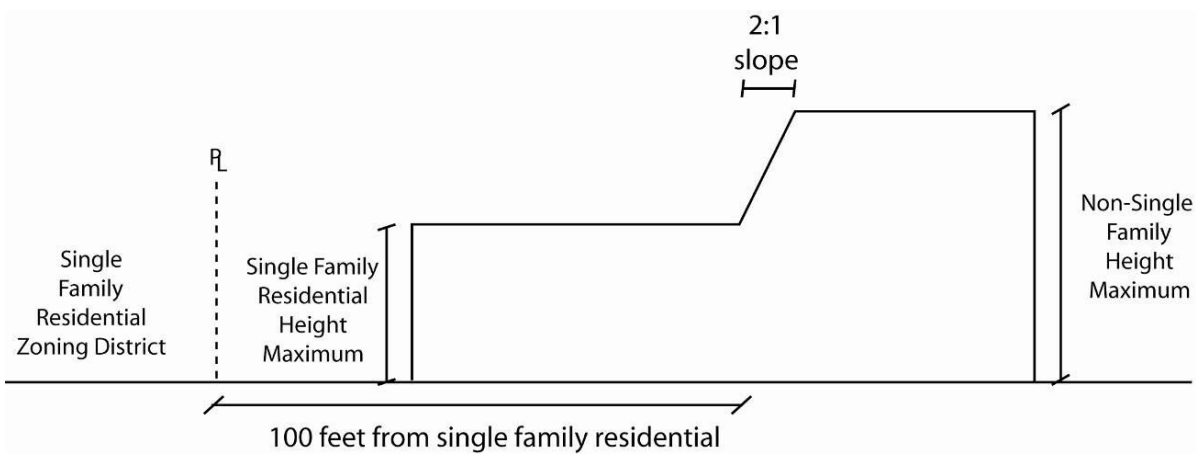
In order to maintain view corridor and solar access for residential properties, this section establishes height limits on adjacent nonresidential zoning districts.

## B. Height Regulations

1. **Generally.** Except as otherwise provided by this section or any other provisions of this code, all structures shall be limited to the maximum height identified in the underlying (or applicable overlay) zoning district as identified in Chapter 3 (Zoning District Regulations) and Chapter 4 (Standards Related to Specific Uses).

2. **Height compatibility with single-family development**. Whenever a structure is proposed on a lot that is adjacent to a single-family residential zone, the proposed structure shall maintain the same maximum height allowed in the adjacent single-family residential zone within one hundred (100) feet of the shared property line. From that point measured one hundred (100) feet from the shared line, the maximum height of the proposed structure may increase to the maximum allowed by its underlying zoning at a two-to-one (2:1) ratio (see Figure 5.1-1 Height Compatibility with Single-Family Development). In the instance where the zones are separated by a public right-of-way, this rule shall still apply and the one hundred (100)-foot distance measurement shall begin from the property line of the residential zone adjacent to the right-of-way.

**Figure 5.1-1: Height Compatibility with Single-Family Development**

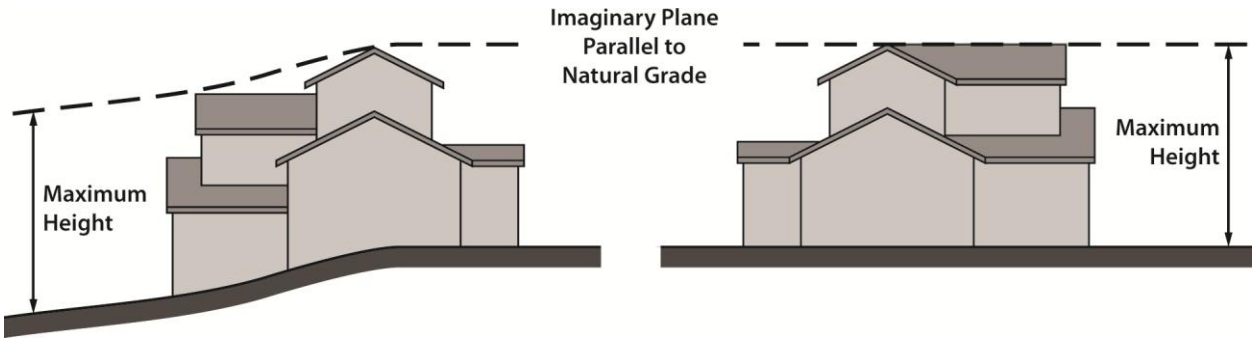



3. **Height limits in aircraft approach zones.** Must comply with Federal Aviation Administration (FAA) regulations. In reviewing any permit application, the Planning Director and his or her designee shall determine: (1) the distance to the nearest point of the runway at the Chino Airport, (2) elevation of the runway at that point, and (3) the elevation at mean seal level at the top point of the proposed structure. If (3) exceeds (2) by more than [(1) x 0.01], and (1) does not exceed 20,000 feet, the applicant shall be required to file with the Federal Aviation Administration, and the permit shall not be issued until the Federal Aviation Administration has issued a " Determination of No Hazard to Air Navigation".

## C. Height Measurement

The height of a structure shall be measured as the vertical distance from the finish grade of the site to an imaginary plane located within the allowed number of feet above and parallel to the grade (see Figure 5.1-2 Measurement of Height).

**Figure 5.1-2 Measurement of Height**




## D. Height Exceptions

Public or semipublic buildings in the R-1 and R-2 Zones may be erected to a height not exceeding four (4) stories or sixty (60) feet when the required yards are increased by an additional two (2) feet for each foot by which the height exceeds thirty-five (35) feet.

Structures necessary for the maintenance and operation of a building and flagpoles, wireless masts, chimneys or similar structures may exceed the prescribed height limits where such structures do not provide additional floor space.

Exceptions to the height regulations are as follows:

1. **General height exceptions.** Towers, penthouses, and other roof structures for the purpose of shelter for mechanical equipment, cupolas, water tanks, church steeples, carillon towers, radio television antennas, and similar structures and necessary mechanical appurtenances may be erected on a building, or on the ground, to a height greater than the limit otherwise established within the underlying zone, or for that use, provided that no such exception shall cover at any level more than 15 percent of the area of the lot nor have an area at the base greater than one thousand six hundred (1,600) square feet (see Section 4.14 Wireless Communication Facilities). All construction is subject to approval of building inspection. Signs may not be placed on such structures at any height exceeding the height of an otherwise permitted building. Fences or walls may be required and conditioned to exceed six (6) feet in height for a project, as determined by the approving authority hearing related planning matters on the same parcel of land.

2. **Height exceptions for residential zones.** As part of Minor and Major Development Review, the designated approving authority may allow apartment houses, schools, churches, public buildings, and other similar buildings to be erected to a height not to exceed seventy-five (75) feet, provided that the required yards are increased one (1) foot for each one (1) foot of height increase of said building. Please refer to Sections 2.3 and 2.4 of this code for additional information.

3. **Mixed-use, automotive, and industrial zones.** As part of Development Review, the designated approving authority may permit the maximum height for buildings in the Commercial and Industrial Zones to be increased to a maximum of one hundred fifty (150) feet, provided that all portions of the building exceeding the underlying height maximum are set back from the ultimate right-of-way line of all abutting streets and freeways a distance of at least equal to the height of that portion of the building.
4. **Hazards to Air Navigation.** Notwithstanding the above, no building or structure may be permitted at a height or elevation determined to be a hazard to air navigation.

# Section 5.2 Yard Measurements

## A. Yard and Setback Regulations

1. **Required yard area.** Except as otherwise specified in this Zoning Code, required yard areas shall be kept free of buildings and structures. Building overhangs, bay windows, and other such elements may intrude as permitted (see Figure 5.2-1 Lot and Yard Types).
2. **Lots abutting two or more streets.** In the case of a lot abutting two or more streets, the main buildings and accessory buildings shall be erected so as not to encroach upon the required yards of any of the streets (see Figure 5.2-1 Lot and Yard Types).
3. **Through lots.** Where a through lot has a depth of 125 feet or more, said lot may be treated as two lots, with the rear line of each approximately equidistant from the front lot lines, provided all the yard requirements are met (see Figure 5.2-1 Lot and Yard Types).
4. **Lot area, depth, width, and setback reduction.** Where a lot area or a lot width, depth, or setback has been reduced for an existing legally created lot by not more than 15 percent as a result of acquisition or dedication for a highway, road, drain, or other public purpose or as a result of dedication pursuant to a condition of approval, the lot area or yard so reduced may be included in determining compliance with lot area or yard requirements in the same manner as if the acquisition or dedication has not taken place.
5. **Setback measurement**. The setback of all buildings and structures shall be determined by the exterior boundaries of the streets and highways and their proposed widening and extensions as indicated on the Circulation Plan Roadway System and Sizing Map of the City's General Plan. The width of any street or highway which does not appear in the Circulation Plan shall be determined from the standards for street widths and improvements set forth in the City's Development Standards.

See Chapter 3, Sections 3.2 and 3.3 for more detailed yard and setback requirements and refer to Chapter 6 for definitions and illustrations of lot types.

## B. Yard Encroachments

Where yards are required by this code, they shall be open and unobstructed from the ground to the sky and kept free of all structural encroachments, except as follows:

1. Outside stairways or landing places, if unroofed and unenclosed, may extend into a required side yard for a distance not to exceed three (3) feet and/or into the required rear yard a distance not to exceed five (5) feet.
2. Cornices, canopies, and other similar architectural features not providing additional floor space within the building may extend into a required yard a distance not to exceed one (1) foot. Eaves, not including patio cover eaves, may extend three (3) feet into a required yard. One pergola or one covered but unenclosed passenger landing may extend into either side yard provided it does not reduce the side yard below five (5) feet and its depth does not exceed twenty (20) feet.
3. Detached accessory structures as identified in Section 5.12 Accessory Structures.
4. Window bays, including roof overhangs, having a minimum surface area of 50 percent glass, may encroach twenty-four (24) inches into the required yard area when the finished floor of the window bay is at least fifteen (15) inches above the finished floor of the room.

5. Fire escapes, outside stairways, balconies, and water heater enclosures projecting into a yard, court, or place not more than thirty-six (36) inches and the ordinary projections of chimneys and flues may be permitted by the Building Official where the same are so placed as not to obstruct the light and ventilation of the subject property.

# Section 5.3 Fences, Walls, and Screens

Unless otherwise exempt, Minor Development Review approval shall be required for fences and walls.

## A. Exemptions

The following fences and walls shall be exempt from Development Review (a building permit may be required).

1. **Retaining walls**. Retaining walls less than thirty-six (36) inches in height.
2. **Residential fences.** Fences located on residential property (privacy fences) constructed in compliance with the standards of this section
3. **Required fences.** Fences and walls required by a state or federal agency, or by the City for public safety.

## B. Height Limits and Locations

For Residential Zoning Districts, each fence, wall, and screen (including landscaping use as a screen) shall comply with height limits and locations shown in Table 5.3-1 Maximum Height of Fences, Walls, and Screening in Required Yard Area for Residential Zoning Districts. Please refer to subsection E - Special Fencing and Screening Requirements, for fence and wall standards specific to commercial and industrial uses.

**Table 5.3-1: Maximum Height of Fences, Walls, and Screening in Required Yard Area for Residential Zoning Districts**

| Location of Fence/Wall/Screen[1] | Maximum Height[2] |
|---|---|
| Required front yard area[3] | 4 feet |
| Required rear and interior side yard area (along rear and interior property lines) | 6 feet |
| Required street side yard area | 6 feet |
| At intersections of streets, alleys, and driveways within the clear visibility area | 30 inches |

*Notes:*

*1. Fences, walls, and screening are not required between land uses unless otherwise specified in this Code. Fences, walls, and screening must also be located outside of any public utility easement except as authorized by the applicable utility agency.*

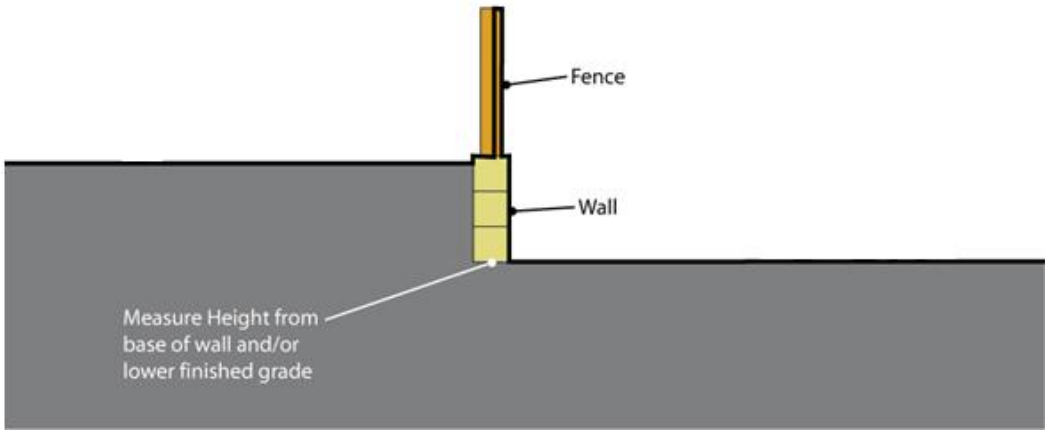
*2. Maximum height may be increased by the designated approving authority as part of Development Review.*

*3. Applies to the entire area in the front yard of a house, as defined by the front facade.*

## C. Height Measurement

1. Fence height shall be measured as the vertical distance between the finished grade at the base of the fence and the top edge of the fence material. Grade may not be modified in order to increase fence height.
2. The height of fencing placed atop a wall shall be measured from the base of the wall, except as provided in 3, below.
3. The height of the fence must not exceed six (6) feet as measured from the base of the wall and/or fence from the perspective of the sidewalk, roadway and/or adjacent property.

**Figure 5.3-1: Height Measurements**




## D. Prohibited Materials

The following fence materials are prohibited in all zones unless approved through a Minor Development Review or Conditional Use Permit process for security needs (i.e., an industrial user) or required by the City or state or federal law or regulation.

1. Barbed wire or electrified fence.
2. Razor or concertina wire in conjunction with a fence or wall, or by itself.
3. Chain link fencing within a front yard or street side yard.

## E. Special Fencing and Screening Requirements

This section establishes screening standards and special provisions for walls and fencing.

**1. Screening**

a. **Screening between different land uses.** The City encourages the integration and connection of compatible uses. To that end, contiguous barriers in the form of solid fences and walls, including soundwalls, should only be used between land uses when residential uses are located next to industrial uses or when necessary, as determined by the designated approving authority. When used, the screening shall meet the following standards (see Figure 5.3-2 Screening Between Different Land Uses):

1) The screen shall consist of a solid decorative wall of masonry or similar durable material or, in lieu of decorative masonry, the wall shall be covered with plant materials (e.g., ivy) or shall be blocked from view by landscape materials. The wall shall be a minimum of six (6) feet in height, shall be architecturally treated on both sides, and shall comply with the height limitations listed in Section 5.3-B Height Limits and Location;

2) The decorative wall is subject to Minor Development Review approval;

3) A landscaping strip with a minimum width of five (5) feet shall be installed adjacent to a screening wall, except that a minimum of six (6) feet of landscaping (with trees) shall be provided between a parking lot and a screening wall;

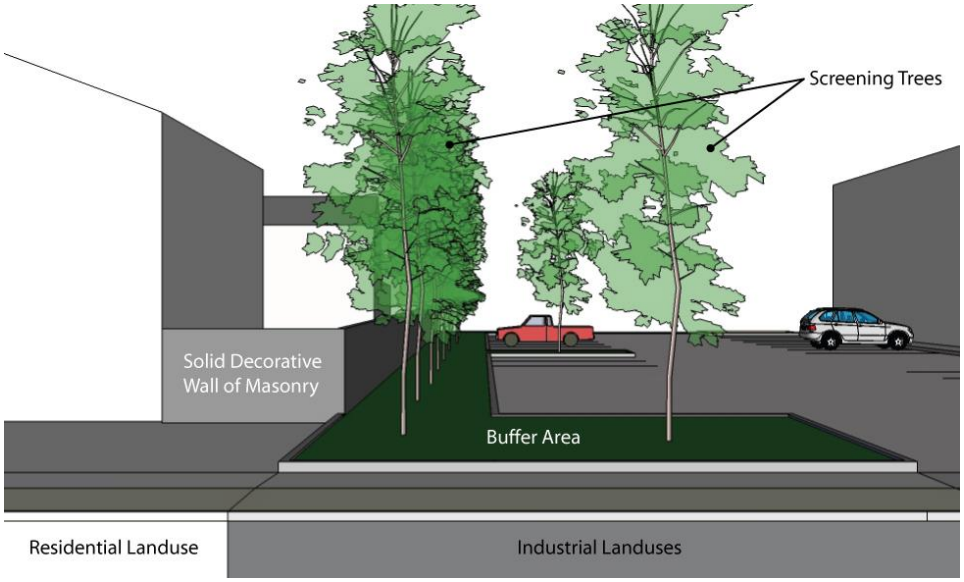
4) The designated approving authority may waive, or approve a substitute for, the requirements above if it is determined that:

   a) The relationship of the proposed uses makes screening unnecessary or undesirable;

   b) The intent of this section is successfully met by alternative screening methods; and/or

   c) Physical characteristics and/or constraints on the site make required screening infeasible or unnecessary.

**Figure 5.3-2: Screening Between Different Land Uses**




b. **Screening of mechanical equipment.** Mechanical equipment shall be screened as follows:

   1) All exterior mechanical equipment shall be screened from view on all sides;

   2) Screening on top of the equipment may be required by the designated approving authority if necessary to protect views from a neighboring residential zone.

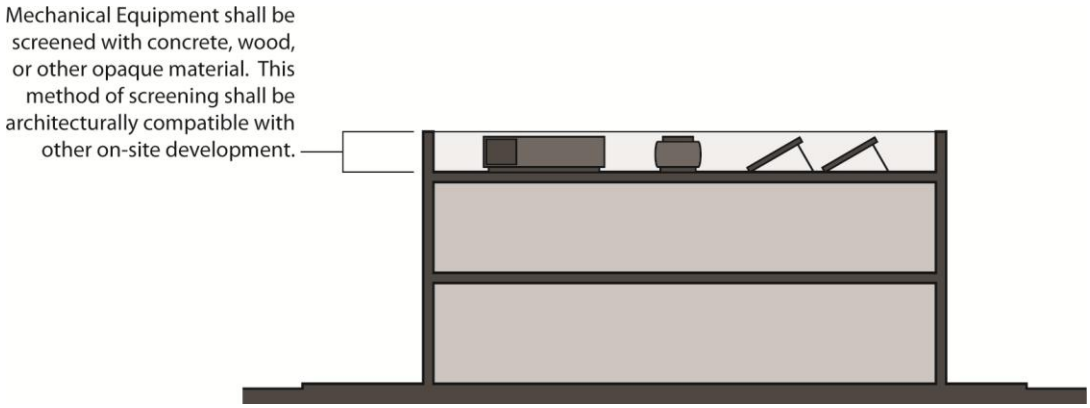
c. **Screening of roof-mounted equipment.** Roof-mounted mechanical equipment shall be screened in compliance with the following standards (see Figure 5.3-3 Screening of Roof-Mounted Equipment):

   1) Screening materials may be solid concrete, wood, or other opaque material and shall effectively screen the mechanical equipment so that it is not visible from a public street;

   2) The method of screening shall be architecturally compatible with other on-site development in terms of colors, materials, and architectural styles;

   3) Mechanical equipment must be screened from the perspective of the adjacent public streets, right-of-way and/or sidewalk.

**Figure 5.3-3: Screening of Roof-Mounted Equipment**




d. **Screening of ground-mounted antennas.** Ground-mounted antennas shall be screened with a fence, wall, or dense landscaping so that the antennas are not visible from the public right-of-way and to minimize the visual impact on abutting properties.

Building-mounted antennas shall be screened as follows:

1) Wall-mounted equipment shall be flush-mounted and painted or finished to match the building, with concealed cables;

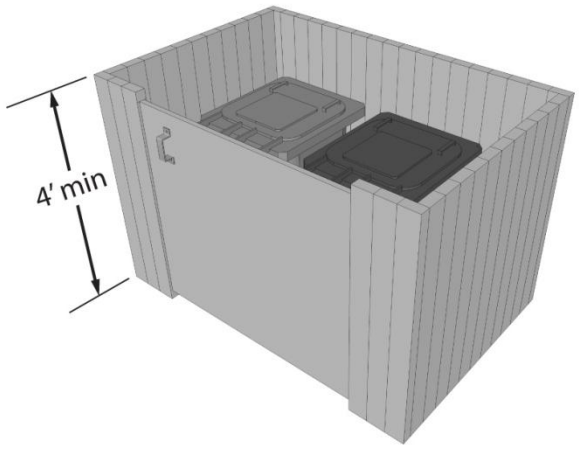
2) Roof-mounted equipment shall be screened from view of public rights-of-way by locating the antenna below the roofline, parapet wall, or other roof screen and by locating the antenna as far away as physically feasible and aesthetically desirable from the edge of the building;

3) Antennas shall have subdued colors and non-reflective materials which blend with the materials and colors of the surrounding area or building.

e. **Screening of commercial loading docks and refuse areas**. Loading docks and refuse storage areas shall be screened from public view and adjoining public streets and rights-of-way and residentially zoned areas. The method of screening shall be architecturally compatible with other on-site development in terms of colors, materials, and architectural style. Exceptions may be permitted through Development Review for sites with unique characteristics (e.g., shallow lot depth, adjacency to single-family unit). All dumpsters shall be closed when not in use.

f. **Screening of trash enclosures/recycle containers**. Trash receptacles (including recycling and green waste containers) shall not be stored within a required front or street side yard and shall be screened from view of the public right-of-way by a solid fence not less than four (4) feet in height. Exceptions to fence height standards may be granted by the designated approving authority to ensure proper placement and screening of trash receptacles. See Figure 5.3-4 Screening of Trash Enclosures/Recycling Containers.

**Figure 5.3-4: Acceptable Screening of Trash Enclosures /Recycling Containers**




g. **Outdoor equipment, storage, and work areas.** Outdoor storage areas for materials other than plants shall be enclosed and screened from view from the public right-of-way and abutting property by a solid fence or wall a minimum of six (6) feet in height. All gates provided for ingress and egress in any required fence or wall shall be at least six (6) feet in height and shall be of view-obstructing construction.

h. **Screening for special uses.** The following uses shall be screened from abutting properties and the public right-of-way as provided below:

1) **Automobile dismantling**. Outdoor storage areas for automobile dismantling uses shall be screened from public view by a masonry wall no less than six (6) feet tall and no more than fourteen (14) feet tall. Materials and goods stored in the yard area may not be stacked above the height of the enclosing wall. Those portions of walls fronting onto public rights-of-way shall be buffered by a minimum ten (10)-foot-wide landscape area that includes a ground cover and evergreen trees planted thirty (30) feet on center. The wall shall be covered with either graffiti-resistant paint or coating or with vines or other landscaping. The design of the landscaping (e.g., irrigation, planting) shall be consistent with the standards of Section 5.4 Landscaping, General Provisions.

2) **Junk tire facility.** Junk tires shall be stored behind a visual screen fence no higher than eight (8) feet tall and shall not be stacked higher than the top of the fence. Fences shall be required between a licensed junk tire facility and any adjoining parcel which has a more restrictive land use zoning designation.

