

ORDINANCE NO. 881

AN ORDINANCE OF THE CITY COUNCIL OF RANCHO CUCAMONGA, CALIFORNIA, APPROVING DEVELOPMENT CODE AMENDMENT DRC2015-00421, A SUPPLEMENT TO DEVELOPMENT CODE UPDATE DRC2010-00571 AMENDING TITLE 17 (DEVELOPMENT CODE) OF THE RANCHO CUCAMONGA MUNICIPAL CODE TO PROVIDE DEVELOPMENT STANDARDS FOR THE MIXED USE DEVELOPMENT DISTRICT, DEVELOPMENT AND LAND USE STANDARDS FOR THE INDUSTRIAL DISTRICTS, AND TO CLARIFY DEFINITIONS, ADMINISTRATIVE PROCEDURES, AND CORRECT PRIOR ERRORS AND OMISSIONS, AND MAKING FINDINGS IN SUPPORT THEREOF.

A. Recitals.

1. On August 12, 2015, the Planning Commission of the City of Rancho Cucamonga conducted a noticed public hearing with respect to the above referenced Development Code Amendment DRC2015-00421 and, following the conclusion thereof, adopted its Resolution No. 15-65, recommending that the City Council of the City of Rancho Cucamonga adopt said Development Code Amendment.

2. On October 21, 2015, the City Council of the City of Rancho Cucamonga conducted a noticed public hearing on the Development Code Amendment DRC2015-00421.

3. All legal prerequisites prior to the adoption of this Ordinance have occurred.

B. Ordinance.

The City Council of the City of Rancho Cucamonga does ordain as follows:

SECTION 1: This City Council hereby specifically finds that all of the facts set forth in the Recitals, Part A, of this Ordinance are true and correct.

SECTION 2: Based upon substantial evidence presented to the City Council during the above-referenced public hearing on October 21, 2015, including written and oral staff reports, together with public testimony, the City Council hereby specifically finds as follows:

- a. The application applies to property located within the City; and
- b. On July 8, 2015, a Planning Commission workshop was conducted to discuss the draft standards for Mixed Use Districts with the intent to receive input from the Commission; and
- c. On August 12, 2015, the Planning Commission recommended to the City Council adoption of the draft standards for Mixed Use Districts.
- d. On September 16, 2015, a City Council study session was conducted to discuss the draft standards for Mixed Use Districts with the intent to receive input from the Council; and

e. Based on feedback received since the effective date of the Development Code, the City prepared a set of amendments (the "Amendments"), which is included as Attachment 1 to this Ordinance and is hereby incorporated by this reference as if set forth in full; and

f. Development Code Amendment DRC2015-00421 conforms to and does not conflict with the General Plan, including without limitation, the Land Use Element thereof, and will provide for development in a manner consistent with the General Plan; and

g. The proposed amendment will not have a significant impact on the environment since this amendment does not propose development. New development is required to be reviewed by the Planning Department on a case-by-case basis. This will include a review of any potential impacts each individual project may have on the environment.

SECTION 3: Based upon the facts and information contained in the proposed Mitigated Negative Declaration, together with all written and oral reports included for the environmental assessment for the application, the City Council finds that there is no substantial evidence that the project will have a significant effect upon the environment and adopts a Negative Declaration, and incorporated herein by this reference, based upon the findings as follows:

a. Pursuant to the California Environmental Quality Act ("CEQA") and the City's local CEQA Guidelines, the City staff prepared an Initial Study of the potential environmental effects of the project. Based on the findings contained in that Initial Study, City staff determined that there would be no substantial evidence that the project would have a significant effect on the environment. Based on that determination, a Negative Declaration was prepared. Thereafter, the City staff provided public notice of the public comment period and of the intent to adopt the Negative Declaration.

b. The City Council has reviewed the Negative Declaration and all comments received regarding the Negative Declaration and, based on the whole record before it, finds: (i) that the Negative Declaration was prepared in compliance with CEQA; and (ii) there is no substantial evidence that the project will have a significant effect on the environment. The City Council further finds that the Negative Declaration reflects the independent judgment and analysis of the City Council. Based on these findings, the City Council hereby adopts the Negative Declaration; and

c. The custodian of records for the Initial Study, Negative Declaration and all other materials which constitute the record of proceedings upon which the City Council's decision is based is the Planning Director of the City of Rancho Cucamonga. Those documents are available for public review in the Planning Department of the City of Rancho Cucamonga located at 10500 Civic Center Drive, Rancho Cucamonga, California 91730, telephone (909) 477-2750.

SECTION 4: The Development Code is hereby amended to read, in words and figures, as shown in Attachment 1.

SECTION 5: If any section, subsection, sentence, clause, phrase, or word of this Ordinance is, for any reason, deemed or held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, or preempted by legislative enactment, such decision or legislation shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Rancho Cucamonga hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or words thereof, regardless of the fact that any one or

more sections, subsections, clauses, phrases, or words might subsequently be declared invalid or unconstitutional or preempted by subsequent legislation.

SECTION 6: The City Clerk shall certify to the adoption of this Ordinance and shall cause the same to be published within 15 days after its passage at least once in the Inland Valley Daily Bulletin, a newspaper of general circulation published in the City of Ontario, California, and circulated in the City of Rancho Cucamonga, California.

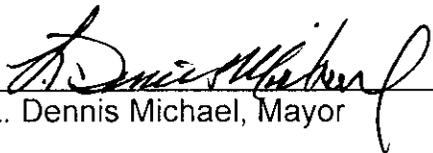
PASSED, APPROVED, AND ADOPTED this 4th day of November 2015.

AYES: Kennedy, Michael, Spagnolo, Williams

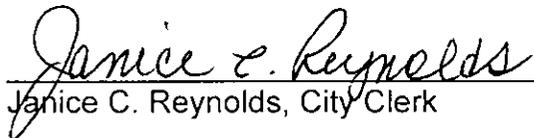
NOES: Alexander

ABSENT: None

ABSTAINED: None

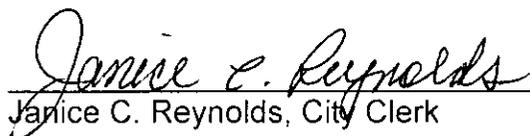

L. Dennis Michael, Mayor

ATTEST:


Janice C. Reynolds, City Clerk

I, **JANICE C. REYNOLDS, CITY CLERK** of the City of Rancho Cucamonga, California, do hereby certify that the foregoing Ordinance was introduced at a Regular Meeting of the Council of the City of Rancho Cucamonga held on the 21st day of October 2015, and was passed at a Regular Meeting of the City Council of the City of Rancho Cucamonga held on the 4th day of November 2015.

Executed this 5th day of November 2015, at Rancho Cucamonga, California.


Janice C. Reynolds, City Clerk

Attachment 1

Text Amendments to the Development Code

Article III – Zoning Districts, Allowed Uses, and Development Standards

Section 17.32.020 (B)(2)(b) of the Development Code is hereby deleted in its entirety and replaced with the following:

- b. Exotic animals. Wild animals not customarily confined or cultivated by man for domestic or commercial purposes, but kept as a pet or for display, including wolf-dog hybrids, non-poisonous snakes, reptiles, and large tropical birds (including peacocks).

Section 17.32.020 (B)(2)(d) of the Development Code is hereby deleted in its entirety and replaced with the following:

- d. Livestock animals. Domesticated animals that may be kept or raised in pens, barns, houses, and pastures for private use. Livestock includes, but is not limited to, cattle, sheep, swine, pot belly pigs, goats, and equine.

Section 17.32.020 (E)(47) of the Development Code is hereby deleted in its entirety and replaced with the following:

- 47. Retail, Accessory. The retail sales of various products and services (including food service) in a subtenant store, space, or other clearly defined/dedicated area that is located within a building occupied by a primary tenant such as a health care facility, hotel, office building, or department store, supermarket, or warehouse store. These uses include; but are not limited to:
 - a. Pharmacies, gift shops, and food services within a health care facility;
 - b. Travel services, convenience stores, and food services within a hotel;
 - c. Food services within an office building; and
 - d. Food services and banking within a department store, supermarket, or warehouse store.

