

**PLANNING COMMISSION
REGULAR MEETING OF
November 2, 2016
7:00 p.m.
CITY COUNCIL CHAMBERS
25541 BARTON ROAD, LOMA LINDA, CA 92354**

A. CALL TO ORDER - Persons wishing to speak on an agenda item are asked to complete an information card and present it to the secretary. The Planning Commission meeting is recorded to assist in the preparation of the minutes, and you are, therefore, asked to give your name and address prior to offering testimony. All testimony is to be given from the podium.

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. ITEMS TO BE DELETED OR ADDED

E. ORAL REPORTS/PUBLIC PARTICIPATION ON NON-AGENDA ITEMS (LIMITED TO 30 MINUTES; 3 MINUTES ALLOTTED FOR EACH SPEAKER) - This portion of the agenda provides opportunity to speak on an item, which is **NOT** on the agenda. Pursuant to the Brown Act, the Planning Commission can take no action at this time; however, the Planning Commission may refer your comments/concerns to staff, or request the item be placed on a future agenda.

F. NEW BUSINESS

G. PUBLIC HEARINGS (THREE MINUTES IS ALLOTTED FOR EACH SPEAKER PER PUBLIC HEARING ITEM)

1. **MINOR MODIFICATION (MM) 16-140** – a request to modify the exterior design, material and color of a previously approved drive-through carwash (CUP 14-153) located on a 0.74 acre vacant lot at 24965 Redlands Blvd

RECOMMENDATION

Staff recommends that the Planning Commission approve the Minor Modification to Approved Plan No. 16-140 based on the staff report and subject to the Conditions of Approval (as revised October 2016), and direct staff to; file the Notice of Exemption.

2. **TIME EXTENSION (TE) 16-138** - A time extension request for Conditional Use Permit (CUP) 15-016 and Variance (V) 15-017.

RECOMMENDATION

Staff recommends that the Planning Commission approve a One Year Time Extension for CUP No. 15-016 and Variance No. 15-017, based on the original staff report and project findings, and subject to the Conditions of Approval (as revised October 2016, Exhibit D), and direct staff to file the Notice of Exemption.

3. **PRECISE PLAN OF DESIGN (PPD) 16-104** – A request to construct a 4,189 square foot multi-family residential project that includes 3 units with 3 garages, and 3 uncovered parking spaces;

Variance No. 16-105 to allow 6 parking spaces instead of the required 7 minimum spaces. Project is located at 10933 Evans Street within the Multi-family Residence (R-3) Zone.

RECOMMENDATION

Staff recommends that the Planning Commission approve the Precise Plan of Design (PPD) 16-104 and Variance (V) 16-105 based on the Findings contained in the Staff Report and subject to the Conditions of Approval, and direct staff to; file the CEQA Notice of Exemption.

4. **DEVELOPMENT CODE AMENDMENT (DCA) 16-136** - A City of Loma Linda initiated ordinance to update and amend Title 17 “Zoning”, Chapter 17.02 “Introduction and Definitions” of the Loma Linda Municipal Code, adding and providing more clarification to the land use definitions.

RECOMMENDATION

Staff recommends that the Planning Commission recommend that the City Council approve the Development Code (DCA) 16-136 to amend chapter 17.02 and establish new land use definitions.

5. **DEVELOPMENT CODE AMENDMENT (DCA) 16-137** - City of Loma Linda initiated ordinance to amend Title 17 “Zoning”, Chapter 17.30 “Administration” of the Loma Linda Municipal Code and to establish provisions for a Conditional Use Permit and Minor Use Permit.

RECOMMENDATION

Staff recommends that the Planning Commission recommend that the City Council approve the Development Code Amendment (DCA) 16-137 to amend Chapter 17.30 and establish new provisions for a Conditional Use Permit and Minor Use Permit application.

H. APPROVAL OF MINUTES- July 7, 2016 - August 3, 2016

I. REPORTS BY THE PLANNING COMMISSIONERS

J. COMMUNITY DEVELOPMENT DIRECTOR REPORT

K. ADJOURNMENT - Reports and documents relating to each agenda item are on file in the Department of Community Development and are available for public inspection during normal business hours, Monday through Thursday, 7:00 a.m. to 5:30 p.m. The Loma Linda Branch Library can also provide an agenda packet for your convenience.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at (909) 799-2819. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. Later requests will be accommodated to the extent feasible.



City of Loma Linda Community Development Department

Planning Commission Staff Report

PLANNING COMMISSION MEETING OF NOVEMBER 2, 2016

Approved/Continued/Denied By Planning Commission Date: _____
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TO: Planning Commission

FROM: Konrad Bolowich, Assistant City Manager

SUBJECT: Minor Modification to Approved Plan No. 16-140 – a request to modify the exterior design, material and color of a previously approved drive-through carwash (CUP 14-153) located on a 0.74 acre vacant lot at 24965 Redlands Blvd within the East Valley Corridor Specific Plan and zoned General Commercial; APN 0284-082-43.

SUMMARY

On March 2, 2016, the Planning Commission approved Conditional Use Permit application No. 14-153, subject to revised Conditions of Approval. The project included the proposed construction of a new 3,561 square foot drive-through car wash and office to be located at 24965 Redlands Blvd within the East Valley Corridor Specific Plan and General Commercial Zone. At the public hearing, the Commission requested the Applicant work with city staff to change the exterior design of the project by adding decorative, architectural features that are compatible with the existing neighborhood and Loma Linda's commercial corridors. In addition, the commissioners requested the Applicant remove the "owner's parking space" from the proposed plans and replace it with landscaping.

The Applicant has submitted the revised plans, including color elevations with a new design as requested by the Planning Commission. The Minor Modification to Approved Plan No. 16-140 is subject to review and approval by the Planning Commission.

RECOMMENDATION

Staff recommends that the Planning Commission:

1. **APPROVE** the Minor Modification to Approved Plan No. 16-140 based on the Staff Report and subject to the Conditions of Approval (as revised October 2016, Exhibit E), and direct staff to;
2. **FILE** the Notice of Exemption.

PERTINENT DATA

Owner/Applicant: Alex Irshaid/Joe Holasek with NOAA Group Architects
General Plan: Commercial
Zoning: East Valley Corridor Specific Plan/General Commercial
Site: Vacant, 32,268 square foot (.74 acres), located on Redlands Boulevard just east of Anderson Street
Topography: Relatively flat and generally slopes from east to west
Vegetation: Void of vegetation

EXISTING SETTING

The Project site consists of approximately 0.74 acres of land. The site is presently vacant void of structures and vegetation. The site is generally flat and borders Redlands Boulevard, a four (4)-land roadway to the north. See Exhibit A.

BACKGROUND

The Applicant submitted a Conditional Use Permit application on November 20, 2014 to the Community Development Department. The proposed project included the construction of a new 3,561 square foot drive-through car wash facility to be located at 24965 Redlands Blvd within the East Valley Corridor Specific Plan and General Commercial Zone.

An environmental assessment was completed through an Initial Study. Staff found that the Project would not have a significant effect on the environment on the basis of the Initial Study with implementation of recommended mitigation measures. The CEQA 20-day mandatory public review period began February 12, 2016 and ended on March 2, 2016.

On March 2, 2016, the Planning Commission adopted the Mitigated Negative Declaration and Mitigation Monitoring Program for the proposed project. Additionally, the Commission approved Conditional Use Permit application No. 14-153, based on the Findings contained in the original Staff Report and subject to revised Conditions of Approval. At the public hearing, the Commission requested the Applicant work with city staff to change the exterior design of the project by adding decorative, architectural features that are compatible with the existing neighborhood and Loma Linda's commercial corridors. Furthermore, the commissioners requested the Applicant remove the "owner's parking space" from the proposed plans and replace it with landscaping. The requests were included in the Action Letter (Exhibit B) and added into the Conditions of Approval which were sent to the Applicant on March 8, 2016.

ANALYSIS

Since the project's approval in March of 2016, the Applicant has met with staff on several occasions with different illustrations and building designs. As of September 2016, staff believes the Applicant has come up with a design that is more in tune with what the Planning Commissioners would like to see in the City of Loma Linda and on Redlands Boulevard. A Minor Modification to Approved Plan application and revised plans were submitted to the Community Development Department for the proposed construction of the automatic drive-through car wash facility. In addition, as requested by the Commission and listed in the original

Conditions of Approval, the Applicant has removed the “owner’s parking space” from the site plan and replaced it with landscaping. The Applicant is not proposing to change the scope of the project or make any additional or substantial changes on the previously approved project plans.

The Conditions of Approval dated March 2, 2016 have been revised once again. The two Conditions (Condition #31 and #32) added by the Commissioners has been removed.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) STATUS

The Planning Commission approved and adopted a Mitigated Negative Declaration for the original project application (CUP 14-153) on March 2, 2016. The Minor Modification to Approved Plan application No. 16-140 was submitted per the request of the Commission to modify the architectural design of the structure. The submitted application is exempt from CEQA pursuant to CEQA Guidelines, Section 15061(b)(3), which states that CEQA only applies to activities that have the potential to cause significant effects on the environment. The minor change to the architectural design does not require further environmental review.

PUBLIC COMMENTS

Public notice for this application and project change was posted and mailed to parcel owners within 300 feet of the project site. As of the date on this report, there have been no written or oral comments received in opposition or in favor of the Minor Modification to Approved Plan 16-140.

CONCLUSION

The Applicant has worked closely with staff to make the changes requested by the Planning Commission. The “owner’s parking space” has been removed from the plans and the Applicant created a design that is compatible with Loma Linda’s commercial corridors. The original car wash project and proposed new design is consistent with the General Plan and continues to be in compliance with the East Valley Corridor Plan and General Commercial Zone. No other changes are proposed to the previously submitted and approved project site plans. The Modification to Approval Plan application is exempt from CEQA and does not require further environmental review.

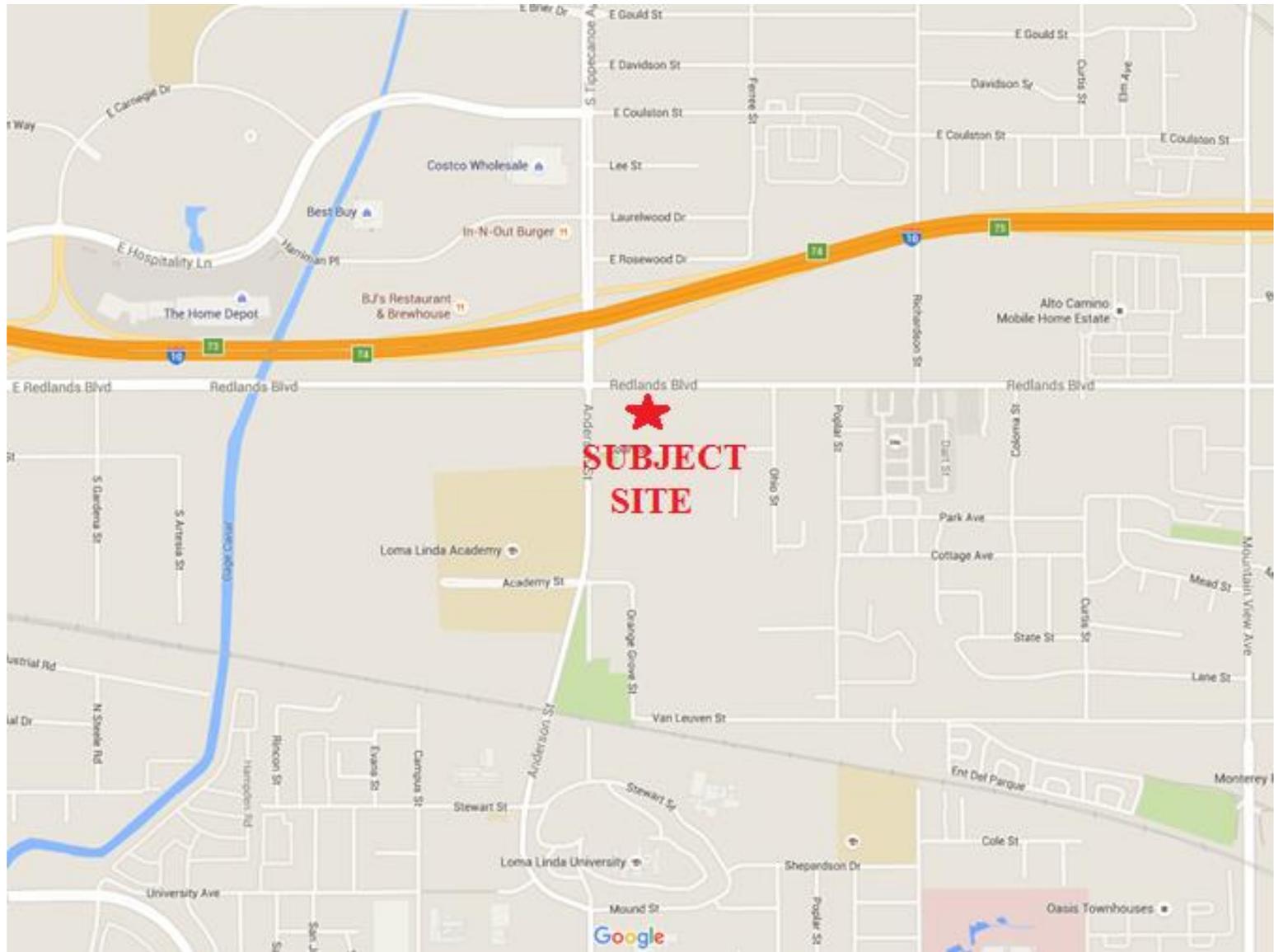
Report prepared by:

Lorena A. Matarrita
Associate Planner

EXHIBITS

- A. Vicinity Map
- B. Original Approval Letter and Commission Request
- C. Revised Site Plan
- D. Revised Project Renderings and Elevations
- E. Conditions of Approval, as revised October 2016

VICINITY MAP





City of Loma Linda
25541 Barton Road, Loma Linda, CA 92354 (909) 799-2830 (909) 799-2894
Community Development Department

March 8, 2016

Alex Irshaid
670 E. Parkridge Ave., Suite 101
Corona, CA 92879

Subject: Conditional Use Permit No. 14-153
24965 Redlands Boulevard – Drive-Thru Car Wash

Dear Mr. Irshaid

At the March 2, 2015 Planning Commission meeting, the Commission approved of CUP 14-153 subject to the revised Conditions of Approval.

During the public hearing, the Commission revised the following conditions of approval:

- The applicant shall work with staff to add additional decorative, architectural features to the proposed car wash building.
- The applicant shall remove the owner's parking space from the proposed plans and replace with landscaping.

Please call or email me to set up a meeting to discuss the possible changes to the plans.

Also, please be aware that in order to record the Notice of Determination, you must submit a check to the City in the amount of \$2,210.25, made out to the Clerk of the Board of Supervisors (Condition of Approval No. 2). This will enable the City to file the appropriate environmental documentation for the project. The timely filing of the environmental documentation with the County within five (5) days of project approval reduces the statute of limitations to thirty five days or less.

If you have any questions, please contact me at 909-799-2830 or via email at garreola@lomalinda-ca.gov. City offices are open Monday through Thursday between 7:00 a.m. and 5:30 p.m.

Regards,

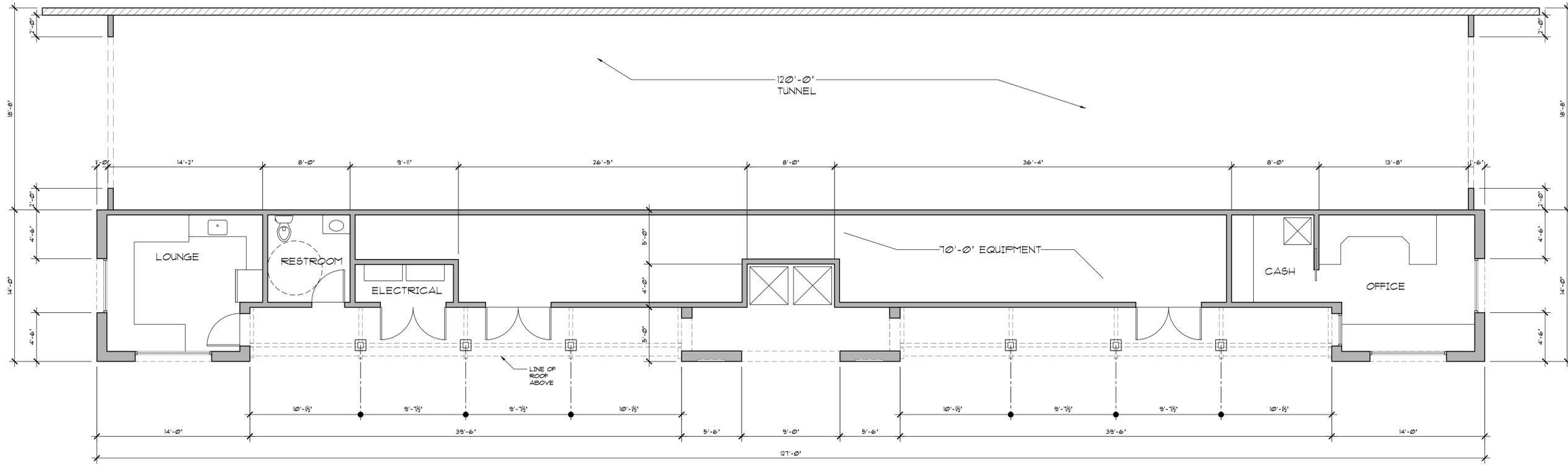
Guillermo Arreola
Senior Planner

ATTACHMENT

- Conditions of Approval

I:\PROJECT FILES\CUP\2014\CUP 14-153 - Car Wash\Correspondence\PC Action Letter.doc

EXHIBIT - B



1 FLOOR PLAN
SCALE: 1/4"=1'-0"

PRELIMINARY

**UPTOWN AUTO SPA
LOMA LINDA**

Issue Dates	
PRELIMINARY	09-14-16

Revisions

Job Number
Drawn By
Checked
Cad. No.

**UPTOWN
AUTO SPA
FLOOR PLAN**
Scale 1/4"=1'-0"

A-

SHEET-OF-

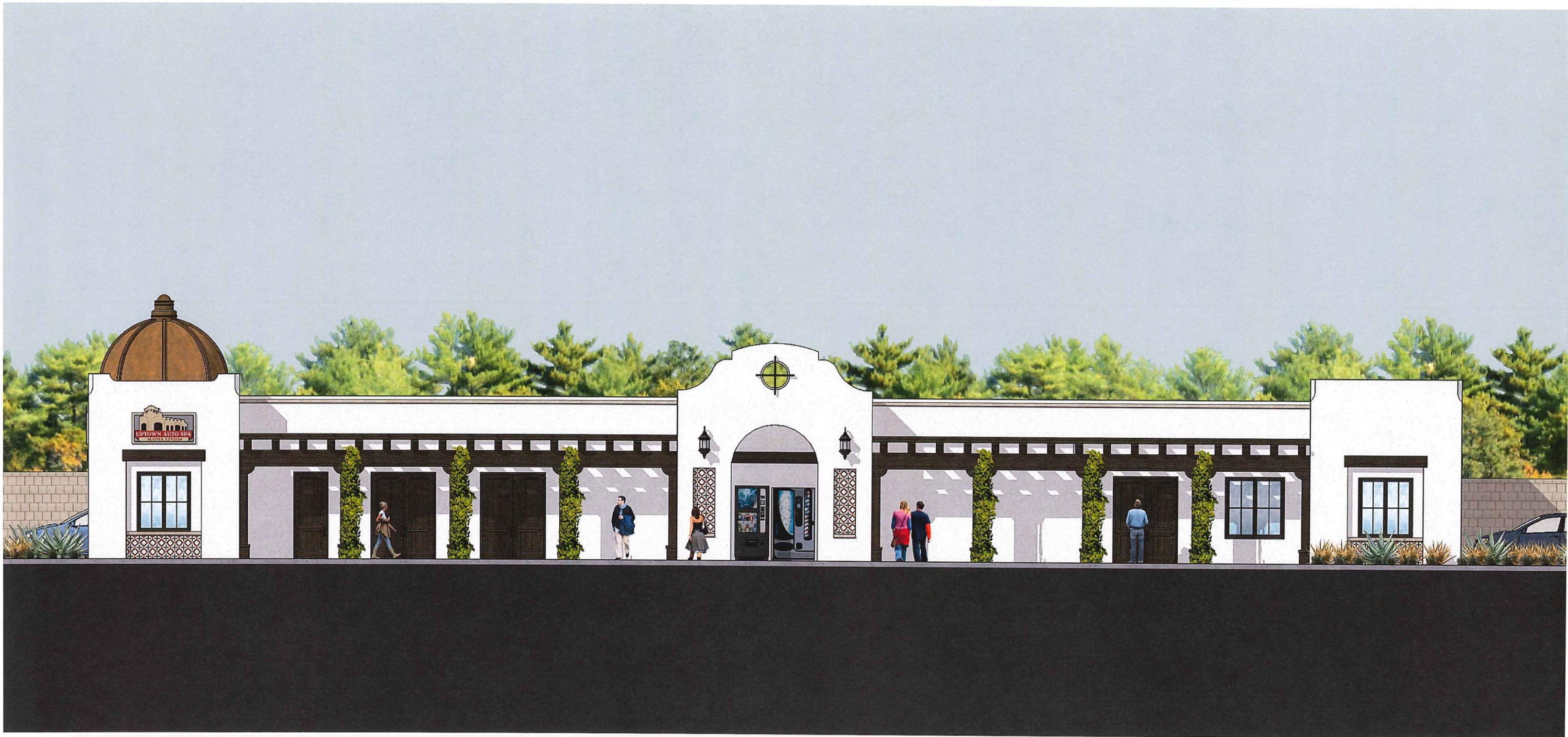


EXHIBIT - D











City of Loma Linda Community Development Department

Planning Commission Staff Report

PLANNING COMMISSION MEETING OF NOVEMBER 2, 2016

Approved/Continued/Denied

By Planning Commission

Date: _____

TO: Planning Commission

FROM: Konrad Bolowich, Assistant City Manager

SUBJECT: Time Extension No. 16-139 – One Year Time Extension for Conditional Use Permit No. 15-016 and Variance No. 15-017. The Extension request is for a previously approved project to construct a 57-foot cell tower, designed as a faux water tower with the associated ground equipment, and a Variance to permit the proposed tower to exceed the 35-foot maximum height allowance. Project is located at Heritage Park, 25964 Mission Road within the Single Residential Zone and Public Open Space Land Use Designation.