3) **Potable water storage facility.** Potable water storage facilities shall be enclosed by a six (6)-foot-tall solid masonry wall and buffered from the public right-of-way by a minimum ten (10)-foot-wide landscape planter that includes ground cover and evergreen trees planted thirty (30) feet on center. The masonry wall shall be covered in either graffiti-resistant paint or coating or with vines or other landscaping. The design of the landscaping (e.g., irrigation, planting) shall be consistent with the standards of Section 5.4 Landscaping, General Provisions.

4) **Service stations.** Service stations shall be screened from abutting residential zoning districts and uses by a solid six (6)-foot masonry wall along the property line between the service station and the abutting property, except that within the first twenty-five

(25) feet from the street right-of-way line said wall shall not exceed two and one-half (2.5) feet in height.

i. **Retaining walls.** An embankment to be retained that is over forty-eight (48) inches in height shall be benched so at the low side no individual retaining wall exceeds a height of thirty-six (36) inches above the finished grade and each bench has a minimum depth of thirty-six (36) inches.

j. **Swimming pools, spas, and similar features**. Swimming pools/spas and other similar water features shall be fenced in compliance with the adopted Building Code.

k. **Temporary fencing.** Temporary fencing may be required by the designated approving authority where necessary to protect trees or other sensitive features and the general public from construction activities during site preparation and construction. Temporary fencing shall be removed after ninety (90) days once construction is complete.

l. **Temporary security fencing**. Temporary security fencing (including chain link) with a maximum height of six (6) feet may be installed around the property lines of vacant property with approval from the designated approving authority. Properties shall be maintained in a condition free from weeds and litter.

m. **Open space and trails**. Fences adjacent to open space and trail areas shall be constructed and maintained as open view fencing and shall not be chain link.

n. **Soundwalls**. Whenever soundwalls are required to mitigate sound impacts adjacent to streets, the following standards shall apply. These standards shall not preclude the use of other innovative methods of project design utilizing greater setbacks, building design, mounding, or single-story structures with solid walls facing the street.

1) **Setbacks**. Walls shall be set back a sufficient distance from the ultimate public street right-of-way in accordance with noise attenuation and landscaping. The area between the right-of-way and the wall shall include a public sidewalk and landscaping, including canopy street trees;

2) **Height.** Maximum height of a wall shall not exceed six (6) feet above the finished grade at the base of the wall on the roadway side, unless additional height is needed as documented by a noise study and approved by the Planning Director; in which case a specific maximum height in excess of six feet shall be established and adhered to;

3) **Earthmounds**. When the sound and visual attenuation requires a wall exceeding six (6) feet above the grade of the adjacent roadway, earthmounds shall be used, such that no more than six (6) feet of the wall is visible from the roadway. The mounds shall not exceed a three-to-one (3:1) ratio slope. The mounds may support the wall or be placed against the wall on the street side. Drainage shall be contained, so there is no sheet flow of water onto the sidewalk where the slope exceeds a six-to-one (6:1) ratio;

4) **Type of wall.** Walls shall be constructed of graffiti-resistant solid brick or masonry material that requires minimum maintenance and provides the required sound and visual attenuation.

o. **Agricultural fencing**. All fences which enclose livestock shall be designed, constructed, and maintained so as to control and contain such livestock at all times and so as to prevent such livestock from reaching across any property lines and damaging adjacent property.

## F. Continued Maintenance and Operation

1. **Maintenance**. Fences, walls, and landscape screening shall be continuously maintained in an orderly and good condition, at no more than their maximum allowed height.
2. **Graffiti resistance.** Each fence or wall adjacent to a public right-of-way in any zoning district shall be provided with a permanently maintained graffiti-resistant coating (a painted wood fence meets this requirement, since it can be repainted).

# Section 5.4 Landscaping, General Provisions

## A. Application Requirement

A landscaping plan, landscaping grading plan, irrigation plan, and shading plan shall be required for all development review (Minor and Major), Conditional Use Permits, surface mining permits, subdivisions, and any other permit when the Planning Director deems it necessary.

1. The landscaping plan, landscaping grading plan, irrigation plan, and shading plan shall be submitted under one application consistent with the provisions of Section 2.1 Development Review of this code.
3. The landscaping plan, landscaping grading plan, irrigation plan, and shading plan may be submitted on four separate exhibits or may be combined on one to three exhibits, provided that the information required to be displayed for each plan is legible and clearly discernible.
4. No less than the number of copies as determined by the Planning Director of the landscaping plan, landscaping grading plan, irrigation plan, and shading plan shall be submitted for approval by the Planning Director.
5. All landscaping shall comply with state water-efficient landscaping requirements.
6. All plans shall show the following information:
    a. The first sheet of a multiple sheet set shall contain a title block with the name and address of the project, sheet number, and numbers of sheets and a revision block to indicate date and type of revisions;
    b. Each sheet shall show the required technical data, including scale of drawing, north arrow, date drawn, and dates of revisions (if applicable), all property lines and project limits, if other than property limits, all easements, fences, walls, curbs, roads, walks, structures, mounds, swales, manholes, banks, and all plant and landscaping materials, grading, irrigation and other exterior elements proposed. A legend shall also be included for each symbol used.

## B. Landscaping Plan Requirements

1. Trees that are native to the area, and/or suitable for the local climate as determined by the Planning Director, should be used.
2. The location of all existing landscaping materials and where proposed landscaping material is to be placed shall be shown. Existing trees shall be preserved whenever it is practical to do so, and shall be shown on the landscaping plan.
3. The quantities, sizes, and locations of all trees, shrubs and ground cover, hydroseed and wildflower mixtures, etc., shall be indicated. Trees shall be a minimum twenty-four (24) box size. Shrubs shall be a minimum five (5) gallon size; however, the use of smaller plants may be approved for areas where color or growth habits make it suitable.
4. All trees and shrubs shall be drawn to reflect the average specimen size at fifteen (15) years of age/maturity.
5. All plants shall be listed by correct botanical name and common name.
6. The soil surface of all planters shall be shown planted or covered with mulch (e.g., bark, rock, etc.).

7. Lawns shall be indicated by common name of species and method of installation (seeding, hydromulching or sodding).
8. Proposed treatment of all ground surfaces, including paving, turf, and mulch (bark or rock).
9. Planting details and methods of application shall be shown.
10. Complete construction detail referencing (fencing, walls, etc.) shall be indicated.

## C. Landscaping Grading Plan Requirements

The grading plan shall show the drainage of all planting areas and the heights of mounds. Mounds shall not exceed three-to-one (3:1) slope, and no mound over thirty (30) inches high shall be placed within ten (10) feet of any street and/or alley intersections.

## D. Irrigation Plan Requirements

An irrigation plan shall show the following:

1. Locations of all irrigation components, such as sprinkler heads, valves, pipes, backflow prevention devices and water taps, drip irrigation, automatic controllers, and quick couplers.
2. Proposed radius or diameter of throw (sprinkler coverage) at a stated pressure (pounds per square inch, or psi) for each sprinkler head and drip irrigation specifications.
3. Worst case irrigation system pressure loss calculations.
4. Static water pressure psi, available gallons per hour (gph), water pressure zone, agency reading locations, and source of information for each one.
5. City required water budget calculations based on the Water Efficient Landscape ordinance requirements.

## E. Shading Requirements

1. Parking area landscaping shall include shade trees, so as to provide for adequate shade canopies within fifteen (15) years of age as follows:

**Table 5.4.-1: Percentage of Total Parking Area Required to be Shaded**

| Number Of Parking Spaces | Percentage Of Parking Area To Be Shaded |
|---|---|
| 05 - 24 spaces | 30% minimum |
| 25 - 49 spaces | 40% minimum |
| 50+ spaces | 50% minimum |

*Note: The percentage of parking area required to be shaded shall be based on the number of uncovered parking spaces; driveways and aisles are excluded. Multilevel parking structures are exempt from shading requirements.*

2. Trees shall be a minimum twenty-four (24) box size at planting.
3. Trees shall be planted and maintained throughout the parking area to ensure that the percentage of the parking area that is shaded is no less than the minimum amount required by Table 5.4-1 Percentage of Total Parking Area Required to be Shaded, above. The parking area shading plan shall be developed in compliance with a landscaping plan. Each planting area shall be of adequate size for the landscaping approved and shall have adequate irrigation for that landscaping.

## F. Landscaping Design Standards

Landscaping shall be incorporated into the design of all off-street parking areas, including covered and decked, as follows:

1. **Countywide Design Guidelines**. In addition to the landscaping standards in this section, the standards of the Countywide Design Guidelines adopted by the City shall also apply. In the event of a conflict between this Zoning Code and the Countywide Design Guidelines, the more stringent standard shall apply.
2. **General landscaping provisions**
   a. These provisions apply to:
      1) Landscaping throughout and immediately surrounding parking areas; and,
      2) Additional landscaping as required by this Zoning Code.
   b. Landscaped areas shall be distributed throughout the entire off-street parking area as evenly as is approved in the design of the parking facility;
   c. Nothing in this section shall preclude the installation of additional landscaping and the planting of additional trees so long as such planting is consistent with visibility regulations;
   d. Any open areas in the interior shall be landscaped with appropriate plant materials and maintained in good condition as provided in this code;
   e. All landscaped areas shall be designed so that plant materials are protected from vehicle damage, encroachment or overhang;
   f. All trees shall be double-staked and secured with a rubber or plastic strip, or other commercial tie material. Wire ties and twist-a-brace shall not be used;
   g. No trees shall be planted within ten (10) feet of driveways, alleys and/or street intersections;
   h. All landscaping shall be within planters bounded by a curb at least six (6) inches high;
   i. A six (6)-inch-high curb with a twelve (12)-inch-wide concrete walkway shall be constructed along planters on end stalls adjacent to vehicle parking spaces;
   j. In urban areas, all parking areas shall be screened from view along the entire perimeter of the parking lot by the construction of either a three (3)-foot-high and three (3)-foot-wide earthen berm, or a five (5)-foot-wide planter with shrubbery that can be maintained at a height of three (3) feet. When the parking area is adjacent to a public road right-of-way, the berm or planter shall be five (5) feet in width.
   k. In addition to the perimeter landscaping required by this code, parking areas of five (5) spaces or more shall be required to provide additional landscaped areas within the parking area. A minimum percentage of the total parking area shall be landscaped as follows:

**Table 5.4-2: Minimum Percentage of Total Interior Parking Area to be Landscaped**

| Parking Spaces Required | 5-24 Spaces | 25-49 Spaces | 50+ Spaces |
|---|---|---|---|
| Percentage to Be Landscaped | 5.0 % | 7.5 % | 10.0 % |
| Percentage to Be Landscaped – Along State and County Scenic Highways | 6.0 % | 8.5 % | 11.0 % |

l. At the discretion of the appropriate authority, a barrier-free, four (4)-foot-wide paved walkway may be provided through the required planter at street and driveway intersections to provide unencumbered access for persons with disabilities from the sidewalk to the parking lot. No planting area shall by bisected by a handicap walk making it less than five (5) feet wide.

1) Such a walkway shall be located so as to facilitate the most direct movement of persons using sidewalk curb ramps, if provided;

2) Bus shelters may be located within this planter if approved by the Planning Director. Such shelters shall not be placed so as to reduce the number of trees which are otherwise required by this code.

4. **General planter provisions.** Planters containing organic landscaping shall be provided adjacent to and within parking areas. The dimensions of a planter refer only to that which is plantable area.

a. No planter shall be smaller than twenty-five (25) square feet;

b. Each planter shall include an irrigation system;

c. The planter shall include shrubs, and other natural growth or other features such as berms, designed to form a partial visual screen at least three (3) feet in height, except within ten (10) feet of street and driveway intersections where landscaping shall not be permitted to grow higher than three (3) feet;

d. Planters shall be provided adjacent to all public road rights of way, consistent with the following:

1) The planter shall be at least five (5) feet wide. Trees in this planter shall be planted at an average spacing of twenty-five (25) feet.

2) For parking lots with more than 150 feet of frontage on a public right of way, a landscaped planter at least eight (8) feet wide (measured including curbs) shall be provided between parking spaces so that no more than five parking spaces are grouped together. Each of these planters shall include at least one (1) tree.

3) Any area within the road right-of-way between the edge of the walkway and outer edge of the right-of-way shall also be developed as a landscaped area in conjunction with the required planter, unless this requirement is waived by the Planning Director.

4) In the event that any of these standards conflicts with the standards in the Countywide Design Guidelines, the more stringent standard shall apply."

e. A planter at least five (5) feet wide shall be provided adjacent to properties used for residential purposes and/or zoned R-1, R-2, R-3, PRD, R-6, R-A, R-R or R-T. Within this planter, one (1) screen tree shall be planted at an average distance apart of no less than - five (25) feet on center in combination with other plants to provide a dense visual screen;

f. All planters located adjacent to all parking spaces shall have a six (6)-inch-high and twelve (12)-inch-wide concrete walkway and must maintain a minimum of five (5) feet of the actual planting area.

3. **General plant materials provisions**
   a. Existing mature trees on the site shall be preserved whenever it is practical to do so;
   b. All plant materials shall be maintained free from physical damage or injury arising from lack of water, chemical damage, insects, and diseases. Plant materials showing such damage shall be replaced by the same or similar species;
   c. Planting areas shall be kept free from weeds, debris, and undesirable materials which may be detrimental to public safety, drainage, or site appearance;
   d. Drought tolerant species and California native species are to be used to the maximum extent possible over nondrought tolerant and nonnative species.
      1) The quantity and extent of drought-tolerant species shall be dependent on the climatic zone of the project;
      2) Landscaping may include natural features such as rock and stone, nondrought tolerant plants, and structural features such as fountains, reflecting pools, art work, screens, walls, and fences.
   e. Plant materials shall be grouped together in regards to water and soil requirements. In order to conserve water, alternative types of low volume irrigation concepts may be used, including, but not limited to, drip, rotary spray (in areas fifteen (15) feet wide or larger), mini-spray, bubbler, and low volume sprays.
4. **General irrigation provisions**
   a. An automatic irrigation system for all planted areas shall be required.
   b. The layout of the system should consider meter water pressure, pipe size and length, dripping and type of heads.
   c. Sprinkler spacing shall not exceed the manufacturer's recommended spacing or, if no spacing is recommended, spacing shall not exceed 60 percent of the diameter of throw (sprinkler coverage). Head-to-head spray coverage is required.
   d. Sprinklers in hazardous locations shall be flush- mounted on high pop models only.
   e. Backflow prevention devices for sprinklers shall comply with the latest edition of the Building Code, as adopted by the City.

## G. Request for Modification from Landscaping Standards

The Planning Director may, without notice or hearing, permit modifications to the landscaping requirements where topographic or other physical conditions make it impractical to require strict compliance with these requirements.

## H. Enforcement of Landscaping Design Standards

1. Prior to the issuance of a final building occupancy certificate, all required landscape planting and irrigation shall have been installed and be in a condition acceptable to the Planning Director.
   a. The plants shall be healthy and free of weeds, disease or pests;
   b. The irrigation system shall be properly constructed and in good working order.
2. At the discretion of the Planning Director, the City can require financial security, per year, to ensure the maintenance of landscape.

# Section 5.5 Outdoor Lighting

## A. Permit Required

Unless otherwise exempt by Section 5.5-B Exempt Lighting, all outdoor lighting fixtures for new multifamily residential, commercial, industrial, mixed use, and public/quasi-public uses require Development Review approval by the designated approving authority pursuant to Section 2.1 Development Review. Such approval shall be granted in conjunction with required land use and development permits for a project. Any retrofit or amendment to an existing site and/or building lighting that would have a measurable impact on abutting property or views from street right-of-way as determined by the Planning Director shall require Minor Development Review approval.

## B. Exempt Lighting

The following items shall be exempt from Minor Development Review requirements:

1. All outdoor light fixtures producing light directly by the combustion of fossil fuels, such as kerosene lanterns or gas fixtures.
2. Temporary lights used for holiday decorations.
3. Lighting for temporary uses and special events permitted consistent with this code.

## C. Prohibited Lighting

The following types of lighting are prohibited:

1. Neon tubing or band lighting along buildings and/or structures as articulation, except as approved through Minor Development Review.
2. Search lights, laser source lights, or any similar high-intensity light, except for emergency use by police or fire personnel at their discretion, or for lighting approved by the City for a temporary event.
3. Lighting fixtures operated in such a manner as to constitute a hazard or danger to persons or to safe vehicular travel.
4. Illumination of entire buildings, except for public, civic, and religious buildings.
5. Roof-mounted lighting except for security purposes.
6. Moving, flashing, or animated lighting.

## D. General Lighting Standards

The following standards shall apply to all outdoor lighting.

1. **Maintenance.** Fixtures and lighting shall be maintained in good working order and in a manner that serves the original design intent.
2. **Shielding.** Except as otherwise exempt, all outdoor lighting shall be constructed with full shielding and/or recessed to reduce light trespass to adjoining properties. Each fixture shall be directed downward and away from adjoining properties and public rights-of-way, so that no light fixture directly illuminates an area outside of the site (see Figure 5.5-1 Shielding and Maximum Height of Freestanding Outdoor Light Fixtures, below).

3. **Level of illumination**. Outdoor lighting shall be designed to illuminate at the minimum level necessary for safety and security and to avoid the harsh contrasts in lighting levels between the project site and adjacent properties. Illumination standards are as follows:
   a. Parking lots, driveways, trash enclosures/areas, public phones, and group mailboxes shall be illuminated with a minimum maintained one (1) foot-candle of light and an average not to exceed four (4) foot-candles of light.
   b. Convenience stores, card rooms, and check-cashing establishments shall provide a minimum level of illumination of one and one-half (1.5) foot-candles across the parking lot during business hours.
   c. Pedestrian walkways shall be illuminated with a minimum maintained one-half (1/2) foot-candle of light and an average not to exceed two (2) foot-candles of light.
   d. Entryways and exterior doors of nonresidential structures shall be illuminated during the hours of darkness, with a minimum maintained one (1) foot-candle of light, measured within a five (5)-foot radius on each side of the door at ground level.
   e. In order to minimize light trespass on abutting residential property, illumination measured at the nearest residential structure or rear yard setback line shall not exceed the moon's potential ambient illumination of one-tenth (1/10) foot-candle.
   f. Athletic facilities may exceed the specified levels of illumination as needed. Measures shall be taken to minimize glare off-site.
4. **Maximum height of freestanding outdoor light fixtures**. The maximum height of freestanding outdoor light fixtures and related structures is limited as follows:
   a. Eighteen (18) feet when abutting or within twenty-five (25) feet of residential zoning district.
   b. No height limit for lights on public property when used to illuminate athletic fields.
   c. Twenty-four (24) feet for all other lights.
   d. Height shall be measured from the finish grade, inclusive of the pedestal, to the top of the fixture.

**Figure 5.5-1: Shielding and Maximum Height of Freestanding Outdoor Light Fixtures**

* Outdoor lighting shall constructed with full shielding and/or recessed to reduce light trespass to adjoining properties.

5. **Energy-efficient fixtures required**. Outdoor lighting shall utilize energy-efficient (high-pressure sodium, metal halide, low-pressure sodium, hard-wired compact fluorescent, or other lighting technology that is of equal or greater efficiency) fixtures and lamps. All new outdoor lighting fixtures shall be energy efficient with a rated average bulb life of not less than ten thousand (10,000) hours.
6. **Accent lighting.** Architectural features may be illuminated by uplighting provided that the lamps are low intensity to produce a subtle lighting effect and no glare or light trespass is produced. Wherever feasible, solar powered fixtures shall be used. In the Chino Airport Influence Area, uplighting is not permitted. Refer to the most recently adopted version of the Chino Airport Land Use Compatibility Plan.
7. **Signs.** Lighting of signs shall be in compliance with Section 5.7 Signs of this code.
8. **Sports fields/outdoor activity areas.** Where playing fields or other special activity areas are to be illuminated, lighting fixtures shall be mounted, aimed, and shielded so that the light falls within the primary playing area and no significant off-site light trespass is produced. Lights shall be turned off within one (1) hour after the end of the event, and no later than 11:00 p.m.
9. **Alternative designs, materials, and installations.** The designated approving authority may grant approval of alternatives to this section as part of a Development Review process.

## E. Outdoor Lighting Plans Required

1. **When required.** A preliminary outdoor lighting plan shall be submitted as part of each planning permit application, and a final plan shall be submitted as part of an application for a building permit for a new structure or an addition of 25 percent of the gross floor area, seating capacity, or parking spaces. A final outdoor lighting plan is required for all new outdoor lighting installations on commercial, mixed-use, multiunit residential, industrial, and institutional properties. The Director may request outdoor lighting plans from applicants for other types of projects due to location, size, or proposed use, as necessary.
2. **Plan content.** At a minimum, an outdoor lighting plan shall include the following:
   a. Manufacturer specifications sheets, cut sheets, and other manufacturer-provided information for all proposed outdoor light fixtures to show fixture diagrams and outdoor light output levels;
   b. The proposed location, mounting height, and aiming point of all outdoor lighting fixtures;
   c. If building elevations are proposed for illumination, drawings of all relevant building elevations showing the fixtures, the portions of the elevations to be illuminated, the illumination level of the elevations, and the aiming point for any remote light fixture;
   d. Photometric data including a computer-generated photometric grid showing foot-candle readings every ten (10) feet within the property or site and ten (10) feet beyond the property lines.

# Section 5.6 Off-Street Vehicle Parking

The purpose of this section is to provide sufficient off-street parking and loading spaces for all land uses in the City of Eastvale and to assure the provision and maintenance of safe, adequate and well-designed off-street parking facilities. It is the intent of this section that the number of required parking and loading spaces will meet the needs created by the particular uses. The standards for parking facilities are also intended to reduce street congestion and traffic hazards, and promote vehicular and pedestrian safety and efficient land use.

Off-street vehicle parking shall be provided in accordance with this section when the associated building or structure is constructed or the use is established. Additional off-street parking shall be provided in accordance with this section when an existing building is altered or dwelling units, apartments or guest rooms are added, or a use is intensified by the addition of floor space or seating capacity, or there is a change of use.

## A. Parking Design Standards

1. **Approval of off-street parking plan.** Zoning Clearance, pursuant to the provisions of Section 2.1 Development Review of this code, shall be filed for approval of all off-street parking facilities, except for one- and two-family residences, unless the off-street parking facilities are approved as a part of Development Review or Conditional Use Permit approval.

2. **Number of required parking spaces**

    a. In the case of mixed land uses, the total number of parking spaces shall be the sum of the requirements for the various uses computed separately, unless shared parking is approved as provided in this code;

    b. The following table is designed to allow calculation of parking spaces required for the uses shown.