The floor area of the subtenant store/unit, space, or other clearly defined/dedicated area occupied by the Retail, Accessory use shall not exceed twenty-five percent (25%) of the gross floor area of the primary tenant.

Section 17.32.020 (G) of the Development Code is hereby amended to add the following definitions:

- 1. Commercial (Secondary/Accessory) – Industrial. On-site, retail sales of products within an industrial building (the subject building) for walk-in customers and/or will call customers who order products via the internet/telephone or at a separate location such as a retail store. This use is secondary/accessory to the primary industrial use(s) that occur on-site and/or within the subject building, such as

manufacturing, wholesale, storage, and distribution. The products available for retail sale shall be limited to products that are manufactured on-site or within the subject building, that are primarily sold on a wholesale basis, and/or are stored in, and/or distributed from, the subject building. Such products include, but are not limited to:

- a. Personal/home electronic equipment and accessories;
- b. Home improvement materials (tile, flooring, carpet, wall covering, etc.); and
- c. Automotive accessories (wheels, tires, engine components, etc.).

This classification allows, but does not require physical retail and/or display/showroom space within the subject building. If such space is proposed/required, then the floor area used for that purpose shall only occupy the floor area that was originally designated for the office of the subject building, or twenty-five percent (25%) of the gross floor area of the subject building, whichever is less, and shall be subject to the parking requirements for retail uses as described in Table 17.64.050-1 – Parking Requirements by Land Use. Use of, and/or expansion into, areas of the building previously designated for storage, warehousing, or manufacturing is only permitted if it is demonstrated that the number of parking stalls that exist on-site for the overall subject building complies with the parking requirements described in Table 17.64.050-1. A use not permitted to operate as a principal use, such as a marijuana dispensary, is not permitted within this land use classification. A use that requires a Conditional Use Permit, Entertainment Permit, or Adult Entertainment Permit in order to operate as a principal use is subject to the same permitting requirements within this land use classification.

2. Commercial (Re-purposing) – Industrial. A set of multiple commercial uses operating together as subtenants in a building that was originally designed for a single industrial tenant such as a warehouse, or a single commercial tenant such as a department store. This land use classification applies only to commercial uses that, individually, could not utilize the entire floor space of the subject building and, therefore, would not operate as the sole, primary tenant of the building. This classification does not apply to single tenants/uses that could utilize the entire floor space of the subject building. Characteristics of this land use classification include, but are not limited to:

- a. An open floor plan with tenant demising walls that do not extend to the ceiling;
- b. Exterior wall signs that only provide identification of the subject building;
- c. Common, non-exclusive floor area within the interior of the building, and the exterior in the vicinity of the building, for use by the customers of all tenants;
- d. Tenant spaces with no direct access to the exterior of the building; and
- e. Shared parking.

All proposals for re-purposing buildings shall require the submittal of a Conditional Use Permit for review and approval by the Planning Director, and the submittal of a parking study prepared by a qualified traffic/parking engineer for review and acceptance by the Director of Engineering Services/City Engineer and Planning Director. With the exception of specific uses identified in Table 17.30.030-1, a use that is not permitted to operate as a principal use, such as a marijuana dispensary, is not permitted within this land use classification. A use that requires a Conditional Use Permit, Entertainment Permit, or Adult Entertainment Permit in order to operate as a principal use is subject to the same permitting requirements within this land use classification.

Table 17.30.030-1 of the Development Code is hereby deleted in its entirety and replaced with the following:

| Land Use/Zoning District | VL | L | LM | M | MH | H | MU | OP | NC | GC | CC | SC | RRC | CO | IP | GI | M/Hi | HI | OS | HR | FC | UC |
|---|----|---|----|---|----|---|----|----|----|----|----|----|-----|----|----|----|------|----|----|----|----|----|
| Residential Uses | | | | | | | | | | | | | | | | | | | | | | |
| Adult Day Care Home | P | P | P | P | P | P | P | N | N | N | N | N | N | N | N | N | N | N | N | P | N | N |
| Caretaker Housing | C | C | C | C | C | C | C | P | P | P | N | N | N | N | C | C | C | C | P | C | P | P |
| Dwelling, Multi-Family | N | N | P | P | P | P | P | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N |
| Dwelling, Second Unit ⁽¹⁾ | P | P | P | P | P | P | N | N | N | N | N | N | N | N | N | N | N | N | P | P | N | N |
| Dwelling, Single-Family | P | P | P | P | N | N | N | N | N | N | N | N | N | N | N | N | N | N | P | P | N | N |
| Dwelling, Two-Family | N | N | P | P | P | P | P | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N |
| Emergency Shelter | N | N | N | N | N | N | N | N | N | P | N | N | N | N | N | C | N | N | N | N | N | N |
| Family Day Care Home, Large ⁽¹¹⁾ | C | C | C | C | C | C | C | N | N | N | N | N | N | N | N | N | N | N | N | C | N | N |
| Family Day Care Home, Small | P | P | P | P | P | P | P | N | N | N | N | N | N | N | N | N | N | N | N | P | N | N |
| Guest House | P | P | P | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N |
| Group Residential | C | C | C | C | C | C | C | C | C | C | C | N | C | N | N | N | N | N | N | C | N | N |
| Home Occupation ⁽²⁾ | P | P | P | P | P | P | P | N | N | N | N | N | N | N | N | N | N | N | P | P | N | N |
| Live-Work Facility | N | N | N | N | N | N | P | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N |
| Manufactured Home ⁽³⁾ | P | P | P | P | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | P | N | N |
| Mobile Home Park ⁽³⁾ | C | C | C | C | C | C | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N |
| Residential Care Facility | N | N | N | C | C | C | C | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N |

| Land Use/Zoning District | VL | L | LM | M | MH | H | MU | OP | NC | GC | CC | SC | RRC | CO | IP | GI | MI/HI | HI | OS | HR | FC | UC |
|---|----|---|----|---|----|---|----|----|----|----|----|----|-----|----|----|----|-------|----|----|----|----|----|
| Residential Care Home | P | P | P | P | P | P | N | N | N | N | N | N | N | N | N | N | N | N | N | P | N | N |
| Single-Room Occupancy Facility | N | N | N | P | P | P | P | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N |
| Transitional Housing | P | P | P | P | P | P | P | N | N | N | N | N | N | N | N | N | N | N | N | P | N | N |
| Agriculture and Animal-Related Uses | | | | | | | | | | | | | | | | | | | | | | |
| Agricultural Uses | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | P | N | P | P |
| Animal Keeping, Domestic Pets ⁽⁴⁾ | P | P | P | P | P | P | P | N | N | N | N | N | N | N | N | N | N | N | N | P | N | N |
| Animal Keeping, Exotic Animals ⁽⁴⁾ | C | C | C | C | C | C | C | N | N | N | N | N | N | N | N | N | N | N | N | C | N | N |
| Animal Keeping, Insects ⁽⁴⁾ | P | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N |
| Animal Keeping, Livestock Animals ⁽⁴⁾ | P | P | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N |
| Animal Keeping, Poultry ⁽⁴⁾ | P | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N |
| Equestrian Facility, Commercial | C | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | C | N | C | C |
| Equestrian Facility, Hobby | P | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N |
| Recreation, Resource Preservation, Open Space, Education, and Public Assembly Uses | | | | | | | | | | | | | | | | | | | | | | |
| Assembly Use | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | N | N | N | N | N | N |
| Cemetery/ Mausoleum | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | C | N | N | N |
| Community Center/Civic Use | C | C | C | C | C | C | C | C | C | C | C | C | C | N | P | P | N | N | N | C | N | N |
| Community Garden | C | C | C | C | C | C | N | N | N | N | N | N | N | N | N | N | N | N | P | N | P | P |
| Convention Center | N | N | N | N | N | N | C | C | C | C | C | C | C | C | C | C | C | C | N | N | N | N |
| Golf Course/ Clubhouse | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | C | N | C | C |
| Indoor Amusement/ Entertainment Facility | N | N | N | N | N | N | C | N | C | C | P | P | P | N | N | N | N | N | N | N | N | N |
| Indoor Fitness and Sports Facility – Large | N | N | N | N | N | N | C | C | C | C | C | C | C | C | C | C | N | N | N | N | N | N |
| Indoor Fitness and Sports Facility – Small | N | N | N | N | N | N | P | P | P | P | P | C | P | P | C | C | N | N | N | N | N | N |