SUMMARY

On May 6, 2015, the Planning Commission approved Conditional Use Permit (CUP) application No. 15-016 and Variance application No. 15-071, subject to Conditions of Approval. The project included the proposed construction of a 57-foot cell tower, designed as a faux water tower with the associated ground equipment. In conjunction with the CUP, a Variance application was submitted and approved, to permit the tower to exceed the 35-foot maximum height allowance within the Single Residential (R-1) Zone. The project is located on a portion of 6.8 acres at Heritage Park, more specifically, at 25964 Mission Road.

The Applicant is requesting a One Year Time Extension for the previously approved CUP and Variance applications in order to finalize the lease with the property owner (City of Loma Linda) before building permits can be issued and construction can commence (Exhibit B).

RECOMMENDATION

Staff recommends that the Planning Commission:

1. **APPROVE** a One Year Time Extension for CUP No. 15-016 and Variance No. 15-017, based on the original staff report and project findings, and subject to the Conditions of Approval (as revised October 2016, Exhibit D), and direct staff to;
2. **FILE** the Notice of Exemption.

BACKGROUND

On February 15, 2015, a CUP and a Variance application was submitted to the Community Development Department for the proposed construction of a 57-foot cell tower within Heritage Park, located at 25964 Mission Road. The project plans were distributed to city departments for review. Upon the end of the review period, the project was presented to the Historical Commission On May 4, 2015 for additional comments.

On May 6, 2015, the Planning Commission reviewed the plans and approved CUP No. 15-016 and Variance No. 15-017, subject to Conditions of Approval. The Conditions had an expiration date of May 6, 2016. One of the requirements prior to the issuance of building permits was to provide a copy of the lease agreement from the property owner (City of Loma Linda). In addition, the Conditions stated that the Applicant must have substantial construction of the project within a year of approval or the permit would become null and void. The Applicant, however, was not able to obtain a copy of the lease nor was he able to obtain building permits to commence construction.

On August 3, 2016, the Applicant submitted a One Year Time Extension Request (Exhibit E) to allow the time necessary to finalize the lease between the Applicant and the City of Loma Linda before building permits are obtained and construction commences. No changes are proposed to the previously submitted and approved project plans.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) STATUS

The Time Extension Request is determined to be exempt from the California Environmental Quality Act (CEQA) and the project does not require further environmental review. The cell tower project was previously filed as exempt under the Class 3, Categorical Exemption, which allows for the construction of small, new utility facilities and structures.

PUBLIC COMMENTS

Public notice for this project (One Year Time Extension) was posted and mailed to parcel owners within 300 feet of the project site. As of the date on this report, there have been no written or oral comments received in opposition or in favor of the Time Extension for CUP 15-016 and Variance 15-017.

ANALYSIS

The Applicant is requesting a One Year Time Extension in order to fulfill the requirements of the project's Conditions of Approval, such as providing staff with a copy of the lease agreement from the property owner and obtaining building permits to commence construction. The Applicant is not proposing to change the scope of the project or any of the submitted plans. The approval of the Time Extension Request, along with the revised Conditions of Approval, will allow the Applicant sufficient time to comply with the project's requirements before the new expiration date of May 6, 2017.

CONCLUSION

Staff recommends approval of the One Year Time Extension for Conditional Use Permit No. 15-016 and Variance No. 15-017. No changes are proposed to the previously submitted and approved project plans. The proposed project is still consistent with the General Plan and continues to be in compliance with the Wireless Communication Facilities regulations found in Zoning Code Chapter 17.95. The Extension Request and project is exempt from CEQA and does not require further environmental review.

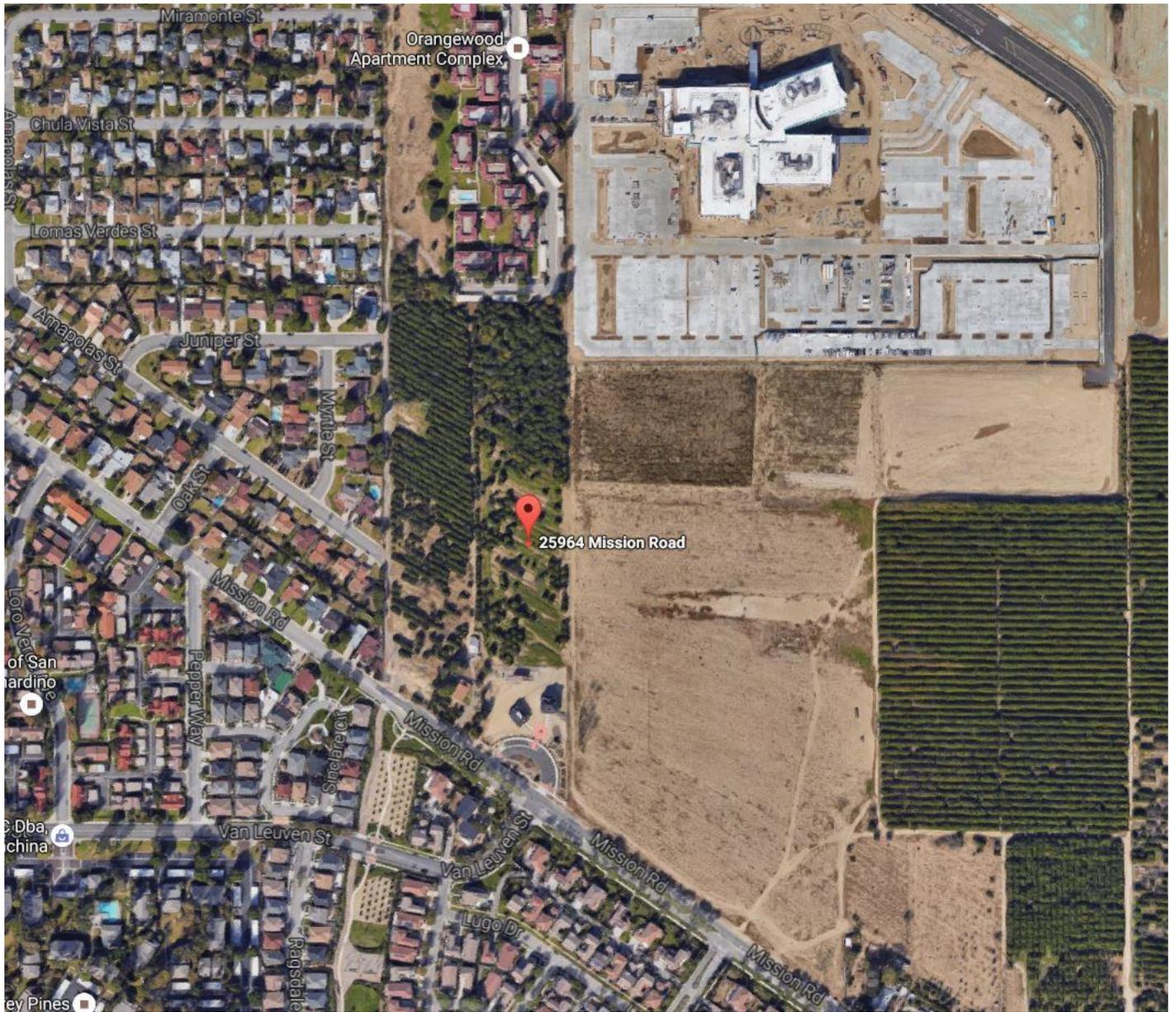
Report prepared by:

Lorena A. Matarrita
Associate Planner

EXHIBITS

- A. Vicinity Map
- B. Applicant's Time Extension Request
- C. 2015 Staff Report (no exhibits)
- D. Conditions of Approval, as revised October 2016

VICINITY MAP





4405 East Airport Drive, Suite 100
Ontario, CA 91761
Phone: 909.831.5990

Wednesday, August 3, 2016

Konrad Bolowich
City of Loma Linda
25541 Barton Rd.
Loma Linda, CA 92354

Re: CUP 15-016 & VAR 15-017

Dear Konrad,

On 5/7/2015 we received approval from the planning commission for our proposed wireless telecommunications project to be located at Heritage Park. The conditions of approval from this project state that the CUP will expire on 5/6/2016 if substantial construction of the project has not commenced.

While we filed for and received approval of our construction plans, no construction was started as the lease with the city has not been finalized and executed.

I am writing this letter to request that expiration date for this CUP (and associated variance) be extended for one year (5/6/2017) to allow us the time needed to finalize the lease with your city and to start and complete construction of this project.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Chris Colten', written over a white background.

Chris Colten
Program Manager
CA BRE License #01414093

Staff Report

City of Loma Linda

From the Department of Community Development

PLANNING COMMISSION MEETING OF MAY 6, 2015

TO: PLANNING COMMISSION

FROM: KONRAD BOLOWICH
ASSISTANT CITY MANAGER

SUBJECT: CONDITIONAL USE PERMIT (CUP) NO. 15-016 AND VARIANCE NO. 15-017 – A REQUEST TO CONSTRUCT A 57-FOOT WIRELESS TELECOMMUNICATION FACILITY (DESIGNED AS A FAUX WATER TANK) WITHIN HERITAGE PARK LOCATED AT 25964 MISSION ROAD IN THE R-1 ZONE. A VARIANCE REQUEST TO EXCEED THE MAXIMUM ALLOWABLE HEIGHT IN THE R-1 ZONE.

SUMMARY

A request to construct a new 57-foot cell tower, designed as a faux water tower and associated ground equipment to be located at 25964 Mission Road (APN 0292-111-31). The site is known as Heritage Park and is presently developed with two locally historic homes (to be used as offices), and a non-operational historic locomotive. The project site is located in the Single Residence (R-1) Zone. The applicant is also seeking approval of a variance request to exceed the maximum height allowed in the R-1 zone.

RECOMMENDATION

The recommendation is for the Planning Commission to approve CUP No. 15-016 and Variance No. 15-017 based on the Findings, and subject to the Conditions of Approval (Exhibit C).

PERTINENT DATA

Property Owner:	City of Loma Linda
Applicant:	LASMA LP dba Verizon Wireless
General Plan:	Special Planning Area
Zoning:	Single Residence (R-1) Zone
Site:	Heritage Park (6.6 acres)
Topography:	Flat
Vegetation:	None

EXHIBIT - C

BACKGROUND AND EXISTING SETTING

Background

On February 12, 2015, the Applicant submitted a CUP application with the required forms, plans, and mailing labels for the above referenced project. On March 11, 2015, the Administrative Review Committee (ARC) reviewed and provided comments on the project and deemed the project complete for processing pursuant to the California Permit Streamlining Act.

Existing Setting

The project area is located toward the rear portion of Heritage Park. The site is located on the north side of Mission Road between Mountain View Avenue and California Street.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) STATUS

The proposed construction has a Class 3 exemption per CEQA Guidelines § 15303(d), which allows for the construction of small new equipment and facilities including electrical, gas, and other utility extensions.

PUBLIC COMMENTS

On April 23, 2015, public hearing notices for this project were posted and mailed to property owners located within 300 feet of the project site. As of this report, the City has received no written or oral comments on the project.

ANALYSIS

Project Description

Verizon Wireless is proposing the construction of a new 57-foot cellular tower (faux water tank) and the associated ground mounted equipment located mid-lot, along the east property line. An 8-foot high block wall will enclose the proposed 625 square-foot lease area. The water tank and equipment will all be located within the block wall enclosure along the west property line.

The enclosure will include:

- 57-foot cellular tower (water tank)
- 625 square foot (25' x 25')
- 8-foot high perimeter block wall around the equipment shelter
- 15 kw generator
- Two equipment cabinets

The water tank and enclosure will be located behind the Cole House, and east of the locomotive, giving the appearance that the water tank will be serving the train.

The cellular antenna will be designed to look like a water tower. All antenna arrays, wiring equipment will be encased inside of the water tower. Furthermore, the water tower will include a graphic depicting the history of Loma Linda and the Bryn Mawr's orange/citrus history. The faux tank is made of laminated fiberglass, which will be molded/painted, to give a simulated wood tank appearance. The support columns will be painted a non-reflective, matte, brown per the General Standards for Wireless Telecommunication Facilities, to simulate wood support members. A condition of approval has been added to require the design features.

Staff has added a condition of approval that requires the applicant to submit a new wall design that includes a combination of split-faced block and precision block, with a decorative cap.

The wireless site has been designed as a co-locatable facility for other carriers and has the room to accommodate additional antennas. The design for co-location will limit the potential for proliferation of cell towers in the immediate vicinity. Any new antennas will be integrated into the water tank design.

Staff has also added a condition that requires the applicant to remove any graffiti within 48 hours of City notification.

Section 17.95.040 – General Standards for Wireless Communication Facilities

General Standards	Proposed	Complies
Wireless communication facilities shall comply with all applicable building codes and shall not be erected or used except as permitted	A condition is included in the Conditions of Approval that require the wireless telecommunication facility comply with this requirement	Yes
Wireless communication facilities and accessory wireless communication equipment shall be located, installed, and mounted in a manner to minimize to the greatest extent possible the visibility of the antennas and equipment	The faux water tank will include an image of Loma Linda’s history and complement the historic theme of Heritage Park.	Yes
Wireless communication facilities and accessory wireless communication equipment shall be painted in non-reflective matte finished shades designed to be compatible with the surrounding site and neighborhood	The wireless cellular facility will be painted to reflect the historical theme and design of water tanks in the general area. A condition of approval has been added that requires that the facility and accessory equipment use non-reflective matte finished shades.	Yes
Wireless communication facilities and accessory wireless communication equipment shall be screened from view by an existing structure, or by constructing screening that blends in with the adjacent scenery or structures in color and form, or landscaping where constructed screening cannot occur. If landscaping is required, trees shall be a minimum twenty-four inch box size	The accessory equipment will be located within a 625 square foot, enclosed area, improved with an 8-foot high wall, located approximately 385’ feet from the front property line, and behind the existing Cole House office building. Landscaping is not proposed at this time, as an overall landscape theme for Heritage Park has not been designed.	Yes
The need for stealth-designed facilities (i.e., slim-line monopole, mono-palm, mono-pine, water tower, clock tower, windmill, weather vane, flag pole, sculpture or other interesting and artistic visual form) shall be determined by the planning commission based on the aesthetics and character of the area surrounding the project site and the appropriateness and compatibility of the proposed design with other existing features and structures in the area	The proposed wireless telecommunication facility will be designed as a water tank, with a graphic depicting Loma Linda’s citrus history. The water tank will be designed and situated to provide the appearance of water service to the existing 1954 Alco S4 Diesel Switcher (locomotive), and add to the general historic theme of Heritage Park.	Yes
No advertising, signs, or lighting shall be	The faux water tank will not use used for	

<p>incorporated or attached to any wireless communication facility or accessory wireless communication equipment, except as required by the city's building division or federal regulations</p>	<p>commercial advertising purposes. The graphic will depict the citrus industry that was prevalent in the Loma Linda and Bryn Mawr areas.</p>	<p>Yes</p>
<p>The height of the proposed wireless communication facility shall be justified by the need for such height to effectively provide services by the applicant through a radio frequency analysis subject to review and approval by the city. The analysis shall be prepared by a qualified engineer and shall include the required technical information and an executive summary written in layman's terms</p>	<p>The proposed 57-foot high wireless communication facility is needed to effectively provide cellular service to the residential customers in the immediate vicinity, as shown in Exhibit B. The additional height is also necessary to accommodate the co-location of additional carriers on the tower. Any additional antennas would be located within the faux tank and would not be visible from the exterior of the tank.</p> <p>The height of the structure will only exceed the height of the Cole House by approximately 7 feet, and will not look out of scale when compared to the existing structure.</p>	<p>Yes</p>

Section 17.95.050 – Special Standards for Ground-Mounted Structures

Standards	Minimum Required	Proposed	Complies
<p>Ground-mounted structures and wireless communication facilities and/or accessory wireless communication equipment shall not be located within or project into any required setbacks of the underlying land use district</p>	<p>Front: 25' Side: 5' and 15' Rear: 15'</p>	<p>Front: 325' Side: 22' and 187' Rear: 1,022'</p>	<p>Yes</p>
<p>Ground-mounted structures and wireless communication facilities or wireless communication accessory equipment shall not be located or project within ten feet of any right-of-way of a street, freeway, or railroad line</p>	<p>10-feet</p>	<p>325' from Mission Road</p>	<p>Yes</p>
<p>Ground-mounted structures for wireless communication facilities shall not be located on lots developed with residential uses nor within one hundred feet of any residential zone and/or residential use</p>	<p>North: 100' South: 100' East: 100' West: 100'</p>	<p>North: 985' South: ~ 415' East: 22'* West: ~ 439'</p>	<p>Yes</p>
<p>The height of a ground-mounted structure shall be compatible with that of the surrounding neighborhood so that existing trees or other tall elements of the neighborhood can serve as a backdrop for the antenna and ground-mounted structure. No ground-mounted structure shall exceed the height limit of the underlying land use district without the review and approval of the planning commission. In the absence of a height limitation in a land use district, the maximum height of a ground-mounted structure shall be</p>	<p>Maximum Height: 35'</p>	<p>Height: 57'</p>	<p>No. Requires approval of a variance.</p>

sixty-five feet			
A new ground-mounted structure shall not be located within eight hundred feet of an existing ground-mounted structure for a wireless communication facility except in a temporary situation wherein a new structure is replacing an existing structure for purposes of locating more than one wireless communication facility on the structure (co-location).	Minimum: 800	Proposed: Approximately 2,610 ft. (cell tower at City of Loma Linda Corp Yard).	Yes
All security fencing shall be of a material, color, and design that is consistent and compatible with the character of the surrounding development or environment		Proposed: Solid 8' high block wall	Yes**
Ground-mounted structures, including accessory equipment, shall be screened or architecturally or stealth designed (i.e., mono-palm, mono-pine, water tower, clock tower, windmill, weather vane, and sculpture or other interesting and artistic visual form and, antenna incorporated into existing light standards, flag poles, or building signs) if the planning commission determines that there is a need to mitigate negative aesthetic impacts and achieve compatibility with the surrounding site and neighborhood		Proposed: Faux water tower with decorative logo a period design	Yes

*The General Plan designates the property to the east as Special Planning Area and will be developed with a middle school. No homes are proposed on this parcel.