3. **Location and design of parking spaces**

    a. A driveway for stacking leading to a drive-up window shall be designed so as not to interfere with the free or orderly circulation of the parking area;

    b. Unless otherwise specified, all parking must be within three hundred (300) feet of the use served, on the same parcel as the use, or on an adjoining appropriately zoned parcel;

    c. All vehicle storage (stacking) spaces shall be located off-street.

| Use Type | Per Square Foot or Unit | Per Employee or Student | Other Criteria |
|---|---|---|---|
| **General Commercial/Retail Uses** | | | |
| Auditoriums, Exhibition Halls, Theaters, Movie Theaters and similar places with fixed seats | 1 space/3 seats | | |
| Auditoriums, Exhibition Halls, Theaters, Movie Theaters, and similar places without fixed seats | 1 space/30 sq. ft. of net assembly area | | |
| Automobile Repair and Service Shops | 1 space/150 sq. ft. gross floor area | | |
| Automobile Service Stations | 4 spaces | | 4 spaces/service bay |
| Automobile Washing and Cleaning establishments except self-serve | | 1 space/3 employees of largest shift | 2 spaces/stall |
| Automobile Washing and Cleaning Establishments—self-serve | | | 2 spaces/stall |
| Banks, Savings and Loans, and other financial institutions* | 1 space/250 sq. ft. gross floor area | | Vehicle stacking for 6 vehicles prior to the drive-up window |
| Barber and Beauty shops and similar uses | 1 space/150 sq. ft. gross floor area | | |
| Clubs, Discos, Ballrooms, Cabarets, Cocktail Lounges, Dance Halls, Lodges & incidental dancing areas, and similar facilities where dancing is the principal use | 1 space/30 sq. ft. of dance floor area | | |
| General Retail including but not limited to freestanding convenience markets, liquor stores and supermarkets | 1 space/200 sq. ft. of gross floor area | | |
| General Retail including but not limited to neighborhood, community and regional shopping centers, including those with restaurants | 51/2 spaces/1,000 sq ft. of net leasable floor area | | |
| Furniture, Drapery, Plumbing, Floor Covering, and Appliance Stores | 1 space/750 sq. ft. of sale or display area | | |
| Laundries, self-serve | 1 space/250 sq. ft. of gross floor area | | |
| Mini-warehouses, self-storage | | 2 spaces/3 employees | |
| Professional Business Office | 1 space/200 sq. ft. of net | | |

| Use Type | Per Square Foot or Unit | Per Employee or Student | Other Criteria |
|---|---|---|---|
| | leasable floor area | | |
| Restaurants, Drive-thrus, Walk-ups, Cafes, Lounges, Bars and other establishments for the sale and consumption on the premises of food and beverages | 1 space/45 sq. ft. of serving area | 1 space/2 employees | Stacking for 6 vehicles prior to the menu board |
| Uncovered Sales Area, including areas for new or used automobiles, boat or trailer sales, lumber or building materials yards, plant nurseries or similar uses | 1 space/1,000 sq. ft. of uncovered sales area to a maximum of 20 spaces | 1 space/employee | |
| Video Arcades | 1 space/250 sq. ft. of gross floor area | | |
| **Recreational Uses** | | | |
| Billiard and Pool Rooms | | | 1 space/250 sq. ft. of gross floor area |
| Bowling Alleys | | | 4 spaces/lane |
| Driving Ranges | | | 1 space/tee |
| Game Courts, Tennis Courts, Racquetball Clubs | | | 1 space/court |
| Golf Courses | | | 6 spaces/hole |
| Golf Course, miniature | | | 3 spaces/hole |
| Gymnasiums, Spas and Health Studios | 1 space/200 sq. ft. of gross floor area | | |
| Parks and Recreational Uses | 1 space/8,000 sq. ft. of active recreational area within a park | | 1 space/acre of passive recreational area within a park |
| Skating Rinks, ice and roller | 1 space/20 sq. ft. of seating area, and 1 space/250 sq. ft. of skating area | | |
| Stadiums and Sport Arenas | 1 space/30 sq. ft. of net assembly area | | |
| Swimming Pools, commercial | 1 space/250 sq. ft. of pool area | | |

| Use Type | Per Square Foot or Unit | Per Employee or Student | Other Criteria |
|---|---|---|---|
| **Industrial Uses** | | | |
| Industrial Uses | If number of workers cannot be determined: 1 space/250 sq. ft. of office area, PLUS 1 space/500 sq. ft. of fabrication area, PLUS 1 space/1,000 sq. ft. of storage area, AND 1 space/500 sq. ft. of floor plan which is uncommitted to any type of use | If number of workers can be determined: 1 space/2 employees of largest shift, AND 1 space/vehicle kept in connection with the use | |
| Manufacturing or Repair Plants maintaining more than one shift of workers | | 2 spaces/3 employees on each of the two largest shifts | 1 space/company operated vehicle |
| Salvage and Junk Yards, including but not limited to automobile dismantling, auto-wrecking yards, storage yards, scrap metal processing and similar uses | 1 space/5,000 sq. ft. of lot area | | |
| Warehouses and wholesaling | 1 space/2,000 sq. ft. of gross floor area | | |
| **Residential Uses** | | | |
| Single Family | 2 spaces/dwelling unit | | |
| Multiple Family: | | | |
| Single-bedroom or Studio Dwelling Unit | 1.25 spaces/unit | 1 space/employee | |
| Two bedrooms/Dwelling Unit | 2.25 spaces/unit | | |
| Three or more bedrooms/Dwelling Unit | 2.75 spaces/unit | | |
| Planned residential development (see Section 4.5 of this code): | | | |
| Single-bedroom Dwelling Unit | 1.5 spaces/unit | | |
| Two or more bedroom Dwelling Unit | 2.5 spaces/unit | | |

| Use Type | Per Square Foot or Unit | Per Employee or Student | Other Criteria |
|---|---|---|---|
| Senior Citizen (parking spaces shall be located no more than 150 feet from the unit they serve) | Refer to single-family and multiple-family residential requirements stated above | | |
| Mobilehome parks | 2 spaces/travel trailer or mobilehome space— spaces may be tandem | | 1 guest space/8 mobilehome spaces |
| Lodging Uses (all parking must be within 150 feet of the use served) | | | |
| Boarding Houses, Lodging or Rooming Houses, Dormitories, Fraternity and Sorority Houses | | | 1 space/2 beds |
| Hotels and Motels | | | 1 space/room, AND 2 spaces/resident manager |
| Recreational Vehicle Parks | 1space/recreation vehicle site | | 1 visitor space/5 recreational vehicle sites |
| **Medical Uses** | | | |
| Sanitariums, Convalescent Homes, Children's Homes, Asylums, and Nursing Homes or similar institutions | | 1 space/3 employees | 1 space/3 beds, AND 1 space/vehicle owned and operated by the institution |
| Hospitals and Clinics (a hospital may have a parking area more than 150 feet from the building to be served as long as an automatic parking gate or similar method of vehicular control is installed) | | 1 space/staff member of largest shift | 1 space/2 patient's beds, AND 1 space/vehicle owned and operated by hospital or clinic |
| Medical and Dental Offices, Clinics, and Medical Business Offices | 1 space/200 sq. ft. of net leasable floor area | | |
| Veterinary Hospitals and Clinics | 1 space/300 sq. ft. of gross floor area | | |

| Use Type | Per Square Foot or Unit | Per Employee or Student | Other Criteria |
|---|---|---|---|
| **Civic/Religious Institutions** | | | |
| Auditoriums with fixed seats | 1 space/3 seats | | |
| Auditoriums without fixed seats | 1 space/30 sq. ft. of net assembly area in the assembly hall | | |
| Cemeteries and Crematories, Mausoleums, Columbariums and Funeral Establishments when incidental to a cemetery | 1 space/30 sq. ft of net assembly room area | 1 space/employee | 1 space/vehicle operated on the grounds by the proprietary institution |
| Churches, Chapels and other places of worship | 1 space/35 sq. ft. of net assembly area used simultaneously for assembly purposes | | When a school bus is kept, there can be a reduction of 2 spaces/bus |
| Libraries, Museums, Art Galleries or similar uses | 1 space/300 sq. ft. of gross floor area | 1 space/2 employees | |
| Mortuary and Funeral Homes | 1 space/35 sq. ft. of net assembly area | 1 space/employee | |
| **Public Utilities/Telecommunications** | | | |
| Public Utility Facilities, including but not limited to electric, gas, telephone, and telecommunication facilities not having business offices on the premises. Includes cell towers and well sites. | | 1 space/2 employees | 1 space/vehicle kept in connection with the use |

| Educational Institutions * | Per Square Foot or Unit | Per Employee or Student | Other Criteria | For Vehicle Stacking |
|---|---|---|---|---|
| Day Care Centers, including Nurseries and Preschools | 1 space/500 sq. ft. of gross floor area | | When a school bus is kept, there can be a reduction of 2 spaces/bus | |
| Private Elementary and Intermediate | Whichever is greater: 1 space/classroom, OR 1 space/3 seats in the auditorium or multipurpose room | 1 space/employee | When a school bus is kept, there can be a reduction of 2 spaces/bus | Loading/unloading space for at least 2 school buses |
| Private High Schools | Whichever is greater: 1 space/classroom, OR 1 space/3 seats in the auditorium or multipurpose room | 1 space/employee, AND 1 space/8 students | When a school bus is kept, there can be a reduction of 2 spaces/bus | Loading/unloading space for at least 2 school buses |
| Private Colleges and Universities | 1 space/30 sq. ft. of net assembly area of main auditorium or stadium | 1 space/employee, plus 1 space/faculty member, AND 1 space/2 students | | |
| Trade Schools, Business Colleges and Commercial Schools | 1 space/30 sq. ft. of net assembly area of main auditorium or stadium | 1 space/employee, plus 1 space/faculty member, AND 1 space/2 students | | |

**The City does not regulate public schools.*

4. **Parking requirements for uses not specified.** When parking requirements for a use are not specifically stated, the parking requirement for such use shall be determined by the Planning Director, based on the requirement for the most comparable listed use in this code.

5. **Request for modifications from parking standards.** The Planning Director may, without notice or hearing, permit modifications to the circulation and parking layout requirements where topographic or other physical conditions make it impractical to require strict compliance with these requirements.

## B. Alternative Programs for Parking

1. A residential, commercial or industrial project may provide for alternative programs which reduce parking demand in return for a reduction in the number of off-street parking spaces required.

2. Alternative programs that may be considered by the Planning Director under this provision include, but are not limited to, the following:

   a. **Private car pool/van pool operations.** Office or industrial developments which guarantee preferred parking spaces to employees who participate regularly in a car or van pool may have their parking requirement reduced by two (2) parking spaces for every one (1) space which is marked for car or van pool at a preferred location;

   b. **Mass transit**. Developments which are located within one hundred fifty (150) feet of a bus stop or any other type of transit stop may have their parking requirement reduced by two percent of the total number of required parking spaces;

   c. **Planned residential development—senior citizen**. A 20 percent reduction in the total number of required parking spaces may be allowed when an alternative senior citizen transportation program is proposed;

   d. **Bicycle parking**. Developments which provide secured bicycle parking facilities exceeding the minimum requirement may reduce the number of required vehicle parking spaces by one (1) vehicle space for every three (3) additional bicycle spaces provided. The total reduction in vehicle parking spaces shall not exceed 5 percent;

   e. **Shared parking requirements.** The Planning Director may, upon application by the owner or lessee of any property, authorize shared use of parking facilities under the following conditions:

      1) Sufficient evidence shall be presented to the Planning Director to demonstrate that no substantial conflict in the principal hours or periods of peak demand will exist between the uses or structures which propose to share parking;

      2) The building or use for which an application for shared parking is being made shall be located within one hundred fifty (150) feet of the parking area to be shared;

      3) No more than 50 percent of the parking space requirement shall be met through shared parking;

      4) Parties sharing off-street parking facilities shall provide evidence of a reciprocal parking agreement for such joint use by a legal instrument approved by the City.

## C. Special Review of Parking

The Planning Director may reduce the parking requirement otherwise prescribed for any use or combination of uses as part of the review of a development plan including, but not limited to, development review, a Conditional Use Permit, a surface mining permit, a planned residential development or a Specific Plan, based on the following conditions:

1. The applicant shall submit a request for modification of parking standards, including sufficient evidence and documentation, to demonstrate to the Planning Director that unusual conditions warrant a parking reduction. Evidence shall include, but is not limited to, the following:
    a. Information showing that the parking area serves uses having peak parking demands which occur at different times;
    b. Floor plans which indicate that the floor area devoted to customer or employee use is less than typical for the size building proposed;
    c. Documentation that other programs which will be implemented by the developer or tenant(s) will result in a reduced parking demand, such as the provision of monetary incentives to employees who regularly utilize public transit or participate in a car or van pool.
2. As a condition of approval of the parking reduction, the applicant may be required to record agreements or covenants prior to issuance of a building permit, which assure that appropriate programs are implemented for the duration of the parking reduction.

## D. Development Standards for Off-Street Parking Facilities

1. **Layout design standards**. All parking areas shall be designed as follows:
    a. **Location of parking areas**. No parking space shall be located within three (3) feet of any property line. No parking space located on driveways providing direct access to a street shall be located closer than thirty (30) feet from the property line at the right-of-way;
    b. **Parking space and driveway specifications**. The location and dimensions of parking spaces and aisles adjacent to parking spaces shall be arranged in accordance with the following figures and tables.

**Table 5.6-1: Angle Parking Space and Drive Aisle Dimensions**

| Angle | Stall Width<br>a | Stall to Curb<br>b | Aisle<br>c | Two Rows + Aisle<br>d |
|---|---|---|---|---|
| 90° | 9'-0"<br>9'-6"<br>10'-0" | 18'-0"<br>18'-0"<br>18'-0" | 25'-0"**<br>24'-8"**<br>24'-0"** | 63'-0"<br>62'-6"<br>62'-0" |
| 60° | 9’-0”<br>9'-0"<br>9'-6"<br>10'-0" | 21’0”<br>21'-0"<br>21'-3"<br>21'-6" | 20’-0”**<br>19'-0"*<br>18'-6"*<br>18'-0"* | 62”-0”<br>61'-0"<br>61'-0"<br>61'-0" |
| 45° | 9’-0”<br>9'-0"<br>9'-6"<br>10'-0" | 19’-10”<br>19'-10"<br>20'-2"<br>20'-6" | 20’-0”**<br>16'-4"*<br>15'-2"*<br>14'-0"* | 59’-8”<br>56'-0"<br>55'-6"<br>55'-0" |

** One-way aisle*

***Two-way aisle*

**Figure 5.6-1: Angle Parking Space and Drive Aisle Dimensions**

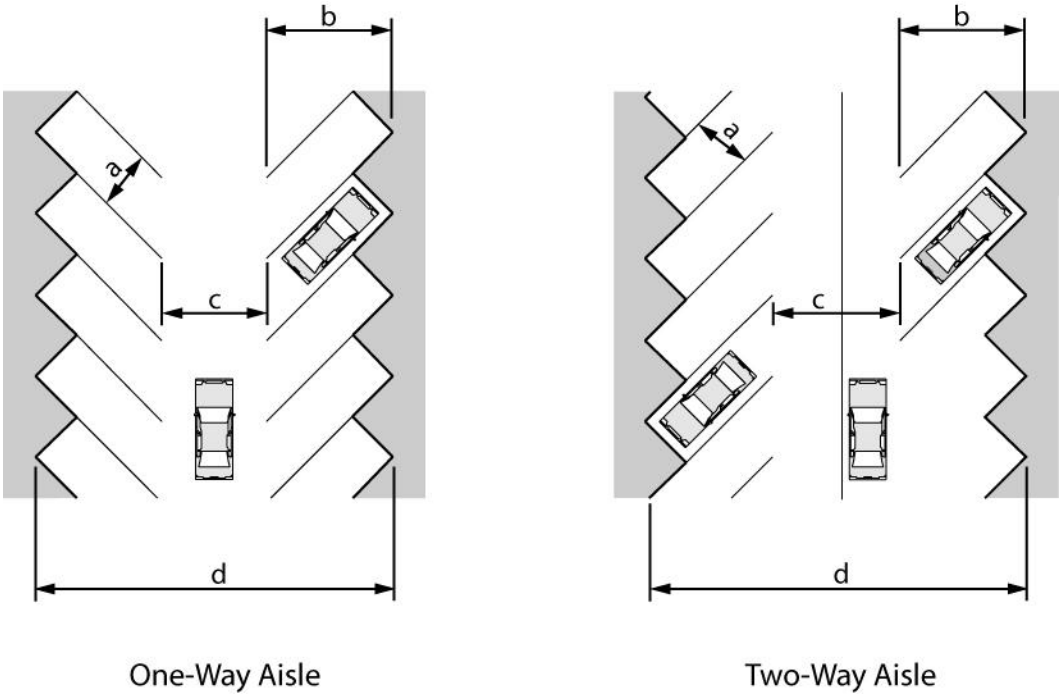
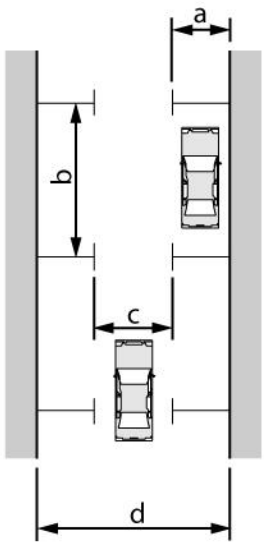


**Table 5.6-2: Parallel Parking Space and Drive Aisle Dimensions**

| Stall Width<br>a | Stall Length<br>b | Aisle<br>c | Two Rows + Aisle<br>d |
|---|---|---|---|
| 9'-0" | 24'-0" | 12'-0"* | 30' |
| 9'-6" | 24'-0" | 12'-0"* | 31' |
| 10'-0" | 24'-0" | 12'-0"* | 32' |

**One-way*

**Figure 5.6-2: Parallel Parking Space and Drive Aisle Dimensions**




c. **Compact parking spaces.** Up to 20 percent of the total required parking spaces may be sized for compact cars. Compact car parking spaces shall be clearly marked "COMPACT CARS ONLY". Compact car parking spaces and aisles may be reduced from the dimensions listed in the figures and tables in Section 5.6.D.1.b as follows:

1) Parking space width may be reduced by no more than one-half foot.

2) Parking space length may be reduced by no more than two feet.

3) When an entire section of the parking area is restricted to compact car parking, and the parking spaces are at a 90 degree angle to the aisle, the aisle width may be reduced to 23 feet.

d. **Off-street parking for private residences**. Off-street parking and driveways for detached dwellings, manufactured homes, single-family attached dwellings, and two-unit attached dwellings shall meet the following requirements:

4) Any vehicle, trailer, or vessel which is inoperable and/or without current registration shall be stored entirely within an enclosed structure and shall not be parked or stored in any yard within a residential zoning district or neighborhood;

5) Unless specifically permitted by this code, required off-street parking spaces shall not be located within any required front yard or required street side yard setback of any parcel. Required parking must be provided within a garage, carport, or other permanent structure providing weather protection;

6) Parking in excess of the required parking (e.g., driveways) may be provided within the front and street side yard setback, as follows:

   a) Vehicle parking (including driveways) in residential areas shall be provided on permanent paved surfaces. Permeable pavement is permitted as an alternative to a standard asphalt or concrete surface;

   b) Parking areas shall not exceed the maximum impervious surface allowed on a parcel;

   c) Parking may not occur within any required clear vision triangle area on a corner lot.

7) Each parking space shall be at least eight and one-half (8.5) feet wide by eighteen (18) feet deep;

8) Tandem (end-to-end) parking is allowed to meet the minimum off-street parking requirements;

9) Required parking may be provided in the rear yard only when an alley is available for access;

10) All vehicles are required to be parked on a paved surface. Driveways and driveway approaches shall be paved;

11) The minimum driveway width is ten (10) feet;

12) The use of structures, temporary canopies, tarps, and other similar types of covering for vehicles is strictly prohibited within the front setback;

13) Parking of RVs, trailers, and vessels shall conform with the Eastvale Neighborhood Preservation standards (see Section 5.8 Neighborhood Preservation Standards).

2. **Surfacing standards for parking areas.** The following standards shall apply to the development of all off-street parking facilities, including driveways, whether the space is required or optional.

   a. **One- and two-family.** (residences less than 2 acre parcel equal to or greater than 2 acre parcel)

      1) Surfacing material. Concrete, asphaltic concrete, brick or equivalent at least 3 inches of decomposed granite or equivalent

   g. **Multiple-family residences.**

      1) Surfacing material. Concrete, asphaltic concrete, brick or equivalent driveways with an inverted section shall be constructed with a concrete ribbon gutter

   h. **All other uses.**

      1) Standards. At least 25% of the total street frontage within 660 feet from the boundaries of the proposed use, including both directions from the property and both sides of the street, is in commercial, industrial, residential use or other developed use. Where the proposed use would front on two or more streets, this provision refers to the street with the greater general plan designation or right-of-way requirement.

Other cases where the aforementioned circumstances do not apply or as determined by the Planning Director.

2) Surfacing material. Concrete surfacing with a minimum thickness of 32 inches, with expansion joints; or asphaltic concrete paving compacted to a minimum thickness of 3 inches on 4 inches of Class 2 base. A base of decomposed granite or equivalent compacted to a minimum thickness of 3 inches to act as an all-weather surfacing material.

3. **Off-street parking area striping**

   a. Each space shall be clearly marked with white paint or other easily distinguishable material;

   b. If ten (10) or more parking spaces are provided, and one-way aisles are used, directional signs or arrows painted on the surface shall be used to properly direct traffic.

4. **Drainage.** All parking areas, including driveways, shall be graded to prevent ponding and to minimize drainage runoff from entering adjoining properties.

5. **Curbs, bumpers, wheel stops, or similar devices**. Public parking areas shall be equipped with permanent curbs, bumpers, wheel stops, or similar devices so that parked vehicles do not overhang required walkways, planters or landscaped areas.

   a. If the method used is designed to stop the wheel rather than the bumper of the vehicle, the stopping edge shall be placed no closer than two (2) feet from the edge of any required walkway, planter or landscaped area, or from any building;

   b. The innermost two (2) feet of each parking space, between the wheel stop or other barrier, and any required planter or walkway, may either:

      1) be paved; or,

      2) be planted with low ground cover. This additional planting area is considered part of the parking space and may not be counted toward satisfying any landscaping requirement(s).

6. **Lighting**. A minimum lighting level of one (1) foot-candle and a maximum of four (4) foot-candles of lighting is required for all parking areas for security. Lighting facilities shall be located and shielded to prevent lights from shining directly onto adjoining properties or streets.

7. **Walls.** All paved parking areas, other than those required for single family residential uses, which adjoin property zoned R-1, R-2, R-2A, R-3, PRD, R-5, R-6, R-A, R-R or R-T, shall have a six (6)-foot-high solid masonry wall provided with an anti-graffiti coating installed to preclude a view of the parking area from such adjoining property. However, any walls within ten (10) feet of any street or alley shall be thirty (30) inches high.

## E. Loading Space Requirements

1. On each lot used for manufacturing, storage, warehousing, goods display, a department store, a wholesale store, a market, a hotel, a hospital, a laundry, dry cleaning or other uses which involve the receipt or distribution by vehicles of materials or merchandise, there shall be provided and maintained adequate loading space for delivery vehicle stacking, and for loading activities. The loading space and delivery vehicle stacking area shall be located and designed so as to avoid undue interference with the public use of streets and alleys.