| Land Use/Zoning District | VL | L | LM | M | MH | H | MU | OP | NC | GC | CC | SC | RRC | CO | IP | GI | M/HI | HI | OS | HR | FC | UC |
|---|----|---|----|---|----|---|----|----|----|----|----|----|-----|----|----|----|------|----|----|----|----|----|
| Library and Museum | C | C | C | C | C | C | P | P | P | P | N | P | N | P | C | N | N | N | C | C | C | C |
| Outdoor Commercial Recreation | N | N | N | N | N | N | C | C | C | C | N | N | C | C | C | C | N | N | N | N | N | N |
| Park and Public Plaza | P | P | P | P | P | P | P | N | N | N | N | N | N | N | N | N | N | N | P | P | P | P |
| Public Safety Facility | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | N | C | N | N |
| Resource-Related Recreation | P | P | P | P | P | P | P | N | N | N | N | N | N | N | N | N | N | N | P | P | P | P |
| School, Academic (Private) | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | N | N | N | C | N | N |
| School, Academic (Public) | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | N | N | N | P | N | N |
| School, College/ University (Private) | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | N | N | N | C | N | N |
| School, College/ University (Public) | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | N | N | N | C | N | N |
| Schools, Specialized Education and Training/Studio | N | N | N | N | N | N | C | C | C | C | C | C | C | C | C | C | N | N | N | N | N | N |
| Theaters and Auditoriums | N | N | N | N | N | N | C | N | N | C | N | N | P | N | N | N | N | N | N | N | N | N |
| Tutoring Center – Large | N | N | N | N | N | N | C | C | C | C | C | C | C | C | N | N | N | N | N | N | N | N |
| Tutoring Center – Small | N | N | N | N | N | N | P | P | P | P | P | P | P | P | N | N | N | N | N | N | N | N |
| Utility, Transportation, Public Facility, and Communication Uses | | | | | | | | | | | | | | | | | | | | | | |
| Broadcasting and Recording Studios | N | N | N | N | N | N | N | P | N | P | N | N | N | P | P | P | N | N | N | N | N | N |
| Park and Ride Facility | N | N | N | N | N | N | N | C | C | C | N | N | N | N | P | P | N | N | N | N | N | N |
| Parking Facility | N | N | N | N | N | N | P | P | N | P | C | N | C | P | C | C | C | C | N | N | C | C |
| Transit Facility | N | N | N | N | N | N | N | N | N | N | N | N | N | N | C | C | C | C | N | N | N | N |
| Utility Facility and Infrastructure – Fixed Based Structures ⁽⁵⁾ | N | N | N | N | N | N | N | N | N | N | N | N | N | N | C | C | C | C | C | N | C | C |
| Utility Facility and Infrastructure – Pipelines ⁽⁵⁾ | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P |
| Wind Energy System – Small ⁽¹⁰⁾ | P | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | C | C | N | N | N | N |

| Land Use/Zoning District | VL | L | LM | M | MH | H | MU | OP | NC | GC | CC | SC | RRC | CO | IP | GI | M/HI | HI | OS | HR | FC | UC |
|---|----|---|----|---|----|---|----|----|----|----|----|----|-----|----|----|----|------|----|----|----|----|----|
| Retail, Service, and Office Uses | | | | | | | | | | | | | | | | | | | | | | |
| Adult Day Care Facility | N | N | N | N | N | N | C | C | C | C | N | N | N | C | C | C | N | N | N | N | N | N |
| Adult-Oriented Business ⁽⁶⁾ | N | N | N | N | N | N | N | N | N | N | N | N | N | N | A | A | A | A | N | N | N | N |
| Alcoholic Beverage Sales | N | N | N | N | N | N | C | N | C | C | C | C | C | C | C | C | N | N | N | N | N | N |
| Ambulance Service | N | N | N | N | N | N | N | C | C | C | N | N | N | N | N | C | P | P | N | N | N | N |
| Animal Sales and Grooming | N | N | N | N | N | N | P | N | P | P | P | P | N | N | N | N | N | N | N | N | N | N |
| Art, Antique, Collectable Shop ⁽¹³⁾ | N | N | N | N | N | N | P | N | P | P | P | P | P | N | N | N | N | N | N | N | N | N |
| Artisan Shop ⁽¹³⁾ | N | N | N | N | N | N | P | N | P | P | P | P | P | N | N | N | N | N | N | N | N | N |
| Bail Bonds | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | C | N | N | N | N |
| Banks and Financial Services | N | N | N | N | N | N | C | C | C | P | P | P | P | P | P | P | N | N | N | N | N | N |
| Bar/Nightclub | N | N | N | N | N | N | C | C | N | C | C | C | C | C | N | C | N | N | N | N | N | N |
| Bed and Breakfast Inn | C | C | C | N | N | N | N | N | N | N | C | C | N | N | N | N | N | N | N | N | N | N |
| Building Materials Store and Yard | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | C | P | P | N | N | N | N |
| Business Support Services | N | N | N | N | N | N | P | P | P | P | P | P | P | P | P | P | N | N | N | N | N | N |
| Call Center | N | N | N | N | N | N | N | N | N | N | N | N | N | N | C | C | N | N | N | N | N | N |
| Card Room | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N |
| Check Cashing Business ⁽⁷⁾ | N | N | N | N | N | N | P | N | P | P | N | N | N | N | P | N | N | N | N | N | N | N |
| Child Day Care Facility/Center | N | N | N | N | N | N | C | C | C | C | C | N | C | C | C | C | N | N | N | N | N | N |
| Consignment Store | N | N | N | N | N | N | C | N | C | C | N | C | N | N | N | N | N | N | N | N | N | N |
| Convenience Store | N | N | N | N | N | N | P | N | P | P | N | C | N | N | C | C | N | N | N | N | N | N |
| Crematory Services ⁽⁷⁾ | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | C | N | N | N | N | N | N |
| Drive-In and Drive-Through Sales and Service ⁽⁸⁾ | N | N | N | N | N | N | C | C | C | C | C | N | C | C | C | C | N | N | N | N | N | N |
| Equipment Sales and Rental | N | N | N | N | N | N | N | N | N | C | N | N | N | N | N | C | P | P | N | N | N | N |
| Feed and Tack Store | N | N | N | N | N | N | N | N | P | P | N | N | N | N | N | N | N | N | N | N | N | N |