**A Condition of Approval has been added to require a decorative cap to the top of the wall for aesthetic purposes.

Conditional Use Permit Findings

The following findings must be addressed when considering a conditional use permit. As per LLMC Section 17.30.210, "The Planning Commission, in approving a conditional use permit, shall find as follows:"

1. *That the use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by this title.*

The project will occupy 625 square feet of area on the 6.6 acre Heritage Park site. There are no proposed land use changes to the existing site. Section 17.95.010(B) states that city owned properties should be given priority as a potential site for the placement of wireless communication facilities. And pursuant to LLMC Section 17.95.060, construction of wireless communication facilities are permitted with an approved Conditional Use Permit (CUP).

2. *That the said use is necessary or desirable for the development of the community, is in harmony with the various elements and objectives of the general plan, and is not detrimental to existing uses specifically permitted in the zone in which the proposed use is to be located.*

The proposed project is consistent with both the Zoning Code (LLMC Title 17) requirements and the goals and policies of the adopted General Plan (May 26, 2009). Specifically, the project is consistent with General Plan Guiding Policy 8.10.7 (g), which encourages development of appropriate siting regulations for the installation of utilities and telecommunication facilities to

minimize potential impacts to the community. LLMC Section 17.95.060 permits the construction of ground mounted wireless communication facilities with an approved Conditional Use Permit (CUP).

The cell tower site and use will not be detrimental to the surrounding neighborhood due to its location, which is nearly 205' from the closest residential structures (to the west) and 205' 415' to the south along Mission Road. As previously stated, the cell tower site will also be approximately 22 feet from the nearest property line (east).

3. *That the site for the intended use is adequate in size and shape to accommodate said use and all of the yards, setbacks, walls, or fences, landscaping and other features required in order to adjust said use to those existing or permitted future uses on land in the neighborhood.*

The project site is adequate in size and shape to accommodate the proposed cell tower and equipment. As indicated, the proposed wireless communication facility will occupy approximately 625 square feet of the existing 6.6 acre property. The project layout and design are consistent with the required height, setback, and screening requirements that are outlined in LLMC Chapter 17.95, *Wireless Communication Facilities*.

4. *That the site or the proposed use related to streets and highways properly designed and improved to carry the type and quantity of traffic generated or to be generated by the proposed use.*

The cellular tower will not change the use of the site as a park or restrict access to the structures and it will not further impact the existing facility. No other changes are being proposed. Additional traffic will not be generated as the result of this project.

5. *That the conditions set forth in the permit and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare.*

The public health, safety and general welfare will be protected with the implementation of the Conditions of Approval for this application to insure compatibility with the neighborhood and to prevent any negative impacts to the surrounding area.

Wireless Communication Facilities Findings

All wireless communication facilities shall be subject to the following findings. These findings are in addition to any applicable criteria outlined in LLMC Chapter 17.30 Conditional Use Permits or the criteria for a small project application.

1. *There is adequate space on the property for the wireless communication facility and accessory wireless communication equipment. Adequate space shall mean that the wireless communication facility will not be in conflict with existing buildings or other structures on the property, or reduce required parking, landscaping or other property improvements based on city development standards.*

As previously stated, the project will occupy only a fraction of the overall park site. The project meets the setback requirements for structures and will not impact parking, landscaping or other property improvements, or generate additional vehicle trips to the site.

2. *The design and placement of the wireless communication facility and accessory wireless communication equipment will not adversely impact the use of the property, other buildings and structures located on the property, or the surrounding area or neighborhood (i.e.,*

encroach on walkways or openings, block or impair valuable views of or from the subject property or nearby properties).

The project enclosure will be just over 186 feet away from the west property line, and approximately 206 feet to the residential structure located on the adjacent site. The proposed project enclosure will be approximately 415-feet from the nearest residential structure to the south. The wireless telecommunication facility will be over 325 feet away from any major intersections and public streets. The proposed wireless communication facility will be designed to look like a water tank appearing to service the adjacent 1954 Alco S4 Diesel Switcher (locomotive). The faux water tank design will be in keeping with the historic theme of Heritage Park and the Loma Linda and Bryn Mawr area. The proposed wireless communication facility will measure 57 feet in height, approximately 7 feet higher than the existing Cole House office building. The faux water tank is designed to accentuate the historic theme of the park and will not significantly impact the surrounding views.

- 3. The wireless communication facility and accessory wireless communication equipment as proposed are consistent with the intent of this part and comply with the general standards for all wireless communication facilities and special standards for ground mounted structures below.*

The project is consistent with LLMC Chapter 17.95 which outlines specific design standards and requirements related to wireless communication facilities. The project meets the goals and policies of the adopted General Plan (May 26, 2009) for developments related to wireless facilities.

- 4. The operation of the facility will not cause Radio Frequency Interference (RFI) to any of the city's communication operations including Public Works Department, Public Safety Department and San Bernardino County Sheriff's Department radio systems, other radio and communications systems, computer and/or electronic equipment, and SCADA facilities. In addition, the operation of the facility will not cause RFI to Loma Linda University, Loma Linda University Medical Center, Jerry L. Pettis Veterans Medical Center, Loma Linda University Community Medical Center, or other medical or educational related facilities' communications operations, computer equipment, and/or sensitive medical research and/or testing equipment, or to other consumer electronic products (i.e., televisions, radios, amateur radios, cordless telephones or other communications devices, hearing aids, or stereos), or to railroad communications, control or telemetry systems.*

Condition No. 13 of the project's Conditions of Approval ensures compatibility with the communication operations of the Civic Center, City Corp Yard (and other City facilities), San Bernardino County Sheriff's Department, and the Loma Linda-based hospitals.

VARIANCE

Variance Findings

- 1. That there are exceptional and extraordinary circumstances of conditions applicable to the property involved.*

The property is located in the middle of residential developed areas, causing a lack of coverage to the surrounding neighborhoods. The additional 15-feet will provide the necessary coverage for cellular service. The additional 15-feet will provide the applicant with the ability to co-locate additional antennas. Section 17.95.050(F) allows the Planning Commission to approve an additional 15-feet, without a variance, however the proposed antenna would exceed the

maximum height allowed by 22 feet. However, due to the unique size of the lot (6.6 acres), the proposed cell tower would be located approximately 206 feet from the nearest residential structure, and will also be located directly behind the existing Cole House, which itself is approximately 50-feet in height. The proposed project complies with all development standards. Section 17.95.010(B) states that city owned properties should be given priority as a potential site for the placement of wireless communication facilities.

2. *That such variance is necessary for the preservation and enjoyment of the substantial property right possessed by other property in the same vicinity and zone and denied to the property in question.*

The request to exceed the maximum height allowed by 22 feet is necessary to provide maximum cellular coverage in the immediate residential areas. The height will allow the cellular tower to co-locate additional antenna arrays. Furthermore, Section 17.95.010(B) gives city owned property priority for placement of wireless facilities, and Section 17.95.090 prohibits wireless telecommunication facilities in residential zones, except for such facilities associated with permitted nonresidential uses such as parks, church towers, schools, and light standards. Wireless telecommunication facilities are prohibited on public and private property within a residential zone. The proposed cell tower will be designed as a water tank and be located behind the Cole House, which is approximately 50-feet in height.

3. *That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located.*

The variance request to exceed the maximum height of 35-feet by 22 feet will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the property is located. The site is developed as Heritage Park, and includes two historic homes that are, and will be used as offices in the future. Furthermore, Heritage Park includes a locomotive. The cell tower and equipment will be located approximately 415 feet from the residential development to the south, and 439 feet to the residential development to the west. The cell tower, which is to be designed as a faux water tank will include graphics that will depict the area's rich history in citrus growing and packaging, and will relate to the overall theme of Heritage Park.

4. *The granting of such variances will be consistent with the general plan of the city.*

The proposed project will provide a distinctive design that will complement Heritage Park, which is currently developed with historic structures and a locomotive donated by the Riverside Historical Train Society. Section 2.2.1 of the General Plan lists parks as permitted in all residential zones, to serve residential development. As such, the Wireless Telecommunication Ordinance encourages that city-owned property be given priority for the placement of wireless telecommunication facilities.

5. *That a public hearing was held wherein the applicant is heard and in which he substantiates all of the conditions cited in this subsection.*

The variance and conditional use permit requests are scheduled for review on the (March 6, 2015) Planning Commission Agenda as a public hearing item. The project will also be reviewed in a public hearing by the City Council. The date of the City Council meeting has not yet been determined but will be noticed, posted and advertised as required by State law, upon approval by the Planning Commission.

CONCLUSION

All elements of project are consistent with the adopted General Plan (May 26, 2009). The project is also in compliance with the Wireless Communication Facilities regulations found in Zoning Code Chapter 17.95. The site design and layout will meet the stealth design criteria while providing wireless coverage to a part of town where there now exists a coverage gap. The project has been designed in a manner that is compatible with Heritage Park, and the surrounding neighborhood and community.

Respectfully submitted by:

Guillermo Arreola
Associate Planner

ATTACHMENTS

- A. Vicinity Map
- B. Coverage Maps – Existing and Proposed Coverage
- C. Conditions of Approval
- D. Project Plans

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City of Loma Linda

25541 Barton Road, Loma Linda, CA 92354 ☎ (909) 799-2830 📠 (909) 799-2894

Community Development Department

CONDITIONS OF APPROVAL

CONDITIONAL USE PERMIT NO. 15-016 AND VARIANCE NO. 15-017

PROJECT DESCRIPTION

One Year Time Extension for Conditional Use Permit No. 15-016 and Variance No. 15-017. The extension request is for a previously approved project to construct a 57-foot cell tower, designed as a faux water tower with the associated ground equipment and a Variance to permit the proposed tower to exceed the 35-foot maximum height allowance. Project is located at Heritage Park, 25964 Mission Road within the Single Residential Zone.

PROJECT

**Conditional Use Permit No. 15-016
Variance No. 15-017**

EXPIRATION DATE

May 6, 2017

COMMUNITY DEVELOPMENT DEPARTMENT - (909) 799-2830

All applicable provisions and requirements of City Codes and Ordinances shall be met for this project. All conditions unless otherwise specifies are due prior to the issuance of building permits. The following specific requirements shall apply:

1. Within one year of development approval, substantial construction of the project shall have commenced or the permit/approval shall become null and void. In addition, if after commencement of construction, work is discontinued for a period of six months, then the permit/approval shall become null and void.
2. Within 48 hours of approval of the subject project, the applicant shall deliver to the Community Development Department, a check or money order made payable to the Clerk of the Board of Supervisors in the amount of \$50.00 to enable the City to file the appropriate environmental documentation for the project. If within such 48 hour period that applicant has not delivered to the Community Development Department the above-noted check, the statute of limitations for any interested party to challenge the environmental determination under the provisions of the California Environmental Quality Act may be significantly lengthened.
3. Construction shall be in substantial conformance with the plan(s) approved by the Director, Planning Commission or City Council. Minor modification to the plan(s) shall be subject to approval by the Director through a minor administrative variation process. Any modification which exceeds 10% of the following allowable measurable design/site considerations shall require the refiling of the original application and a subsequent hearing by the appropriate hearing review authority.
4. In the event that this approval is legally challenged, the City will promptly notify the applicant of any claim or action and will cooperate fully in the defense of the matter. Once

EXHIBIT - D

notified, the applicant agrees to defend, indemnify, and hold harmless the City, its officers, agents and employees from any claim, action or proceeding against the City of Loma Linda. The applicant further agrees to reimburse the City of any costs and attorneys' fees that the City may be required by a court to pay as a result of such action, but such participation shall not relieve applicant of his or her obligation under this condition.

5. All utilities to the site shall be underground. [Per City Standards]
6. A copy of the applicant's approved lease with the property owner shall be submitted to the Community Development Department prior to issuance of a building permit for the wireless communication facility. If the lease is extended or terminated, notice and evidence thereof shall be provided to the Community Development Director. Upon termination or expiration of the lease, the wireless communication facility shall be removed within 90 days.
7. Certification of continued use of each approved facility shall be submitted on a yearly basis at the time of business license renewal for as long as the facility remains in operation. The certification shall indicate that the facility is operating as approved and that the wireless communication facility complies with the most current Federal Communications Commission (FCC) safety standards. Facilities that are no longer in operation shall be removed within 90 days after the date of discontinuation.
8. If no annual certification is provided, the Planning Commission may commence proceedings to revoke the Conditional Use Permit for the wireless communication facility. Prior to revocation of a permit, the Commission shall provide the owners of record written notice of their failure to provide the annual certification and inform them of the revocation hearing before the City Council.
9. Prior to the issuance of a Building Permit for the wireless communication facility, the applicant may be required to provide a deposit with the City for removal of the facility and any accessory wireless equipment if such facility is found to be abandoned or the Conditional Use Permit is revoked by the City Council.
10. Notice of change of ownership of the wireless communication facility shall be provided to the City within sixty (60) days of title transfer.
11. Any building, sign, or structure to be constructed or located on site will require professionally prepared plans based the most current California Building Code to be submitted to the Division.
12. All construction shall meet the requirements of the editions of the *Uniform Building Code* (UBC)/California Building Code (CBC) and the *Uniform Fire Code* (UFC)/California Fire Code (CFC) as adopted and amended by the City of Loma Linda and legally in effect at the time of issuance of building permit.
13. Submittal to the Building and Safety Division for Structural Plan Check shall include two sets of specifications on the proposed facility. Staff shall keep one and forward the other to

San Bernardino County ISD Network Services for the database of wireless facilities in the area.

14. The wireless telecommunications service provider shall submit to the Director, ten (10) days after installation of the facilities and every two (2) years thereafter, a certification attested to by a licensed engineer expert in the field of EMR/RF emissions that the facilities are and have been operated within the then current applicable FCC standards for RF/EMF emissions, and current applicable standards established by the American National Standards Institute (ANSI) and Institute of Electrical and Electronics Engineers (IEEE) for safe human exposure to EMF and RFR. The report shall be written in plain English.
15. Within ten (10) days of commencement of the operation and as otherwise requested by the Public Works Department and Public Safety Department, the operation of the facility shall be tested and evaluated to the satisfaction of the Public Works and Public Safety Departments that the facility will not cause RFI to any of the City's communication operations including Public Works, Public Safety Departments and San Bernardino County Sheriff's Department radio systems, other radio and communications systems, computer and/or electronic equipment, and SCADA facilities. In addition, the operation of the facility will not cause RFI to Loma Linda University or Loma Linda University Medical Center communications operations, computer equipment, and/or sensitive medical research and/or testing equipment, or to other consumer electronic products (i.e., televisions, radios, amateur radios, cordless telephones or other communications devices, hearing aids, or stereos), or to railroad communications, control or telemetry systems.
16. All graffiti and other forms of vandalism shall be promptly removed and/or repaired within 72 hours of notification.
17. Signage shall be maintained at the facility identifying all wireless telecommunications facility equipment and safety precautions for people nearing the equipment as may be required by any applicable FCC-adopted standards, including the RF radiation hazard warning symbol identified in ANSI C95.2-1982, to notify persons that the facility could cause exposure to RF emissions.
18. Fencing, barriers or other appropriate structures or devices to restrict access to the facilities shall be maintained.
19. The use of lighting shall not be allowed on wireless communication facilities unless required as a public safety measure. Where lighting is used, it shall be shielded to prevent glare on adjacent uses.
20. The service provider shall provide signage as required, including phone numbers of the utility provider, for use in case of an emergency. The signs shall be visibly posted at the communications equipment/structure.
21. The applicant shall provide specifications that are similar to or exhibit the same quality as the water tank designed by Spectrum Services, Inc.

22. Wireless communication facilities shall comply with all applicable building codes and shall not be erected or used except as permitted.
23. The applicant shall submit a design for the enclosure walls that includes slump stone block with river rock columns at the corner of the enclosure (wrap around each corner), and at the midpoint of each wall elevation. The columns may measure between 12” and 18” in width.
24. The applicant shall orient the proposed graphics in a north-south manner. The applicant shall work with staff to determine the feasibility of three (3) images instead of two.
25. The proposed graphics shall be maintained in good condition for the life of the faux water tank. The applicant shall obtain Community Development Approval prior to changing the approved graphics.
26. The applicant shall work with staff to determine the feasibility of installing lighting on the faux water tank, highlighting the proposed graphics.
27. This project is subject to all the applicable provisions of the Loma Linda Municipal Code, Title 17, Zoning, Chapter 17.95 Wireless Communication Facilities.

End of Conditions

Applicant signature

Date

Owner signature

Date

* * *



City of Loma Linda Community Development Department

Planning Commission Staff Report

PLANNING COMMISSION MEETING OF NOVEMBER 2, 2016

Approved/Continued/Denied By Planning Commission Date: _____
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TO: Planning Commission

FROM: Konrad Bolowich, Assistant City Manager

SUBJECT: Precise Plan of Design No. 16-104 to construct a 4,189 square foot multi-family residential project that includes 3 units with 3 garages, and 3 uncovered parking spaces; Variance No. 16-105 to allow 6 parking spaces instead of the required 7 minimum spaces. Project is located at 10933 Evans Street within the Multi-family Residence (R-3) Zone.

SUMMARY

The applicant is proposing to construct a 4,189 square foot, two-story, multi-family residential project that includes 3 units with 3 garages, and 3 uncovered parking spaces at 10933 Evans Street within the Multi-family Residence Zone. Along with the Precise Plan of Design application, a Variance request was submitted to allow 6 parking spaces instead of the required 7 minimum spaces. Approximately 25 feet of the original property was deeded to the adjacent property on the east, thus reducing the lot depth and available buildable space. The proposed multi-residential project is categorically exempt from the California Environmental Quality Act (CEQA). The Precise Plan of Design and Variance project applications are subject to review and approval by the Planning Commission.

RECOMMENDATION

Staff recommends that the Planning Commission:

1. **APPROVE** the Precise Plan of Design (PPD) 16-104 and Variance (V) 16-105 based on the Findings contained in the Staff Report and subject to the Conditions of Approval, and direct staff to;
2. **FILE** the CEQA Notice of Exemption.

PERTINENT DATA

Property Owner/Applicant:	Scott Stockdale, Magdi Rezkalla
General Plan:	Institutional Land Use Designation
Zoning:	Multi-family Residence (R-3)
Site:	Vacant lot, 8,128 square foot parcel, .18 acres
Topography:	Relatively Flat
Vegetation:	Sparse trees, grass, and weeds

BACKGROUND AND EXISTING SETTING

Background

The applicant recently purchased a vacant lot that was owned by the City of Loma Linda. The lot is 8,128 square feet and is located at 10933 Evans Street, within the Multi-family Residence Zone and surrounded by other residential uses.

On September 12, 2016, the applicant submitted an application to the Community Development Department, proposing to construct a 4,189 square foot, two-story, multi-family residential project. The project includes 3 units with 3 garages, and 3 uncovered parking spaces as well as open recreational space in the rear yard (bocce ball court), landscaping throughout the property, and associated site improvements. Along with the Precise Plan of Design application for the multi-residential project, the applicant submitted a Variance request to allow 6 parking spaces instead of the required 7 spaces.

Prior to submitting the official application, the applicant met with city staff numerous times to produce a design and residential use that is compatible with the existing neighborhood. The applicant determined a 3 unit residential project would be appropriate and further serves the needs of the community (employees, students, new residents). Upon submittal, the application packet was distributed to city department for review and comments. Planning and Fire requested more changes and corrections, which included changes to the architectural and design features such as better window treatment, more landscaping within the front setback, and removal of the planters on the south side for fire safety purposes. The applicant has worked closely with city staff to create a project that helps meet the housing goals and growth challenges of Loma Linda.

Existing Setting

The .18 acre project site is located in the northwestern section of the city. It has a Land Use Designation of Institutional, as referenced in the General Plan. The Zoning for the site is Multi-family Residence (R-3) and it allows for up to 17 units per acre. As proposed, the project is a permitted use within the R-3 Zone. The use is also compatible with the existing neighborhood and surrounding uses. See Exhibits A and B.