2. Each required loading space shall be paved with six (6) inches of concrete over a suitable base and shall not be less than ten (10) feet wide, thirty-five (35) feet long and fourteen (14) feet high.
3. The minimum number of loading spaces indicated in the following table shall be provided:

**Table 5.6-4: Minimum Number of Loading Spaces**

| Gross Floor Area (Square Feet) | Number of Loading Spaces |
|---|---|
| 7,499 or less | 0 |
| 7,500 to 14,999 | 1 |
| 15,000 to 24,999 | 2 |
| 25,000 to 39,999 | 3 |
| 40,000 to 59,999 | 4 |
| 60,000 to 79,999 | 5 |
| 80,000 to 100,000 | 6 |
| For each additional 100,000 | 6 plus 1 |

## F. Parking for Persons with Disabilities

1. Parking spaces shall be provided for access by persons with disabilities in accordance with the number indicated by the following table. These numbers are based on the total number of parking spaces required, given the intended use of the site.

**Table 5.6-5: Number of Accessible Parking Spaces for Persons with Disabilities**

| Total Number of Parking Spaces Required | Minimum Number of Spaces Required for Accessible Parking |
|---|---|
| 2 to 25 | 1 |
| 26 to 50 | 2 |
| 51 to 75 | 3 |
| 76 to 100 | 4 |
| 101 to 150 | 5 |
| 151 to 200 | 6 |
| 201 to 300 | 7 |
| 301 to 400 | 8 |
| 401 to 500 | 9 |
| 501 to 1,000 | 2% of total number of required parking spaces |
| over 1,000 | 20, plus one for each 100, or fraction thereof, over 1,001 |

*Note:*
*A higher percentage of accessible parking spaces is required for medical care outpatient facilities as follows: 10 percent of the total number of parking spaces provided for outpatient facilities; 20 percent of total numbers of parking spaces provided for facilities that specialize in treatment or services for persons with mobility impairments.*

2. Accessible parking spaces shall be located so as to provide for safety and optimum proximity to curb ramps or other pedestrian ways, thereby providing the most direct access to the primary entrance of the building served by the parking lot.
3. For a single accessible space, the space shall be fourteen (14) feet wide and outlined to provide a nine (9)-foot-wide parking space and a five (5)-foot-wide loading/unloading area.
4. For multiple accessible spaces, two (2) spaces shall be provided within a twenty-three (23)-foot-wide area outlined to provide a five (5)-foot wide loading/unloading area between the nine (9)-foot-wide parking spaces.
5. Each loading/unloading area for a van-accessible space shall be eight (8) feet wide with a minimum length of eighteen (18) feet.
6. A minimum of one (1) in every eight (8) accessible parking spaces shall be served by an access aisle with a minimum width of eight (8) feet.
    a. The parking space shall be designated van-accessible;
    b. All such van-accessible parking spaces may be grouped on one level of a parking structure.
7. In each parking space, a wheel stop or curb shall be provided and located to prevent encroachment of cars over the walkways.
8. The parking spaces shall be located so that persons with disabilities are not compelled to wheel or walk behind parked cars other than their own.
9 Pedestrian ways which are accessible for persons with disabilities shall be provided from each such parking space to the related facilities and shall include curb cuts or ramps as needed.
    a. Ramps shall not encroach into any parking space. However, ramps located at the front of accessible parking spaces may encroach into the length of such spaces when the encroachment does not limit the ability of persons with disabilities to leave or enter their vehicles, and when it is determined that compliance with any regulation of this subsection would create an unreasonable hardship;
    b. Parking spaces may be provided which would require persons with disabilities to wheel or walk behind parking spaces that are not designed for accessibility when it is determined that compliance with the accessible parking regulations would create an unreasonable hardship.
10. Surface slopes for accessible parking spaces shall be the minimum possible, and shall not exceed one-fourth (1/4) inch per foot (2.083 percent gradient) in any direction.
11. Each accessible parking space shall be identified by a permanently affixed reflectorized sign displaying the international symbol of accessibility.
    a. The sign shall be posted immediately adjacent to and visible from each accessible parking space;
    b. The sign shall not be smaller than seventy (70) square inches in area and shall be centered at the interior end of the parking space at a minimum height of eighty (80) inches from the bottom of the sign to the parking space finished grade; or,
    c. The sign may be centered on the wall of the interior end of the accessible parking space at a minimum height of three (3) feet from the parking space finished grade or walkway.

12. An additional sign shall be posted in a conspicuous place, at each entrance to the off-street parking facilities. The sign shall not be less than seventeen (17) inches by twenty-two (22) inches in size with lettering not less than one (1) inch in height, which clearly and conspicuously states the following:

    "Unauthorized vehicles parked in designated accessible spaces not displaying distinguishing placards or license plates issued for persons with disabilities may be towed away at owner's expense. Towed vehicles may be reclaimed at or by telephoning."

13. The surface of each accessible parking space shall have a surface identification duplicating the symbol of accessibility in blue paint of at least three (3) square feet in size.

14. For additional accessible parking and site development standards, reference the California Code of Regulations, Title 24.

## G. Bicycle Parking Facilities

1. **Bicycle parking facility classifications.** Bicycle parking facilities shall be classified as follows:

    a. Class I—an enclosed box with a locking door, typically called a bicycle locker, where a single bicyclist has access to a bicycle storage compartment;

    b. Class II—a stationary bicycle rack designed to secure the frame and one wheel of the bicycle, where the bicyclist supplies only a padlock.

2. **Bicycle parking requirements**

    a. **Minimum bicycle parking facilities**. The minimum bicycle parking shall be provided as follows:

**Table 5.6-6: Bicycle Spaces For Bicycle Parking Facility Class**

| Facility Class | Industrial | Restaurants and Cocktail Lounges | Commercial, Office, and Service Uses Not Otherwise Listed |
|---|---|---|---|
| Employees | One bicycle space for every 25 parking spaces required. A minimum of 2 bicycle spaces required. Class I lockers or Class II racks in an enclosed lockable area. | One bicycle space for every 50 parking spaces required. A minimum of 2 bicycle spaces required. Class I lockers or Class II racks in an enclosed lockable area. | One bicycle space for every 25 parking spaces required. A minimum of 2 bicycle spaces required. Class I lockers or Class II racks in an enclosed lockable area. |
| Patrons or Visitors | Number of bicycle spaces required: 0 Type of lockers/racks: N/A | Number of bicycle spaces required: 0 Type of locker/ racks: N/A | One bicycle space for every 33 parking spaces required. A minimum of 2 bicycle spaces required. Type of locker/ racks: Class II racks. |

*Notes: Where the application of the above table results in the requirement for a fraction of a bicycle parking space, such a space need not be provided unless the fraction exceeds 50 percent.*
*Where the application of the above table results in the requirement of fewer than six employee spaces, Class II racks need not be placed within an enclosed lockable area.*

b. **Design standards**. Bicycle parking facilities shall be installed in a manner which allows adequate spacing for access to the bicycle and the locking device when the facilities are occupied. General space allowances shall include a two (2) foot width and a six (6) foot length per bicycle and a five (5)-foot-wide maneuvering space behind the bicycle. The facilities shall be located on a hard, dust-free surface, preferably asphalt or concrete;

3. **Exemptions**. Requests for exemptions from bicycle parking requirements shall be made in writing to the Planning Director.

   a. Exemptions from bicycle parking requirements shall be submitted and processed concurrently with the project application.

   b. Exemptions may be granted depending upon the location of the site with respect to an urbanized area, the nature and hours of operation of the proposed use, and the accessibility of the site by bicycle at present and in the future.

# Section 5.7 Signs

## A. Purpose and Intent

All displays and signs described herein shall conform to the applicable provisions of this Code. If any specific zoning classification within this code shall impose more stringent requirements than are set forth within this Code, the more stringent provisions shall prevail.

## B. Definitions

For purposes of this code, the following words or phrases shall have the following definitions.

1. **Abandoned sign**. Any sign which is located on a premise that has been vacated for a period of more than ninety (90) days as regulated in Section 5.7-E Nonconforming and Abandoned Signs.
2. **Billboard**. A sign which advertises or identifies a use, good, or service not located on the same lot or premise as the sign.
3. **Display face**. The surface area of a sign available for the purpose of displaying an advertising message. Display face does not include the structural supports or lighting.
4. **Free-standing sign.** Any sign not attached to any building or structure.
5. **Freeway.** A divided arterial highway for through traffic with full control of access and with grade separations at intersections.
6. **Highway.** Roads, streets, boulevards, lanes, courts, places, commons, trails, ways or other rights-of-way or easements used for or laid out and intended for the public passage of vehicles or persons.
7. **Illegal sign.** Any of the following:
    a. A sign and related structures erected without first complying with all applicable city ordinances and regulations in effect at the time of its construction, erection or use;
    b. A sign and related structures which do not comply with this code;
    c. A sign and related structures which are a danger to the public or are unsafe.
8. **Maximum height.** The highest point of the structure or sign measured from the average natural ground level at the base of the supporting structure.
9. **Noncommercial structure or sign.** Any sign that does not do any of the following:
    a. Advertise a product or service for profit or for a business purpose;
    b. Propose a commercial transaction; or
    c. Relate solely to economic interests.
10. **Sign structure.** Any structure defined as follows:
    a. For a freestanding sign or a sign that projects from another structure, the sign structure shall be a physical structure upon which letters or symbols are placed;
    b. For a sign placed parallel to the surface or a building, the sign structure shall consist of all elements placed directly upon the building, including individually mounted letters.
11. **Sign.** A sign used for outdoor advertising purposes as defined and directional as provided in this code.

12. **Shopping center.** A parcel of land not less than three (3) acres in size, on which there exists four (4) or more separate business uses that have mutual parking facilities.

## C. General Sign Standards

1. **General plan.** Signs shall be consistent with the General Plan.
2. **Roof mounts.** No sign shall be affixed on or over the roof of any building and no display shall be affixed to the wall of a building so that it projects above the parapet of the building.
3. **Display movement.** No sign shall move or rotate or display any moving and/or rotating parts. No propellers, flags, or other noise-creating devices, and no architectural embellishments which utilize mechanical or natural forces for motion, shall be permitted. Use of daylight reflective materials or electronic message boards using flashing, intermittent or moving light or lights is prohibited, provided, however, that electronic message boards displaying only time and/or temperature for periods of not less than thirty (30) seconds is permitted.
4. **Mobile displays.** No person shall place, use, maintain, or otherwise allow a mobile vehicle, trailer, or sign not permanently affixed to the ground to be used as a sign. Incidental logos and graphics affixed to a vehicle are not considered signs.
5. **Lighting and illumination of displays**. A sign may be illuminated unless otherwise specified, provided that the displays are so constructed that no light bulb, tube, filament, or similar source of illumination is visible beyond the display face. Displays making use of lights to convey the effect of movement or flashing, intermittent, or variable intensity shall not be permitted.
6. **Illegal signs.** All illegal signs and all abandoned signs shall be removed or brought into conformance with this ordinance immediately.
7. **Sign maintenance and construction**
   a. All permanent signs shall be constructed of quality, low-maintenance materials such as metal, concrete, natural stone, glass, or acrylics. All temporary signs and banners shall be made of a material designed to maintain and attractive appearance for as long as the sign is displayed;
   b. Signs shall be cleaned, updated and/or repaired as necessary to maintain an attractive appearance and to ensure safe operation;
   c. All equipment related to the sign operation such as transformers, programmers and other items shall be concealed within the sign structure when possible or painted to match the building.

## D. Sign Standards by Type

No person shall erect an on-site advertising structure or sign in the City in violation of the provisions contained within any specific zoning classification in this code or in violation of the following provisions.

1. **Free-standing signs**
   a. **Located within six hundred sixty (660) feet of the nearest edge of a freeway right-of-way line.**
      1) The maximum height of a sign shall not exceed forty-five (45) feet;
      2) The maximum surface area of a sign shall not exceed one hundred fifty (150) square feet.

b. **Shopping centers—all locations**. Notwithstanding the provisions of sub-paragraphs 1 and 2, an alternate standard for free-standing on-site advertising signs for shopping centers is established as follows:

1) The maximum surface area of a sign shall not exceed fifty (50) square feet or 0.25 percent (1/4 of 1 percent) of the total existing building floor area in a shopping center, whichever is greater, except that in any event, no sign shall exceed two hundred (200) square feet in surface area;

2) The maximum height of a sign shall not exceed twenty (20) feet.

c. **All Other Locations.**

1) The maximum height of a sign shall not exceed twenty (20) feet;

2) The maximum surface area of a sign shall not exceed fifty (50) square feet.

d. **Number of free-standing signs—all locations.** Not more than one (1) free-standing sign shall be permitted on a parcel of land, except that if a shopping center has frontage on two (2) or more streets, the shopping center shall be permitted two (2) free-standing signs, provided that the two (2) signs are not located on the same street; are at least one hundred (100) feet apart; and the second sign does not exceed one hundred (100) square feet in surface area and twenty (20) feet in height.

2. **Signs affixed to building—all areas**

a. No sign shall be affixed on, above or over the roof of any building, and no on-site advertising sign shall be affixed to the wall of a building so that it projects above the parapet of the building. For the purposes of this section, a mansard-style roof shall be considered a parapet.

b. The maximum surface area of signs affixed to a building shall be as follows:

1) Front wall of building— surface area of the sign shall not exceed 10 percent of the surface area of the front face of the building.

2) Side walls of a building— surface area of the sign shall not exceed 10 percent of the surface area of the side face of the building.

3) Rear wall of a building— surface area of the sign shall not exceed 5 percent of the surface area of the rear face of the building.

3. **Subdivision signs** shall be subject to the following minimum standards:

a. Signs must be within the subdivision boundaries;

b. No sign shall exceed one hundred (100) feet in surface area;

c. No sign shall be within one hundred (100) feet of any existing residence that is outside of the subdivision boundaries;

d. No more than two (2) such signs shall be permitted for each subdivision;

e. No sign shall be artificially lighted.

4. **On-site identification signs**. On-site identification signs affixed to the surface of walls, windows, and doors of permanent structures, which do not exceed four (4) inches in letter height and do not exceed four (4) square feet in area, are permitted in addition to any other sign permitted in this code.

5. **Billboards.** In addition to the General sign limitation provided in this section the following provisions apply to billboards:

i. **Zoning.** Billboards are permitted only in the C-1/C-P, M-SC, M-M and M-H Zones provided that the display meets all of the other requirements of the zoning classification and this code. Signs are expressly prohibited in all other zones.

j. **Height.** The maximum height of a billboard shall not exceed a height of twenty-five (25) feet from the roadbed of the adjacent freeway or highway to which the display is oriented, or a maximum height of twenty-five (25) feet from the grade on which it is constructed, whichever is greater.

k. **Setbacks.** No billboard shall be erected within an established setback or building line, or within road right-of-way lines or future road right-of-way lines as shown on any Specific Plan of highways. A minimum setback from the property line of one (1) foot shall be required. No person shall place, erect, use, or maintain any sign located within six hundred sixty (660) feet from the edge of the right-of-way of, and the copy which is visible from, any primary highway without first obtaining a valid State Billboard Permit

l. **Poles.** A maximum of two (2) steel poles are allowed for support of a billboard.

m. **Number of billboards.** No more than one (1) billboard is permitted per parcel.

n. **Number of display faces.** No more than two (2) display faces per billboard shall be permitted. Only single-face, back-to-back and V-type displays shall be allowed provided that they are on the same sign structure and provided that the V-type displays have a separation between display faces of not more than twenty-five (25) feet.

o. **Display face size.** No billboard face shall have a total surface area of more than three hundred (300) square feet.

p. **Identification.** No person shall place, erect, use or maintain a billboard and no billboard shall be placed, erected, used or maintained anywhere within the City unless there is securely fastened thereto and on the front display face thereof the name of the billboard owner in such a manner that the name is visible from the roadway.

q. **Relocated billboards**. Nothing in this code shall prevent the City from entering into a billboard relocation agreement when: (1) the original location of the billboard is within a contemplated public right-of-way and (2) the billboard complied with all applicable City ordinances and regulations in effect at the time it was erected. A billboard located on a parcel that is zoned to prohibit signs may, pursuant to such an agreement, be relocated to another place on that same parcel.

3. **Freeway Oriented Electronic Billboard** shall be subject to the following:

a. No more than one (1) Freeway Oriented Electronic Billboard shall be allowed within the City.

d. A single Freeway Oriented Electronic Billboard shall only be permitted in the area along the I-15 Freeway beginning at the Hwy 60 Freeway and extending south approximately 3,794 feet (the area in which current federal law would allow the placement of these signs).

e. All design standards and specifications will be identified in a development agreement with the City and will require approval by the Planning Commission and City Council.

4. **Temporary signs**. Banners and other signage displays are permitted for a period not to exceed the time limits established in Table 5.7-1 Allowed Temporary On-site Sign Standards Type. Inflatable signs are prohibited. See specific requirements in Table 5.7-1 Allowed Temporary On-Site Sign Standards for standards and additional limitations.

## Table 5.7-1: Allowed Temporary On-Site Sign Standards by Type

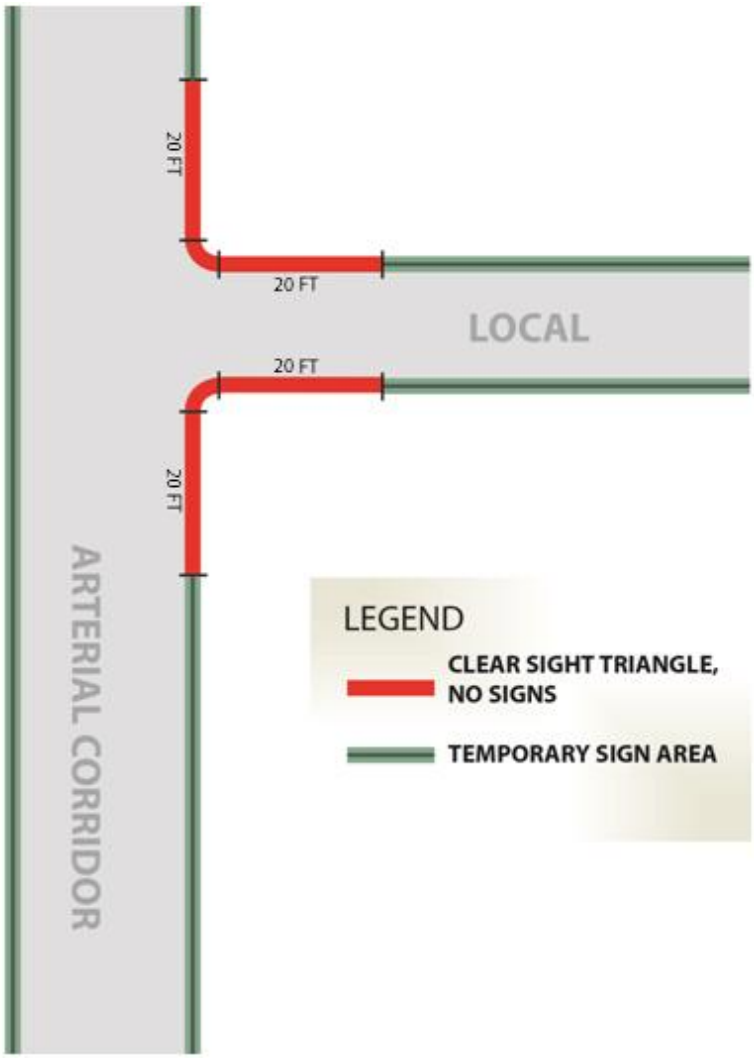
| Sign Type | Max. Number Permitted | Max. Area | Max. Height | Min. Setback from ROW[1] | Max. Permits per Year | Max. Time Period | Permit Required? |
|---|---|---|---|---|---|---|---|
| **Residential** | | | | | | | |
| On-Site Subdivision Directional Signs | 1/subdivision entrance, max 6[2] | 32 sq. ft. | 10 ft. | 10 ft | N/A | Until final sale[3] | Yes |
| On-Site Subdivision Flags | 10 poles/ subdivision | 15 sq. ft./pole | 20 ft. | 10 ft. | N/A | Until sale[3] | Yes |
| Multifamily Dwelling Complexes (e.g., apartments) | 1/street frontage | 32 sq. ft. | roofline if on building; otherwise 10 ft | 5 ft. | N/A | While units are available for rent or lease | Yes |
| Sale/Lease of Existing Residences | 1/parcel | 10 sq. ft. | 6 ft. | 3 ft. | N/A | Until final sale[3] | No |
| **Commercial** | | | | | | | |
| Window Signs | N/A | 25% of window area | N/A | N/A | N/A | 90 days | No |
| Building- mounted Banners for Sales, Events, etc.[4] | 1/building frontage | 32 sq. ft. | Roofline | N/A | 4 | 30 days | No |
| Sale/Rental/ Lease of Nonresidential Real Estate: Free-Standing Signs | 2/parcel, must be on site | 32 sq. ft. | 6 ft. | 3 ft. | N/A | Until final sale[3] | No |
| Sale/Rental/ Lease of Nonresidential Real Estate: Building- Mounted Signs (including banners) | 2/ establishment | 100 sq. ft. | roofline | N/A | 4 | Until final sale[3] | No |

*Notes:*
*1. Must be located outside of the clear vision triangle.*
*2. Only allowed Friday to Monday.*
*3. Signs shall be removed within thirty (30) days of close of escrow or lease of final unit.*
*4. Banner shall be attached flat against the wall or fascia of a building and not hung from poles, awnings, eaves or similar structures. Banners shall be hung with permanent attachments, such as bolts or screws, and not be tied to a structure with rope, twine, or similar materials. Banners that are faded and/or torn shall be removed or replaced.*

## E. Temporary Signs in the Right of Way

1. Temporary signs may be placed in the public right of way during the period beginning 4 p.m. Friday and ending 7 p.m. Sunday. Signs in place outside this period will be subject to removal.
2. Temporary Sign Size, Materials, and Maintenance Criteria. All temporary signs placed in the right of way must:
   a. Be free-standing and securely mounted on a wooden or metal stakes;
   d. Be no higher than four (4) feet above grade;
   e. Be no larger than six (6) square feet and no more than three (3) feet in either height or width;
   f. Be constructed of substantial sturdy, durable and weather-proof material;
   g. Be kept in good repair;
   h. Be non-illuminated;
   i. Include the contact name and phone number of the person responsible for the sign in a clearly legible manner, either on the front or back of the sign; and
   j. Be located in a permitted location as defined in this Section.
3. Sign Location. Temporary signs in the right of way must be located at least 20 feet from the curved portion of the corner in order to maintain visibility for motorists, as shown in the illustration. In addition, the following apply:
   a. Sign must be located at least two feet from the edge of a curb or sidewalk, or from the edge of the pavement if there is no curb or sidewalk.
   b. Signs shall be installed so as not to damage plant materials, irrigation equipment or other public property.
   c. Signs may not be placed on a sidewalk.
   d. Signs may not be placed in a roadway median.
   e. Signs may not be attached to utility poles, sign posts, fences, walls, or any other structure.

**Permitted Locations for Temporary Signs in the Right of Way**




4. Political Signs. Political and other non-commercial signs are subject to all of the regulations in this section, including the Sign Display Period.

## F. Nonconforming and Abandoned Signs

1. Except as otherwise provided in this section, any sign lawfully in use on the effective date of this code, or any amendment thereto, shall be considered a legal use and as such may continue to operate and exist, provided:

   a. Nonconforming signs shall be kept in good repair and visual appearance. Structural alterations or modifications of any nonconforming sign are prohibited. Structural repair resulting in same size and shape is permitted subject to the provisions of Title 18 of the Municipal Code. Change of copy on a nonconforming sign shall be allowed, provided the change does not increase the area of the sign;

   b. Whenever any modifications, alterations, or changes occur or are proposed, the sign shall be brought into conformance with the provisions, standards, and regulations of this section, requiring issuance of Zoning Clearance.