| Land Use/Zoning District | VL | L | LM | M | MH | H | MU | OP | NC | GC | CC | SC | RRC | CO | IP | GI | MI/HI | HI | OS | HR | FC | UC |
|--|----|---|----|---|----|---|----|----|----|----|----|----|-----|----|----|----|-------|----|----|----|----|----|
| Furniture, Furnishing, and Appliance Store | N | N | N | N | N | N | P | N | P | P | P | P | P | N | N | N | N | N | N | N | N | N |
| Garden Center/Plant Nursery | N | N | N | N | N | N | P | N | P | P | P | N | P | N | N | P | N | P | P | N | P | P |
| Grocery Store/ Supermarket | N | N | N | N | N | N | P | N | P | P | P | N | P | N | N | N | N | N | N | N | N | N |
| Gun Sales | N | N | N | N | N | N | N | N | N | C | N | N | N | N | N | N | N | N | N | N | N | N |
| Hookah Shop | N | N | N | N | N | N | C | N | N | C | N | N | N | N | N | N | N | N | N | N | N | N |
| Home Improvement Supply Store | N | N | N | N | N | N | P | N | P | P | P | N | P | N | C | P | N | N | N | N | N | N |
| Hotel and Motel | N | N | N | N | N | N | P | C | N | P | N | N | C | C | P | N | N | N | N | N | N | N |
| Internet Café | N | N | N | N | N | N | P | P | P | P | P | P | P | P | P | N | N | N | N | N | N | N |
| Kennel, Commercial | N | N | N | N | N | N | N | N | N | C | C | N | C | N | C | C | N | N | N | N | N | N |
| Liquor Store | N | N | N | N | N | N | C | N | C | C | C | C | C | N | C | C | N | N | N | N | N | N |
| Maintenance and Repair, Small Equipment | N | N | N | N | N | N | P | N | P | P | P | N | P | P | N | P | P | C | N | N | N | N |
| Massage Establishment | N | N | N | N | N | N | P | P | P | P | P | P | P | P | P | P | N | N | N | N | N | N |
| Medical Marijuana Dispensary | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N |
| Medical Services, Extended Care | N | C | C | C | C | C | C | P | N | P | P | N | N | P | P | P | N | N | N | N | N | N |
| Medical Services, General | N | N | N | N | N | N | P | P | P | P | P | P | P | P | P | P | N | N | N | N | N | N |
| Medical Services, Hospitals | N | N | C | C | C | C | C | C | N | C | N | N | N | N | P | P | N | N | N | N | N | N |
| Mobile Hot Food Truck | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N |
| Mortuary/Funeral Home | N | N | N | N | N | N | N | C | C | C | N | N | N | N | N | N | N | N | N | N | N | N |
| Office, Business and Professional | N | N | N | N | N | N | P | P | P | P | P | P | P | P | P | P | N | N | N | N | N | N |
| Office, Accessory | N | N | N | N | N | N | P | P | P | P | P | P | P | P | P | P | N | N | N | N | N | N |
| Pawnshop ⁽⁷⁾ | N | N | N | N | N | N | N | N | N | C | N | N | N | N | N | N | N | N | N | N | N | N |
| Personal Services | N | N | N | N | N | N | P | P | P | P | P | P | P | P | P | P | N | N | N | N | N | N |
| Restaurant, No Liquor Service | N | N | N | N | N | N | P | P | P | P | P | P | P | P | P | P | N | N | N | N | N | N |
| Restaurant, Beer and Wine | N | N | N | N | N | N | P | P | P | P | P | P | P | P | P | P | N | N | N | N | N | N |

| Land Use/Zoning District | VL | L | LM | M | MH | H | MU | OP | NC | GC | CC | SC | RRC | CO | IP | GI | MI/HI | HI | OS | HR | FC | UC |
|---|----|---|----|---|----|---|----|----|----|----|----|----|-----|----|----|----|-------|----|----|----|----|----|
| Restaurant, Full Liquor Service | N | N | N | N | N | N | C | C | C | C | C | C | C | C | C | C | N | N | N | N | N | N |
| Retail, Accessory | N | N | N | N | N | N | P | P | P | P | P | N | P | P | C | C | N | N | N | N | N | N |
| Retail, General | N | N | N | N | N | N | P | N | P | P | P | P | P | N | C | C | N | N | N | N | N | N |
| Retail, Warehouse Club | N | N | N | N | N | N | P | N | N | P | P | N | P | N | P | N | N | N | N | N | N | N |
| Secondhand Dealer | N | N | N | N | N | N | P | N | P | P | N | N | N | N | N | N | N | N | N | N | N | N |
| Shooting Range | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | C | N | N | N | N | N | N |
| Smoke Shop ⁽⁷⁾ | N | N | N | N | N | N | N | N | N | C | C | N | C | N | N | N | N | N | N | N | N | N |
| Specialty Food Store ⁽¹³⁾ | N | N | N | N | N | N | P | N | P | P | P | P | P | N | N | N | N | N | N | N | N | N |
| Tattoo Shop ⁽⁷⁾ | N | N | N | N | N | N | N | N | N | C | N | N | N | N | N | N | N | N | N | N | N | N |
| Thrift Store ⁽⁷⁾ | N | N | N | N | N | N | C | N | C | C | C | N | C | N | N | N | N | N | N | N | N | N |
| Veterinary Facility | C | N | N | N | N | N | C | N | P | P | C | C | C | N | N | P | P | P | N | N | N | N |
| Automobile and Vehicle Uses | | | | | | | | | | | | | | | | | | | | | | |
| Auto Vehicle Dismantling | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | C | N | N | N | N |
| Auto and Vehicle Sales and Rental | N | N | N | N | N | N | N | C | N | C | N | N | P | N | C | C | N | N | N | N | N | N |
| Auto and Vehicle Sales, Autobroker | N | N | N | N | N | N | N | P | P | P | P | N | P | P | P | N | N | N | N | N | N | N |
| Auto and Vehicle Sales, Wholesale | N | N | N | N | N | N | N | P | P | P | P | N | P | P | P | P | N | N | N | N | N | N |
| Auto and Vehicle Storage | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | C | P | P | N | N | N | N |
| Auto Parts Sales | N | N | N | N | N | N | N | N | P | P | N | N | P | N | N | N | N | N | N | N | N | N |
| Car Washing and Detailing | N | N | N | N | N | N | N | C | C | C | C | N | C | N | N | N | N | N | N | N | N | N |
| Recreational Vehicle Storage | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | C | C | C | N | N | N | N |
| Service Stations | N | N | N | N | N | N | C | C | C | P | C | N | C | C | C | C | N | N | N | N | N | N |
| Vehicle Services, Major | N | N | N | N | N | N | N | N | N | C | N | N | N | N | N | P | P | P | N | N | N | N |
| Vehicle Services, Minor | N | N | N | N | N | N | N | C | C | P | N | N | C | N | P | P | N | N | N | N | N | N |
| Industrial, Manufacturing, and Processing Uses | | | | | | | | | | | | | | | | | | | | | | |
| Commercial (Secondary/Accessory) – Industrial | N | N | N | N | N | N | N | N | N | N | N | N | N | N | P | P | N | N | N | N | N | N |

| Land Use/Zoning District | VL | L | LM | M | MH | H | MU | OP | NC | GC | CC | SC | RRC | CO | IP | GI | MI/HI | HI | OS | HR | FC | UC |
|--|----|---|----|---|----|---|----|----|----|----|----|----|-----|----|----|----|-------|----|----|----|----|----|
| Commercial (Re-purposing) – Industrial | N | N | N | N | N | N | N | N | N | N | N | N | N | N | C | C | N | N | N | N | N | N |
| Fuel Storage and Distribution | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | C | C | C | N | | N | N |
| Manufacturing, Custom | N | N | N | N | N | N | N | N | N | N | N | N | N | N | P | P | N | N | N | N | N | N |
| Manufacturing, Heavy | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | P | N | N | N | N |
| Manufacturing, Heavy-Minimum Impact | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | P | P | N | N | N | N |
| Manufacturing, Light | N | N | N | N | N | N | N | N | N | N | N | N | N | N | P | P | N | N | N | N | N | N |
| Manufacturing, Medium ⁽⁹⁾ | N | N | N | N | N | N | N | N | N | N | N | N | N | N | P | P | P | P | N | N | N | N |
| Microbrewery | N | N | N | N | N | N | N | N | N | N | N | N | N | N | P | P | N | N | N | N | N | N |
| Printing and Publishing | N | N | N | N | N | N | N | N | N | P | N | N | N | N | P | P | N | N | N | N | N | N |
| Recycling Facility, Collection | N | N | N | N | N | N | N | N | P | P | N | N | N | N | N | P | P | P | N | N | N | N |
| Recycling Facility, Processing | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | C | C | C | N | N | N | N |
| Recycling Facility, Scrap and Dismantling Facility | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | C | N | N | N | N |
| Research and Development | N | N | N | N | N | N | N | N | N | N | N | N | N | N | P | P | N | N | N | N | N | N |
| Storage, Personal Storage Facility | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | C | C | C | N | N | N | N |
| Storage Warehouse | N | N | N | N | N | N | N | N | N | C | N | N | N | N | N | C | C | C | N | N | N | N |
| Storage Yard | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | C | P | P | N | N | N | N |
| Wholesale, Storage, and Distribution – Heavy | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | C | P | P | N | N | N | N |
| Wholesale, Storage, and Distribution – Light | N | N | N | N | N | N | N | N | N | N | N | N | N | N | P | P | P | P | N | N | N | N |
| Wholesale, Storage, and Distribution – Medium ⁽⁹⁾ ⁽¹²⁾ | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | P | P | P | N | N | N | N |