The vacant property is addressed 10933 Evans Street. It is bounded by Alamitos Drive on the north, Campus Street on the east, and Stewart Street on the south. It is one block away from the

Loma Linda University campus. Surrounding land uses include multi-family and single-family residences. The adjacent uses are as followed:

	General Plan	Zoning	Existing Use
North	Institutional	Multi-family Residence (R-3)	Multi-family Residential
South	Institutional	Multi-family Residence (R-3)	Multi-family Residential
West	Medium Density Residential	Multi-family Residence (R-3)	Multi-family Residential
East	Institutional	Multi-family Residence (R-3)	Multi-family Residential
Project Site	Institutional	Multi-family Residence (R-3)	Vacant

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) STATUS

The Project is eligible for a Class 3 Categorical Exemption from the California Environmental Quality Act (CEQA) pursuant to the CEQA Guidelines, Section 15303(b), which applies to a proposed multi-family residential structure totaling no more than 6 dwelling units in an urbanized area. The project has been determined to not have a significant effect on the environment.

PUBLIC COMMENTS

Public notice for this project was posted and mailed to parcel owners within 300 feet of the project site on October 19, 2016. As of the date on this report, there have been no written or oral comments received in opposition or in favor of the proposed project.

ANALYSIS

The proposed multi-family project is located at 10933 Evans Street within the Multi-family Residence (R-3) Zone. The project is a permitted use within the R-3 zone. The zone permits up to 17 units per acre. As proposed, the project is within the allowable density for the area.

The proposed project includes 3 units with 3 garages, and 3 uncovered parking spaces as well as open recreational space in the rear yard (bocce ball court), landscaping throughout the property, and associated site improvements. The multi-family residential structure would be 4,189 square foot in size and two-stories. The first floor would house a one-bedroom unit and a two-bedroom unit. The one bedroom unit would be 840 square feet in size, with a 200 square foot garage and 77 square foot covered patio. The two-bedroom unit would be 1,383 square feet, with a 220 square foot garage and 91 square foot covered patio. On the second floor, the applicant is proposing a 1,296 square foot two-bedroom unit with a 250 square foot garage and a 91 square foot covered patio. Each unit exceeds the minimum requirements for a dwelling unit, which the General Plan lists as 675 square feet for a one-bedroom unit and 850 square feet for a two-bedroom unit.

The exterior walls of the project would feature oat meal colored stucco mixed with veneer window trims, shutters, a stone veneer wall cap, recessed open covered patios, and varied elevations. The project would also feature a bicycle storage area and an additional small porch. Landscaping features include Crape Myrtle trees and Hall's Honeysuckle plants to be placed within the front setback area, Morning Glory plants to be planted by the chain link fences, and roses to be placed within the planters. See Exhibit C – Project Plans.

The property has an existing iron gate that is secured and located at the main entrance. In addition, the other sides of the property have an existing chain link fence to also remain.

Along with the Precise Plan of Design application for the multi-residential project, a Variance request was submitted to allow 6 parking spaces instead of the required 7 spaces. The Variance request is seeking relief from Section 17.24.060 Residential Parking Space Requirements. Currently, the Code requires 1.5 spaces for a one-bedroom unit and 2 spaces for a two-bedroom unit. In addition, guest parking is required; .25 spaces should be provided per bedroom. As proposed, the project requires 6.5 spaces. Per the Code, "in computation of the number of off-street parking spaces required, a fractional space of 0.5 space or more shall be counted as one space." A Variance is necessary to allow the reduction of spaces because the lot does not have sufficient buildable space for another parking stall. Approximately 25 feet of the original lot was deeded to the adjacent property on the east, thus reducing the lot depth and buildable area. The lot adjustment and the 25 foot reduction of the parcel is an exceptional circumstance. The reduction was completed before the applicant purchased the property. This circumstance has limited the available buildable area; it is not practical or possible to include one more guest parking space on the project site.

Within the 2014 City of Loma Linda's Housing Element chapter, the Plan identifies strategies and programs to encourage the development of a variety of housing opportunities while minimizing governmental constraints, such as parking constraints. The City recognizes the need for more housing options and has zoned the project site as Multi-family Residence to help facilitate housing construction within that dense area. A goal of the Housing Element is for the city to mitigate potential governmental constraints to housing production. One of the objectives is to evaluate and modify if necessary, the development standards in the R-3 Zone to facilitate high density housing and ensure parking standards do not constrain the development of housing. In an effort to ensure that the foregoing project is consistent with the General Plan's goals and compatible with the surrounding area, staff supports the proposed project and Variance request.

Measure V – Traffic Analysis

Vehicular access will be provided from Evans Street via a 20 foot wide driveway, which accommodates both residential traffic and emergency vehicular traffic.

Staff consulted with Kunzman and Associates, Inc. and determined a traffic study is not required for the proposed project. The proposed residential project of 3 dwelling units would generate approximately 20 trips per day and would be considered nominal. Typically, any project that is estimated to generate 50 or less arterial trips per peak hour would not require further analysis. The project would continue to be consistent with the goals of Measure V.

Site Analysis

R-3 Development Standards	Minimum Required	Proposed	Complies
Front Setback	20'	20'	Yes
Side Setback - Interior	5'	5'	Yes
Rear Setback	15'	15'	Yes
Minimum Lot Width	65'	65'	Yes
Maximum Building Height	35'	25'-4"	Yes
Minimum Lot Area	7,200 sq. ft.	8,125 sq. ft. (.18 acres)	Yes
Maximum Lot Coverage	60%	51.5%	Yes
Maximum Density	2,200 sq.ft. per unit	2,708 sq.ft.	Yes
Open Space Bocce ball court, covered open patios, porch, landscaping	2,000 sq.ft.	2,504 sq.ft.	Yes
Parking	6.5 (= 7 required)	6	Variance Requested

*Applicant is applying for a Variance to allow the 6 parking spaces instead of the required 7 spaces.

FINDINGS

Variance Findings

According to the Loma Linda Municipal Code (LLMC) Section 17.30.060, applicants requesting a Variance shall show a reasonable existence of grounds for consideration of the matter.

- 1. That there are exceptional and extraordinary circumstances of conditions applicable to the property involved.*

The request is seeking relief from LLMC Section 17.24.060 Residential Parking Space Requirements. Currently, the Code requires 1.5 spaces for a one-bedroom unit and 2 spaces for a two-bedroom unit. In addition, guest parking is required; .25 spaces should be provided per bedroom. As proposed, the project requires 6.5 spaces. Per the Code, "in computation of the number of off-street parking spaces required, a fractional space of 0.5 space or more shall be counted as one space." The Variance request is to allow a total 6 parking spaces instead of the required 7 spaces for the proposed residential project.

A Variance is necessary to allow the reduction of spaces because the lot does not have sufficient buildable space for another parking stall. Approximately 25 feet of the original lot was deeded to the adjacent property on the east, thus reducing the lot depth and buildable

area. The reduction was completed before the applicant purchased the property. The practicality of adding one more parking space on the small lot would make it difficult for the applicant. The lot adjustment and the 25 foot reduction of buildable space is an exceptional circumstance.

2. *That such Variance is necessary for the preservation and enjoyment of the substantial property right possessed by other property in the same vicinity and zone and denied to the property in question.*

The zone is Multi-family Residence (R-3). Within the neighborhood are single and multi-family residential uses. The applicant would like to construct a project that is compatible with the neighborhood and is permitted and allowed within the R-3 Zone. As shown on the Vicinity Map, Exhibit A, it clearly shows the subject parcel is the smallest lot on Evans Street. The other properties on Evans Street have not been reduced in size. The Variance is necessary for the preservation and enjoyment of the substantial property right possessed by other property owners in the same vicinity.

3. *That the granting of such a Variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located.*

The granting of the Variance will not be detrimental to the public welfare or injurious to the property and improvements in such vicinity and zone in which the property is located. Reducing parking by one space will not have an adverse impact. Evans Street is designated "permit parking only." Currently, there is sufficient on-street parking for local residents to accommodate one or more additional vehicles if needed. The applicant will not gain an unfair advantage over other multi-residential properties.

4. *The granting of such variances will be consistent with the general plan for the city.*

Within the 2014 City of Loma Linda's Housing Element chapter, the Plan identifies strategies and programs to encourage the development of a variety of housing opportunities while minimizing governmental constraints, such as parking constraints. The City recognizes the need for more housing options and has zoned the project site as Multi-family Residence to help facilitate housing construction in that area. A goal of the Housing Element is for the city to mitigate potential governmental constraints to housing production. One of the objectives is to evaluate and modify if necessary, the development standards in the R-3 zone to facilitate high density housing and ensure parking standards do not constrain the development of housing. The foregoing project and Variance is consistent with the General Plan's goals and compatible with the surrounding area.

5. *That a public hearing was held wherein the applicant is heard and in which he substantiates all of the conditions cited in this subsection.*

The Variance request is scheduled for review at the November 2, 2016 Planning Commission Meeting. The conditions to the project are included as Exhibit E to this report.

CONCLUSION

Staff recommends approval of the Precise Plan of Design and Variance request because the project complies with the goals and policies of the General Plan and Multi-family Residence Zone Chapter of the Zoning Code. It has been found to be categorically exempt from CEQA. The applicant has worked closely with staff and has made every effort possible to provide the most appropriate layout, design and architecture for this project. The multi-residential development is compatible with the existing and future uses in the surrounding area and provides housing opportunities that are much needed by Loma Linda's population. Finally, the Findings have been made to support approval of the proposed project.

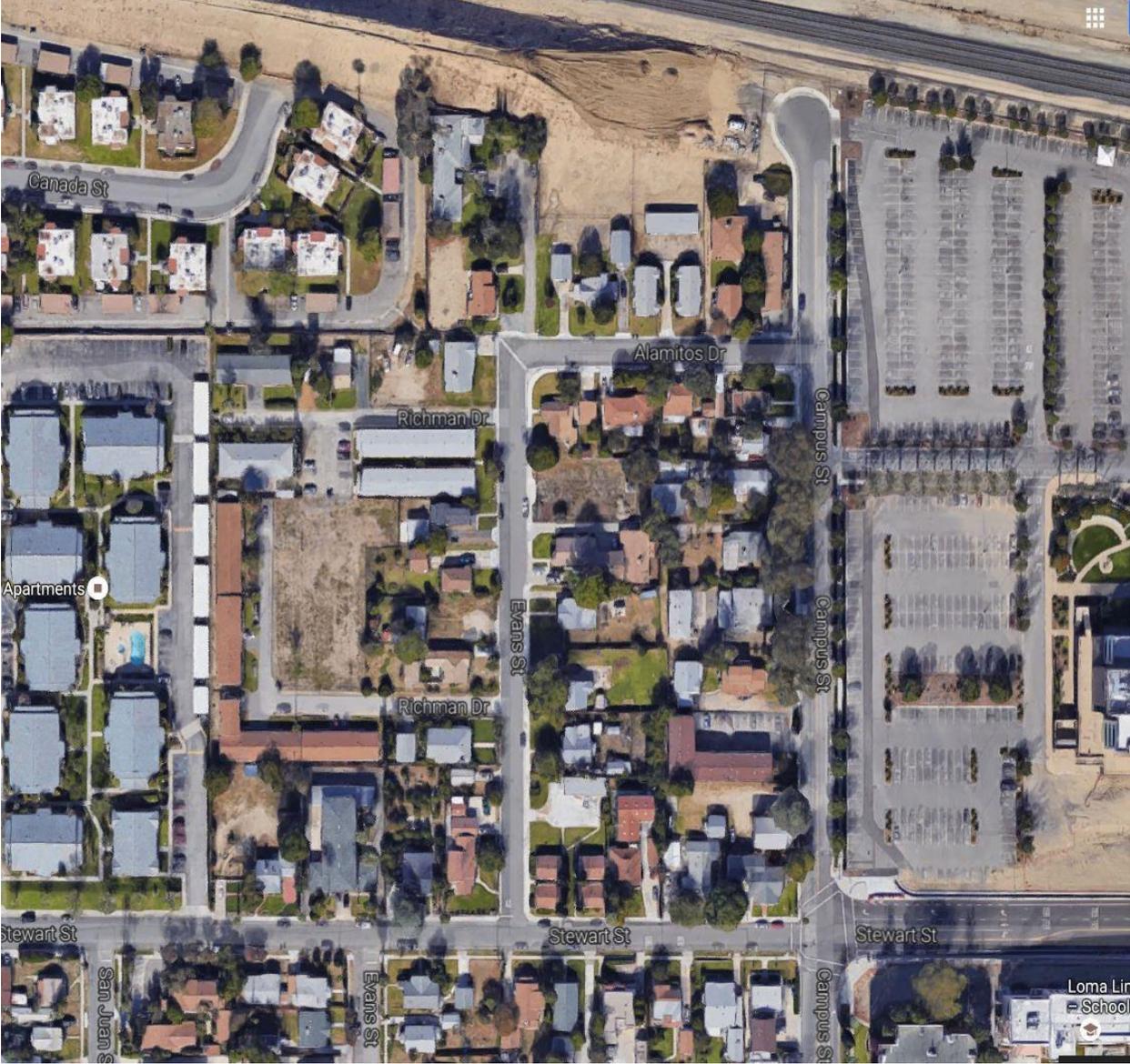
Report prepared by:

Lorena A. Matarrita, Associate Planner
City of Loma Linda

EXHIBITS

- A. Vicinity Map
- B. Existing Setting
- C. Project Plans
- D. Color Elevations and Project Renderings
- E. Conditions of Approval

Vicinity Map

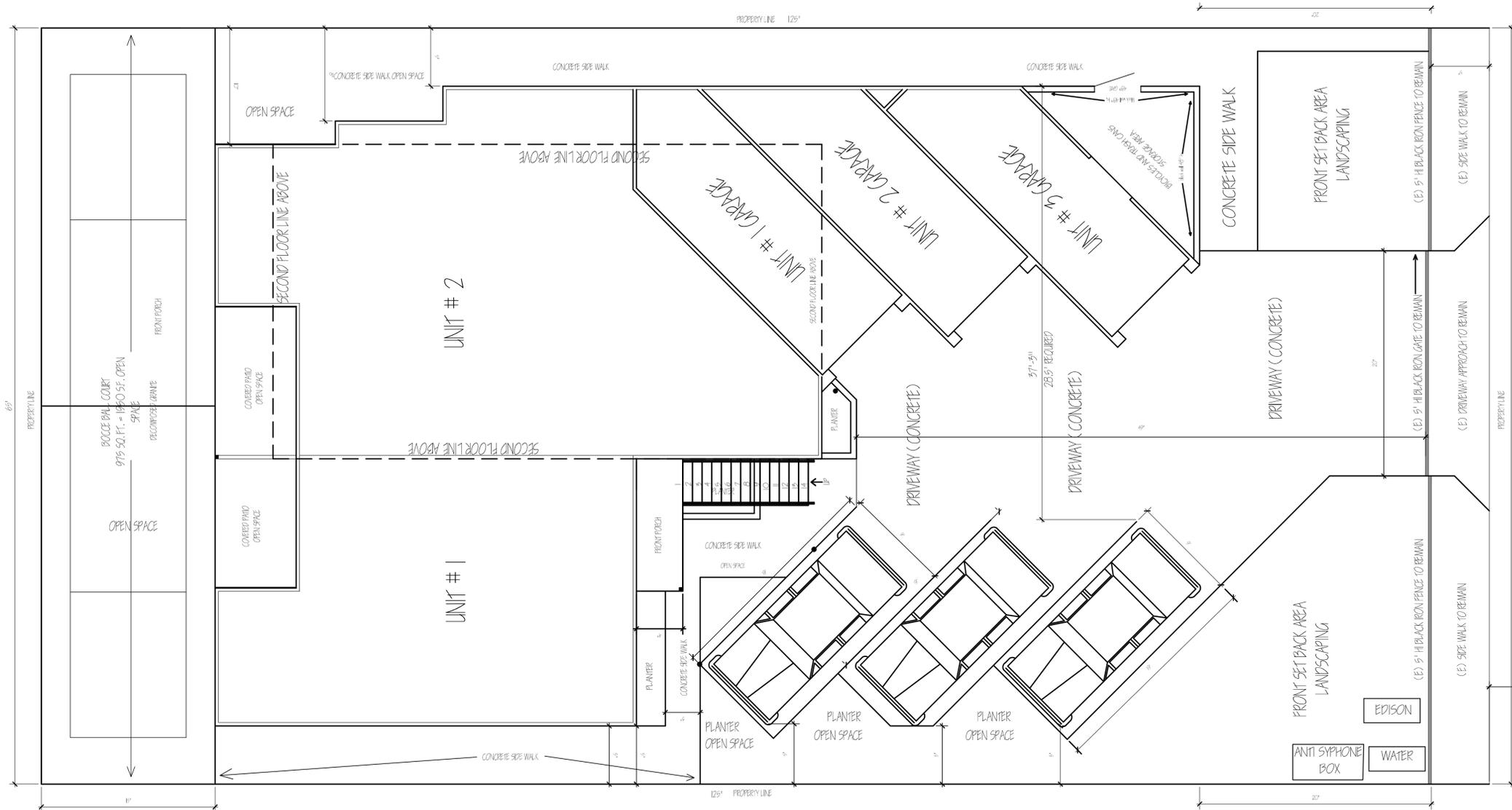


**EXHIBIT B
EXISTING SETTING**



EXHIBIT - B

ADJACENT PROPERTY IS A MULTI-FAMILY RESIDENTIAL



MAP PREPARER:
 MAGDI REZKALLA
 PO BOX 589
 REDLANDS, CA 92373
 PH: (909) 499-2236

LOT 12
 10933 EVANS STREET
 LOMA LINDA, CA. 92354

LEGAL DESCRIPTION

PARCEL 12, HUGHES TRACT, ACCORDING TO PLAT THEREOF RECORDED IN BOOK 21 OF MAPS,
 PAGE 27, RECORDS OF COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA
 APN # 0284-042-08

SUBJECT PROPERTY IS BEING SUBMITTED WITH THE FOLLOWING:
 PRECISE PLAN OF DESIGN (PPD) 16-104 FOR THE CONSTRUCTION OF
 A 4189 SQ. FT. MULTI-FAMILY RESIDENTIAL PROJECT THAT WILL INCLUDE
 3 UNITS, 3 ENCLOSED GARAGES, AND 3 UNCOVERED SPACES.
 VARIANCE (V) 16-105 TO ALLOW 6 PARKING SPACES INSTEAD OF THE
 REQUIRED 7 MINIMUM.

OWNER/APPLICANT:

MAGDI REZKALLA
 PO BOX 589
 REDLANDS, CA 92373
 PH: (909) 499-2236

SCOTT STOCKDALE
 11153 ANDERSON ST.
 Loma Linda Ca. 92354
 909-815-8123

SOILS ENGINEER
 SOILS SOUTHWEST, INC.
 897 VIA LATA, SUITE N
 COLTON, CA 92324
 PH: (909) 307-0474

ADJACENT PROPERTY IS A MULTI-FAMILY RESIDENTIAL

BUILDING SIZE:

FIRST FLOOR - 1 BEDROOM	840	SQ. FT.
GARAGE	200	SQ. FT.
PATIO	77	SQ. FT.
FIRST FLOOR - 2 BEDROOM	1383	SQ. FT.
GARAGE	220	SQ. FT.
PATIO	91	SQ. FT.
SECOND FLOOR 2 BEDROOM	1296	SQ. FT.
GARAGE	250	SQ. FT.
BALCONY	91	SQ. FT.
TOTAL LIVING SPACE	3519	SQ. FT.
GARAGE AREA TOTAL	670	SQ. FT.
LOT AREA	8125	SQ. FT.
MAXIMUM LOT COVERAGE		
COVERED PORCH TOTAL	168	SQ. FT.
BALCONY TOTAL	91	SQ. FT.
LANDSCAPING	1520	SQ. FT.
OPEN SPACE	2000	SQ. FT.

