



# Chapter 4

January 2014

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## 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.



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## 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 address site-specific conditions, or can be proposed to allow the development of residential products that 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 (monopalm), 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 determine 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.