Table Notes:

- (1) See additional regulations for second dwelling units in Chapter 17.100.
- (2) See additional regulations for home occupations in Chapter 17.92.
- (3) See additional regulations for mobile homes in Chapter 17.96.

- (4) See Additional regulations for animal keeping in Chapter 17.88.
- (5) Utility facilities and infrastructure involving hazardous or volatile gas and/or liquid pipeline development require approval of a Conditional Use Permit.
- (6) See additional regulations for adult entertainment businesses in Chapter 17.86. Adult-oriented businesses are not permitted west of Haven Avenue.
- (7) See additional regulations for special regulated uses in Chapter 17.102.
- (8) See additional regulations for drive-in and drive-through facilities in Chapter 17.90.
- (9) Not permitted within 300 feet of residentially zoned property.
- (10) See additional regulations for wind energy systems in Chapter 17.76.
- (11) Family Day Care Home – Large requires approval of a Large Family Day Care Permit, not a Conditional Use Permit.
- (12) "Wholesale, Storage, and Distribution – Medium" is not permitted on any parcel that is located within, or partly within, five-hundred (500) feet of the Foothill Boulevard right-of-way.
- (13) Permitted in Industrial Park and General Industrial zoning districts when proposed in conjunction with "Commercial (Re-purposing) – Industrial".

Section 17.32.030 of the Development Code is hereby added to read as follows:

Prior to development, the following agricultural uses are either permitted or conditionally permitted on lots of two and one-half (2 ½) acres or more:

1. Permitted Uses:

- a. Farms for orchards, trees, field crops, truck gardening, flowering gardening, and other similar enterprises carried on in the general field of agriculture.
- b. Raising, grazing, breeding, boarding or training of large or small animals: except concentrated lot feeding and commercial poultry and rabbit raising enterprises, subject to the following:
 - i. Cats and dogs shall be limited to the keeping of no more than four (4) cats and/or four (4) dogs, over four months of age.
 - ii. Small livestock are allowed with the number of goats, sheep, and similar animals limited to twelve (12) per acre of total gross area, with no more than one (1) male goat.
 - iii. Cattle and horses, including calves and colts over six (6) months of age, with a maximum number of four (4) animals per acre of total gross area.
 - iv. Combinations of the above animals provided the total density on any given parcel shall not exceed that herein specified.
 - v. In no event shall there be any limit to the permissible number of sheep which may be grazed per acre, where such grazing operation is conducted on fields for the purpose of cleaning up unharvested crops, stubble, volunteer, or wild growth and further, where such grazing operation is not conducted for more than four weeks in any six-month period.
- c. Aviary shall be limited to fifty (50) birds per acre.
- d. An apiary is permitted provided that all hives or boxes housing bees shall be placed at least four-hundred (400) feet from any street, road, highway, public school, park, property boundary, and from any dwelling or place of human

habitation other than that occupied by the owner or caretaker of the apiary. Additionally, a water source shall be provided on-site.

- e. Retail sale of products raised on the property excluding retail nurseries and sale of animals for commercial purposes.

2. Conditional Use Permit required:

- a. Wholesale distributor and processor of nursery-plant stock. Retail nursery where incidental and contiguous to propagation of nursery stock and/or wholesale distributor. Outdoor storage and display is prohibited except for nursery-plant stock.
- b. Dog kennels, dog training schools, small animal shelters, and dog breeding establishments with outside runs.
- c. The raising of chinchilla, nutria, hamsters, guinea pigs, cavy, and similar small animals.
- d. Frog farms.
- e. Worm farms.

Section 17.34.040 (F) of the Development Code is hereby added to read as follows:

- F. **Additions.** For additions, the minimum side yard setback of the base district or that of the existing house shall apply, whichever is less, but shall not encroach further into the side yard setback than the existing house.

Table 17.36.010-2 of the Development Code is deleted in its entirety and replaced with the following:

| Zoning District | <u>LM</u> | <u>M</u> | <u>MH</u> | <u>H</u> |
|--|------------------------------------|-------------------------|-------------------------|-------------------------|
| Minimum Site Area (Gross) | <u>n/a</u> | <u>n/a</u> | <u>n/a</u> | <u>n/a</u> |
| Dwelling Units per Acre | Up to 8 | Up to 14 | Up to 24 | Up to 30 |
| Minimum Dwelling Unit Size Single-Family and Multi-Family | See Table 17.36.010-1 | | | |
| Public Street Setback | 42 ft avg Vary ±5 ft | 42 ft avg Vary ±5 ft | 42 ft avg Vary ±5 ft | 47 ft avg Vary ±5 ft |
| Private Street or Driveway Setback | 15 ft avg Vary ±5 ft | 5 ft | 5 ft | 5 ft |
| Corner Side Yard | 10 ft | 5 ft | – | – |
| Interior Side Yard | – | 10 ft ⁽¹⁾⁽²⁾ | – | – |
| Interior Site Boundary (Dwelling Unit/Accessory Building) | 15/5 ft | 20/5 ft ⁽¹⁾ | 20/5 ft ⁽¹⁾ | 20/5 ft ⁽¹⁾ |
| Residential Building Separations | See Table 17.36.010-1 | | | |
| Height Limitations | 35 ft ⁽³⁾ | 35 ft ⁽³⁾ | 40 ft ⁽³⁾ | 50 ft ⁽³⁾ |
| Private Open Space (Ground Floor/Upper Story) | 300/150 sf | 225/150 sf | 150/100 sf | 150/100 sf |
| Open Space (Private and Common) | 45% | 40% | 40% | 40% |
| Minimum Patio/Porch Depth | 6 ft ⁽⁴⁾ | 6 ft ⁽⁴⁾ | 6 ft ⁽⁴⁾ | 6 ft ⁽⁴⁾ |
| Recreation Facility | Required per Section 17.36.010 (E) | | | |

Table Notes:

- (1) Add 10 feet if adjacent to VL, L, or LM district.
- (2) Zero lot line dwellings permitted pursuant to Subsection 17.36.010.D.
- (3) Limit one story within 100 feet of VL or L district for multi-family dwelling units.
- (4) Free and clear of obstructions.