0.19 AC.
 51.5%
 19%
 REQUIRED

6 PARKING SPACES PROVIDED, 7 REQUIRED, SEE VARIANCE
 BUILDING HEIGHT IS 25' 4"
 Landscaped ARE IS 19% OF TOTAL LOT
 ENTIRE Landscaped ARE IS DECOMPOSED GRANITE, EXCEPT FOR
 PLANTER AREAS
 NO NEW PROPOSED FENCING, LEAVE EXISTING
 NO NEW SIGNAGE PROPOSED
 LIGHTING WILL BE PROVIDED ON ALL ENCLOSED GARAGES AND
 FRONT ELEVATIONS
 BUILDING SHALL WITH THE LOMA LINDA CONNECTED COMMUNITY
 PROGRAM (LLCCP)
 FIRE SPRINKLERS IN THE BUILDING AND ENCLOSED GARAGES ARE REQUIRED
 AND THEY SHALL BE SUBMITTED UNDER A SEPARATE PERMIT.
 PROPERTY WILL REQUIRE 3 SEPERATE WATER METERS

2504 PROPOSED

SITE PLAN

EXHIBIT - C



VICINITY MAP
 NOT TO SCALE

REZKALLA DEVELOPMENT
 LAND DEVELOPMENT • CUSTOM HOMES
 P.O. BOX 589 REDLANDS, CA 92373
 Cell: (909) 499-2236 Lic. 571756

10933 EVANS STREET
 LOMA LINDA, CA 92354

DATE: 10/25/16
 SCALE: 3/16"=1'-0"

2

OWNER/APPLICANT/ DESIGNER:

MAGDI REZKALLA
 PO BOX 589
 REDLANDS, CA 92373
 PH: (909) 499-2236

HARDSCAPE CAN NOT EXCEED 50% OF THE LANDSCAPING AREA

DETAILED LANDSCAPING PLANS SHALL BE SUBMITTED PRIOR TO PERMITS

FOR VACINITY MAP, PLEASE SEE COVER SHEET

LOT AREA IS 8125 SQ. FT LANDSCAPED AREAS 1520 SQ. FT 19% OF TOTAL LOT AREA

LOT SOILS CONDITIONS ARE OPTIMAL, PREVIOUSLY CITY GARDEN AREA FOR RESIDENTS

PLANTING LEGEND

SYMBOL	QTY.	SIZE	BOTANICAL / COMMON NAMES	NOTES	HABIT
	3	24" BOX	CRAPE MYRTLE "PINK"		EVERGREEN
	40	5 GAL.	MORNING GLORY ON A STICK	PLANT EVERY 4" on chain link fence	EVERGREEN
	5	5 GAL.	PHOTINIA FRASERI	PLANT 1' ABOVE Finished grade	EVERGREEN
	35	5 GAL.	AGAPANTHUS A. "QUEEN ANN"	EVERY 5'	EVERGREEN
	100	1 GAL.	HALL'S HONEYSUCKLE	PLANT EVERY 24"	EVERGREEN
	15	5 GAL.	ROSES	MULTI-COLOR PLANT EVERY 5'	



PRODUCED BY AN AUTODESK EDUCATIONAL PRODUCT

PRODUCED BY AN AUTODESK EDUCATIONAL PRODUCT

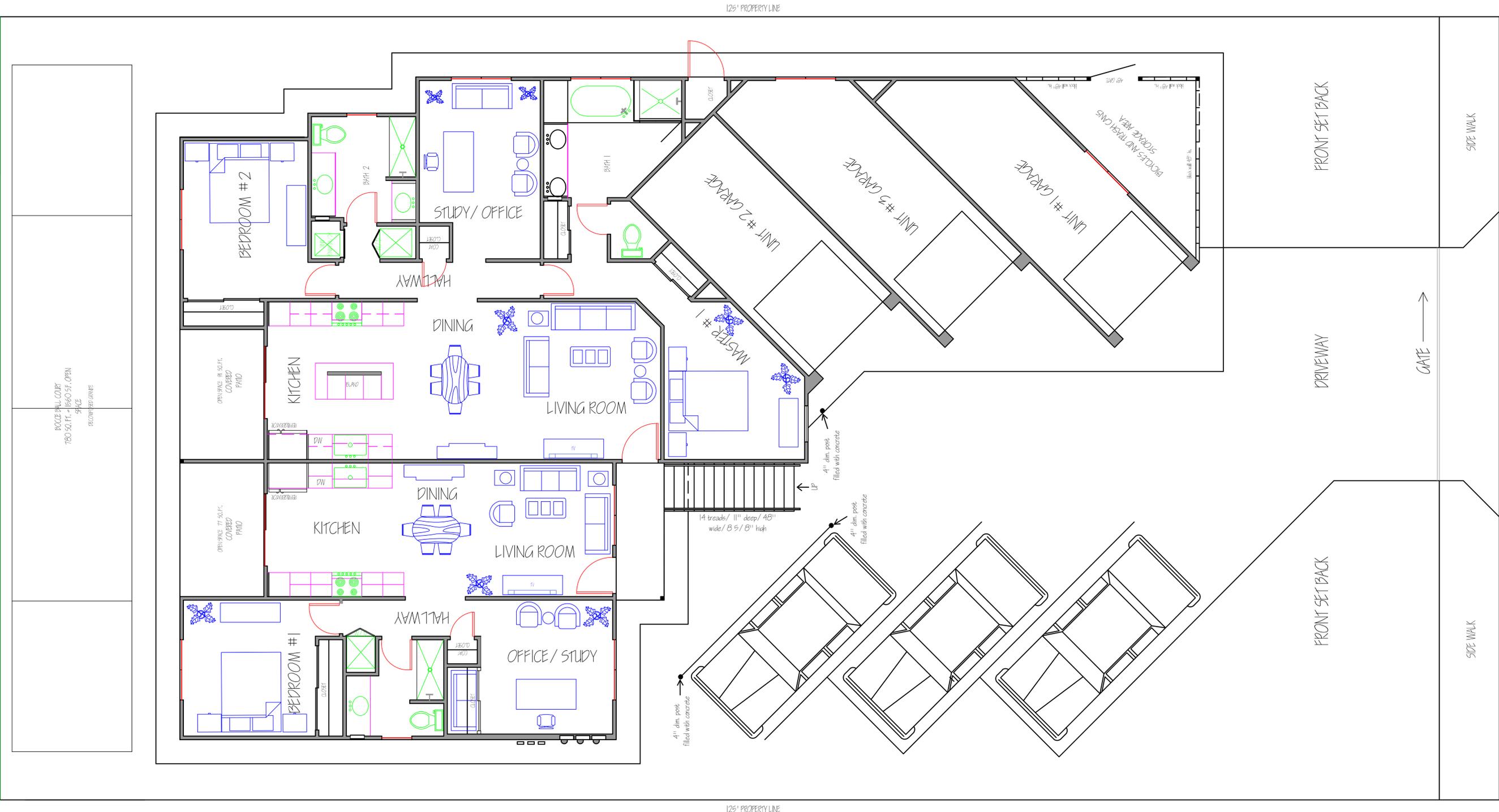
REZKALLA DEVELOPMENT
 LAND DEVELOPMENT • CUSTOM HOMES
 P.O. BOX 589 REDLANDS, CA 92373
 Cell: (909) 499-2236 Lic. 571756

LANDSCAPING

10933 EVANS STREET
 LOMA LINDA, CA 92354

DATE: 10/25/16
 SCALE: 1/4"=1'-0"

3



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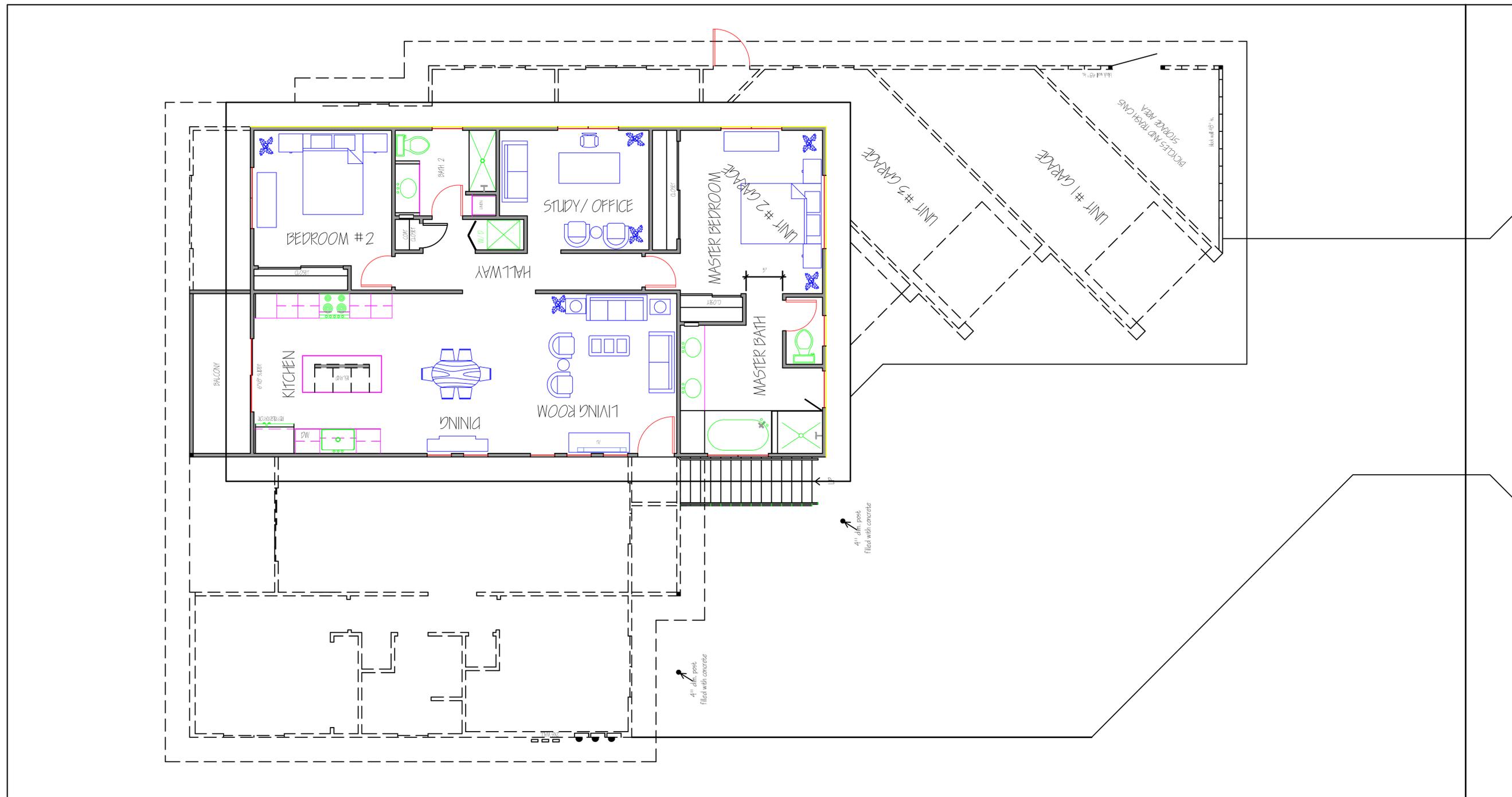
FIRST FLOOR

EXHIBIT - CEXHIBIT - C

10933 EVANS STREET
 LOMA LINDA, CA 92354

DATE	RJW
DATE	10/25/16
SCALE	1/4"=1'-0"

4



SECOND FLOOR

EXHIBIT - C

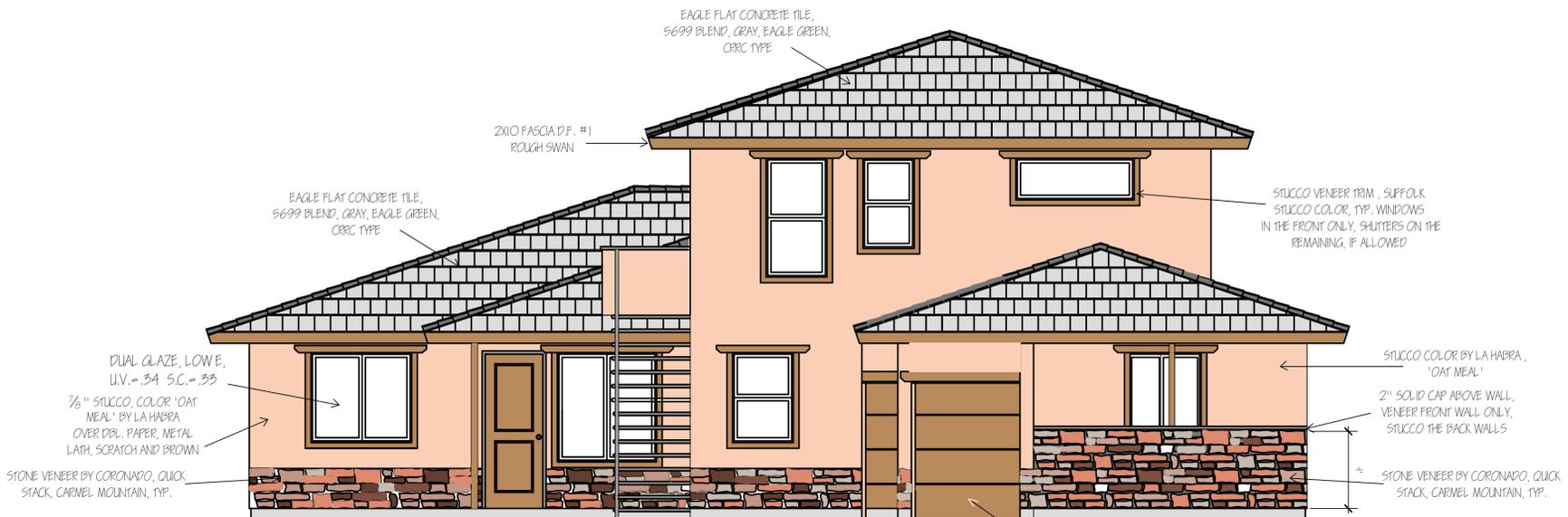
10933 EVANS STREET
LOMA LINDA, CA 92354

DESIGNER	RJW
DATE	10/25/16
SCALE	1/4"=1'-0"

5



REAR ELEVATIONS



FRONT ELEVATIONS

EXHIBIT - D

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NORTH ELEVATIONS



SOUTH ELEVATIONS

EXHIBIT- D

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PRODUCED BY AN AUTODESK EDUCATIONAL PRODUCT



City of Loma Linda

25541 Barton Road, Loma Linda, CA 92354 ☎ (909) 799-2830 📠 (909) 799-2894

Community Development Department

CONDITIONS OF APPROVAL

PRECISE PLAN OF DESIGN NO. 16-104

VARIANCE NO. 16-105

PROJECT DESCRIPTION

Precise Plan of Design No. 16-104 to construct a 4,189 square foot multi-family residential project that includes 3 units with 3 garages, and 3 uncovered parking spaces; Variance No. 16-105 to allow 6 parking spaces instead of the required 7 minimum spaces. Project is located at 10933 Evans Street within the Multi-family Residence (R-3) Zone; APN 0284-042-08.

PROJECT NO.

**Precise Plan of Design No. 16-104
Variance No. 16-105**

EXPIRATION DATE

November 2, 2018

COMMUNITY DEVELOPMENT DEPARTMENT – (909) 799-2830

1. Within 48 hours of the approval of the subject project, the applicant shall deliver a payment of \$50 (made out to the *Clerk of the Board of Supervisors*) to enable the City to file the appropriate environmental documentation for the project. If within such 48 hour period that applicant has not delivered to the Community Development Department the above-noted check, the statute of limitations for any interested party to challenge the environmental determination under the provisions of the California Environmental Quality Act could be significantly lengthened.
2. Within two years of this approval (November 2, 2018), the project shall be exercised by substantial construction or the permit/approval shall become null and void. In addition, if after commencement of construction, work is discontinued for a period of one year, the permit/approval shall become null and void.
3. The Owner shall indemnify, protect, defend, and hold harmless the City, and any agency or instrumentality thereof, and officers, officials, employees, or agents thereof, from any and all claims, actions, suits, proceedings, or judgments against the City, or any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof to attack, set aside, void, or annul, an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board, or legislative body, including actions approved by the voters of the City, concerning the project and the approvals granted herein. Furthermore, Owner shall indemnify, protect, defend, and hold harmless the City, or any agency or instrumentality thereof, against any and all claims, actions, suits, proceedings, or judgments against another governmental entity in which Owner's project is subject to that other governmental entity's approval and a condition of such approval is that the City indemnify and defend such governmental entity. City shall promptly notify the Owner of any claim, action, or proceeding. City shall further cooperate fully in the defense of the action. Should the City fail to either promptly notify or cooperate fully, the Owner shall not thereafter be

EXHIBIT - E

responsible to indemnify, defend, protect, or hold harmless the City, any agency or instrumentally thereof, or any of its officers, officials, employees, or agents.

4. The review authority may grant a one-time extension not to exceed 12 months if a time extension request is filed 30 days prior to the expiration date and for good cause. The review authority shall ensure that the project complies with all current Development Code provisions. The granting of an extension request is a discretionary action that may be subject to additional or revised conditions of approval or site plan modifications.
5. In the event this approval is legally challenged, the City will promptly notify the applicant of any claim or action and will cooperate fully in the defense of the matter. Once notified, the applicant agrees to defend, indemnify, and hold harmless the City, their affiliates, officers, agents and employees from any claim, action or proceeding against the City of Loma Linda. The applicant further agrees to reimburse the City of any costs and attorneys fees, which the City may be required by a court to pay as a result of such action, but such participation shall not relieve applicant of his or her obligation under this condition.
6. The project and future development and/or improvements shall conform to the approved set of plans depicting site design, layout and aesthetics of the housing product.
7. Construction shall be in substantial conformance with the plan(s) approved by the Planning Commission and/or City Council. Minor modification to the plan(s) shall be subject to approval by the Director through a minor administrative variation process. Any modification that exceeds 10% of the following allowable measurable design/site considerations shall require the refiling of the original application and a subsequent hearing by the appropriate hearing review authority if applicable:
 - a. On-site circulation and parking, loading and landscaping;
 - b. Placement and/or height of walls, fences and structures;
 - c. Reconfiguration of architectural features, including colors, and/or modification of finished materials that do not alter or compromise the previously approved theme; and,
 - d. A reduction in density or intensity of a development project.
8. No vacant, relocated, altered, repaired or hereafter erected structure shall be occupied or no change of use of land or structure(s) shall be inaugurated, or no new business commenced as authorized by this permit until a Certificate of Occupancy has been issued by the Building Division. A Temporary Certificate of Occupancy may be issued by the Building Division subject to the conditions imposed on the use, provided that a deposit is filed with the Community Development Department prior to the issuance of the Certificate, if necessary. The deposit or security shall guarantee the faithful performance and completion of all terms, conditions, and performance standards imposed on the intended use by this permit.
9. All of the conditions of this project approval are continuously in effect throughout the operative life of the project for all approved structures and approved land uses/activities. Failure of the property owner or “developer” to comply with any or all of the conditions at any time may result in a public hearing and possible revocation of the approved land use,

provided adequate notice, time and opportunity is provided to the property owner, “developer” or other interested party to correct the non-complying situation.

10. The applicant shall provide infrastructure for the Loma Linda Connected Community Program, which includes providing a technologically enabled development that includes coaxial, cable, and fiber optic lines to all outlets in each unit of the development (including custom single-family residences). Plans for the location of the infrastructure shall be provided with the precise grading plans and reviewed and approved by the City of Loma Linda prior to issuing grading permits. Contact Information Systems Supervisor at (909) 799-2897 for further information.
11. This permit or approval is subject to all the applicable provisions of the Loma Linda Municipal Code, Title 17 in effect at the time of approval, and includes development standards and requirements relating to: dust and dirt control during construction and grading activities; emission control of fumes, vapors, gases and other forms of air pollution; glare control; exterior lighting design and control; noise control; odor control; screening; signs, off-street parking and off-street loading; and, vibration control. Screening and sign regulations compliance are important considerations to the developer because they will delay the issuance of a Certificate of Occupancy until compliance is met.
12. Any exterior structural equipment, or utility transformers, boxes, ducts or meter cabinets shall be architecturally screened by wall or structural element, blending with the building design and include landscaping when on the ground.
13. Signs are not approved as a part of this permit. Prior to establishing any new signs, the applicant shall submit an application, and receive approval, for a sign permit from the Planning Division (pursuant to LLMC, Chapter 17.18) and building permit for construction of the signs from the Building Division, as applicable.
14. Project design features shall be incorporated to provide landscaping, physical barriers, screening, or other buffers to minimize project-generated illumination from entering off-site areas and to prevent glare for residential development located south of the Project Site.
15. During construction of the site, the project shall comply with Section 9.20 (Prohibited Noises) which limit construction activities to the hours between 7:00 a.m. to 10:00 p.m. Monday through Friday, with no heavy construction occurring on weekends or national holidays. Additionally, all equipment is required to be properly equipped with standard noise muffling apparatus.
16. The following shall be implemented to help reduce the noise impacts to meet the City’s interior (45dB) noise level.
 - a. The construction of the exterior wall shall incorporate the use of 7/8” stucco or siding, 2”x 4” studs, R-13 fiberglass insulation, and drywall.
 - b. Dual pane windows and entry doors with solid core wood and weather stripping construction shall be utilized.