2. The City Council, Planning Commission, or other designated approving authority, may, as a condition of rezoning, Development Review or Conditional Use Permit, or other development entitlement, require any nonconforming sign on the applicable property to be removed or altered so as to comply with the provisions of this section.
3. Sign structures which have no message attached to them for more than ninety (90) days shall be considered abandoned signs and as such may be abated by the City. Adequate notice shall be provided to the property owner prior to any removal. For regulatory purposes, any factors indicating abandonment shall not begin occurring until ninety (90) days after this section first goes into effect.

# Section 5.8 Neighborhood Preservation Standards

## A. Intent

To provide standards that address unique neighborhood concerns regarding quality of life in Eastvale by:

1. Supplementing general maintenance requirements on public properties within the neighborhood.
2. Restricting uses on private properties beyond the general requirements of the underlying zone.
3. Providing regulatory framework for effective code enforcement efforts.

## B. Applicability

Applicable to all residentially zoned property within the City.

## C. Definitions

Refer to Chapter 6 Glossary for definitions of the following terms:

1. Accessory Structures
2. Attractive Nuisances
3. Business Sign
4. Commercial Vehicle
5. Covenants, Conditions, and Restrictions (CC&Rs)
6. Decorative Fence
7. Holiday Display
8. Home Occupation Sign
9. Overlay Zone
10. Temporary Exterior Display

## D. Neighborhood Preservation Standards

In order to maintain a safe, clean, orderly, sanitary, and aesthetically pleasing neighborhood character, the following standards of physical environment shall apply within the Eastvale Neighborhood Preservation Overlay (ENPO) zone boundary.

1. **Street Environment**
    a. Public streets and sidewalks shall be kept free from any type of obstructions such as planters, landscaping, fences, temporary signs, or similar structures;
    b. All landscaped areas in a public street, sidewalk, or right-of-way that is abutting a residential property shall be maintained by the adjoining property owner, unless it is maintained through another mechanism such as Community Facilities District or Landscape Maintenance District;

c. Trash, garbage, recycling or green waste containers (cans, bins, boxes or other such containers) shall not be kept in any front yard, driveway, walkway, sidewalk, street or right-of-way for more than thirty-six (36) sequential hours in any seven (7)-day period, including trash and recycling pick-up day. Trash containers used for construction or remodeling of the property shall be exempt provided that they are removed within forty-five (45) days following issuance of building permits, unless additional time is granted or approved by the Department of Building and Safety;

d. For single-family residential developments, the trash or recycling containers shall be stored in garage, side yard, or rear yard, in a manner that they are not visible from any public street;

e. For multifamily residential developments, the trash enclosures shall be constructed of sturdy and opaque materials (with trash receptacles screened from public view) that are in harmony with the architecture and materials of the main buildings;

f. Permanent basketball goals shall not be permitted in or upon any street, sidewalk or public right of way. Basketball goals may be permanently installed to the home and basketball goals may be permanently installed in the front yard, street side yard, rear yard, or adjacent to the driveway of private property subject to the locational requirements specified in subsection g below. For the purpose of this subsection, the following definitions apply:

   1) "Basketball goal" or "hoop" means, except where the context clearly indicates some specific part, any part of a back-board, hoop, net, or supporting apparatus.

g. To ensure the safety of players and the public, permanent equipment shall be properly maintained. The following standards apply to the permanent installation of basketball goals permitted under subsection f:

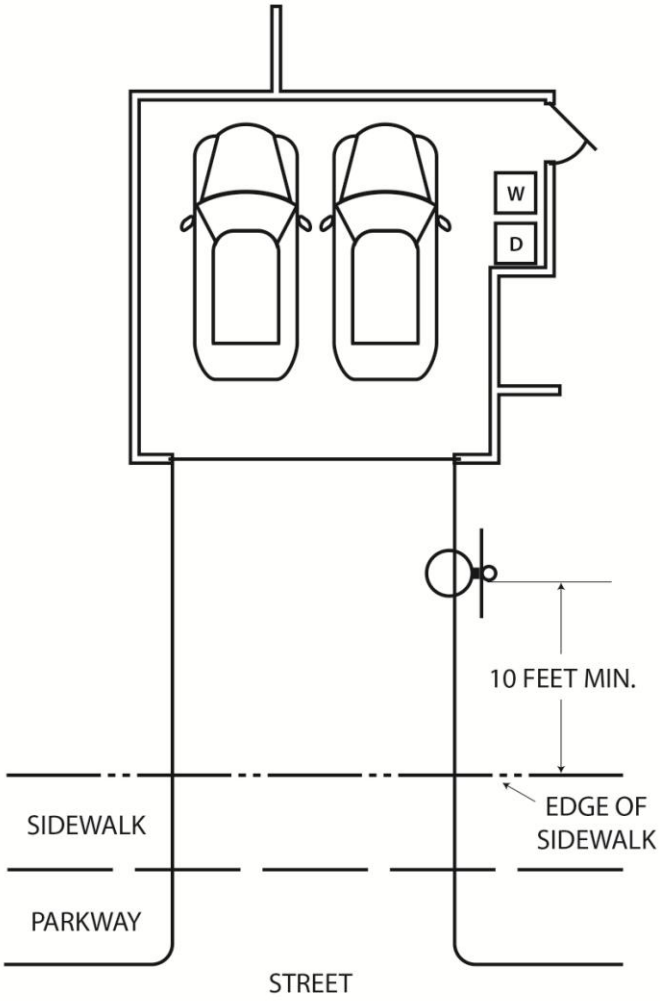
   2) For front yards, unenclosed street side yards, or unenclosed rear yards abutting a street, basketball goals must be located so that the distance from the supporting apparatus to the edge of the sidewalk closest to the home is at least ten (10) feet.

   3) For street side yards and rear yards fully enclosed by a fence or wall 5 feet in height or more, basketball goals may be located anywhere within the enclosed portion of the street side yard or rear yard, provided that no portion of the basketball goal extends beyond the fence or wall.

   4) No part of a permanent supporting apparatus may be located in the driveway.

The figure below illustrates these standards.

**Basketball Goal Location Standards**




h. Moveable recreational equipment, including but not limited to basketball goals, may be placed for use in a front yard, street side yard, or rear yard abutting a street, on the driveway or any other appropriate surface which is permitted by this Zoning Code, provided that the minimum distance specified above is maintained. Moveable recreational equipment, including but not limited to basketball goals, may be used in any side or rear yard area, provided that enough space is provided for the safe use of the equipment.

2. **Parking**

a. No vehicle shall be parked upon a public street for more than seventy-two (72) consecutive hours within a radius of five hundred (500) yards and shall be subject to citation and/or removal by the City as provided for in state law;

b. No person shall construct, repair, grease, lubricate, or dismantle any vehicle, or any part thereof, upon a public street, sidewalk or right-of-way, except for temporary emergency purposes;

c. No vehicle, such as a car, truck, or motorized bike, shall be parked in any landscaped area, but may be parked in a garage or carport, or upon driveway or other improved parking area;

d. The improved parking area, and driveway, shall be constructed of concrete cement and shall not cover more than 50 percent of the required front and/or side yard area. The improved parking area and driveway that existed on or were approved prior to the effective date of this code shall be exempt from this provision;

e. No commercial vehicle(s), or any part thereof, shall be parked upon a public street, sidewalk, right-of-way, private yard or private driveway, except when it is actively used for loading or unloading purposes, or while the owner of such commercial vehicle is working at the property where such vehicle is parked. No overnight parking of commercial vehicles is permitted;

f. No recreational vehicle(s) shall be parked in any front yard area of a property. No recreational vehicle, or any part thereof, shall encroach upon a public street, sidewalk, or right-of-way. Recreational vehicles shall be allowed, if they are screened behind a fence or wall of at least five (5) feet height and parked in a garage, side yard or rear yard. A recreational vehicle may be parked in a public right-of-way or approved parking area for a period of not more than forty eight (48) hours twice a month for the purposes of loading or unloading said vehicle;

g. Parking upon a public street or right-of-way shall be restricted for a designated day during the week in order to clear the curb-side for street sweeping. This parking restriction shall be applicable only after a street-sweeping schedule for the ENPO zone is established and legal notification of such restriction has been properly provided.

3. **Yard Maintenance**

a. Any front yard, and side yard that is visible from any public street or area, shall be landscaped and maintained in an aesthetically consistent manner with rest of the neighborhood;

b. All landscaping shall be maintained in a manner that does not cause a potential fire hazard or cause threat to public health, welfare and safety;

c. An attractive nuisance shall not be harbored in a public street, sidewalk, right-of-way, or a private property;

d. Outdoor storage shall not be permitted in a front yard, or side yard that is visible from any street, and shall not impede vehicular or pedestrian traffic in a public street, sidewalk, or right-of-way;

e. Landscaping within a yard shall not obstruct a public street, intersection, sidewalk, or right-of-way, either physically or visually;

f. Dying, decayed, untrimmed or hazardous trees, shrubbery, or other landscaping in any front yard, or side yard that is visible from any public area, shall be addressed and remediated within seven (7) days of issuance of a Code Enforcement Notice of Violation, or as specified therein;

g. No accessory structure shall be permitted in a front yard. However, an accessory structure may be constructed in a side yard or rear yard if it is constructed according to the requirements of this code and screened from the public view. An accessory structure, which is determined by the Building and Safety Department to be substandard, unstable, dilapidated, constitute a fire hazard or otherwise be potentially dangerous to public health, welfare and safety, shall be removed from the property within thirty (30) days of issuance of a Code Enforcement Notice of Violation, or as specified therein.

4. **Fences and walls**

   a. All fences and walls shall be properly maintained in order to preserve their structural integrity and to provide a neat appearance. All fences and walls shall be kept free from graffiti, undergrowth, weeds or other similar conditions at all times. All fences and walls shall be of materials and colors that are compatible with the architectural design of the buildings in the neighborhood. No fence, wall or a portion thereof, shall be constructed or altered to add razor wire, barbed wire, metal spikes, broken glass, readily flammable material, or other similar material;

   b. Chain link fences shall not be erected or constructed in any front yard, or side yard that is visible from any public area, for lots less than one-half (1/2) acre net in area. Chain link fences that exist on, or were approved prior to, the effective date of this code shall be exempt from this provision;

   c. Any fence or wall, including decorative fence, shall not obstruct a public street, intersection, sidewalk, or right-of-way, either physically or visually;

   d. Any fence or wall, including decorative fence, located in the front yard or within thirty (30) feet of an intersection, shall not be higher than four (4) feet. Fences and walls that existed on or were approved prior to the effective date of this code shall be exempt from this provision. Vertical calculation of the height of the fence or wall shall be made by vertical measurement along the length of the outside face when measured from final finished grade;

   e. The height of a gate, the gate posts, or columns, located in a front yard or side yard that is visible from any street shall not exceed 120 percent of the maximum height of the fence or wall;

   f. Any approved fence or gate for a temporary use and swimming pool shall be exempt from the provisions of this section.

5. **Façade treatment**

   a. Any part of a building façade, such as siding, shingles, roof covering, railings, fences, walls, ceilings, porches, doors, windows, screens, and other exterior parts shall be maintained in weather-tight, sound condition and good repair.

   b. Any compromising building conditions, including but not limited to peeling exterior paint, broken windows or doors, or partially constructed/demolished structure(s), shall be repaired within thirty (30) days of issuance of a Code Enforcement Notice of Violation, or as specified therein;

   c. Any ground-mounted mechanical equipment, including but not limited to air conditioning unit or heating pump, shall be visually screened from public view;

   d. Plywood, plastic sheeting, tarp, aluminum foil, or similar materials shall not be used to cover windows and other openings, unless otherwise approved by the Department of Building and Safety.

6. **Outdoor lighting**

   a. Lighting fixtures shall be located such that no light or reflected glare is directed off-site. Lighting fixtures shall provide that no light is directed above a horizontal plane passing through the bottom of the fixture;

b. All on-site lighting shall be stationary, directed away from adjacent properties and public rights-of-way. Incandescent lighting fixtures, greater than one hundred (100) watts or one thousand seven hundred (1,700) lumens, shall require proper shielding to minimize their impact on neighboring properties;

c. To minimize the impact on neighboring properties, any outdoor security lighting shall require proper shielding, and should utilize both motion-sensitive, and time-sensitive, fixtures.

7. **Signage**

a. All signs shall be of materials and colors that are compatible with the architectural design of the buildings in the neighborhood;

b. One (1) home occupation sign may be allowed per dwelling unit, if the sign is in accordance with other provisions of this code;

c. Any business signs, pennants, reflective, flashing, or movable signs shall not be allowed;

d. Any home-occupation or other sign that relates to an abandoned or discontinued use shall be removed;

e. See Section 1.5-H Sign Permit and Section 5.7-E Nonconforming and Abandoned Signs for additional regulations related to permanent and temporary signs.

8. **Temporary exterior display and holiday display**

a. Any temporary exterior display or holiday display shall not physically impede vehicular or pedestrian traffic on any street, sidewalk, or right-of-way;

b. Any temporary exterior display or holiday display shall be allowed for a period not to exceed forty-five (45) consecutive days;

c. Any and all applicable City, state or other permits shall be obtained prior to installing such a temporary display;

d. Any temporary outdoor event (e.g., community fair, music festival, or yard sale) may be exempted by the Planning Department from the provisions of this section (Section 1.5-G).

# Section 5.9 Housing Incentives and Density Bonus

## A. Purpose

The purpose of this section is to provide incentives for the production of housing for very low, low, and moderate income, special needs, and senior households in accordance with Government Code Sections 65915 through 65918. In enacting this section, it is the intent of the City Council to facilitate the development of affordable housing and to implement the goals and policies of the City's General Plan Housing Element.

## B. Eligibility for Incentives and Bonuses

The City of Eastvale shall grant one density bonus, with concessions or incentives, as specified in Section 5.9-D Number and Types of Incentives and Bonuses Allowed, or provide other incentives or concessions of equivalent financial value based upon the land cost per dwelling unit, when the applicant for the housing development seeks and agrees to construct a housing development, excluding any units permitted by the density bonus awarded pursuant to this section, that will contain at least one of the following:

1. Ten percent of the total units of a housing development for lower income households;
2. Five percent of the total units of a housing development for very low income households;
3. Housing for special needs populations;
4. A senior citizen housing development; or
5. Ten percent of the total dwelling units in a common interest development as defined in Section 1351 of the California Civil Code for persons and families of moderate income, provided that all units in the development are offered to the public for purchase.

## C. General Provisions for Incentives and Bonuses

The following general provisions apply to the application and determination of all incentives and bonuses:

1. All density calculations resulting in fractional units shall be rounded up to the next whole number;
2. The granting of a density bonus shall not be interpreted, in and of itself, to require a General Plan Amendment, Rezone, or other discretionary approval;
3. The density bonus shall not be included when determining the number of housing units that is equal to 5 or 10 percent of the total;
4. Upon request by the applicant, the City shall not require that a housing development meeting the requirements of Section B Eligibility for Incentives and Bonuses provide a vehicular parking ratio, inclusive of handicapped and guest parking, that exceeds the following:
    a. Zero (studio) to one bedrooms: one (1) on-site parking space per unit
    b. Two to three bedrooms: two (2) on-site parking spaces per unit
    c. Four and more bedrooms: two and one-half (2 ½) parking spaces per unit
5. If the total number of parking spaces required for a housing development is other than a whole number, the number shall be rounded up to the next whole number. For purposes of this subsection, a development may provide on-site parking through tandem parking or uncovered parking, but not through on-street parking;

6. The City shall not apply any development standard that would have the effect of precluding the construction of a housing development meeting the requirements of Section 5.9-B Eligibility for Incentives and Bonuses at the densities or with the incentives permitted by this section. An applicant may submit to the City a proposal for the waiver or reduction of development standards. Nothing in this subsection, however, shall be interpreted to require the City to waive or reduce development standards if the waiver or reduction would have a specific adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5 of the California Government Code, upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which the City determines there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. Furthermore, the applicant shall be required to prove that the waiver or modification is necessary to make the target units economically feasible.

## D. Number and Types of Incentives and Bonuses Allowed

1. **General project density bonus**. A housing development that satisfies all applicable provisions of this section shall be entitled to the following density bonus:

   a. For developments providing lower income target units, a 20 percent base density bonus plus a 1.5 percent supplemental increase over that base for every 1 percent increase in low income units above 10 percent. The maximum density bonus allowed including supplemental increases is 35 percent;

   b. For developments providing very low income target units, a 20 percent base density bonus plus a 2.5 percent supplemental increase over that base for every 1 percent increase in very low income units above 5 percent. The maximum density bonus allowed including supplemental increases is 35 percent;

   c. For senior citizen housing developments, a flat 20 percent density bonus;

   d. For common interest developments providing moderate income target units, a 5 percent base density bonus plus a 1 percent increase in moderate-income units above 10 percent. The maximum density bonus allowed including supplemental increases is 35 percent.

2. **Number of incentives or concessions**. In addition to the eligible density bonus percentage described in this section, an applicant may request one or more incentives or concessions in connection with its application for a density bonus as follows:

   a. One incentive or concession for projects that include at least 10 percent of the total units for lower income households, at least 5 percent for very low income households, or at least 10 percent for persons and families of moderate income in a common interest development;

   b. Two incentives or concessions for projects that include at least 20 percent of the total units for lower income households, at least 10 percent for very low income households, or at least 20 percent for persons and families of moderate income in a common interest development;

   c. Three incentives or concessions for projects that include at least 30 percent of the total units for lower income households, at least 15 percent for very low income households, or at least 30 percent for persons and families of moderate income in a common interest development.

3. **Available incentives and concessions**. The following incentives and concessions are available for compliance with this section:

a. A reduction in the site development standards or a modification of Zoning Code requirements or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission as provided in Part 2.5 Section 18907 of Division 13 of Health and Safety Code, including but not limited to a reduction in setback and square footage requirements and in ratio of vehicle parking spaces that would otherwise be required and that results in identifiable, financially sufficient, and actual cost reductions;

b. Approval of mixed-use development in conjunction with the housing development if the nonresidential land uses will reduce the cost of the housing development and the nonresidential land uses are compatible with the housing development and surrounding development;

c. Other regulatory incentives or concessions proposed by the applicant or that the City determines will result in identifiable, financially sufficient, and actual cost reductions;

d. Priority processing of a housing development that provides income-restricted units.

4. **Additional density bonus and incentives and concessions for donation of land to the city**

a. When an applicant for a tentative subdivision map, parcel map, or other residential development approval donates land to the City and agrees to include a minimum of 10 percent of the total units before the density bonus for very low income households, as provided for in this subsection, the applicant shall be entitled to a 15 percent base density bonus plus a 1 percent supplemental increase for each additional percentage of very low income units to a maximum density bonus of 35 percent;

b. The density bonus provided in this subsection shall be in addition to any other density bonus provided by this section to a maximum combined density bonus of 35 percent;

c. The applicant shall be eligible for the increased density bonus described in this subsection if all of the following conditions are met:

1) The applicant donates and transfers the land no later than the date of approval of the final subdivision map, parcel map, or residential development application;

2) The developable acreage and zoning designation of the land being transferred are sufficient to permit construction of units affordable to very low income households in an amount not less than 10 percent of the number of residential units of the proposed development;

3) The transferred land is at least one (1) acre in size or is of sufficient size to permit development of at least forty (40) units, has the appropriate General Plan Land Use and zoning designations, and is or will be served by all required public facilities and infrastructure;

4) The transferred land and the affordable units shall be subject to a deed restriction ensuring continued affordability of the units consistent with the requirements of this section;

5) The land is transferred to the City or to a housing developer approved by the City; and

6) The transferred land shall be within the boundary of the proposed development or, at the City's approval, within one-quarter (1/4) mile of the boundary of the proposed development.

d. Nothing in the provisions of this section shall be construed to enlarge or diminish the authority of the City to require a developer to donate land as a condition of development.

5. **Additional density bonus and incentives and concessions for development of child care facility**

a. Housing developments meeting the requirements of Section 5.9-B Eligibility for Incentives and Bonuses and including a child care facility that will be located on the premises of, as part of, or adjacent to the housing development shall receive either of the following:

1) An additional density bonus that is an amount of square footage of residential space equal to or greater than the amount of square footage in the child care facility;

2) An additional incentive or concession that contributes significantly to the economic feasibility of the construction of the child care facility.

b. The density bonus housing agreement for the housing development shall ensure that:

3) The child care facility shall remain in operation for a period of time as long as or longer than the period of time during which the target units are required to remain affordable; and

4) Of the children who attend the child care facility, the children of very low income households, lower income households, or persons or families of moderate income shall equal a percentage that is equal to or greater than the percentage of target units that are required pursuant to Section 5.9-B Eligibility for Incentives and Bonuses.

c. The City shall not be required to provide a density bonus or incentive or concession for a child care facility if it makes a written finding, based upon substantial evidence, that the community has adequate child care facilities.

6. **Condominium conversion incentives for low income housing development**

a. When an applicant for approval to convert apartments to a condominium project agrees to the following, the City shall grant either a density bonus of 25 percent over the number of apartments (to be provided within the existing structure or structures proposed for conversion) or provide other incentives of equivalent financial value:

1) Provide at least 33 percent of the total units of the proposed condominium project to persons and families of low or moderate income; or

2) Provide at least 15 percent of the total units of the proposed condominium project to lower income households; and

3) Agree to pay for the reasonably necessary administrative costs incurred by the City.

b. For purposes of this subsection, “other incentives of equivalent financial value” shall not be construed to require the City to provide cash transfer payments or other monetary compensation but may include the reduction or waiver of requirements which the City might otherwise apply as conditions of conversion approval;

c. Nothing in this subsection shall be construed to require the City to approve a proposal to convert apartments to condominiums;

d. An applicant shall be ineligible for a density bonus or other incentives under this subsection if the apartments proposed for conversion constitute a housing development for which a density bonus or other incentive was previously provided.

## E. Location of Bonus Units

As required by state law, the location of density bonus units within the housing development may be at the discretion of the developer. However, the inclusionary units shall be dispersed throughout the development (where feasible); shall contain, on average, the same number of bedrooms as the non-inclusionary units in the development; and shall be compatible with the design or use of the remaining units in terms of appearance, materials, and quality finish.

## F. Continued Availability

1. If a housing development providing low or very low income target units receives only a density bonus, the target units must remain restricted to low or very low income households for a minimum of thirty (30) years from the date of issuance of the Certificate of Occupancy.
2. If a housing development providing low or very low income target units receives both a density bonus and an additional incentive, the target units must remain restricted to low or very low income households for a minimum of fifty (50) years from the date of issuance of the Certificate of Occupancy.
3. In the case of a common interest housing development providing moderate income target units, the initial occupant of the target unit must be a person or family of moderate income. Upon resale any appreciation shall be shared between the seller and the City. The seller of the target units shall retain the value of any improvements, the down payment, and the seller's proportionate share of appreciation, which shall be used within three (3) years for any of the purposes described in subdivision (e) of Section 33334.2 of the California Health and Safety Code that promote homeownership. The City's proportionate share is the difference between the original fair market value of the home and the initial sales price of the home. This allows the City to recover the financial assistance to the homeowner that was provided at the initial sales to make the home affordable to the buyer.