Table 17.36.010-3 of the Development Code is hereby deleted in its entirety and replaced with the following:

TABLE 17.36.010-3 RESIDENTIAL STREETScape SETBACK STANDARDS

| Land Use and Street Classification | Building Setback | Parking Setback | Landscape and Wall Setback ⁽¹⁾ |
|--|----------------------|-----------------|---|
| Detached Single-Family Residential | | | |
| Major/Special Boulevard | 45 ft ⁽³⁾ | 18 ft | 20 ft average 18 ft minimum |
| Secondary/Collector | 35 ft ⁽³⁾ | 15 ft | 18 ft average 15 ft minimum |
| Attached Single-Family Residential and Multi-Family Residential | | | |
| Major/Special Boulevard ⁽²⁾ | 45 ft | 30 ft | 45 ft average 30 ft minimum ⁽²⁾ |
| Secondary/Collector ⁽²⁾ | 35 ft | 25 ft | 35 ft average 25 ft minimum ⁽²⁾ |

Table Notes:

- (1) *On existing lots of record, parcels less than 175 feet in depth need not provide a setback of landscaping greater than 20% of the depth of the property (excluding right-of-way).*
- (2) *Add 10 feet to the setback when located within the M, MH, and H districts.*
- (3) *These setbacks shall not apply to accessory structures and shall only apply to the primary residence and room additions.*

Section 17.36.020(C) and Table 17.36.020-1 of the Development Code is hereby deleted in its entirety and replaced with the following:

C. Mixed Use Site Development Standards. General site development standards for Mixed Use Zoning Districts are listed in Table 17.36.020-2 (Development Standards for Mixed Use Zoning Districts). These development standards supplement the development standards in Article IV (Site Development Provisions) that apply to all zoning districts (e.g., parking, signs, landscaping, lighting).

TABLE 17.36.020-1 DEVELOPMENT STANDARDS FOR MIXED USE SITES

| Mixed Use Sites | Land Use Mix | | | | Average Density Range |
|--|--------------|------------|--------|---------------------|-----------------------|
| | Residential | Commercial | Office | Public/Quasi Public | |
| Victoria Gardens/Victoria Arbors | 21–36% | 20–41% | | 5–12% | 4–14 du/ac |
| Town Center (Foothill Boulevard and Haven Avenue) | 25–35% | 10–15% | 30–50% | 0–10% | 14 du/ac |
| Terra Vista | 12–15% | | 85–87% | | 30 du/ac |
| Foothill Boulevard between Hermosa Avenue and Center Avenue | 0–62% | 0–100% | | | 20 du/ac |
| Foothill Boulevard between Archibald Avenue and Hellman Avenue | 67–70% | 30–33% | | | 15–30 du/ac |
| Foothill Boulevard at Helms Avenue and Hampshire Street | 30–40% | 60–70% | | | 30 du/ac |
| Foothill Boulevard and Mayten Avenue | 26–50% | 40–60% | 6–10% | 4% | 24–30 du/ac |
| Industrial Area Specific Plan | 11–22% | 15–25% | 40–60% | 7.5% | 28 du/ac |
| Foothill Boulevard and Deer Creek Channel | 70–75% | 25–30% | | | 14 du/ac |
| Haven Avenue and Church Street Site | 0–100% | | 0–100% | | 8–14 du/ac |
| Western Gateway (Bear Gulch Area) | 30–50% | 50–70% | | | 14 du/ac |
| Foothill Boulevard and Cucamonga Channel Site | 0–100% | | 0–100% | | 8–14 du/ac |

| Mixed Use Sites | Land Use Mix | | | | Average Density Range |
|------------------------------------|--------------|------------|--------|---------------------|-----------------------|
| | Residential | Commercial | Office | Public/Quasi Public | |
| Historic Alta Loma (Amethyst Site) | 0-100% | | 0-100% | | 14-24 du/ac |

Table Notes:

(1) This table only applies to existing Mixed Use sites.

Table 17.36.020-2 of the Development Code is hereby added to read as follows:

TABLE 17.36.020-2 DEVELOPMENT STANDARDS FOR MIXED USE ZONING DISTRICTS

| Development Standard | MU |
|--|--|
| Site/Lot Area (minimum) ⁽¹⁾ | n/a |
| Lot Width/Depth (minimum) | n/a |
| Allowed Density (dwelling units per acre) | |
| Minimum Density | n/a |
| Maximum Density | 50 units/acre |
| Land Use Mix ⁽²⁾ | Project shall incorporate a minimum of two of the following types of land uses: Commercial, Office, Institutional, Residential, Live/Work |
| Setbacks ⁽³⁾⁽⁴⁾ | |
| Street Yard (Major/Special Boulevard) | 50% - 75% reduction of streetscape requirements ⁽⁷⁾ |
| Street Yard (Secondary/Collector) | 50% - 75% reduction of streetscape requirements ⁽⁷⁾ |
| Street Yard (Local Streets) | 75% - 100% reduction of streetscape requirements ⁽⁷⁾ |
| Rear Yard (adjacent to residential) | Match rear yard setback requirements of adjacent base district |
| Rear Yard (adjacent to commercial or industrial) | 0 feet ⁽⁵⁾ |
| Interior Side (adjacent to residential) | Match side yard setback requirements of adjacent base district |
| Interior Side (adjacent to commercial or industrial) | 5 feet |
| Distance Between Buildings | |
| Primary Buildings | Minimum per Building Code requirements |
| Accessory Buildings | |
| Building Height (maximum in feet) ⁽⁶⁾ | |
| Primary Buildings | 75 feet maximum |
| Accessory Buildings | Not to exceed primary building height |
| Floor Area Ratio (maximum ratio of building to lot square footage) | |
| Floor Area Ratio | 1.0 max |
| Open Space Requirement (minimum percentage of open space per parcel or project) | |
| Landscape Area (overall net area) | 10% minimum |
| Open Space Requirements | Minimum of 150 square feet/unit See Section 17.36.020 (D) for additional requirements |
| Recreation Area/Facility | Required per Section 17.36.010 (E) |
| Parking Requirement | |
| Parking Spaces | See Table 17.64.050-1 NOTE: A parking study is required for all Mixed Use projects per Section 17.64.060(D) |

Table Notes:

- (1) On existing lots of record, parcels less than three (3) acres or less than the required minimum frontage may only be developed at the lowest end of the permitted density range.
- (2) Lot sizes less than one-half (½) acre are not subject to land use mix requirement.
- (3) Setbacks are measured between the structure and curb face in front yards and corner side yards. Setbacks are measured between the structure and property line in rear yards and interior side yards.
- (4) Shall apply to buildings, parking and landscaping.
- (5) Must meet minimum Building Codes.
- (6) All buildings within one-hundred (100) feet of LM, L, or VL Districts shall not exceed twenty five feet (25'); however, there may be areas where the maximum building height may be required to be less than the cited maximum, and shall be determined on a case by case basis.
- (7) For mixed use development of any type see the streetscape setbacks in Table 17.36.010-3 that apply to Attached Single-Family Residential and Multi-Family Residential.

Section 17.36.020(D) of the Development Code is hereby added to read as follows:

D. Open Space Mixed Use Development Standards

1. Front and/or street yard setbacks do not count towards meeting the usable open space requirements.
2. Required perimeter and parking landscape area, per Section 17.56.060(N), shall not be credited toward fulfilling this open space requirement, but is counted towards the overall landscape requirement.
3. A maximum of thirty percent (30%) of the total requirement for private open space shall be counted toward required open space area. Additional private open space area will not count towards the total requirement for open space. This maximum thirty percent (30%) requirement may be modified by not more than five percent (5%) if determined to be necessary during Design Review.
4. Each private open space shall have a minimum width and depth of six feet (6').
5. Each common open space shall have at least one minimum dimension of fifteen feet (15') and the other dimensions shall be at least six feet (6'), except for private open space (e.g., balconies or patios).
 - i. Open space shall include both indoor/interior space and outdoor open space.
 - ii. Open space can be in the form of private open space (e.g., balconies) or common open space (e.g., pool or side or rear setback areas.)
 - iii. An indoor recreational room of up to six-hundred (600) square feet may be credited toward fulfilling this open space requirement.
 - iv. A landscaped and usable utility easement may be credited toward fulfilling this open space requirement if it is properly landscaped in compliance with Chapter 17.56 (Landscaping).