- c. Roof material shall consist of shingles or tile over sheathing construction, in addition to R-19 fiberglass insulation, drywall, and venting.
17. The applicant shall implement SCAQMD Rule 403 and standard construction practices during all operations capable of generating fugitive dust, which will include but not be limited to the use of best available control measures and reasonably available control measures such as:
 - a. Water active grading areas and staging areas at least twice daily as needed;
 - b. Ensure all disturbed areas are treated to prevent erosion.
 - c. Ensure landscaped areas are installed as soon as possible to reduce the potential for wind erosion.
 - d. Suspend grading activities when wind gusts exceed 25 mph;
 - e. Sweep public paved roads if visible soil material is carried off-site;
 - f. Enforce on-site speed limits on unpaved surface to 15 mph; and
 - g. Discontinue construction activities during Stage 1 smog episodes.
 18. The applicant shall implement the following construction practices during all construction activities to reduce VOC emission:
 - a. The contractor shall utilize (as much as possible) pre-coated building materials and coating transfer or spray equipment with high transfer efficiency, such as high volume, low pressure (HVLP) spray method, or manual coating applications such as paint brush, hand roller, trowel, dauber, rag, or sponge.
 - b. The contractor shall utilize water-based or low VOC coating of 100 g/l of VOC (allowing approximately 31,500 square feet painted per day) to 250 g/l of VOC (allowing approximately 12,950 square feet painted per day). The following measures shall also be implemented:
 - c. Use Super-Compliant VOC paints whenever possible.
 - d. If feasible, avoid painting during peak smog season: July, August, and September.
 - e. Recycle leftover paint. Take any leftover paint to a household hazardous waste center; do not mix leftover water-based and oil-based paints.
 - f. Keep lids closed on all paint containers when not in use to prevent VOC emissions and excessive odors.
 - g. For water-based paints, clean up with water only. Whenever possible, do not rinse the clean-up water down the drain or pour it directly into the ground or the storm drain. Set aside the can of clean-up water and take it to a hazardous waste center (www.cleanup.org).
 - h. Recycle the empty paint can.
 - i. Look for non-solvent containing stripping products.
 - j. Use Compliant Low-VOC cleaning solvents to clean paint application equipment.
 - k. Keep all paint and solvent laden rags in sealed containers to prevent VOC emissions.
 - l. The developer/contractor shall use building materials that do not require painting, where feasible.
 - m. The developer/contractor shall use pre-painted construction materials where feasible.

19. The applicant shall comply with City adopted policies regarding the reduction of construction and demolition materials.
20. The applicant shall work with the City's franchised solid waste hauler to follow a debris management plan to divert the material from landfills by the use of separate recycling bins (e.g., wood, concrete, steel, aggregate, glass) during demolition and construction to minimize waste and promote recycle and reuse of the materials.
21. Exhaust emissions from construction vehicles and equipment and fugitive dust generated by equipment traveling over exposed surfaces, would increase NO_x and PM₁₀ levels in the area. The Applicant will be required to implement the following conditions as required by SCAQMD:
 - a. To reduce emissions, all equipment used in earthwork must be tuned and maintained to the manufacturer's specification to maximize efficient burning of vehicle fuel.
 - b. The project proponent shall ensure that construction personnel are informed of ride sharing and transit opportunities.
 - c. The operator shall maintain and effectively utilize and schedule on-site equipment in order to minimize exhaust emissions from truck idling.
22. The operator shall comply with all existing and future CARB and SCAQMD regulations related to diesel-fueled trucks, which may include among others: (1) meeting more stringent emission standards; (2) retrofitting existing engines with particulate traps; (3) use of low sulfur fuel; and (4) use of alternative fuels or equipment.
23. The applicant shall ensure that existing power sources are utilized where feasible via temporary power poles to avoid on-site power generation during construction.
24. The project shall comply with the City Art in Public Places Ordinance (LLMC Chapter 17.26), which establishes grounds for compliance for new enterprises to facilitate public art. The establishment of artistic assets will be financed and/or constructed by the development community as part of the development requirements.
25. Should paleontological resources be uncovered during grading, a qualified vertebrate paleontologist shall be contracted to perform a field survey to determine and record any nonrenewable paleontological resources found on-site. The paleontologist will determine the significance, and make recommendations for appropriate mitigation measures in compliance with the guidelines of the California Environmental Quality Act.
26. In the event that human remains are encountered during grading, all provisions of state law requiring notification of the County Coroner, contacting the Native American Heritage Commission, and consultation with the most likely descendant, shall be followed.
27. If applicable, the project shall comply with all non-exempt provisions of Measure V and shall pay the full amount of any recalculated development impact fees, including traffic impact fees, prior to occupancy.

Landscaping

28. The applicant shall submit three sets of the final landscape plan prepared by a state licensed Landscape Architect, subject to the approval of the Community Development Department, and Public Works Department for landscaping in the public right-of-way. If applicable, landscape plans for the Landscape Maintenance District shall be on separate plans.
29. Final landscape and irrigation plans shall be in substantial conformance with the approved conceptual landscape plan and these conditions of approval. Any and all fencing shall be illustrated on the final landscape plan.
30. Landscape plans shall depict the utility laterals, concrete improvements, and tree locations. Any modifications to the landscape plans shall be reviewed and approved by the Public Works and Community Development Departments prior to issuance of permits.
31. The applicant, property owner, and/or business operator shall maintain the property and landscaping in a clean and orderly manner and all dead and dying plants shall be replaced with similar or equivalent type and size of vegetation.
32. Should the relocation or removal of any tree be required, the applicant shall submit an Arborist Report prior to site disturbance. Any removal or replacement of trees shall be in accordance with the City's Tree Preservation Ordinance.
33. The applicant shall perform a Phase I Environmental Site Assessment to determine if the project site includes any contamination prior to the issuance of building permits.
34. Should future project construction require soil excavation or filling in certain areas, soil sampling may be required. If soil is contaminated, it must be properly disposed. Land Disposal Restrictions (LDRs) may be applicable to such soils. Soil sampling shall also be conducted on any imported soil.
35. If it is determined that hazardous wastes are, or will be generated by the proposed operation of the facility, the wastes shall be managed in accordance with the California Hazardous Waste Control Law and the Hazardous Waste Control Regulations. If it is determined that hazardous wastes will be generated, the facility shall obtain a United States Environmental Protection Agency Identification Number. Certain hazardous waste treatment processes or hazardous materials, handling, storage or uses may require authorization from the local Certified Unified Program Agency (CUPA).
36. If clean up oversight is required of the project, the applicant shall be required to obtain an Environmental Oversight Agreement with the DTSC.

BUILDING AND SAFETY DIVISION - (909) 799-2836

37. Prior to issuance of any Building and/or Construction Permits, the applicant shall submit to the Community Development Department proof of payment or waiver from both the City of San Bernardino for sewer capacity fees and Redlands Unified School District for school impact fees.

38. All Development Impact fees shall be paid to the City of Loma Linda prior to the issuance of any building and/or construction permits. The applicant shall pay all required fees to cover 100 percent of the pro rata share of the estimated cost of public infrastructure, facilities, and services.
39. Professionally prepared plans based the most current California Building Code are to be submitted, reviewed and stamped approved by the Division.

FIRE DEPARTMENT – (909) 799-2852

40. All construction shall meet the requirements of the California Building Code (CBC) and the California Fire Code (CFC)/International Fire Code (IFC) as adopted and amended by the City of Loma Linda and legally in effect at the time of issuance of building permit.
41. Pursuant to CFC Section 903, as amended in Loma Linda Municipal Code (LLMC) Sections 15.28.230-450, the building(s) shall be equipped with automatic fire sprinkler system(s). Pursuant to CFC Section 901.2, plans and specifications for the fire sprinkler system(s) shall be submitted to Fire Prevention for review and approval prior to installation. Fire flow test data for fire sprinkler calculations must be current within the last months. Request flow test data from Loma Linda Fire Prevention.
42. The applicant shall submit a complete set of plans to the Loma Linda Fire Department for review and approval prior to the issuance of building permits. Plans shall show the proposed locations for water mains and fire hydrants; driveways, drive aisles and access roadways for fire apparatus.
43. Site address shall be as assigned by the Fire Marshal in a separate document, following approval of the project and submittal of a working copy of the final approved site plan.
44. Follow all appropriate sections of Chapter 5 of the 2013 CFC – fire department access, premise identification, security gate access and all other sections that may apply.
45. Follow all appropriate sections of Chapter 33 of the 2013 CFC - fire safety during construction and all other sections that may apply.
46. Due to limited access and distance from the street, it is recommended that a dry hydrant system is installed to the back of the property. In the event of a fire, this would allow faster deployment of hose lines to the rear of the structure which would get water on a fire to the rear of the complex quicker.

SHERIFF'S DEPARTMENT – (909) 387-3545

47. The developer shall provide sufficient exterior lighting to the site that illuminates otherwise dark corridors which may compromise public safety.

48. The developer shall register with the Crime Free Multi-Housing Program which closely works with San Bernardino County Sheriff's Department personnel to address crime prevention.
49. The developer shall be required to prevent loitering on site.

PUBLIC WORKS DEPARTMENT (909) 799-4400

50. The developer shall submit an engineered grading plan for the proposed project to the Public Works Department.
51. Prior to issuance of grading permits, the applicant shall submit to the City Engineer a Notice of Intent (NOI) to comply with obtaining coverage under the National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit from the State Water Resources Control Board. Evidence that this has been obtained (i.e., a copy of the Waste Dischargers Identification Number) shall be submitted to the City Engineer for coverage under the NPDES General Construction Permit.
52. The applicant shall comply with all of the Public Works Department requirements for recycling prior to issuance of a Certificate of Occupancy.
53. All utilities shall be underground. The City of Loma Linda shall be the sewer purveyor.
54. All public improvement plans shall be submitted to the Public Works Department for review and approval.
55. Any damage to existing improvements as a result of this project shall be repaired by the applicant to the satisfaction of the City Engineer.
56. All site drainage shall be handled on-site and shall not be permitted to drain onto adjacent properties.
57. An erosion/sediment control plan and a Water Quality Management Plan are required to address on-site drainage construction and operation.
58. All necessary precautions and preventive measures shall be in place in order to prevent material from being washed away by surface waters or blown by wind. These controls shall include at a minimum: regular wetting of surface or other similar wind control method, installation of straw or fiber mats to prevent rain related erosion. Detention basin(s) or other appropriately sized barrier to surface flow must be installed at the discharge point(s) of drainage from the site. Any water collected from these controls shall be appropriately disposed of at a disposal site. These measures shall be added as general notes on the site plan and a statement added that the operator is responsible for ensuring that these measures continue to be effective during the duration of the project construction.
59. The project shall comply with the Low Impact Development (LID) Principles and LID Best Management Practices (BMPs) for Southern California.

60. The Applicant is required to comply with all applicable SCAQMD rules and regulations as the South Coast Air Basin is in non-attainment status for ozone and suspended particulates (PM10). The project shall comply with Rules 402 nuisance and 403 fugitive dust which require the implementation of Best Available Control Measures (BACM) for each fugitive dust source; and the AQMP which identifies Best Available Control Technologies (BACT) for area sources and point sources, respectively. This would include, but not be limited to the following BACMs and BACTs:
- a. Ensure that any portion of the site to be graded shall be pre-watered prior to the onset of grading activities.
 - b. Ensure that watering of the site or other soil stabilization method shall be employed on an on-going basis after the initiation of any grading activity on the site. Portions of the site that are actively being graded shall be watered regularly to ensure that a crust is formed on the ground surface, and shall be watered at the end of each workday.
61. Soils left bare or inactive for longer than thirty days shall be planted with ground cover or covered by approved means to assure no loss of topsoil.

End of Conditions

Applicant/Owner Signature

Date

Applicant/Owner Signature

Date

* * *



City of Loma Linda Community Development Department

Planning Commission Staff Report

PLANNING COMMISSION MEETING OF NOVEMBER 2, 2016

Approved/Continued/Denied

By Planning Commission

Date: _____

TO: Planning Commission

FROM: Konrad Bolowich, Assistant City Manager

SUBJECT: Development Code Amendment (DCA) 16-136 - A City of Loma Linda initiated ordinance to update and amend Title 17 “Zoning”, Chapter 17.02 “Introduction and Definitions” of the Loma Linda Municipal Code, adding and providing more clarification to the land use definitions.

RECOMMENDATION

Staff recommends that the Planning Commission:

1. **RECOMMEND THAT THE CITY COUNCIL APPROVE** the Development Code Amendment (DCA) No. 16-136 to amend Chapter 17.02 and establish new land use definitions.

BACKGROUND

Updates to the Development Code were required to clarify intended uses, and development standards. Language in the existing Development Code lacked detailed information and tools necessary for providing information regarding intended and allowable uses, and an update on new uses not included in the existing Code. At the July 6, 2016 Planning Commission meeting, the Commission approved a recommendation for approval of these changes.

The proposed definitions relate to the approved development code amendments and provide clarity for implementation of the amendments.

ANALYSIS

The definition section of the Development Code provides clarity and specific reference to language within the code. The major terms are defined as to comply with common usage, legal application, and consistency throughout the document. Adoption of these definitions will provide for easier implementation of the Code

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) STATUS

This ordinance is categorically exempt from environmental review pursuant to Sections 15060(c)(2) and 15061(b)(3) of the California Environmental Quality Act (“CEQA”). Adding and amending sections of the existing Land Use Code will not result in direct or reasonably foreseeable indirect adverse physical changes in the environment. Furthermore, the enactment or amendment of a zoning ordinance undertaken by a public agency is not considered a project under Section 15378 (a)(1) of CEQA. A Notice of Exemption will be filed upon adoption of the Development Code Amendment.

PUBLIC COMMENTS

Public notice for this project was posted in the San Bernardino’s “The Sun” newspaper on Sunday, October 23, 2016. As of the date on this report, there have been no written or oral comments received in opposition or in favor of Development Code Amendment No. 16-136.

CONCLUSION

Staff recommends approval of Development Code Amendment (DCA) No. 16-136 to amend Chapter 17.02 and establish new land use definitions. The definitions will promote consistency and precision with the interpretation of the Code. The amendment to the Municipal Code is consistent with the intent and purpose of the General Plan (May 26, 2009) to manage the community’s future and continually improve the quality of life in Loma Linda.

Report prepared by:

Konrad Bolowich
Assistant City Manager

EXHIBITS

A. Draft of Development Code Amendment No. 16-136 (Draft One)

Loma Linda Development Code

Land Use Definitions

Title 17

Definitions by Alphabet

(Control + Click to Follow)

[A](#) [B](#) [C](#) [D](#) [E](#) [F](#) [G](#) [H](#) [I](#) [J](#) [K](#) [L](#) [M](#) [N](#) [O](#) [P](#) [Q](#) [R](#) [S](#) [T](#) [U](#) [V](#) [W](#) [X](#) [Y](#) [Z](#)

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Loma Linda Land Use Definitions

17.xxx.010 – Purpose

- A. This Article provides definitions of land use-related terms and phrases used in this Development Code that are technical or specialized, or that may not reflect common usage. If any of the definitions in this Article conflict with definitions in other provisions of the Municipal Code, these definitions shall control for the purposes of this Development Code.
- B. If a word is not defined in this Article, or other provisions of the Municipal Code, the Director shall determine the correct definition. Likewise, where the phrase “...Illustrative examples include...” is used, the Director shall have the authority to determine if a proposed use is similar enough to the listed examples to be considered allowable under the defined land use category. The Director may instead defer making a determination and refer the matter to the Commission for their determination.

“A” Definitions

Accessory Structures and Uses.

Accessory Agricultural Structures or Uses. A structure for sheltering animals, or agricultural equipment, hay, feed, etc. Examples of these structures include barns, non-commercial greenhouses, coops, corrals, and pens.

Accessory Nonresidential Structures. Attached and detached accessory structures located within a health care, hotel, office, or industrial complex for the purpose of serving the nonresidential uses. Examples of these structures include:

- garages
- gazebos
- outdoor play equipment
- refuse collection structures
- solar collection devices (freestanding)
- spas and hot tubs
- storage sheds
- swimming pools
- tennis and other on-site sport courts
- workshops

Accessory Residential Structures. A structure that is customarily a part of, and clearly incidental and secondary to a residence, and does not change the character of the residential use. This definition includes the following detached accessory structures, and other similar structures normally associated with a residential use of property.

- caretaker quarters
- carports
- garages
- gazebos
- greenhouses (non-commercial)
- guesthouse (Also, see Guesthouse)
- office
- outdoor play equipment
- patios
- refuse collection structures
- solar collection devices (freestanding)
- spas and hot tubs
- storage sheds

- studios
- swimming pools
- tennis and other on-site sport courts
- workshops

Also includes the indoor storage of motor vehicles (including their incidental noncommercial restoration and repair), personal recreational vehicles, and other personal property, accessory to a residential use.

Accessory Retail and Service Uses. A retail use that is customarily a part of, and clearly incidental and secondary to, a nonresidential use and does not change the character of the nonresidential use. Typically, the retail sales of various products in a store or similar facility or the provision of services in a defined area that is located within a health care, hotel, office, or industrial complex for the purpose of serving employees or customers; is not visible from public streets; and has no outside signs. Examples of these uses include:

- automated teller machines (ATMs)
- dry cleaning (collection/pick-up only)
- food service establishments
- gift shops
- newsstands

Accessory Structures. A structure that is physically detached from, clearly secondary and incidental to, and customarily associated with the primary or main structure.

Adult Businesses. A land use type that includes the following. Any business:

- Conducted for the entertainment of adults, engaged in the selling, renting, or displaying of publications depicting the specified anatomical areas or specified sexual activities or other material of a sexually explicit nature;
- Which, as a substantial or significant course of conduct, sells, offers for sale, rents, exhibits, shows, or displays publications depicting the specified anatomical areas or specified sexual activities or other material of a sexually explicit nature;
- Selling, renting, or displaying sexually oriented devices intended for use in the specified sexual activities;
- Conducted for the entertainment of adults where an employee, patron, or any other person engages in or is shown the specified sexual activities or exhibits or engages in partial or total nudity or otherwise exposes the specified anatomical areas; or
- Which, as a substantial or significant portion of its business, provides live or filmed entertainment wherein the specified anatomical areas are exposed.

Agricultural, Industrial, Construction Equipment Sales and Rentals. Commercial establishments assembling, maintaining, renting, repairing, selling, and/or storing agricultural, industrial, and construction equipment, machinery, and related supplies.

Agriculture. As defined in California Labor Code Section 1140.4 (a), it includes farming in all its branches, including the cultivation and tillage of the soil, dairying, the production, cultivation, growing, and harvesting of any agricultural or horticultural commodities, the raising of livestock, bees, furbearing animals, or poultry. It includes any practices (including any forestry or lumbering operations) performed by a farmer or on a farm as incidental to or in conjunction with the farming operations, including preparation for market and delivery to storage, market, or carriers for transportation to market.

Agricultural Activities and Facilities. The commercial production, keeping, or maintenance, for sale, lease, or personal use, of plants useful to humans, primarily in the soil on the site or in greenhouses, including the following:

- field crops
- flowers and seeds
- fruits
- grains
- grapes
- nuts
- ornamental crops
- trees and sod
- vegetables

Also includes associated crop preparation services and harvesting activities (e.g., mechanical soil preparation, irrigation system construction, spraying, crop processing, etc.) and the processing of harvested crops to prepare them for on-site marketing or processing and packaging elsewhere (e.g., baling, cubing, cooling, drying, grain cleaning, grinding, sorting, grading, and packaging, hulling, shelling, etc.).

Airports, Heliports, Helistops, and Other Landing Fields.

Airports. Any area which is used or is intended to be used for the taking off and landing of aircraft, including helicopters, and any appurtenant areas which are used or are intended to be used for airport structures or facilities, including open spaces, taxiways, and tie-down areas.