## G. Process for Approval or Denial

1. **Process for approval.** The density bonus and incentives and concessions request shall be considered in conjunction with any necessary development entitlements for the project. The designated approving authority for density bonuses shall be the City Council. In approving the density bonus and any related incentives or concessions, the City and applicant shall enter into a density bonus agreement. The form and content of the density bonus agreement shall be determined by the City.
2. **Approval required unless denial findings made.** The City shall grant the density bonus, incentives, and concessions requested by the applicant unless the City makes a written finding, based upon substantial evidence, of either of the following:
    a. The incentive or concession is not required in order to provide for affordable housing costs or affordable rents;
    b. The incentive or concession would have a specific adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5 of the California Government Code, upon public health and safety or physical environment or any real property that is listed in the California Register of Historical Resources and for which the City determines there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate income households.

# Section 5.10 Outdoor Displays, Sales, and Storage

## A. Permit Requirements and Exemptions

The following outdoor activities shall be subject to the permit requirements listed herein.

1. **Permanent outdoor display and sales.** Permanent outdoor displays and sales are permitted (consistent with the allowed use provisions of the underlying zoning district), subject to Zoning Certification, when all related activities are developed and operated consistent with the standards of this code.
2. **Temporary outdoor display and sales**. Temporary outdoor display and sales shall require the issuance of a Temporary Use Permit:
   a. Fireworks stands, provided they are consistent with the standards of the Fire District and/or other regulatory agencies and a valid business license has been issued consistent with the requirements of the City's Municipal Code.
3. **Permanent outdoor storage.** Permanent outdoor storage is permitted as a specified land use (storage yards) in the allowed use tables of Chapter 3 (Zoning District Regulations).

| Lot Size | Maximum Square Footage* |
|---|---|
| 1/2 acre to 1 acre | Limited to 100 square feet |
| 1 acre or more | Limited to 200 square feet |

** Must be screened from public view with fences, walls, or landscaping*

4. **Temporary outdoor storage.** Generally, temporary outdoor storage shall require the issuance of a Temporary Use Permit and shall be consistent with the development standards of this chapter. The following uses and activities shall be exempt from such permit requirements:
   a. Storage of construction materials and equipment as part of an active construction site, provided a valid building permit or improvement permit is in effect and the materials and equipment are stored on the construction site pursuant to approved permit(s).

## B. Development Standards

1. **General development standards for all activities.** The following development standards apply to all outdoor display, sales, and storage activities.
   a. **Location**. Outdoor activities shall not be located within any public right-of-way (unless an Encroachment Permit has been issued), in required parking spaces, or within designed vehicle drive aisles, or within required landscape planter areas. Outdoor activities may also not disrupt or impede required pedestrian circulation paths as required by the Building Code;
   b. **Hours of operation**. Except as otherwise provided, hours of operation for outdoor activities shall be consistent with those for the corresponding primary use;
   c. **Noise**. Any noise generated by the outdoor activity shall be consistent with the City's Noise Ordinance;
   d. **Signs**. No additional business identification or advertising signs for the outdoor activity may be permitted above the maximum allowable sign area for the corresponding primary use, except when the outdoor activity is the primary use (e.g., Christmas tree lot).

e. **Maintenance**. Outdoor activity areas shall be kept free of garbage and other debris.

2. **Standards for outdoor display and sales**. The following development standards shall apply to all permanent and temporary outdoor display and sales activities.

   a. **Associated with the primary use**. All outdoor display and sales activities shall be associated with the primary use of the property. Only those goods and services associated with the primary use may be stored, sold, or displayed. All outdoor display and sales activities that are independent of the primary use shall be considered their own primary use and regulated as such (e.g., seasonal sales as a temporary use requiring a Temporary Use Permit).

   b. **Maximum area**. Unless otherwise approved in conjunction with development permits, the area used for permanent outdoor display and sales of materials shall not exceed 10 percent of the gross floor area of the corresponding commercial building. The following uses and activities are specifically exempt from this requirement, provided all other development standards are satisfied:

      1) Vehicle and equipment sales and rentals (e.g., automobile, boat, RV, construction equipment, etc.), provided storage and display is limited to vehicles offered for sale or rental only.

   c. **Time limit for temporary activities**. See the provisions of Chapter 1.5 G Temporary Event and Permit for duration and permit requirements for temporary promotional sales.

3. **Standards for outdoor storage.** The following development standards shall apply to all permanent and temporary outdoor storage activities.

   a. **Location**. Outdoor storage may not be located within any required front or street side yard for the underlying zoning district within which the activity is located.

   b. **Height limitation**. The height of stacked materials and goods shall be no greater than that of any building, wall, fence, or gate enclosing the storage area.

   c. **Screening**. Screening of outdoor storage shall be consistent with Section 5.3 Fences, Walls and Screens.

   d. **Parking**. Parking for permanent outdoor storage shall be provided as required in Section 5.6 Off-Street Vehicle Parking.

# Section 5.11 Temporary Uses

## A. Purpose

The purpose of this section is to establish regulations for uses of private property that are temporary in nature. These provisions place restrictions on the duration of the temporary use, its location, and other development standards. The intent of these regulations is to ensure that the temporary use does not adversely impact the long-term uses of the same or neighboring sites, or impact the general health, safety, and welfare of persons residing within the community. (Refer to Section 1.5-G for Temporary Events and Permits.)

## B. Permit Required

Except as otherwise provided in this Zoning Code, the temporary uses listed in this section shall require the issuance of a Temporary Use Permit from the Planning Director prior to establishment of the use. The Planning Director may impose conditions on the approval of a temporary use.

## C. Temporary Use Regulations

1. **Exempt temporary uses**. The following temporary uses are exempt from the permit requirements of this section, provided they comply with the development standards listed below.

    a. **Emergency facilities**. Temporary facilities to accommodate emergency public health and safety needs and activities;

    b. **Construction yards—on-site**. Yards and sheds for the storage of materials and equipment used as part of a construction project, provided a valid building permit has been issued and the materials and equipment are stored on the same site as the construction activity;

    c. **Miscellaneous**. Activities conducted on public property or within the public right-of-way that are approved by the City or as otherwise required by the Municipal Code.

2. **Allowed temporary uses and related standards**. The following temporary uses may only be established after first obtaining a valid Temporary Use Permit. Uses that do not fall within the categories defined below shall comply with the use and development regulations and planning permit requirements that otherwise apply to the property.

    a. **Construction office**. A temporary construction office, used during the construction of a main building or buildings on the same site;

    b. **Construction yards—off-site**. Site contractors' construction yards, in conjunction with an approved construction project;

    c. **Model homes**. A model home or model home complex may be authorized before the completion of subdivision improvements;

    d. **Temporary real estate offices, including sales trailers and related facilities**. May be established within the area of an approved residential subdivision project, solely for the first sale of homes. In addition, conditions of approval regulating the hours of operation, landscaping, or other aspects as deemed necessary may be imposed as part of the Temporary Use Permit;

    e. **Seasonal sales lots**. Temporary seasonal sales activities (e.g., Christmas trees, pumpkin sales, and other similar outdoor sales) may be permitted in any commercial or industrial zoning district, or on any religious facility or school site that abuts a collector or arterial

roadway as designated in the General Plan. Seasonal sales may be permitted in any non-residential zoning district upon issuance of a Temporary Use Permit. The term of permit shall not exceed sixty (60) days per calendar year. Temporary dwellings, including mobile homes, when a primary dwelling is being constructed or remodeled may be permitted, provided a valid building permit has been issued. The temporary dwelling shall be limited to a maximum of one (1) year.

f. When a temporary use is not specifically listed in this section, the Director shall determine whether the proposed use is similar in nature to listed uses(s) and shall establish the term and make necessary findings and conditions for the particular use.

## D. General Development Standards

Each use granted a Temporary Use permit shall comply with all applicable zoning district and development standards as outlined in this Zoning Code. The Director shall establish the following standards in combination with the provisions in Section 5.11-C above and, based on the type of temporary use, in addition to standards within the Zoning Code for guidance:

1. Measures for removal of the activity and site restoration, to ensure that no changes to the site would limit the range of possible future land uses otherwise allowed by this Zoning Code.
2. Limitation on the duration of approved temporary structures to a maximum of one (1) year, so they shall not become permanent or long-term structures.
3. Other requirements as appropriate to minimize any adverse impacts of the use.

## E. Similar Uses

When a temporary use is not specifically listed in this section, the Director shall determine whether the proposed use is similar in nature to listed uses(s) and shall establish the term and make necessary findings and conditions for the particular use, consistent with the provisions in Section 1.5-A. Official Zoning Interpretation.

# Section 5.12 Accessory Structures

## A. Applicability

The regulations and standards contained in this section shall apply to Accessory Structures as defined in Chapter 6 Glossary. These uses may only be located in those zoning districts as described in, and shall only be authorized in concert with the permit requirements of, Chapter 3 Zoning District Regulations and Chapter 4 Standards Related to Specific Uses. Specifically, this section covers those accessory uses within the Residential Uses land use category. Other land use categories are addressed in other chapters of this code.

## B. Permit Requirements

Except as otherwise exempt below, the majority of accessory structures governed by this section shall go through a simple plan check (Zoning Clearance) at the time a building permit is issued to ensure compliance with applicable regulations. However, in accordance with Section 2.1 Development Review, some larger, enclosed accessory structures may require Development Review permit approval to ensure compliance with all applicable provisions of this code.

## C. Development Standards

The development standards in this section are intended to supplement the standards in the underlying Base Zoning District for accessory structures. In the event of conflict between these standards and the underlying zoning district regulations, the provisions of this section shall apply.

1. The total square footage of all accessory structures on a single parcel, except swimming pools, shall not exceed 50 percent of the habitable floor area of the primary residential dwelling on the same parcel.
2. Not more than 30 percent of the required rear yard shall be occupied by accessory structures, not including patio covers.
3. The appropriate approving authority may apply additional conditions to a Conditional Use Permit relative, but not limited to, dwelling size, location, access, height, etc., if special circumstances arise requiring such mitigation of anticipated adverse impacts to neighboring residences.
4. Accessory structures must be constructed in conjunction with or subsequent to construction of the primary building(s) on the site.
5. Proposed structures must meet the development standards outlined in Table 5.12-1. Unless otherwise described in the table, all accessory structures must meet the setbacks in the “General” category.

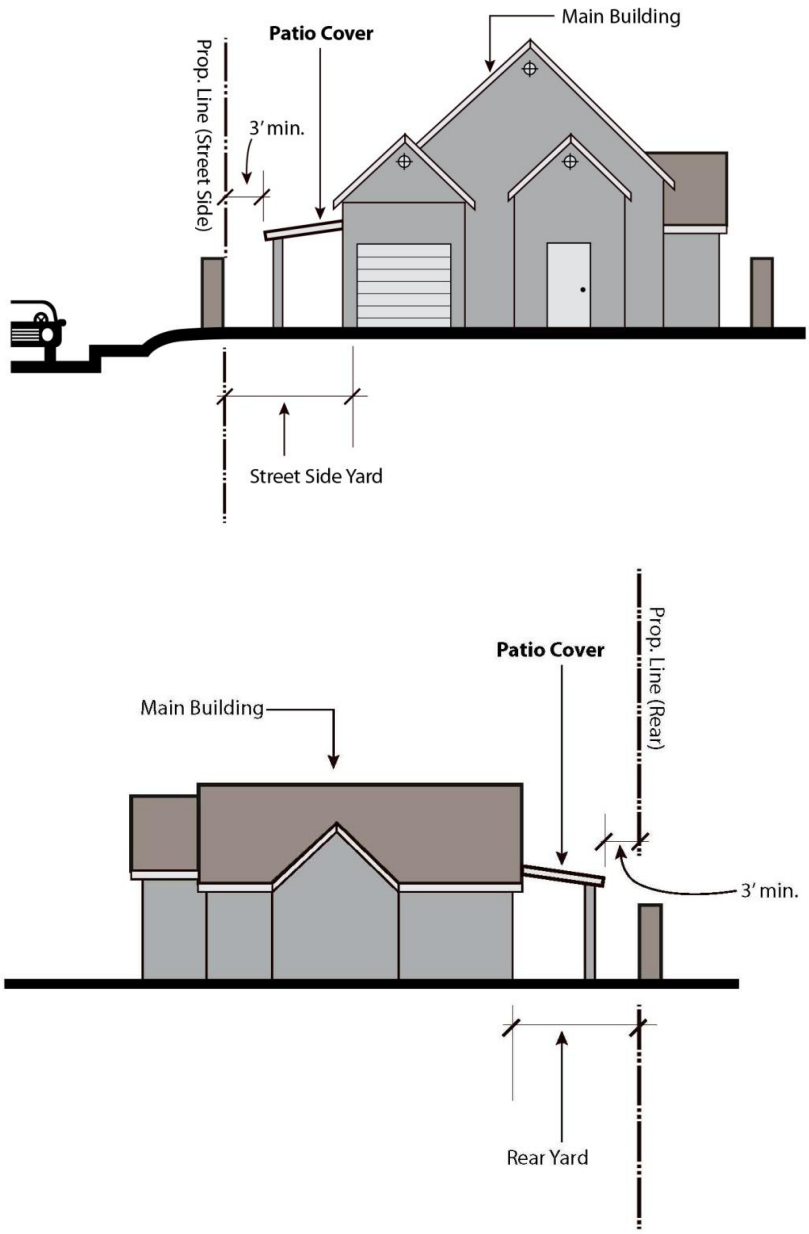
## Table 5.12-1: Development Standards for Accessory Structures

| Accessory Use Category | Setback from | | | | |
|---|---|---|---|---|---|
| | Front Property Line | Side Street Property Line | Interior Property Line | Rear Property Line | Building Separation |
| Small Accessory Structures < 120 sq. ft. and < 8 ft. tall (Combustible)[Note 1] | Note 2 | 12.5 ft. | 3 ft. | 3 ft. | 6 ft. |
| Small Accessory Structures < 120 sq.ft. and < 8 ft. tall (Non-combustible)[Note 1] | Note 2 | None | None | None | None |
| General Accessory Structures >= 120 sq. ft. or >= 8 ft. tall | Note 2 | 12.5 ft. | 3 ft. | 3 ft. | 6 ft. |
| Patio covers[Note 3] | Note 2 | Note 4 | Note 5 | 3 ft.[Note 6] | As required by Building or Fire Code |
| Swimming pool or spa | Note 7 | Note 7 | 3 ft | 3 ft | None |
| Pool slides, diving boards, and ground-mounted heaters/filters/pumps and related equipment | Note 7 | Note 7 | None | None | None |
| Pad < 8 inches tall | None | None | None | None | None |

*Notes:*

1. *Includes landscape features (e.g. garden gateways, gazebos, gates) and play equipment.*
2. *The minimum setback distance shall be the same as the minimum setback distance for the primary structure in the underlying zoning district. On all lots, the accessory structures shall not be placed in front of the principal building. If located to the side of the principal building, the structure shall not be placed closer to the front lot line than the farthest back front wall of the principal building.*
3. *Patio covers shall not exceed 9 feet in height within the required rear or street side yard.*
4. *For street side yards not fully enclosed by a fence or wall of 5 feet in height or more, the minimum setback distance shall be the same as the minimum setback distance for the primary structure in the underlying zone district. For street side yards fully enclosed by a fence or wall of 5 feet in height or more, the minimum setback distance for patio covers, including eaves, shall be 3 feet measured from the wall or fence. See Figure 5.12-1 Patio Cover Encroachment.*
5. *The minimum setback distance shall be the same as the minimum setback distance for the primary structure in the underlying zone district.*
6. *Minimum setback distance for patio covers, including eaves. See Figure 5.12-1 Patio Cover Encroachment.*
7. *Swimming pools, spas, pool slides, diving boards, and ground-mounted heaters/filters/pumps and related equipment may not be located within the required front or side street yard.*

**Figure 5.12-1 Patio Cover Encroachment**



# Section 5.13 Noise, Odor, and Vibration Performance Provisions

## A. Applicability

The standards of this section apply to all new and existing land uses within the City, unless otherwise exempted.

## B. Noise Standards

All uses shall comply with the noise standards set forth in the City's General Plan and within the City's Noise Ordinance.

## C. Odor, Particulate Matter, and Air Contaminants Standards

1. **Odor.** No obnoxious odor or fumes shall be emitted that are perceptible without instruments by a reasonable person at the property line of the site.
2. **Particulate matter and air contaminants.** The operation of facilities shall not directly or indirectly discharge air contaminants into the atmosphere, including smoke, sulfur compounds, dust, soot, carbon, noxious acids, gases, mist, odors, or particulate matter, or other air contaminants or combinations which exceed any local, state, or federal air quality standards or which might be obnoxious or offensive to anyone residing or conducting business either on-site or abutting the subject site. Particulate matter shall not be discharged into the atmosphere in excess of the standards of federal and state requirements.

## D. Vibration Standards

Uses shall be operated in compliance with the following provisions:

1. Uses, activities, and processes shall not generate vibrations that cause discomfort or annoyance to reasonable persons of normal sensitivity or which endanger the comfort, repose, health, or peace of residents whose property abuts the property lines of the subject parcel.
2. Uses shall not generate ground vibration that interferes with the operations of equipment and facilities of adjoining parcels.
3. Vibrations from temporary construction/demolition and vehicles that leave the subject parcel (e.g., trucks, trains, and aircraft) are exempt from the provisions of this section.

# Chapter 6

January 2014

## Glossary

This chapter provides all definitions that are used throughout this Zoning Code.

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## Section 6.1 Glossary of Terms

For the purpose of this code, certain words and terms used in the Zoning Code are defined as follows.

When not inconsistent with the context, words used in the present tense include the future tense; words in the singular number include the plural number and words in the plural number include the singular number. The masculine gender includes the feminine and neuter gender. The word "shall" is always mandatory and not merely directory. The word "may" is permissive.

**Abandoned sign.** Any sign which is located on a premise that has been vacated for a period of more than ninety (90) days as regulated in Section 5.7-E Nonconforming and Abandoned Signs.

**Accessory Building.** A subordinate building on the same lot or building site, the use of which is incidental to that of the main building. A mobile home shall constitute a main building where installed. A second unit, as defined by state law and this code, shall not constitute an accessory building.

**Accessory Structures.** Buildings or structures separate from the main dwelling unit, such as carports, storage sheds, and pool houses.

**Accessory Use.** A use customarily incidental and accessory to the principal use of a lot or a building which is located upon the same lot or building site.

**Agricultural Uses of the Soils for Crops.** Includes the grazing of not more than two (2) mature farm animals per acre and their immature offspring.

**Agricultural Workers Housing.** Any on-site employee housing for agricultural workers, subject to special provisions included within this code.

**Agricultural Zone.** Zones A-1 and A-2.

**Alley.** A public or private thoroughfare or way, permanently reserved and having a width of not more than 20 feet, which affords only a secondary means of access to abutting property.

**Alternative Access.** A public road or driveway constructed pursuant to appropriate city standards with no restrictions.

**Apartment.** A room or suite of two or more rooms in a multiple dwelling, occupied or suitable for occupancy as a residence for one family.

**Assembly Area, Net.** The area of a structure which does not include foyers, corridors, restrooms, kitchens, storage, and other areas not used for the assembly of people.

**Attractive Nuisances.** Any condition that is dangerous or likely to shelter vagrants or criminal activities, including but not limited to: any abandoned or substandard structure, building or fence; abandoned, broken, or neglected equipment, appliances or machinery; and hazardous swimming pools, ponds or other excavations including abandoned shafts or basements.

**Auction.** The sale of new and used merchandise offered to bidders by an auctioneer for money or other consideration.

**Automatic Control Timer.** A mechanical or solid state timer, capable of operating valve stations to set the days and length of time of a water application.

**Automobile Storage Space.** A permanently maintained space on the same lot or building site as the use it is designed to serve.

**Automobile Wrecking.** The dismantling or wrecking of motor vehicles or trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts, outside of an enclosed building, but not including the incidental storage of vehicles in connection with the operation of a repair garage.

**Basement.** A story partly underground and having at least one-half (1/2) its height measured from its floor to its finished ceiling, below the average adjoining grade. A basement shall be counted as a story if the vertical distance from the average adjoining grade to its finished ceiling is over five (5) feet.

**Beauty shop.** Beauty shops, including beauty shops operated from a home by its inhabitants where no assistants are employed and the on-site sign is unlighted and does not exceed two (2) square feet in area.

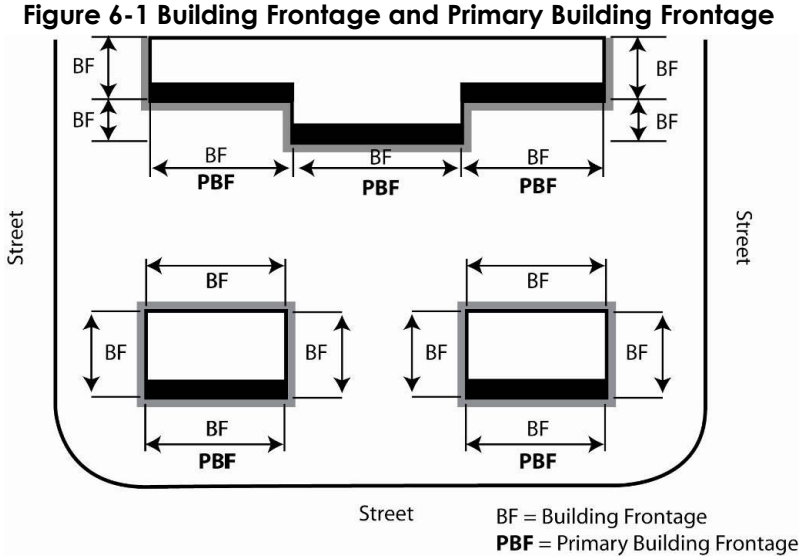
**Billboard**. A sign which advertises or identifies a use, good, or service not located on the same lot or premise as the sign.

**Boarding, Rooming or Lodging House**. A building where lodging and meals are provided for compensation for six (6) but not more than fifteen (15) persons, not including rest homes.

**Building.** A structure having a roof supported by columns or walls. (See Structure.)

**Building Frontage, Primary.** The building frontage that faces the street (i.e., immediately adjacent or behind a parking area). In cases where a building has more than one street frontage, the longest of the street frontages shall be considered the primary building frontage. In cases where a business has no building frontage facing a street, the building frontage with the primary business entrance shall be considered the primary building frontage. (See Figure 6-1 Building Frontage and Primary Building Frontage). For multitenant buildings, ground floor tenants may have their primary frontage determined independently of the rest of the building based upon the aforementioned rules.

**Figure 6-1 Building Frontage and Primary Building Frontage**



**Building Height.** See Section 5.1-C Height Measurement.

**Building Setback Line.** The distance between the proposed building line and the highway line or permanent access easement located on the same lot.

**Building Site.** The ground area of a building or buildings together with all open spaces adjacent thereto, as required by this code.

**Building, Main.** A building in which is conducted the principal use of the lot on which it is situated. In any residential district, any dwelling shall be deemed to be the main building on the lot on which the same is situated.