Table 17.38.040-1 of the Development Code is hereby deleted in its entirety and replaced with the following:

TABLE 17.38.040-1 ALLOWED LAND USES AND PERMIT REQUIREMENTS FOR HAVEN AVENUE OVERLAY ZONING DISTRICT

| Land Use/Zoning District | HA |
|---|----|
| Recreation, Resource Preservation, Open Space, Education, and Public Assembly Uses | |
| Assembly Use | C |
| Community Center/Civic Use | P |
| Indoor Fitness and Sports Facility - Large | C |
| Indoor Fitness and Sports Facility - Small | C |
| Park and Public Plaza | C |
| Public Safety Facility | C |
| School, Academic (Private) | C |
| School, Academic (Public) | C |
| School, College/ University (Private) | C |
| School, College/ University (Public) | C |
| Schools, Specialized Education and Training/Studio | C |
| Utility, Transportation, Public Facility, and Communication Uses | |
| Broadcasting and Recording Studios | P |
| Park and Ride Facility | P |
| Parking Facility | C |
| Transit Facility | C |
| Utility Facility and Infrastructure – Pipelines ⁽¹⁾ | P |
| Retail, Service, and Office Uses | |
| Alcoholic Beverage Sales | C |
| Banks and Financial Services | P |
| Business Support Services | P |
| Call Centers | C |
| Child Day Care Facility/Center | C |
| Convenience Store | C |
| Furniture, Furnishing, and Appliance Store | C |
| Hotel and Motel | P |
| Massage Establishment | P |
| Medical Services, General | P |
| Office, Business and Professional | P |
| Office, Accessory | P |
| Restaurant, No Liquor Service | P |

| Land Use/Zoning District | HA |
|---|----------|
| Restaurant, Beer and Wine | P |
| Restaurant, Full Liquor Service | C |
| <u>Retail, Accessory</u> | <u>P</u> |
| Automobile and Vehicle Uses | |
| Car Washing and Detailing (2), (3), (4) | C |
| Service Stations (2), (3) | C |

Table Notes:

- (1) *Utility facilities and infrastructure involving hazardous or volatile gas and/or liquid pipeline development require approval of a Conditional Use Permit.*
- (2) *Service stations and car washing and detailing establishments are prohibited within one-half (½) mile of the Foothill Boulevard/Haven Avenue and the 4th Street/Haven Avenue intersections. No service station or car washing and detailing establishment shall be closer than one-half (½) mile of another service station or car washing and detailing establishment as measured from the nearest property line.*
- (3) *Service stations shall be designed to reflect the architectural standards and guidelines within the Haven Avenue Overlay District. No corporate "prototype" architecture design will be permitted. Service stations are only permitted when designed as part of, and designed consistent with, profession office complexes.*
- (4) *Full service attended car washing and detailing establishments are permitted to operate a quick lube oil changes facility. Quick lube facilities that are part of an attended car wash shall be fully screened from the Haven Avenue right-of-way.*

Table 17.38.050-1 of the Development Code is hereby deleted in its entirety and replaced with the following:

TABLE 17.38.050-1 ALLOWED LAND USES AND PERMIT REQUIREMENTS FOR INDUSTRIAL COMMERCIAL OVERLAY ZONING DISTRICT

| Land Use/Zoning District | IC |
|---|----|
| Residential Uses | |
| Caretaker Housing | C |
| Emergency Shelter | C |
| Group Residential | C |
| Recreation, Resource Preservation, Open Space, Education, and Public Assembly Uses | |
| Assembly Use | C |
| Community Center/Civic Use | P |
| Indoor Amusement/Entertainment Facility | C |
| Indoor Fitness and Sports Facility – Large | C |
| Indoor Fitness and Sports Facility – Small | C |
| Library and Museum | C |
| Outdoor Commercial Recreation | C |
| Public Safety Facility | C |
| School, Academic (Private) | C |
| School, Academic (Public) | P |
| School, College/ University (Private) | C |
| School, College/ University (Public) | C |

| Land Use/Zoning District | IC |
|---|-----------|
| Schools, Specialized Education and Training/Studio | C |
| Theaters and Auditoriums | C |
| Tutoring Center – Large | C |
| Tutoring Center – Small | P |
| Utility, Transportation, Public Facility, and Communication Uses | |
| Broadcasting and Recording Studios | P |
| Park and Ride Facility | C |
| Parking Facility | P |
| Utility Facility and Infrastructure – Pipelines ⁽¹⁾ | P |
| Retail, Service, and Office Uses | |
| Adult Day Care Facility | C |
| Alcoholic Beverage Sales | C |
| Ambulance Service | C |
| Animal Sales and Grooming | P |
| Art, Antique, Collectable Shop | P |
| Artisan Shop | P |
| Banks and Financial Services | P |
| Bar/Nightclub | C |
| Business Support Services | P |
| Call Centers | C |
| Check Cashing Business ⁽²⁾ | P |
| Child Day Care Facility/Center | C |
| <u>Commercial (Re-purposing) - Industrial</u> | <u>C</u> |
| Consignment Store | C |
| Convenience Store | C |
| Drive-In and Drive-Through Sales and Service ⁽³⁾ | C |
| Equipment Sales and Rental | C |
| Furniture, Furnishing, and Appliance Store | P |
| Garden Center/Plant Nursery | P |
| Grocery Store/ Supermarket | P |
| Gun Sales | C |
| Hookah Shop | C |
| Home Improvement Supply Store | C |
| Hotel and Motel | P |
| Internet Café | P |
| Kennel, Commercial | C |
| Liquor Store | C |
| Maintenance and Repair, Small Equipment | P |
| Massage Establishment | P |

| Land Use/Zoning District | IC |
|---|----|
| Medical Services, General | P |
| Medical Services, Hospitals | C |
| Mortuary/Funeral Home | C |
| Office, Business and Professional | P |
| Office, Accessory | P |
| Pawnshop ⁽²⁾ | C |
| Personal Services | P |
| Restaurant, No Liquor Service | P |
| Restaurant, Beer and Wine | P |
| Restaurant, Full Liquor Service | C |
| Retail, Accessory | P |
| Retail, General | P |
| Retail, Warehouse Club | P |
| Secondhand Dealer | P |
| Smoke Shop ⁽²⁾ | C |
| Tattoo Shop ⁽²⁾ | C |
| Thrift Store ⁽²⁾ | C |
| Veterinary Facility | P |
| Automobile and Vehicle Uses | |
| Auto and Vehicle Sales and Rental | C |
| Auto and Vehicle Sales, Autobroker | P |
| Auto and Vehicle Sales, Wholesale | P |
| Auto Parts Sales | P |
| Car Washing and Detailing | C |
| Service Stations | C |
| Vehicle Services, Major | C |
| Vehicle Services, Minor | P |
| Industrial, Manufacturing, and Processing Uses | |
| Printing and Publishing | P |
| Recycling Facility, Collection | P |
| Storage Warehouse | C |

Table Notes:

- (1) Utility facilities and infrastructure involving hazardous or volatile gas and/or liquid pipeline development require approval of a Conditional Use Permit.
- (2) See additional regulations for special regulated uses in Chapter 17.102.
- (3) See additional regulations for drive-in and drive-through facilities in Chapter 17.90.

Section 17.38.060(H)(8) of the Development Code is hereby deleted in its entirety.

~~8. Northwest Corner of Foothill Boulevard and East Avenue. This site has been selected for a Neighborhood Commercial use with specific intent to allow for partial preservation of the existing eucalyptus grove. The site plan for such use shall~~

~~incorporate as many existing trees as possible, but no less than sixty percent (60%) of the area of grove nor less than twenty five percent (25%) of the trees. Provisions shall also be made for a twenty foot (20') wide greenway through the interior boundary near the northwest corner of the site for future connection to the Community Trail system and Garcia Park.~~

Article IV – Site Development Provisions

Section 17.48.050(E)(1)(e) of the Development Code is hereby deleted in its entirety and replaced with the following:

- e. Within all land use categories, all storage area screening shall be architecturally integrated with surrounding buildings by the use of concrete, masonry, or other similar materials not to exceed a height of eight feet (8') measured from finished grade. For walls comprised of the combination of a screen wall on top of a retaining wall, the overall height of the combined wall may exceed eight feet (8') provided that the part of the wall that faces the public right-of-way (street, sidewalk, etc.), does not exceed eight feet (8') in height (measured from the finished grade immediately adjacent to the wall and the top of the wall).