Heliports. An area for the landing and takeoff of rotary wing aircraft, for embarking and disembarking passengers and other purposes, with safety and navigation markings and facilities as required by the Federal Aviation Administration and California Department of Transportation, Division of Aeronautics. This use may also include helicopter hanger and maintenance facilities.

Helistops. A single pad used for the landing, parking, or takeoff of one helicopter and other facilities as may be required by Federal and State regulations, but not including operations facilities (e.g., fueling, loading and unloading, maintenance, storage, terminal facilities, etc.).

Landing Fields and Strips. An area of land or water set aside for general aviation and other noncommercial aircraft takeoffs and landings, and any accessory areas for support structures (for example, aircraft hangers) and other related facilities.

Alcohol Beverage Sales. The retail sale of beer, wine, and/or distilled spirits for on-site or off-site consumption.

Alcohol Sales (off-site/off-sale) – Beer and Wine. A retail alcohol beverage sales establishment as defined above, that is classified as a ABC Type 40, 42, 61, 66, and/or 69, selling beer and/or wine exclusively for off-site/off-sale consumption. Also referred to as a liquor store or convenience store selling beer and/or wine among other packaged products.

Alcohol Sales (on-site/on-sale) – Beer and Wine. A retail alcohol beverage sales establishment as defined above, that is classified as a ABC Type 40, 42, 61, 66, and/or 69, selling/serving beer and/or wine exclusively for on-site/on-sale consumption. Also referred to as a bar, lounge, nightclub, pub, or tavern.

Alcohol Sales (off-site/off-sale) – Liquor. A retail alcohol beverage sales establishment as defined above, that is classified as a ABC Type 20 and/or 21, selling liquor (i.e., all types of alcoholic beverages) exclusively for off-site/off-sale consumption. Also referred to as a liquor store or convenience store selling liquor (i.e., all types of alcoholic beverages) among other packaged products.

Alcohol Sales (on-site/on-sale) – Liquor. A retail alcohol beverage sales establishment as defined above, that is classified as a ABC Type 20 and/or 21, selling liquor (i.e., all types of

alcoholic beverages) exclusively for on-site/on-sale consumption. Also referred to as a bar, lounge, nightclub, pub, or tavern selling/serving liquor (i.e., all types of alcoholic beverages).

Animal. Every non-human species of animal, both domestic and wild.

Animal Grooming. A commercial establishment that provides household pet grooming services (i.e., bathe, brush, clip, or comb animals for the purpose of enhancing their aesthetic value or health).

Animal Keeping – Commercial. The commercial keeping or raising of farm animals (including cattle, goats, horses, sheep, fowl, poultry, fish, and other animals not commonly regarded as household pets) and cats, dogs, and other household pets.

Animal Keeping – Private. The noncommercial keeping or raising of farm animals (including cattle, goats, horses, sheep, fowl, poultry, fish, and other animals not commonly regarded as household pets) and cats, dogs, and other household pets.

Apiary. A place where bees are kept; a collection of beehives.

Archeological and Paleontological Sites. Sites containing archeological (i.e., evidence of past activity) and paleontological (i.e., evidence of fossil animal and plant) resources that are recognized as significant to our culture and are afforded protection by Federal, State, and local environmental guidelines.

Assembly Uses.

Places of Public Assembly. A facility for public or private assembly and meetings. Examples of these uses include:

- auditoriums, civic and private
- banquet halls
- community centers
- conference/convention facilities
- meeting halls for clubs and other membership organizations

Places of Religious Assembly. Any structure used for non-profit purposes by an established religious organization holding either tax exempt status under Section 501(c)(3) of the Internal Revenue Code or under the California property tax law, where the structure is primarily intended to be used as a place of worship. The term includes, but is not necessarily limited to, church, temple, synagogue, and mosque. Also includes functionally related internal facilities (i.e., kitchens, multi-purpose rooms, storage, etc.). Does not include conference and meeting rooms that are accessory and incidental to another principal use and typically used only by on-site employees and clients, and that occupy less floor area on the site than the offices they support. Does not include sports or other commercial entertainment facilities. Does not include funeral homes and mortuaries.

Auction Houses. A structure or enclosure where goods or livestock are sold by auction.

Auditoriums and Theaters.

Auditoriums. Indoor facilities for public assembly and/or group meeting/entertainment, other than sporting events, including: banquet halls, exhibition and conference/convention halls; meeting halls for rent; public and quasi-public auditoriums; and similar public assembly uses. See “Places of Public Assembly.”

Theaters. Indoor facilities for public assembly and group entertainment, other than sporting events, including civic theaters, and facilities for "live" theater, concerts, recitals, circuses, and movie theaters.

“B” Definitions

Bars, Lounges, Nightclubs, and Taverns. Establishments engaged in selling or serving alcoholic beverages for consumption on the premises, with or without live entertainment.

Boarding and Lodging Houses. A structure containing a single dwelling unit and provisions for five but not more than 15 guests, where lodging is provided with or without meals for compensation, but does not include rest homes.

Building Materials Sales. An indoor or outdoor retail establishment selling hardware, tools, appliances, lumber and other building materials, plants, portable spas, and other landscaping materials. Includes paint, wallpaper, flooring, glass, fixtures, and similar products. Includes these types of stores selling to the general public, even if contractor sales account for a major proportion of total sales. May also include the rental of tools and equipment used in the building trades.

Bus and Taxi Stations. A passenger station for vehicular (i.e., bus, taxi), and rail mass transit systems, or a terminal facility providing maintenance and service for the vehicles operated in the transit system.

“C” Definitions

Care Uses.

Child Day Care – Large (8 or more children). Day care facilities located in single-unit dwellings where an occupant of the dwelling provides care and supervision for eight or more children. Children under the age of 10 years who reside in the dwelling count as children served by the day care facility.

Child Day Care – Small (7 or fewer children). Day care facilities located in single-unit dwellings where an occupant of the dwelling provides care and supervision for seven or fewer children. Children under the age of 10 years who reside in the dwelling count as children served by the day care facility.

Community Care Facility. As defined in Section 1502 of the Health and Safety Code, any facility, place, or structure that is maintained and operated to provide non-medical residential care, day treatment, adult day care, or foster family agency services for children, adults, or children and adults, including, but not limited to, the physically handicapped, mentally impaired, incompetent persons, and abused or neglected children, and includes following:

Adult Day Program. Any community-based facility or program that provides care to persons 18 years of age or older in need of personal services, supervision, or assistance essential for sustaining the activities of daily living for the protection of the individual on less than a 24-hour basis.

Community Treatment Facility. Any residential facility that provides mental health treatment services to children in a group setting and that has the capacity to provide secure containment.

Foster Family Agency. Any organization engaged in the recruiting, certifying, and training of, and providing professional support to, foster parents, or in finding homes or other places for the placement of children for temporary or permanent care who require

that level of care as an alternative to a group home. Private foster family agencies shall be organized and operated on a non-profit basis.

Full-Service Adoption Agency. Any licensed entity engaged in the business of providing adoption services that does all of the following: (a) assumes care, custody, and controls of a child through relinquishment of the child to the agency or involuntary termination of parental rights to the child; (b) assesses the birth parents, prospective adoptive parents, or child; (c) places children for adoption; and (d) supervises adoptive placements.

Noncustodial Adoption Agency. Any licensed entity engaged in the business of providing adoption services, that does all of the following: (a) assesses the prospective adoptive parents; (b) cooperatively matches children freed for adoption, who are under the care, custody, and control of a licensed adoption agency, for adoption, with assessed and approved adoptive applicants; and (c) cooperatively supervises adoptive placements with a full-service adoptive agency, but does not disrupt the placement or remove a child from a placement.

Social Rehabilitation Facility. Any residential facility that provides social rehabilitation service for no longer than 18 months in a group setting to adults recovering from mental illness who temporarily need assistance, guidance, or counseling.

Therapeutic Day Services Facility. Any facility that provides non-medical care, counseling, educational or vocational support, or social rehabilitation services on less than a 24-hour basis to persons under 18 years of age who would otherwise be placed in foster care or who are returning to families from foster care.

Transitional Housing Placement Facility. A community care facility licensed by the department in compliance with Section 1559.110 to provide transitional housing opportunities to persons at least 17 years of age, and not more than 18 years of age.

Transitional Shelter Care Facility. Any group care facility that provides for 24-hour non-medical care of person in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual.

Residential Care Facility. A facility, place, or structure that is maintained and operated to provide 24-hour non-medical residential care for, but not limited to, developmentally disabled, physically mentally impaired, incompetent persons, and abused or neglected children.

Catering Services. A business that prepares food for consumption on the premises of a client, or at another venue selected by the client.

Cemeteries, Columbariums, Mausoleums, and Mortuaries.

Cemeteries, cinerarium, columbarium, crematoriums, and mausoleums. Establishments (e.g., private or public entity or religious institution) which subdivide property and offer burial plots and/or air space for sale. Includes animal cemeteries; cinerarium, columbarium, crematoriums, mausoleums, and mortuaries, but only when operated in conjunction with and within the boundaries of a cemetery.

Mortuaries. An establishment in which the deceased are prepared for burial or cremation, and funeral services may be conducted. Full-service mortuaries include facilities for the preparation of the deceased for burial and for cremation, but does not perform burials or cremations. May include ancillary uses (e.g., sales of caskets, urns, etc.) Partial service facilities include only

chapels and similar rooms for viewing, religious services, wakes, and similar activities, together with accessory office facilities. Does not include "Cemetery."

Crematorium. A mortuary building or facility that holds the equipment necessary for cremation.

Commercial Bakeries.

Bakeries, retail. Retail establishments primarily engaged in the retail sale of bakery products, including bread, cakes, and pies, and produce some or all of the products on the premises.

Bakeries, wholesale. Retail establishments engaged in the manufacture of bakery products for the purpose of resale only.

Commercial Recreation and Entertainment. Indoor and outdoor commercial establishments providing amusement and entertainment services for a fee or admission charge, including the following activities:

Indoor. Facilities for various indoor participation or spectator sports and types of recreation where a fee or similar charge is charged for use, including:

- arenas/stadiums
- baseball and softball training facilities
- basketball court
- billiard halls (pool rooms)
- bingo halls (excluding nonprofit activities)
- bowling alleys
- boxing clubs
- dance halls, clubs, and ballrooms
- handball courts
- ice rinks
- laser tag
- paintball
- racetracks (scale model vehicles operated by remote control)
- racquetball courts
- shooting galleries
- skating rinks
- soccer centers
- swim centers
- tennis courts
- trampoline and gymnastics centers

Outdoor. Facilities for various outdoor participation or spectator sports and types of recreation where a fee or similar charge is charged for use, including:

- amphitheaters
- baseball
- basketball
- batting cages
- bocce ball
- drive-in movie theaters
- football
- go cart and miniature auto race tracks
- golf courses
- golf driving ranges separate from golf courses
- handball courts
- health and athletic club outdoor facilities
- lacrosse
- miniature golf courses
- racing and drag strips (automobile, truck, and motorcycle)
- paintball
- race tracks (remote control)
- rugby
- shooting ranges
- skateboard parks
- soccer
- softball
- stadiums and coliseums
- swim and tennis clubs
- tennis courts
- volleyball
- water slides
- zoos

Commercial Uses (incidental and accessory to allowed uses). See Accessory Retail and Services."

Contractors' Yard. An outdoor storage facility operated by, or on behalf of, a State licensed contractor for the storage of large equipment, vehicles, and/or other materials commonly used in the individual

contractor's type of business. The facility may also include storage of scrap materials used for repair and maintenance of contractor's own equipment, and structures for uses including offices and repair facilities.

Convalescent Homes. An establishment that provides care on a 24-hour basis for persons requiring regular medical attention. Patients include those with post-operative, convalescent, chronic illness, or dietary problems, and persons aged or infirm unable to care for themselves. Does not include facilities providing outpatient medical services or surgical services.

Correctional Institutions. Institutions for the confinement and correction of offenders sentenced by a court. This use includes county jails, Federal and State prisons, and secure re-entry facilities, but does not include facilities at a police department or sheriff's office for temporarily holding persons taken into custody before release or transfer to another confinement facility. The use does not include halfway houses or residential drug rehabilitation facilities, which are instead included under "Group Homes."

Cultural Centers and Facilities. A facility that provides access to cultural resources, including art, scientific and historical items, performances, or reference materials. Examples include: aquariums, arboretums, public art galleries and exhibitions, botanical gardens, historic sites and exhibits, libraries, museums, and planetariums. This use may also include accessory retail uses including gift/book shops and restaurants.

Day Care Facilities. See "Care Uses."

"D" Definitions

Development of Natural Resources. The development (i.e., conservation, conversion [trees to lumber], creation [planting of trees], improvement, management, and preservation) of natural resources. It includes sunlight, atmosphere, water, land (includes all minerals) along with all vegetation and animal life that naturally subsists upon or within the above identified characteristics and substances.

Dormitories. A structure intended or used principally for sleeping accommodations, where the structure is related to an educational or public institution, including religious institutions and fraternities and sororities.

Drive-in and Drive-thru Businesses. A facility where food or other products may be purchased by motorists without leaving their vehicles. Examples of drive-in and drive-through retail businesses include fast-food restaurants, drive-through coffee, dairy product, photo stores, pharmacies, etc.

Dwellings. A structure or portion of a structure designed for residential purposes, including single-family, two-family, and multifamily dwellings.

Manufactured Housing. A factory-built structure that is manufactured or constructed under authority of 42 U.S.C. Sec. 5403, Federal Manufactured Home Construction and Safety Standards, or California law and is to be used as a place for human habitation. The structure is manufactured either in whole or in substantial part at an off-site location, transported to the site, assembled on-site, and placed on a permanent foundation. For the purpose of this Development Code, a manufactured home shall be considered the same as any site-built, single-family detached dwelling (see "Dwellings - Single-Family"). Does not include mobile homes. A mobile home is not a manufactured home unless it has been converted to real property and is taxed as a site-built dwelling.

Mobile Home Park. Any site that is planned and improved to accommodate two or more mobile homes used for residential purposes, or on which two or more mobile home lots are rented, leased, or held out for rent or lease, or were formerly held out for rent or lease and later

converted to a subdivision, cooperative, condominium, or other form of resident ownership, to accommodate mobile homes used for residential purposes.

Multifamily Dwellings. A structure or development containing three or more dwelling units, each of which is for occupancy by one or more persons living as a single housekeeping unit. Includes: triplexes (structures under one ownership with three dwelling units in the same structure); fourplexes (structures under one ownership with four dwelling units in the same structure); apartments (five or more dwelling units under one ownership in a single structure or complex); and common ownership, attached unit projects including condominiums and townhouses. Does not include two-family duplexes.

Second Dwelling Unit. A second permanent dwelling that is accessory to a principal dwelling on the same site. A second dwelling unit provides complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, sanitation, and parking. Does not include guesthouse.

Single-Family Dwelling. A structure containing one dwelling unit located on a single parcel for occupancy by one single housekeeping unit. Also includes manufactured housing (see “Manufactured Housing”) and mobile homes (see “Mobile Home Park”), when placed on permanent foundation systems.

Attached Single-Family Dwelling. A dwelling that is attached to another dwelling, excluding accessory dwellings. Each dwelling is owned in fee, located on an individual parcel, and is joined to another dwelling along a single lot line. Each dwelling is totally separated from the other by an unpierced vertical wall extending from ground to roof. Row houses and town homes are examples of this dwelling unit type.

Detached Single-Family Dwelling. A dwelling that is not attached to any other dwelling. The dwelling is owned in fee and is located on an individual parcel.

Two-Family Dwellings (also known as a duplex). A structure located on a single parcel and containing two dwelling units, each of which is for occupancy by one single housekeeping unit. Also includes manufactured housing (see “Manufactured Housing”) and mobile homes (see “Mobile Home Park”), when placed on permanent foundation systems.

“E” Definitions

Emergency shelters. Any establishment operated by an emergency shelter provider that provides homeless people with immediate, short-term housing for no more than 180 days within a twelve-month period, where no person is denied occupancy because of inability to pay. Emergency shelters may also provide shelter residents with additional supportive services (i.e., counseling, laundry, and access to other social programs). Emergency shelters may have individual rooms and common areas for residents of the facility, but may not be developed with individual dwelling units, with the exception of a manager’s unit.

Enclosed Storage Structures. The storage of various materials entirely within an enclosed structure, as the primary use of the structure. The storage of materials, supplies, and products clearly secondary and incidental to a primary use is not considered a land use separate from the primary or main use.

“F” Definitions

Fast Food Restaurant. A restaurant which supplies food and beverages primarily in disposable containers and which is characterized by high automobile accessibility, self-service and short stays by customers.

Fast Food Restaurant with no drive-in or drive-through (no late-night hours). A fast food restaurant as defined above, that does not provide drive-in or drive-through or late-night hour services. See “Late-Night Hour Services.”

Fast Food Restaurant with no drive-in or drive-through (with late-night hours). A fast food restaurant as defined above, that does provide late-night hour services, but does not provide drive-in or drive-through services. See “Late-Night Hour Services.”

Fast Food Restaurant with drive-in or drive-through (no late-night hours). A fast food restaurant as defined above, that does provide drive-in or drive-through services, but does not provide late-night hour services. See “Late-Night Hour Services.”

Outdoor Dining. A dining area with seats and/or tables located outdoors of a fast food, sit-down restaurant, or other food service establishment. Outdoor dining is located entirely outside the walls of the contiguous structure or enclosed on one or two sides by the walls of the structure with or without a solid roof cover.

Limited. Outdoor dining area encompassing up to 800 square feet of area, inclusive.

General. Outdoor dining area encompassing more than 800 square feet of area.

Fast Food Restaurant - Formula-Based. A food service establishment that uses a trademark, logo, service mark or other mutually identifying name or symbol, which maintains any standardized array of merchandise, or standard services, decor, color scheme, business methods, architecture, layout, uniform apparel, signage or similar, standardized features; and is dedicated to food service where food is consumed on or off the site and that exhibits three or more of the following characteristics:

- Standardized menus, ingredients, and food preparation methods are dictated by a franchise agreement or other contractual controls that prohibit the restaurant owner/entrepreneur from deviating from the “formula,” to ensure a uniform “product” that will meet the expectations of consumers at other formula-based fast food restaurants under the same trademark or logo, (regardless of location or ownership), for such uniformity;
- Food orders are typically served in seven minutes or less from time of order to delivery;
- Food is often pre-made and wrapped before the customers place their orders;
- Food is served in disposable containers and wrappers, with disposable tableware;
- Food consumed on the premises is ordered from a wall menu while customers are standing at a service counter;
- Payment is made by customers before food is consumed; and/or
- The service counter is closer to an entry/exit than is the seating/dining area.

Financial Institutions and Related Services. A bank, savings and loan, credit union, or other financial institution that provides retail banking services to individuals and businesses. These uses include only those institutions engaged in the on-site circulation of cash money. This does not include check cashing establishments. Financial institutions including the following:

- Banks and trust companies
- Credit agencies
- Holding (but not primarily operating) companies

- Lending and thrift institutions
- Other investment companies
- Securities/commodity contract brokers and dealers
- Security and commodity exchanges
- Vehicle finance (equity) leasing agencies

This land use type does not include check cashing establishments, which are defined under "Personal Services, Restricted."

Fire and Police Stations. Facilities operated by public agencies, including city administration buildings; city hall; fire stations and other fire prevention and firefighting facilities; police and sheriff substations and headquarters, including interim incarceration facilities. Does not include facilities specifically identified under another land use category, including schools.

Food Processing and/or Storage. Commercial establishments processing and storing agricultural products not operated in conjunction with a bonafide agricultural operation including agricultural cooperatives which receive agricultural products from parcels owned or operated by members of the cooperative.

Forest Maintenance Facilities and Ranger Stations. A publically owned, staffed, and maintained facility operated by a Federal, State, or local governmental organization for the purpose of protecting and maintaining the forest and adjacent areas.

“G” Definitions

Game Arcade, Internet Café, or Similar Businesses.

Game Arcade. An establishment that provides more than four amusement devices, whether or not the devices constitute the primary use or an accessory or incidental use of the premises. Amusement devices mean an electronic or mechanical equipment, game, or machine that is played or used for amusement, which, when so played or used involves skill and which is activated by coin, key, or token, or for which the player or user pays money for the privilege of playing or using.