**Bungalow Court.** Two or more dwelling units detached or connected.

**Business Sign.** Any structure, sign, banner, flag, device, figure, painting, display, message placard, or other contrivance, or any part thereof, which has been designated to advertise a business, or to provide data or information regarding services that are provided by that business.

**Camps.** Any parcel or parcels of land used wholly or in part for recreational, educational, or religious purposes, accommodating five (5) or more children or adults, that is operated as a day camp and/or a resident camp.

**Car Pool.** Two (2) or more people traveling together on a continuing and prearranged basis in a motor vehicle over routes tailored to accommodate rider needs.

**Caretakers Unit.** One-family dwellings on the same parcel as the industrial or commercial use provided such dwellings are occupied exclusively by the proprietor or caretaker of the use and their immediate families.

**Catteries, Commercial.** Any building, structure, enclosure or premises whereupon or within which five (5) or more cats are kept or maintained primarily for financial profit for the purpose of boarding, breeding, training, marketing, hire, or any other similar purpose.

**Catteries, Noncommercial.** Any building, structure, enclosure, or premises whereupon or within which five (5) or more cats are kept or maintained, but not primarily for financial profit.

**Catteries.** Any building, structure, enclosure or premises whereupon or within which 10 (ten) or more cats, four (4) months of age or older, are kept or maintained. (See Section 4.7 Kennels and Catteries of this code.)

**Ceramic Sales and Manufacturing for On-site Sales.** The sale and manufacturing of ceramics for on-site sales.

**Certified Recycling Facility.** A facility approved by the state of California to collect and redeem recyclable materials for a value not less than that which has been established by the state.

**City.** City of Eastvale.

**Clinic.** A place used for the care, diagnosis, and treatment of sick, ailing, infirm, and injured persons and those who are in need of medical or surgical attention, but who are not provided with board or room, nor kept overnight on the premises.

**Club.** A nonprofit association of persons who are bona fide members, paying regular dues, and are organized for some common purpose, but not including a group organized solely or primarily to render a service customarily carried on as a commercial enterprise.

**Commercial Poultry Operation.** The raising for profit of chickens, turkeys, ducks, geese, or other fowls, but not including flocks of less than two hundred (200) birds, pigeons or smaller fowls, pets or hatcheries.

**Commercial Vehicle**. Any motor vehicle, truck, or trailer used for the transportation of passengers, goods, wares, or merchandise having a manufacturer's gross vehicle unladen weight rating greater than ten thousand (10,000) pounds.

**Commission**. The City of Eastvale Planning Commission.

**Compensation.** Anything of value.

**Conditional Use Permit.** Allows for consideration of special uses which may be essential or desirable to a particular community, but which are not allowed as a matter of right within a zoning district, through a public hearing process. A conditional use permit can provide flexibility within a zoning code. Another traditional purpose of the conditional use permit is to enable a municipality to control certain uses which could have detrimental effects on the community.

**Congregate Care Facility**. A housing arrangement developed pursuant to Section 4.3 of this code, where nonmedical care and supervision are provided, including meals and social, recreational, homemaking and security services.

**Convenience Zone.** A geographical area designated by the California Department of Conservation which comprises a one-half (1/2) mile radius around an established supermarket or grocery store with gross annual sales of $2,000,000.00 or more in underserved areas with no supermarket.

**Cool Season Turf Grass.** Turf grass which withstands winter cold and grows best during the cooler months of the year. Most types languish in hot, dry summers and are best adapted to cool regions or regions where marine influence tempers summer heat. Examples are bluegrasses, bents, fescues, and ryegrasses.

**Cottage Commercial.** A dwelling wherein limited commercial uses are allowed provided that the commercial use is conducted entirely within the dwelling; that the use is secondary to the principal use of the dwelling as a residence; that the commercial use does not require substantial parking and circulation facilities; that the residential character of the exterior and interior of the dwelling is not changed; and that the combination of residential and commercial uses in one dwelling does not violate state and county sanitation requirements. The cottage commercial use must be compatible with the established neighborhood, and must be subject to development review or Conditional Use Permit approval. No more than two (2) persons may be employed on the premises in addition to the family residing in the dwelling.

**County.** The County of Riverside.

**Covenants, Conditions, and Restrictions (CC&Rs).** A document used to describe restrictive limitations placed on real property and its uses, and which usually are made a condition of holding legal title to, or leasehold interest in, the real property in question.

**Crop Coefficiency.** A correction factor, expressed as a decimal fraction, comparing the water consumption by a given plant species to the reference evapotranspiration (ETo). Reference ETo means a standard of measurement of environmental parameters which affect the water use of plants. Reference ETo is given in inches per day, month or year and is an estimate of the ETo of a large field of four (4)- to-seven (7)-inch-tall, cool-season grass that is well watered. Reference ETo is used as the basis of determining the maximum water allowances so that regional differences in climate can be accommodated.

**Crop Production.** The drying, packing, processing, canning, freezing, and other accepted methods of processing the produce, nuts, and other horticultural products, resulting from such permitted uses, and when such processing is primarily in conjunction with a farming operation and further provided that the permanent buildings and structures used in conjunction with such drying, packing and processing operations are not nearer than twenty (20) feet from the boundaries of the premises.

**Crowing Fowl.** As used in this code, "crowing fowl" includes chickens, peafowl and guinea fowl.

**Dairy Farm.** A parcel or contiguous parcels of land used primarily to maintain cattle for the production of milk, including a building or buildings for milking, processing of milk produced on the premises, retail or wholesale sales and deliveries of such milk, and other buildings and structures incidental to the operation.

**Day Care Center.** A day care facility other than a family day care home, including infant centers, preschools, and extended day care facilities. Such a facility must provide care to children or adults in need of personal services, supervision or assistance essential for sustaining the activities of daily living or for the protection of the individual on less than a twenty-four (24)-hour basis.

**Decorative Fence.** A fence installed for decorative purposes, such as split rail, picket, wrought iron, or low brick or stucco walls, constructed alternately of brick or masonry, and sections of wrought iron, aluminum, or material similar in appearance.

**Display face**. The surface area of a sign available for the purpose of displaying an advertising message. Display face does not include the structural supports or lighting.

**Disposal Service Operations.** Areas for the storage and maintenance of vehicles and equipment used in the collection, transportation, and removal of garbage and rubbish not including storage or dumping of garbage or rubbish.

**Draying, Freighting and Truck Operations.** Business whose sole purpose is to move goods by truck as opposed to businesses which produce, store and then distribute goods such as manufacturers with warehouses and distribution centers. (See Warehousing and Distribution)

**Dwelling Unit, Factory-Built**. A factory-built dwelling unit means a dwelling unit constructed in accordance with the Uniform Building Code and manufactured in such a manner that all concealed parts or processes of manufacture cannot be inspected before installation at the building site without disassembly, damage or destruction of the part. A factory-built dwelling unit does not include a mobilehome, a mobile accessory building or structure, a recreational vehicle, or a commercial coach.

**Dwelling Unit, Manufactured.** A manufactured dwelling unit means a residential structure, transportable in one or more section, 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. A manufactured dwelling unit does not include a factory-built dwelling unit, a mobile accessory building or structure, a recreational vehicle, or a commercial coach.

**Dwelling Units.** A building or portion thereof used by one family and containing one kitchen.

**Dwelling, Guest.** A building that contains no cooking facilities and is used exclusively for housing members of a single family and their nonpaying guests. A guest dwelling shall be subject to the provisions of Section 4.1 of this code.

**Dwelling, Multiple-Family.** A building or portion thereof used to house two or more families, including domestic employees or each such family, living independently of each other, and doing their own cooking.

**Dwelling, One-Family.** A building or structure, including a mobilehome or manufactured home, containing one kitchen and used to house not more than one family, including domestic employees.

**Dwelling, Resort.** A building used exclusively for residential purposes, containing not more than two (2) kitchens, with permanent interior means of access between all parts of the building, and located on a lot in a recorded subdivision with an average lot area of ten thousand (10,000) square feet or more. No such dwelling shall be erected unless, as a part of the purchase price of the property, the purchaser receives the privilege of use of recreational facilities such as golf courses or polo fields, which facilities are adjacent to and a part of the residential development. No reduction of yard setbacks shall be permitted despite any other provisions of this code.

**Dwelling, Second-Unit.** An attached or detached dwelling unit which provides complete independent living facilities for one or more persons, with permanent provisions for living, sleeping, eating, cooking, and sanitation sited on the same parcel as the primary dwelling unit. This definition includes granny flats.

**Dwelling, Two-Family.** An attached building (e.g., duplex) designed for occupancy by two families living independently of each other, where both dwellings are located on a single lot. For the purposes of this code, this definition also includes halfplexes (two attached units, each with a separate lot). More than one (1) two-family dwelling may be located on a single lot consistent with the density provisions of the General Plan. Does not include second dwelling units (see Dwelling, Second-Unit).

**Dwelling.** A building or portion thereof designed for or occupied exclusively for residential purposes including one family and multiple dwellings but not including hotels, auto courts, boarding or lodging houses.

**Edge of a Right-of-Way.** means a measurement from the edge of a right-of-way horizontally along a line normal or perpendicular to the centerline of the freeway or highway.

**Educational Institutions**. Schools, colleges, or universities, supported wholly or in part by public funds, and other schools, colleges and universities giving general instruction as determined by the California State Board of Education.

**Electronic Sign.** A sign with a fixed or changing display/message that can be changed through electronic means.

**Emergency Access.** A private drive or roadway constructed according to Section 5.6. of this code, providing access to one or more buildings. The access may be gated and locked at one or both ends restricting traffic to emergency vehicles only.

**Emergency Shelter.** Housing with minimal supportive services for homeless persons that is limited to occupancy of six (6) months or less by a homeless person.

**Equipment Rental Services.** Equipment rental services, including rototillers, power mowers, sanders, power saws, cement, and plaster mixers not exceeding ten (10) cubic feet in capacity, and other similar equipment.

**Erected.** Built, built upon, added to, altered, constructed, reconstructed, moved upon, or any physical operations on the land, required for a building.

**Established Facility.** An existing, legally permitted facility that is designed and constructed to accommodate two thousand (2,000) or more people.

**Evapotranspiratio**n. The quantity of water evaporated from adjacent soil surfaces, transpired by plants, and retained in plant tissue during a specific time.

**Event, Major.** See Definition in Section 1.5-G. Temporary Event Permits.

**Event, Minor.** See Definition in Section 1.5-G. Temporary Event Permits.

**Event, Temporary.** See Definition in Section 1.5-G. Temporary Event Permits.

**Family.** One or more persons living together in a dwelling unit, with common access to and common use of all living, kitchen, and eating areas within the dwelling unit.

**Family Day Care Home, Large.** State-licensed facilities that provide nonmedical care and supervision of minor children for periods of less than twenty-four (24) hours within a single-family residence. The occupant of the residence provides care and supervision generally for seven (7) to fourteen (14) children. As described in the California Health and Safety Code, large day care homes may provide services for up to sixteen (16) children when specific conditions are met.

**Family Day Care Home, Small.** State-licensed facilities that provide nonmedical care and supervision of minor children for periods of less than twenty-four (24) hours within a single-family residence. The occupant of the residence provides care and supervision generally to six (6) or fewer children. As described in the California Health and Safety Code, small day care homes for children may provide services for up to eight (8) children when specific conditions are met.

**Farm.** A parcel of land devoted to agricultural uses where the principal use is the propagation, care, and maintenance of viable plant and animal products for commercial purposes.

**Farmworker Housing.** Consistent with Sections 17021.5 and 17021.6 of the Health and Safety Code, any employee housing consisting of no more than thirty-six (36) beds in group quarters, or twelve (12) units or spaces designed for use by a single family or household, shall be deemed an agricultural land use

designation. For the purpose of all local ordinances, employee housing shall not be deemed a use that implies that the employee housing is an activity that differs in any other way from an agricultural use. No Conditional Use Permit, Zoning Variance, or other Zoning Clearance shall be required of this employee housing that is not required of any other agricultural activity in the same zone. The permitted occupancy in employee housing in an agricultural zone shall include agricultural employees who do not work on the property where the employee housing is located.

**Fence.** A man-made continuous barrier of any material, or combination of materials, erected to prohibit entry to real property.

**Free-Standing Sign.** Any sign not attached to any building or structure.

**Freeway.** A divided arterial highway for through traffic with full control of access and with grade separations at intersections.

**Garage, Private.** An accessory building or a main building or portion thereof, used for the shelter or storage of self-propelled vehicles, owned or operated by the occupants of a main building and wherein there is no service or storage for compensation.

**Grazing.** The grazing of cattle, horses, sheep, goats, or other farm stock or animals, not including hogs, including the supplementary feeding thereof, not to exceed five (5) animals per acre of all the land available; provided, however, the systematic rotation of animals with more than five (5) animals per acre is permitted so long as the total number of permitted animals is not exceeded. For the grazing of sheep or goats, the permissible number of animals per acre may be multiplied by three (3), except that there shall be no limit to the permissible number of sheep which may be grazed per acre when the grazing is for the purpose of cleaning up unharvested crops, provided that such grazing is not conducted for more than four (4) weeks in any six (6)-month period. The provisions of this paragraph apply to mature breeding stock, maintenance stock and similar farm stock, and shall not apply to the offspring thereof, if such offspring are being kept, fed or maintained solely for sale, marketing, or slaughtering at the earliest practical age of maturity. In all cases the permissible number of animals per acre shall be computed upon the basis of the nearest equivalent ratio.

**Halfway House.** A rehabilitation center for the treatment, counseling, rooming, and boarding of persons released from jail, prisons, hospitals and sanitariums.

**Group Home.** Shared living quarters without separate kitchen and/or bathroom facilities for each room or unit. This classification includes residential hotels, dormitories, fraternities, sororities, convents, rectories, and private residential clubs but does not include living quarters shared exclusively by a family. This category includes boardinghouses, which are defined as a building other than a hotel or restaurant where meals or lodging or both meals and lodging are provided for compensation for four (4) or more persons.

**Hardware and Home Improvement Centers**. Hardware and home improvement centers, including not more than one thousand (1,000) square feet of outside storage lumber.

**Hazardous Waste Facility.** A hazardous waste facility provided a hazardous waste facility siting permit.

**Height, Building.** See Section 5.1-C Height Measurement.

**Highway**. Roads, streets, boulevards, lanes, courts, places, commons, trails, ways or other rights-of-way or easements used for or laid out and intended for the public passage of vehicles or persons.

**Holiday Display**. Any display that is commonly associated with any local or religious holiday and erected on a temporary basis, including but not limited to: Christmas lights and other decorations, Halloween decorations, or similar items etc. Any patriotic display such as a flag or ribbon is not considered a holiday display.

**Home Occupation**. A home occupation is an accessory, nonresidential business activity that is conducted within a dwelling by its inhabitants, incidental to the residential use of the dwelling, which does not change the character of the surrounding area by generating more traffic, noise, or storage of material than would be normally associated with a residential zone.

**Hotel, Resort.** A hotel, including all accessory buildings defined as "hotel" of this code and having a building site or hotel grounds of not less than fifty thousand (50,000) square feet. Such hotel may have accessory commercial uses operated primarily for the convenience of the guests thereof, provided there is no street entrance directly to such commercial uses, and further provided such commercial uses shall not occupy more than 20 percent of the ground floor area of such hotel building.

**Hotel.** A building designed for or occupied as the more-or-less temporary abiding place of individuals who are lodged with or without meals, in which there are six (6) or more guest rooms, and in which no provision is made for cooking in any individual room or suite. Jails, hospitals, asylums, sanitariums, orphanages, prisons, detention homes, or similar buildings where human beings are housed and detained under legal restraint are specifically not included.

**Illegal sign.** Any of the following:

1. A sign and related structures erected without first complying with all applicable city ordinances and regulations in effect at the time of its construction, erection or use;
2. A sign and related structures which do not comply with this code;
3. A sign and related structures which are a danger to the public or are unsafe.

**Indoor Amusement/Entertainment Facility.** Establishments providing indoor amusement and entertainment services as primary uses for a fee or admission charge, including dance halls, ballrooms and electronic game arcades. Any establishment with four (4) or more electronic games or coin-operated amusements, or premises where 50 percent or more of the floor area is occupied by amusement devices, are considered an electronic game arcade as described above; three (3) or fewer machines are not considered a land use separate from the primary use of the site.

**Indoor Fitness and Sports Facility.** Predominantly participant sports and health activities conducted entirely within an enclosed building. Typical uses include bowling alleys, billiard parlors, ice/roller skating rinks, indoor racquetball courts, indoor climbing facilities, soccer areas, athletic clubs, and health clubs.

**Junk, Wrecking, Dismantling and Salvage Yards.** The use of any lot or parcel of land for outside storage, wrecking, dismantling or salvage of any used or secondhand materials, including but not limited to lumber, auto parts, household appliances, pipe, drums, machinery, or furniture. A proposed or intended use by the owner of the used or secondhand materials does not constitute an exception to this definition.

**Kennel.** Any building, structure, enclosure, or premises whereupon or within which five (5) or more dogs, four (4) months of age or older, are kept or maintained. (See Section 4.7 Kennels and Catteries of this code).

1. **Class I Kennel.** Any building, structure, enclosure, or premises whereupon or within which five (5) to ten (10) dogs, four (4) months or older of age, are kept or maintained. A Class I Kennel shall not include a sentry dog kennel or an animal rescue operation that meets the definition and requirements set forth in Section 4.7 of this code.
2. **Class II Kennel.** Any building, structure, enclosure, or premise, whereupon or within which eleven (11) to twenty-five (25) dogs, four (4) months of age or older, or cattery (10 to 25 cats) are kept or maintained. A Class II Kennel shall not include a sentry dog kennel.
3. **A Class III Kennel** (26 to 40 dogs) or a **cattery** (26 to 40 cats).
4. **A Class IV Kennel** (41 or more dogs) or a sentry dog kennel or a **cattery** (41 or more cats).
5. **Sentry Dog Kennel.** Any building, structure, enclosure, or premises whereupon or within which five (5) or more guard or sentry dogs are kept or maintained. A sentry dog is any dog trained to work without supervision in a fenced facility and to deter or detain unauthorized persons found within the facility. The term "guard dog" shall also mean "sentry dog."

**Kitchen.** Any room in a building or dwelling unit which is used for cooking or preparation of food.

**Labor Camp**. Any building or group of buildings where five (5) or more farm employees are housed.

**Lake, Recreational.** A confined body of standing fresh water containing more than five hundred thousand (500,000) gallons of water and covering more than one (1) acre of surface area, not including reservoirs, duck clubs, bodies of water contained within golf courses, and water storage used only for agricultural or domestic purposes.

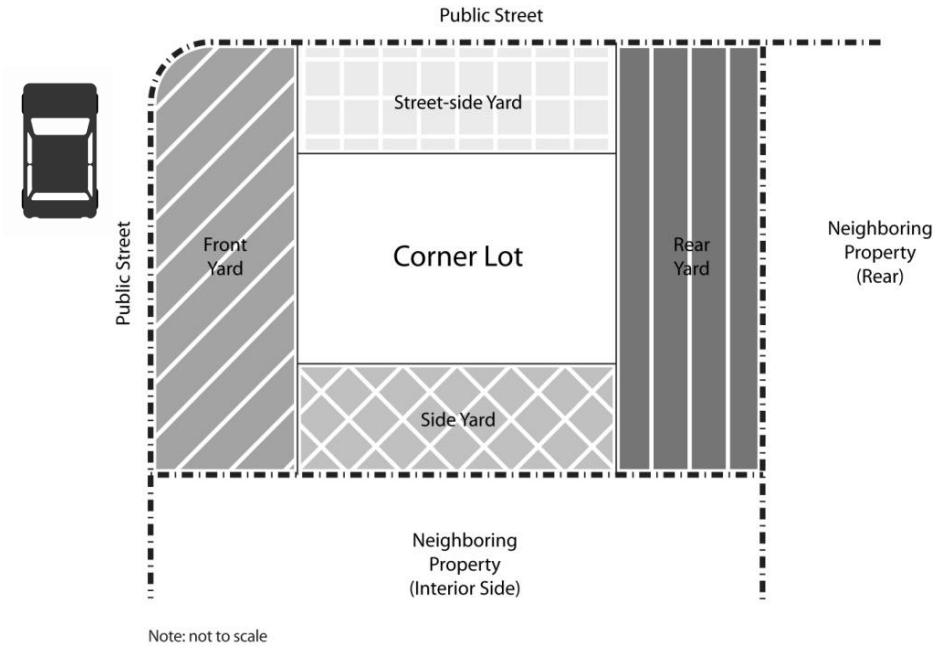
**Leasable Floor Area, Net.** This area includes sales areas and integral stock areas, but excludes corridors, enclosed malls, lobbies, stairwells, elevators, equipment rooms and restrooms.

**Liquid Petroleum Service Stations.** Stations with or without the concurrent sale of beer and wine for off-premises consumption, provided that if storage tanks are above ground, the total capacity of all tanks shall not exceed ten thousand (10,000) gallons. Storage tanks shall be painted a neutral color and shall not have any advertising painted or placed on their surface.

**Lot.** (1) A parcel of real property shown as a delineated parcel of land with a separate and distinct number or other designation of a plot recorded in the Office of the County Recorder of Riverside County; or (2) a parcel of real property not so delineated and containing not less than seven thousand two hundred (7,200) square feet and abutting on a street or alley and held under separate ownership from adjacent property prior to the effective date of this code; or, (3) a parcel of real property not so delineated containing not less than seven thousand two hundred (7,200) square feet abutting on a street or alley, if the same was a portion of a larger piece of real property held under the same ownership prior to the effective date of this code. A lot shall not come into existence solely because it is described as a parcel of real property securing, or in part securing, a promise to pay money or other thing of value whether its title is held by a trustee for such purpose or not.

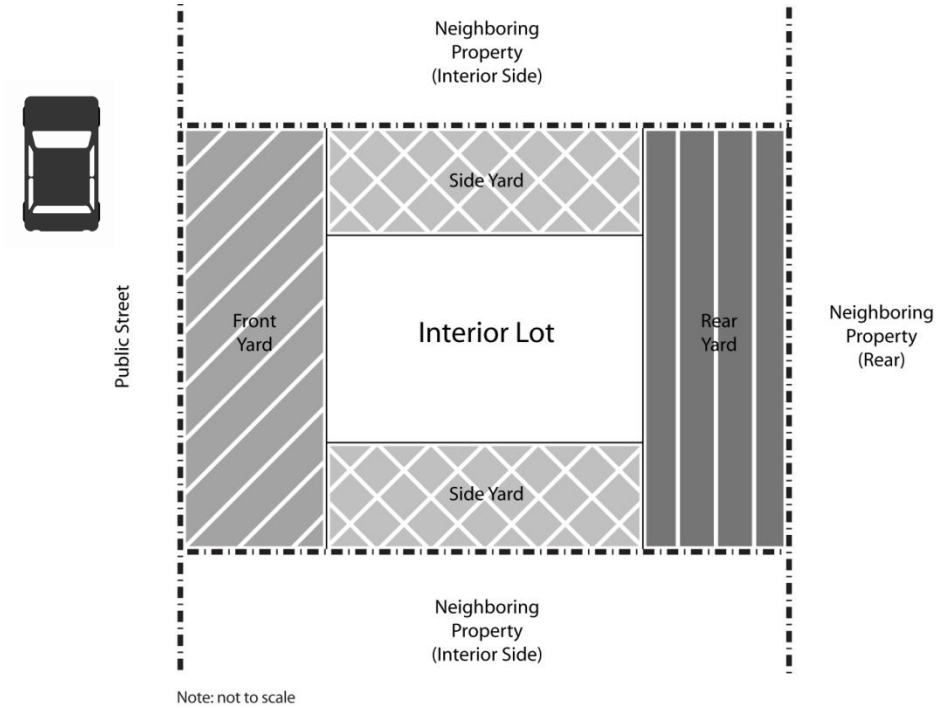
**Lot, Corner.** A lot located at the junction of two (2) or more intersecting streets having an angle of intersection of not more than one hundred and thirty-five (135) degrees, with a boundary line thereof bordering on two (2) of the streets.