Section 17.48.050(E)(2)(c) of the Development Code is hereby deleted in its entirety and replaced with the following:

- c. Within all land use categories except Heavy Industrial, all fencing or walls shall be wrought iron, concrete, masonry, or other similar materials not to exceed a height of eight feet (8') from highest finished grade as described in Section 17.48.050(E)(1)(e). The use of barbed wire or similar materials is prohibited from these land use categories. Chain-link fencing is not permitted in the area(s) of a property that is/are located between the public right-of-way (street, sidewalk, etc.), and the building wall plane(s) of the building(s) on the property, that face(s) the public right-of-way. Chain-link fencing may only be used along the side and rear property lines, and within the interior of the property, if the fencing will not be visible from any portion of the public right-of-way that is adjacent to the property.

Section 17.64.060(D) of the Development Code is hereby added to read as follows:

D. Mixed Use Parking. All mixed use projects shall include a parking study prepared by a qualified traffic/parking consultant that demonstrates how proposed land uses utilize the parking spaces that are required per Section 17.64.050-1. Parking studies are subject to review and acceptance by the Director of Engineering Services/City Engineer and Planning Director, and an independent peer review consultant. The parking study may also include a discussion of the following options for a reduction of required parking, including, but not limited to:

1. Shared Parking may be provided per Section 17.64.060(B).
2. State Density Bonus may be provided per Chapter 17.46.
3. Tandem parking may be counted towards the required parking calculation.

4. Implement a Parking Management Strategy that may contain the following provisions, but are not limited to:
 - a. Monitored with periodic inspections;
 - b. Storage within the unit, and not within garage (view windows on garages);
 - c. HOA to enforce limitation of number of vehicles per unit;
 - d. Time restriction on guest parking; and
 - e. Shuttles that cater to users within the development.
5. Implement a Car/Bicycle Share Program in which vehicles/bicycles are made available for shared use to individuals on a short term basis.

Article V – Specific Use Requirements

Section 17.88.020 (F) of the Development Code is hereby added to read as follows:

- F. **Pot Bellied Pigs.** The keeping of pot bellied pigs, defined as a domesticated miniature Vietnamese, Chinese, or Asian pot bellied pig not exceeding ninety (90) pounds in weight and eighteen inches (18”) in height (measured at the shoulder), and characterized by a swayed back and straight tail, as domestic pets shall be permitted on residential property in the City subject to the following restrictions:
- a. Pot bellied pigs shall only be permitted in Very Low (VL) and Low (L) Residential Districts, and only in conjunction with a detached, single-family residence.
 - b. Pot bellied pigs shall be provided with a fenced yard designed to ensure confinement of the animal when outside of the house. Such yard areas must be kept in a clean, safe, and odor-free condition.
 - c. Only one (1) pot bellied pig is permitted per lot or parcel.
 - d. The breeding of pot bellied pigs shall not be permitted. All pot bellied pigs must be spayed or neutered.
 - e. A pot bellied pig shall have veterinary certification stating:
 1. The pig is spayed or neutered;
 2. The pig is in good health and has received all necessary vaccinations;
and
 3. The height and weight of the pig.
 - f. All male pot bellied pigs two (2) years of age or older shall have their tusks removed.

- g. All pot bellied pigs shall be restrained by a harness and leash or other similar restraint, not to exceed six feet (6') in length, while outside the owner's premises or property.

Table 17.88.020-1 of the Development Code is hereby deleted in its entirety and replaced with the following:

Table 17.88.020-1 Limits on Animals within Residential Areas

| Type of Animal | Minimum Property Area (Square Feet per Animal) | Maximum Number ^(1,7) | Allowable Residential District |
|--|--|---------------------------------|--------------------------------|
| Domestic Pets | | | |
| • Cat(s) | No Minimum Required | 3 ⁽⁸⁾ | All |
| • Dog(s) | No Minimum Required | 3 ⁽⁸⁾ | All |
| • Rodents ⁽²⁾ and Small Birds ⁽²⁾ | 5,000SF ⁽²⁾ | 25 ⁽²⁾ | All |
| • Other Domestic Pets | No Minimum Required | No Maximum | All |
| Exotic Animals ⁽³⁾ | See Table Note #3 | | All ⁽³⁾ |
| Insects ⁽³⁾ | See Table Note #3 | | VL only |
| Livestock Animals | | | |
| • Horse ⁽⁴⁾ , Mule ⁽⁴⁾ , Donkey ⁽⁴⁾ , Pony ^(4,5) or Pot Bellied Pig ⁽⁶⁾ | 10,000SF | 6 | VL and L |
| • Cattle, Swine, Llama, or similarly sized Livestock Animal | 20,000SF | 3 | VL and L |
| • Sheep and Goats or similarly sized livestock Animal | 5,000SF | 6 | VL and L |
| Poultry | 5,000SF | 6 | VL only |

Table Notes:

- (1) Refer to Section 17.88.020(E) for additional allowances.
- (2) More than 5 birds or rodents per each 5,000 square feet of property area may be permitted subject to approval of a Conditional Use Permit.
- (3) With a Conditional Use Permit as required by Table 17.30.030-1. Additional findings in Section 17.88.020 shall be met.
- (4) A property must be a minimum of 20,000 square feet in area to maintain these animals.
- (5) A pony, which is defined as any horse measuring 14 hands and 2 inches or less in height at the withers, may be kept in addition to the keeping of two horses, or in lieu of two horses, three ponies may be kept on a 20,000-square-foot lot.
- (6) Pot Belly Pigs are subject to the conditions/requirements described in Section 17.88.020(F).
- (7) The overall maximum number of animals that can be kept on a property can be a combination of the permitted different animal types provided that:
- a. The property complies with the minimum lot size requirement for each individual type of animal; and
 - b. The number of each individual type of animal does not exceed the maximum number of each individual type of animal permitted on the property.
- (8) For lots with a minimum area of 10,000 square feet, one additional dog and/or cat may be allowed.

Article VII – Design Standards

Section 17.122.030(A)(1)(a) of the Development Code is hereby deleted in its entirety and replaced with the following:

- a. Provide employee break areas for office and industrial projects, and provide plazas where employees can rest and eat lunch, preferably away from public entrances to

buildings, loading areas, or other high- traffic areas. Provide tables and/or benches, and shade trees and/or shade structures. Break areas shall be designed and sized to comfortably accommodate furniture and amenities, should have a minimum size of five hundred (500) square feet and have seating for at least ten percent (10%) of the anticipated workforce. Break areas shall be provided at a rate of one per building within an office or industrial complex comprised of multiple buildings, or one per office area within a multi-tenant industrial building, whichever is greater.

Article VIII – Glossary

Section 17.126.020 of the Development Code is hereby amended to add the following definitions:

Barn. Any building that is built and used for the purpose of animal-keeping, sheltering/housing of animals; storage of equipment, materials, and food used associated with the care of animals; and storage/parking of trailers used for the transportation of animals, and that will not be built and used for the purpose of storing/parking of automobiles, recreational vehicles (RVs), and/or off-road vehicles that are unrelated to the transportation of animals.

Garage. Any building with a permanent roof, enclosed on three (3) sides with a garage door on the fourth side that is built and used for the purpose of storage/parking of automobiles, recreational vehicles (RVs), or off-road vehicles.

Development, Mixed-Use. The combination of a mix of land uses, such as, but not limited to, commercial and residential uses, in the same structure, parcel or project site, where the residential component is located either above (vertical mixed-use) or adjacent to (horizontal mixed-use) the nonresidential component.