**Figure 6-2 Corner Lot**



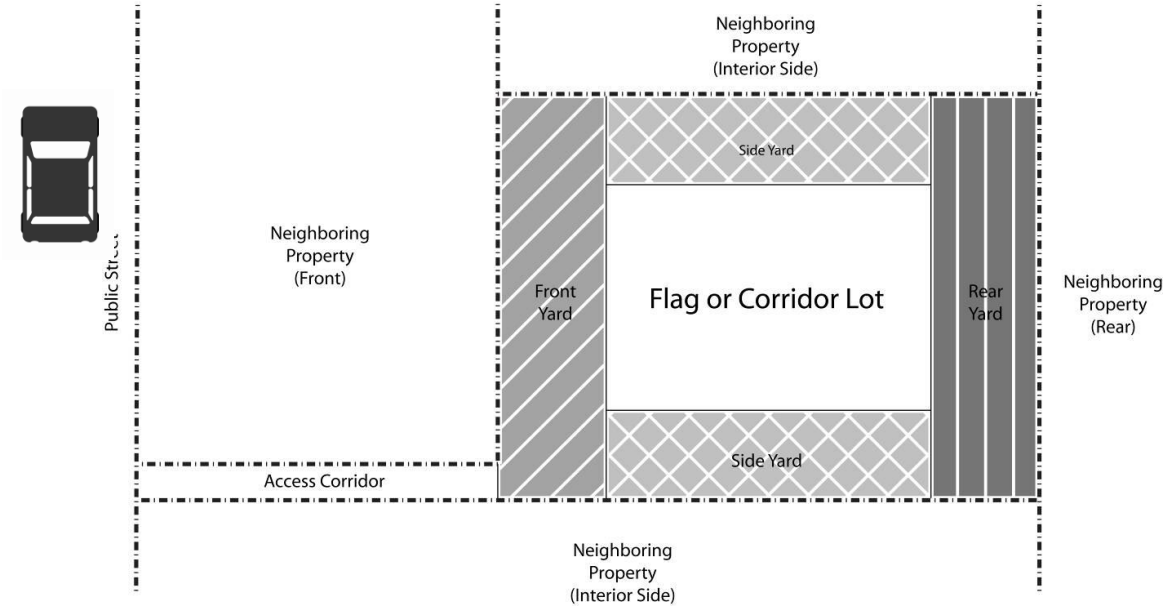

**Lot, Interior**. A lot other than a corner lot.

**Figure 6-3 Interior Lot**



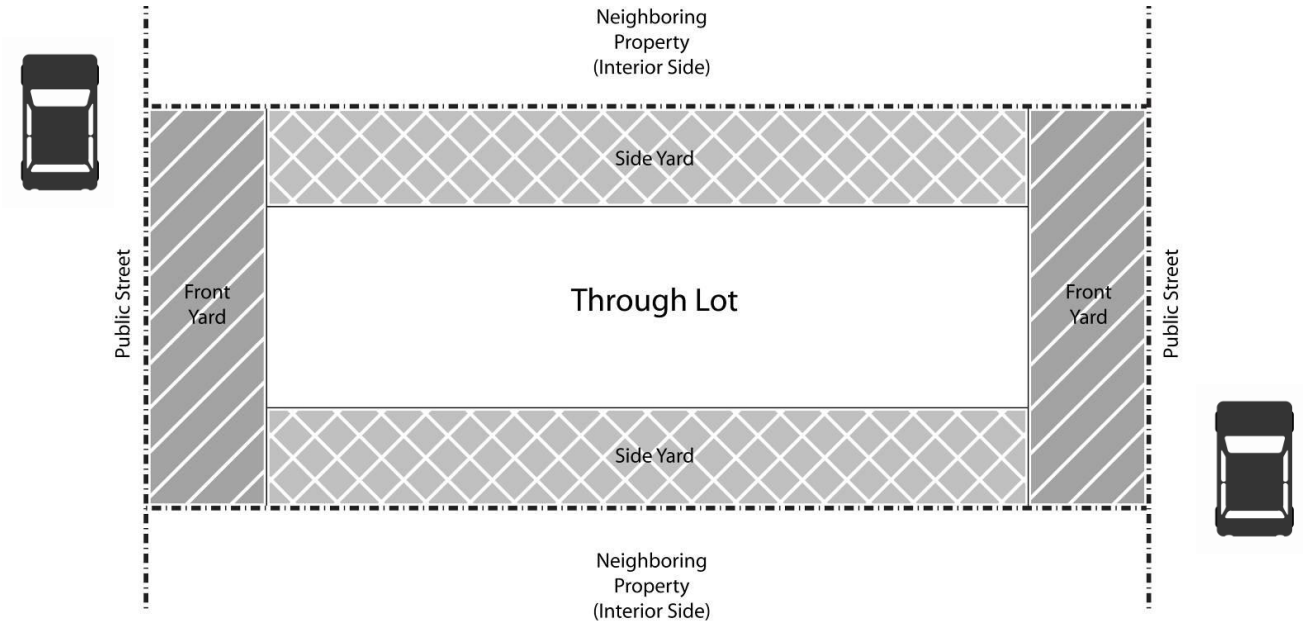
**Lot, Flag.** A parcel of land shaped like a flag. The staff (access corridor) is a narrow strip of land providing vehicular and pedestrian access to the street with the bulk of the property lying to the rear of other lots.

**Figure 6-3 Flag Lot**




**Lot, Through.** An interior lot having frontage of two (2) parallel or approximately parallel streets.

**Figure 6-5 Through Lot**



**Lot Area.** The total horizontal area within the lot lines of a lot.

**Lot Lines.** The boundary lines of lots are: Front lot line: the line dividing a lot from the street, or from a permanent access easement located on the same lot. Corner lot: only one street line shall be considered as a front lot line, and such front lot line shall be determined by the Commission. Rear lot line: The line opposite the front lot line. Side lot lines: Any lot lines other than the front lot line or the rear lot line.

**Manufacturing, Limited.** Limited manufacturing, fabricating, processing, packaging, treating, and incidental storage related thereto, provided any such activity shall be in the same line of merchandise or service as the trade or service business conducted on the premises.

**Manufacturing, Major.** Manufacturing, fabrication, processing, and assembly of materials in a raw form. Uses in this category typically create greater than usual amounts of smoke, gas, odor, dust, sound, or other objectionable influences that might be obnoxious to persons conducting business on-site or on an adjacent site. Uses include but are not limited to batch plants, rendering plants, aggregate processing facilities, plastics and rubber products manufacturing.

**Manufacturing, Minor.** Manufacturing, fabrication, processing, and assembly of materials from parts that are already in processed form and that, in their maintenance, assembly, manufacture, or plant operation, do not create excessive amounts of smoke, gas, odor, dust, sound, or other objectionable influences that might be obnoxious to persons conducting business on-site or on an adjacent site. Uses include but are not limited to furniture manufacturing and cabinet shops, laundry and dry cleaning plants, metal products fabrication, and food and beverage manufacturing.

**Mass Transit.** Publicly provided transportation, usually either by bus or rail, to users at a fixed cost per ride.

**Maximum Height.** The highest point of the structure or sign measured from the average natural ground level at the base of the supporting structure.

**Medical Marijuana Dispensary.** A facility or location, whether fixed or mobile, where medical marijuana is made available to, distributed by, or supplied to the following:

1. More than a single qualified patient;
2. More than a single person with an identification card; or
3. More than a single primary caregiver.

The term "medical marijuana dispensary" includes a medical marijuana cooperative. A medical marijuana cooperative is two (2) or more persons collectively or cooperatively cultivating, using, transporting, possessing, administering, delivering, or making available medical marijuana, with or without compensation. All terms used in this section, including but not limited to "medical marijuana," "qualified patient," "identification card," and "primary caregiver," shall be as defined in strict accordance with California Health and Safety Code section 11362.5 et seq.

**Menagerie.**

1. Any lot or premises on which one (1) or more wild animals of the following types are kept:
    a. Venomous reptiles;

b. Nonvenomous reptiles that weigh more than ten (10) pounds, not including turtles or tortoises;

c. Birds or members of the Aves class that weigh more than twenty (20) pounds, not including poultry;

d. Mammals that weigh more than twenty (20) pounds.

2. Any lot or premises on which wild animals of the following types are kept, regardless of weight, unless such animals are listed in a zone classification as a permitted use:

   a. Ten (1) or more nonvenomous reptiles;

   b. Twenty-five (25) or more mammals.

3. A wild animal that has been tamed or trained shall be considered a wild animal.

4. As used in this section, "wild animal" means any animal of the class Aves (birds), class Mammalia (mammals), class Amphibia (frogs, toads, salamanders), class Osteichtyes (bony fishes), class Crustaccea (crayfish) or class Gastropoda (slugs, snails) which are not normally domesticated in this state as determined by the State Fish and Game Commission.

**Migrant Agricultural Worker.** An itinerant agricultural worker that travels from place to place for employment in the planting, growing, and harvesting of seasonal crops.

**Mining Operation.** Any process by which one or more substances classified geologically as minerals are extracted from the earth or stockpiled, including the reworking of mineral dumps which have been artificially created by mining operations.

**Mobile Recycling Unit.** A licensed vehicle used for the collection of recyclable materials. A mobile unit may also include trailers, bins, boxes, or other storage containers which are transported by vehicles, and does not occupy more than five (5) parking spaces or five hundred (500) square feet of floor area.

**Mobilehome Park**. Any area or tract of land where one or more mobilehome lots are rented or leased or held out for rent or lease to accommodate mobilehomes used for human habitation.

**Mulch.** A material such as leaves, bark, or straw left loose and applied to the soils surface to prevent evaporation of water.

**Noise Attenuation Barrier.** A soundwall or other structure built by the California Department of Transportation to reduce noise impacts.

**Noncommercial Structure or Sign**. Any sign that does not do any of the following:

1. Advertise a product or service for profit or for a business purpose;

2. Propose a commercial transaction; or

3. Relate solely to economic interests.

**Nonconforming Building**. A building that was legal when established, but because of the adoption or amendment of this code conflicts with the provisions of this code applicable to the district in which such a building is situated.

**Nonconforming Use.** The use of a building or land that was legal when established, but because of the adoption or amendment of this code conflicts with the provisions of this code applicable to the district in which such use is located.

**Nonprofit Clubs.** Nonprofit community centers, social halls, churches, parks, and community recreation facilities, including but not limited to swimming pools, and golf courses and the normal accessory uses thereto.

**Occupancy, Change of**. A discontinuance of an existing use, and substitution thereof, of a use of a different kind or class.

**Occupied.** Used, arranged, converted to, rented, leased, or intended to be occupied.

**Outdoor Commercial Recreation.** Facility for various outdoor participant sports and types of recreation where a fee is charged for use (e.g., amphitheaters, amusement and theme parks, golf driving ranges, health and athletic clubs with outdoor facilities, miniature golf courses, skateboard parks, stadiums and coliseums, swim and tennis clubs, water slides, and zoos).

**Outdoor Film Studios.** A facility utilizing on-site indoor and outdoor locations for the filming of motion pictures, television programs, and music videos. Outdoor film studios may provide limited housing for temporary use during such filming operations. This definition does not include permanent production facilities such as would be used for film processing or editing, although sound recording or dubbing shall be allowed.

**Outdoor Lighting.** Outside illuminating devices that are electrically powered and used to light yards, building façades, patios, balconies, building overhangs, open canopies, parking sheds, landscaping, walkways, and driveways.

**Outdoor Storage.** Any outside storage of material including but not limited to: lumber, auto parts, appliances, pipe, drums, machinery, furniture, building materials, work tools, or other items or substances. Items stored under a carport, awning, or patio shall be considered outside storage.

**Overlay Zone.** A set of zoning requirements that are superimposed upon an underlying zone. Overlay zones are generally used when a particular area requires special protection or has a special neighborhood concern. Development of land subject to overlay zoning requires compliance with the regulations of both the underlying zone and overlay zone.

**Parking Area.** Any area for the parking of a motor vehicle, plus those additional areas required to provide ingress to and egress from the parking area.

**Patio Cover.** A structure attached to the main building and fully unenclosed on all sides except the side which is the main building or detached from the main building and fully unenclosed on all sides. The roof of the patio cover may be fully or partially enclosed. The unenclosed sides of the patio cover structure must remain unenclosed and shall not be covered with any permanent or semi-permanent material including, but not limited to, insect screening, transparent plastic, or lattice.

**Pen-Fed Beef Cattle Operations**. Six (6) or more beef cattle per acre being fed or fattened for marketing purposes whether the owner or operator performs the feeding service for himself or others. (Dairy herd replacements are not considered beef cattle.)

**Person.** Includes association, company, firm, corporation, partnership, co-partnership or joint venture.

**Place of Public Assembly.** Any place designed or used for congregation or gather of twenty (20) or more persons in one room where such gathering is of a public nature. Assembly hall, church, auditorium, recreational hall, pavilion, place of amusement, dance hall, opera house, motion picture theater, outdoor theater or theater are included within this term.

**Planned Commercial Development.** Planned commercial development means a development that may be permitted to have reduced width, depth, and building setback requirements, and have common access and common parking, provided a planned development land division is approved pursuant to the provisions of the City Land Division Ordinance.

**Planned Industrial Development.** A development that may be permitted to have reduced lot area, width, depth, and building setback requirements, and have common access and common parking, provided a planned development land division is approved pursuant to the provisions of the City Land Division Ordinance.

**Planned Residential Development.** A residential development including, but not limited to, statutory and nonstatutory condominiums, cluster housing, townhouses, community apartment projects and mobilehome developments; that is permitted to have reduced lot area, width and depth requirements, and building setback requirements by integrating into the overall development open space and outdoor recreational facilities; and may include recreational and public buildings intended primarily for the use of the residents of the project within the development.

**Poultry.** Domestic birds including turkeys, ducks, geese, pheasants, and other fowl specialized for meat projects, egg laying or ornamental show, but not including 'crowing fowl' as defined in this code.

**Professional Offices.** Administrative and professional offices including medical, dental, chiropractic, law offices, architectural, engineering, community planning, and real estate, provided there is no outdoor storage of materials, equipment, or vehicles, other than passenger cars.

**Property, Private.** Land or belongings owned by a person or group and kept for their exclusive use

**Property, Public.** Property owned by a government agency.

**Public Recreation.** Public parks and public playgrounds, golf courses with standard length fairways, and city clubs.

**Public Schools.** Public educational institutions such as community colleges, universities, elementary, middle/junior high and high schools, and military academies.

**Rain Shut-Off Device.** Senses rainfall and automatically shuts off the irrigation system.

**Ranch, Guest**. Any property containing five (5) acres or more operated as a ranch which offers guest rooms for rent and has outdoor recreational activities such as horseback riding, swimming or hiking.

**Recreational Equipment**. Any equipment used for sports, exercise, leisure, and recreation including but not limited to basketball hoops, slides, swings, jungle gyms, volleyball nets, grills, portable barbeques, fire pits, and outdoor heaters.

**Recreational Trailer.** A motor home, travel trailer, truck camper or camping trailer, with or without motive power, designed for human habitation for recreational, emergency, or other occupancy. The term "dependent recreational vehicle" shall mean a recreational vehicle not equipped with a toilet for sewage disposal. The term "independent recreational vehicle" shall mean a recreational vehicle equipped with a toilet for sewage disposal.

**Recreational Vehicle Park**. Any area or tract of land, or a separately designated section within a mobilehome park, where one (1) or more spaces are rented or leased or held out for rent or lease to owners or users of recreational vehicles. A recreational vehicle park may have a membership organization that provides for the use of spaces within a park:

1. **Vacation Recreational Vehicle Parks.** A park designed for transient use, such as overnight or short-term occupancy. Generally, only limited services and amenities are provided.
2. **Extended Occupancy Parks.** A recreational vehicle park designed for extended occupancy.
3. **Permanent Occupancy Parks.** A recreational vehicle park designed for permanent occupancy. Full urban services and recreational amenities are provided.

**Recreational Vehicles.** Vehicles with or without motive power, designed for human habitation or recreation, including but not limited to: boats, snowmobiles, watercraft, racing vehicles, off-road vehicles, utility trailers, motor homes, travel trailers, truck campers, or camping trailers.

**Recyclable Materials.** Any reusable material acceptable for reprocessing and redemption including, but not limited to, glass, metal, paper, and plastic. Recyclable material does not include hazardous waste or other refuse.

**Recycling Collection Facility.** A facility that accepts recyclable material by donation, redemption, or purchase; and where the use of power-driven machinery is limited to that which is necessary for the temporary storage, efficient transfer, and securing of materials as set forth in Section 4.11 of this code.

**Recycling Facility.** A facility equipped to accept and/or process recyclable materials. Recycling facilities include, but are not limited to, reverse vending machines, collection facilities, and processing facilities.

**Recycling Processing Facility.** A facility that collects and processes acceptable recyclable materials by donation, redemption, or purchase. Processing means the preparation or transformation of recyclable materials for efficient shipment to an end user by, but not limited to, such means as baling, compacting, crushing, shredding, and sorting.

**Religious Institution.** Churches, temples, and other places of religious worship.

**Retail Sales and Service, Small Scale**. Establishments providing nonmedical services as a primary use, including, but not limited to, clothing rental, dry cleaning pick-up stores with limited equipment, home electronics and small appliance repair, laundromats (self-service laundries), shoe repair shops, and tailors. These uses may also include accessory retail sales of products related to the services provided, spas and hot tubs for rent, and tanning salons.

**Reverse Vending Machine.** An automated and mechanical recycling facility, not more than fifty (50) square feet in floor area, which accepts one (1) or more types of beverage containers made typically of glass, metal, or plastic, and issues in return a cash refund or redeemable credit receipt with a value not less than the redemption worth of the container as determined by the state of California.

**Scenic Highway**. Any officially designated state or county scenic highway.

**Sex-Oriented Business.** See the Eastvale Municipal Code.

**Shopping center.** A parcel of land not less than three (3) acres in size, on which there exists four (4) or more separate business uses that have mutual parking facilities.

**Sidewalk.** Any right of way designed for the use by pedestrians and not intended for use by motor vehicles of any kind. A sidewalk may be located within or without a street right-of-way, at grade, or grade separated from vehicular traffic.

**Sign.** A sign used for outdoor advertising purposes as defined and directional as provided in this code..

**Sign Structure.** Any structure defined as follows:

1. For a freestanding sign or a sign that projects from another structure, the sign structure shall be a physical structure upon which letters or symbols are placed;
2. For a sign placed parallel to the surface or a building, the sign structure shall consist of all elements placed directly upon the building, including individually mounted letters.

**Significant Resources**. Any county, state or federal site which has significant or potentially significant social, cultural, historical, archaeological, recreational, or scenic resources, or which plays or potentially could play a significant role in promoting tourism. For the purposes of this Code, the term shall include, but not be limited to, the following:

1. Scenic highways;
2. A corridor five hundred (500) feet in width adjacent to both sides of all highways within three-tenths (3/10) of a mile of any regional, state or federal park or recreation area.

**Single-Room Occupancy (SRO) Unit.** Multiunit housing for very low income persons that typically consists of a single room and shared bath and also may include a shared common kitchen and common activity area. SROs may be restricted to seniors or be available to persons of all ages.

**Soil Moisture-Sensing Device**. A device that measures the amount of water in the soil.

**Stable, Commercial.** A stable for horses which are let, hired, used, or boarded on a commercial basis and for compensation.

**Story.** The portion of a building included between the surface of any floor and the finished ceiling next above it or the finished undersurface of the roof directly over that particular floor.

**Street Line.** The boundary line between a street and abutting property.

**Street.** A public or an approved private thoroughfare or road easement which affords the principal means of legal vehicular access to abutting property.

**Structural Alterations.** Any change in the supporting members of a building or structure, such as bearing walls, columns, beams, girders, floor joists, or roof joists.

**Structure.** Anything constructed or erected and the use of which requires more or less permanent location on the ground or attachment to something having a permanent location on the ground, such as awnings and patio covers, but not including walls and fences six (6) feet or less in height.

**Supportive Housing.** Housing with no limit on length of stay, occupied by the target population and linked to on-site or off-site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.

**Swap Meets.** The use, rental, or lease of stalls or areas outside of an enclosed building by vendors offering goods or materials for sale or exchange, not including public fairs or art exhibits.

**Temporary Exterior Display.** Any display commonly associated with any significant event for the household, and erected on a temporary basis, including but not limited to birthday, wedding, or any other party decoration.

**Temporary Real Estate Offices.** Temporary real estate offices located within a subdivision, to be used only for and during the original sale of the subdivision, but not to exceed a period of two (2) years in any event.

**Trail Bike Park.** An open area used by trail bikes or motorcycles, for purposes including but not limited to hill climbing, trail riding, scrambling, racing, and riding exhibitions.

**Transitional Housing.** Transitional housing and transitional housing development mean rental housing operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six (6) months.

**Use.** The purpose for which land or a building is arranged, designed, or intended, or for which either is or may be occupied or maintained.

**Used.** Includes occupied, arranged, designed for, or intended to be used.

**Van Pool.** Seven (7) or more people traveling together on a continuing and prearranged basis in a motor vehicle designed for the transportation of persons over routes tailored to accommodate rider needs.

**Variance.** Allows the City to grant exceptions to the development standards of this code under unique and limited circumstances.

**Warehousing and Distribution**. Businesses whose sole purpose is to store and then distribute goods for sale as opposed to businesses whose sole purpose is to move goods by truck.

**Wind Energy Conservation System (WECS).** A machine that converts the kinetic energy of the wind into a usable form of electrical or mechanical energy. The WECS include all parts of the system except the tower and electrical transmission equipment.

1. Accessory Wind Energy Conservation System (Accessory WECS). A WECS with a rated output of twenty (20) kilowatts or less and is an accessory use to the principal use of a lot in that at least 50 percent of the average annual power production is used on the lot.

2. Commercial Wind Energy Conservation System (Commercial WECS). Any WECS which is not an accessory WECS as defined herein.

**Yard, Front.** A yard extending across the full width of the lot between the side lot lines, and between the front lot line and either the nearest line of the main building or the nearest line of any enclosed or covered porch.

**Yard, Rear.** A yard extending across the full width of the lot between the side lot lines and measured between the rear lot line and the nearest rear line of the main building or the nearest line of any enclosed or covered porch. Where a rear yard abuts a street it shall meet front yard requirements of the district.

**Yard, Side.** A yard extending from the front yard to the rear yard between the side lot line and the nearest line of the main building, or of any accessory building attached thereto.

**Yard.** An open and unoccupied space that is unobstructed from the ground to the sky, on a lot upon which a building is situated.