Internet/Cyber Café. An establishment that provides more than three computers and/or other electronic devices, for access to that system commonly referred to as the "internet," e-mail, playing video games over the Internet or other network system, and/or access to other computer software programs, to the public for compensation and/or for public access. Internet cafe is also synonymous with PC cafe, cyber cafe, internet gaming center, computer/internet rental and cyber centers.

Golf Course and Related Facilities. A commercial or members-only facility for playing golf, with three to 18 holes, and accessory facilities and uses which may include: a clubhouse with bar and/or restaurant, locker and shower facilities; driving ranges; “pro shops” for on-site sales of golfing equipment; and golf cart repair, sales, and storage facilities. Does not include driving ranges separate from golf courses, miniature golf courses, or other similar commercial enterprises, unless specifically allowed.

Governmental Offices and Facilities.

Group Homes. A single-family dwelling or multi-unit facility that provides 24-hour medical and/or non-medical care of persons who are in need of personal services, supervision, or assistance essential for addressing issues of mental illness and substance-abuse. Examples include halfway houses, board and care homes, clean and sober homes, rehabilitation centers, and the like. This use type includes both unlicensed facilities and those licensed or supervised by a Federal, State, or local health/welfare agency.

Group Home (six or fewer residents plus one employee). A group home as defined above, that provides care for six or fewer residents.

Group Home (seven or more residents plus employees). A group home as defined above, that provides care for seven or more residents.

Guesthouse. A house or rooms for guests in an accessory structure, provided the structure does not contain kitchen or cooking facilities and is used for the occasional housing of guests of the occupants of the principal structure and not as a rental unit.

“H” Definitions

Health Centers. Physical fitness centers, gymnasiums, health and athletic clubs including indoor sauna, and spa or hot tub facilities; indoor steam baths; indoor handball, racquetball, tennis, and other indoor sports activities.

Hiking Trails and Related Improvements. The construction, protection, and maintenance of trails for hiking, running, or walking made available for the visitation and enjoyment of the general public.

Historical or Landmark Structures with Commercial Activities. Memorials, monuments, parks, structures, and other sites of an historic value which are preserved and available for the visitation and enjoyment of the general public. May also contain and operate a retail commercial establishment offering souvenir and convenience items to the general public.

Historical Preserve. An area designated by the Federal, State, or local government within which the structures, appurtenances, or places are of basic and vital importance because of their association with history, or because of their unique architectural detail, or because of their being a part of or related to a square, park, or area the design or general arrangement of which should be preserved and/or developed according to an established plan based on architectural, cultural, or historical motives and purposes

Home Occupations. An accessory occupational use conducted by a resident(s) of a dwelling, which is conducted entirely within a dwelling by its inhabitants, which is clearly incidental to the use of the structure for dwelling purposes and which does not change its character, and for which there is no display, no stock in trade, no commodity sold on the premises, and no mechanical equipment used, except that necessary for housekeeping purposes. The home occupation is clearly incidental and secondary to the use of the dwelling for residential purposes, compatible with surrounding residential uses, and conducted in compliance with adopted home occupation standards.

Homeless Shelter. A residential facility, other than a community care facility, operated by either a governmental agency or private nonprofit organization, which offers temporary accommodations to the homeless. Such temporary accommodations mean that persons may reside at the shelter for a period not to exceed 180 days. See “Emergency Shelters.”

Hospitals/Medical Facilities. A facility providing medical, psychiatric, or surgical services on a 24-hour basis for sick or injured persons primarily on an in-patient basis, and including ancillary facilities for out-patient and emergency treatment, diagnostic services, training, research, administration, and services to patients, employees, or visitors. These establishments have an organized medical staff, inpatient beds, and equipment and facilities to provide complete health care, which may include emergency rooms and intensive care units, trauma centers, etc. This use type includes nonresidential treatment facilities for alcohol and drug addiction, as well as mental illness treatment institutions. This use type may also include on-site accessory clinics and laboratories. Accessory retail uses include restaurants, news and flower stands, gift shops, and on-site ambulance dispatch facilities.

Hotels/Motels.

Hotel. A facility in which guest rooms or suites are offered for compensation to the general public for transient lodging with or without meals for compensation and where no provision is made for cooking in an individual guest room or suite. Hotel rooms are accessed from interior hallways and typically include a variety of accessory services (e.g., accessory retail, personal services, restaurants, etc.) Also includes accessory guest facilities (e.g., meeting facilities, computer/work stations, swimming pools, tennis courts, indoor athletic facilities, etc.).

Extended Stay Hotel. A hotel with rooms that contain kitchen facilities for food preparation. Extended-stay lodging facilities may contain lobbies, conference rooms, meeting rooms, child play areas, or restaurants.

Motel. A structure or series of structures in which guest rooms are offered to the general public for transient lodging, without kitchen facilities; with or without meals; and for compensation. A motel is distinguished from a hotel primarily by direct independent access to, and adjoining parking for, each room.

“I” Definitions

Industry. Establishments engaged in the manufacturing of finished parts or products, either from raw materials or previously prepared materials, within an enclosed structure. Includes processing, fabrication, assembly, treatment, testing (e.g., laboratories), packaging, incidental office storage, sales, and distribution of the parts or products; and laundry and dry cleaning plants. Excludes vehicle/equipment rentals, vehicle repair and service, vehicle sales.

Industry – Heavy. The manufacture and/or processing of materials and goods utilizing large quantities of raw materials, and generally requiring high capitalization and production of large quantities of output. Heavy industry often sells output to other business users rather than consumers. Characteristics of heavy industry include, but are not limited to, heavy trucking activity, noise, emissions requiring Federal or State environmental permits, use of large quantities of hazardous materials as defined the U.S. Environmental Protection Agency, and requirement for specialized permits from Federal and State occupational health and safety agencies. Examples of heavy industry uses include chemical manufacturing, glass product manufacturing, paving and roofing materials manufacturing, petroleum refining and related industries, plastics, other synthetics and rubber product manufacturing, primary metals industries, pulp and pulp paper product manufacturing, textile and leather product manufacturing.

Industry – Light. The manufacture and/or processing of consumer-oriented goods in a manner that does not produce noticeable odors, air emissions, or other environmental effects, and that has limited associated trucking activity. Light industries generally require limited amounts of raw materials to produce goods. Examples of light industry uses include artisan/craft product manufacturing, clothing and fabric product manufacturing, electronics, equipment and appliance manufacturing, handcraft industries, small-scale manufacturing, paper product manufacturing, wholesale photo/film processing, and printing and publishing (books, magazines, etc.).

“J” Definitions

“K” Definitions

Kennels. Facilities where four or more dogs, cats, or other small animals over the age of four months are kept, whether for breeding, exhibiting, pleasure, or profit including places where the animals are boarded, or kept for sale or hire.

“L” Definitions

Laboratories – Medical Related. Establishments providing biological, dental, medical, or optometrical laboratory and testing services.

Landfills. A site or facility used for the disposal of solid waste that is not reused, recycled, or combusted for energy recovery.

Landscape Plant Nurseries – Retail or Wholesale. The retail or wholesale sale of plants, arrangements, and maintenance of materials (i.e., trees, ground cover, shrubbery, and other plant material). Decorative natural and structural features (walls, fences, hedges, trellises, fountains, and sculptures), earth patterning and bedding materials and other similar site improvements that serve an aesthetic or functional purpose may be included.

Late-Night Hour Services. Any nonresidential activity that occurs between the hours of 12:00 a.m. (midnight) and 6:00 a.m., also including 24 hour uses.

Libraries. See “Cultural Centers and Facilities.”

Local and Buffer Greenbelts. Open space natural, or made to appear in a natural condition, areas located to provide wide open spaces to protect or separate uses deemed in need of protection or separation. May also be used for outdoor enjoyment and/or recreational entertainment by the general public.

“M” Definitions

Maintenance and Repair Services (other than vehicle). Base facilities for various businesses that provide services on the premises of their clients for other than motor vehicles. Includes carpet cleaning, gardening, janitorial, pest control, water and smoke damage recovery, and similar services; and appliance, computer, electronics, elevator, equipment, HVAC, instrument, plumbing, security systems, and other maintenance and repair services not operating from a retail establishment that sells the products being maintained or repaired. When these services operate from a retail establishment that sells the products being maintained or repaired, they are instead considered part of the retail use.

Marijuana Dispensary (Medical). A facility or place of business that distributes, transmits, gives, or otherwise provides medical marijuana to qualified patients or primary caregivers in compliance with California Health and Safety Code Sections 11362.5 through 11362.83, inclusive, commonly referred to as the Compassionate Use Act of 1996 and the Medical Marijuana Program.

Massage. An establishment where any person certified in compliance with Business and Professions Code Section 4600 et seq. and having a fixed place of business where any person, firm association, partnership, or corporation engages in, conducts, or carries on, or permits to be engaged in, conducted or carried on, any business of giving massages, baths, administration of fomentation, electric or magnetic treatments, alcohol rubs, or any other type of system for treatment or manipulation of the human body with or without any characteristic of bath (i.e., Turkish, Russian, Swedish, Japanese, vapor, shower, electric tub, sponge, mineral, fomentation or any other type of bath). Massage establishments do not include the following:

- Physicians, surgeons, chiropractors, osteopaths, or physical therapists who are duly licensed to practice their respective professions by and in the State;
- Nurses, registered under the laws of the State;
- Barbers and beauticians who are duly licensed under the laws of the State while engaging in practice within the scope of their licenses, except that this provision shall apply solely to the massaging of the neck, face, and/or scalp of the customer or client;

- Hospitals, nursing homes, sanitariums, or other health care facilities duly licensed by the State;
- Accredited high schools, junior colleges, and colleges or universities whose coaches and trainers are acting within the scope of their employment; and
- Trainers of amateur, semiprofessional, or professional athletes or athletic teams.

(See “Personal Services, Restricted.”)

Medical, Dental Clinics/Offices. A facility where medical, dental, mental health, eye care, surgical, acupuncture, acupressure, massage therapy, or other personal health care services are provided on an outpatient basis by chiropractors, medical doctors, psychiatrists, opticians, etc., licensed by the State. Does not include medical clinics, laboratories, or urgent care facilities; hospitals; counseling services by other than medical doctors or psychiatrists in locations other than in the offices of other medical doctors or psychiatrists; palm readers, hypnotists, card readers, psychics, and similar services.

Multiple Residences. See “Dwellings.”

Museums. See “Cultural Centers and Facilities.”

“N” Definitions

“O” Definitions

Offices – Other than medical or dental.

Accessory. An office facility for administration, or on-site business and operations management that are incidental and accessory to another business, sales, or service activity that is the primary use. For example, a business office within a grocery store.

Business/Service. Establishments providing direct services to consumers. Examples of these uses include employment agencies, insurance agent offices, legal services, real estate offices, travel agencies, utility company offices, elected official satellite offices, etc. This use does not include “Financial Services,” which is separately defined.

Government. Administrative, clerical, or public contact or service offices of a local, State, or Federal government agency or service facilities. Includes post offices, but not bulk mailing distribution centers.

Processing. Office-type facilities characterized by high employee densities, and occupied by businesses engaged in information processing, and other computer-dependent or telecommunications-based activities. Examples of these uses include:

- airline, lodging chain, and rental car company reservation centers
- computer software and hardware design and development
- consumer credit reporting
- data processing services
- health management organization (HMO) offices where no medical services are provided
- insurance claim processing
- mail order and electronic commerce transaction processing
- telecommunications facility design and management
- telemarketing

Professional/Administrative. Office-type facilities occupied by businesses that provide professional services, or are engaged in the production of intellectual property. Examples of these uses include:

- accounting, auditing and bookkeeping services
- advertising agencies
- appraisers
- attorneys
- business associations, chambers of commerce
- collection agencies
- construction contractors (office facilities only)
- counseling services
- court reporting services
- detective agencies and similar services
- design services including architecture, engineering, landscape architecture, urban planning
- educational, scientific and research organizations
- financial management and investment counseling
- graphic art and design services
- literary and talent agencies
- management and public relations services
- manufacturers' agents
- media postproduction services
- news services
- photographers and photography studios
- planners
- political campaign headquarters
- psychologists
- secretarial, stenographic, word processing, and temporary clerical employee services
- security and commodity brokers
- title and escrow companies
- writers and artists' offices

Temporary. A mobile home, recreational vehicle, or modular unit used as a temporary office facility. Temporary offices may include: construction supervision offices on a construction site or off-site construction yard; a temporary on-site real estate office for a development project; or a temporary business office in advance of permanent facility construction.

Temporary Real Estate. The temporary use of a dwelling unit within a residential development project as a sales office for the units on the same site, which is converted to residential use at the conclusion of its office use.

Open Space. A parcel or area of land or water set aside, designated, dedicated, or reserved for public or private use or enjoyment.

Common Open Space. The land area within a residential or nonresidential development that is not individually owned or dedicated for public use and that is designed, intended, and reserved exclusively for the shared enjoyment or use by all the residents/occupants and their guests. Does not include enclosed spaces/facilities (e.g., community center, meeting rooms, etc.). Illustrative examples include:

- areas of scenic or natural beauty
- barbecue areas
- habitat areas
- hiking, riding, or off-street bicycle trails
- landscaped areas
- play areas
- swimming pools
- tennis courts
- turf areas

Private Open Space. An outdoor or unenclosed area directly adjoining and accessible to an individual unit (residential or nonresidential), reserved for the exclusive private enjoyment and use of residents/occupants of the dwelling unit and their guests (e.g., balcony, deck, porch, terrace, etc.). Boundaries are evident through the use of fences, gates, hedges, walls, or other similar methods of controlling access and maintaining privacy.

Usable Open Space. An outdoor or unenclosed area within a residential development on the ground, or on a roof, balcony, deck, porch or terrace, designed and accessible for outdoor living, active or passive recreation, pedestrian access, or landscaping. Parking facilities, driveways, utility or service areas, required front or street side setback areas, and submerged land do not constitute usable open space.

Outdoor Storage Facility. The storage of goods, equipment, or materials outside an enclosed structure for any purpose other than outside sales and display.

“P” Definitions

Parks and Playgrounds. Public parks, play lots, playgrounds, and athletic fields for noncommercial neighborhood or community use, including tennis courts. May include passive outdoor recreation areas. Does not include the same facilities that are privately-owned, commercial recreation facilities (See "Commercial Recreation Facilities"), or recreational vehicle parks and campgrounds.

Parolee Homes. A facility where a person granted permission to leave prison before the end of a sentence, usually as a reward for behaving well, reside until the period of time dedicated by the court or prison system overseeing the person’s wellbeing is completed.

Personal Services, General. Establishments providing non medical services to individuals as a primary use. Examples of these uses include:

- barber and beauty shops (without massage)
- clothing rental shops
- dry cleaning/laundry pick up stores only, with very limited equipment and services
- home electronics and small appliance repair
- laundromats (self-service laundries)
- locksmiths
- nail salons
- shoe repair shops
- tailors and seamstresses
- tanning salons

These uses may also include accessory retail sales of products related to the services provided.

Personal Service, Restricted. Personal services that may tend to have a blighting or deteriorating effect upon surrounding areas and that may need to be dispersed to minimize their adverse impacts. Examples of these uses include:

- check cashing stores
- payday advance businesses
- fortune tellers
- massage
- palm and card readers
- pawnshops
- psychics
- spas and hot tubs for hourly rental
- tattoo parlors and body piercing studios

Personal Storage Facilities. A structure or group of structures where individual storage spaces are leased to individuals, organizations, or businesses for self-service storage of personal property, goods, and wares. Also known as mini-storage facilities.

Pharmacy. Commercial establishments where a licensed pharmacist(s) prepares prescription medicine for sale, which may also sell over-the-counter medicines, personal care products, and other miscellaneous health care products. A pharmacy may be an accessory retail use within a medical clinic or hospital. Liquor and cosmetics shall not be sold except by prescription.

Planned Residential Developments. A residential development characterized by comprehensive planning for the project as a whole, clustering of structures to preserve usable open space and other natural features, and a mixture of housing types developed in compliance with a plan approved by the

Commission or Council, as allowed in specific zones, and subject to the special standards and conditions. Further defined by Civil Code Section 1351(k), as a residential development (other than a community apartment project, condominium, or stock cooperative) having either or both of the following features:

- The common area is owned either by an association or in common by the owners of the separate interests who possess appurtenant rights to the beneficial use and enjoyment of the common area; and/or
- A power exists in the association to enforce an obligation of an owner of a separate interest with respect to the beneficial use and enjoyment of the common area by means of an assessment which may become a lien upon the separately owned parcel, or area in compliance with Civil Code Section 1367.

Photocopy, Postal and Mailing Services, and Similar Activities. Commercial establishments providing services to the general public relating to or involved in the sending, handling, and delivery of mail and packages shipped via the United State Postal Service or one of many commercial common carriers. Other services provided may include renting of postal boxes, copying, printing, binding of presentation materials, notary and passport picture services, and the sale of packaging, and other types of paper and office stationary products.

Parking.

Parking Facility - Public or Commercial. Parking lots or structures operated by a local government, or a private entity providing short term parking for a fee. This use does not include towing impound and storage facilities.

Parking Lots. An improved, generally uncovered, surface area maintained for the short term parking of motor vehicles, motorcycles, scooters, and/or bicycles. See Parking Facility.”

Parking Structure. A readily accessible covered area within a structure, or a garage maintained only for the short term parking of motor vehicles, motorcycles, scooter and bicycles. See “Parking Facility.”

Public and Private Parking Lots and Structures (incidental and accessory to primary use). Public and private parking lots and structures providing short term parking exclusively for patrons of the primary use of the site. See “Parking Facility - Public or Commercial.”

Public Parking Lots and Structures (not associated with a primary use). See “Parking Facility - Public or Commercial.”

Public Utility Structures and Service Facilities. Fixed base structures and facilities for the collection, distribution, maintenance, provision, transmission, or disposal of gas, information, oil, power, storm and sanitary sewage, telecommunication, telephone cable services, and water by public utilities, and includes facilities for the generation of electricity. Does not include wireless telecommunication facilities.

Public utility facilities, major. Fixed base structures and facilities serving as junction points for transferring utility services from one transmission voltage to another or to local distribution and service voltages. These uses include any of the following facilities that are not exempted from land use permit requirements by Government Code Section 53091:

- Corporation and maintenance yards.
- Electrical distribution and transmission substations and switching stations.
- Natural gas regulating and distribution facilities.
- Public water system treatment plants storage facilities.
- Wastewater treatment plants, settling ponds and disposal fields.

Public utility facilities, minor. Fixed base structures and facilities serving as junction points for transferring utility services from one transmission voltage to another or to local distribution and service voltages. These uses include any of the following facilities that are not exempted from land use permit requirements by Government Code Section 53091:

- Electrical poles, supports, and wires.
- Public water system wells and water pumping stations.
- Telephone booths, permanent or temporary.
- Telephone switching facilities.

“Q” Definitions

“R” Definitions

Recycling Facilities. A center for the collection and/or processing of recyclable materials. A recycling or processing facility that is certified by the California Department of Conservation as meeting the requirements of the California Beverage Container Recycling and Litter Reduction Act of 1986.

Recycling - Large Collection Facility. A facility that occupies an area of more than 350 square feet or includes permanent structures where the public may donate, redeem, or sell recyclable materials.

Recycling - Small Collection Facility. A facility that occupies an area of 350 square feet or less where the public may donate, redeem, or sell recyclable materials and may include:

- A mobile unit;
- Reverse vending machines or a grouping of reverse vending machines occupying more than 50 square feet; and/or
- Kiosk-type units that may include permanent structures.

Research and Development (R&D). A facility for scientific research, and the design, development, and testing of electrical, electronic, magnetic, optical and computer equipment and software, and telecommunications components in advance of product manufacturing, and the assembly of related products from parts produced off-site, where the manufacturing activity is secondary to the research and development activities. Examples include pharmaceutical, chemical, and biotechnology research and development. This use does not include soils and other materials testing laboratories or medical laboratories.

Residences for Institutional Personnel. The provision of residential dwelling units exclusively for use by those employed by the primary institutional use on the subject site. See “Dwellings.”

Restaurants.

Restaurant, Cafe, Coffee Shop. A retail business selling ready-to-eat food and/or beverages for on- or off-premise consumption. These include eating businesses where customers are served from a walk-up ordering counter for either on- or off-premise consumption ("counter service"); and businesses where customers are served food at their tables for on premise consumption ("table service"), that may also provide food for take-out.

Restaurant – Outdoor Dining. A restaurant or other eating establishment, including food take-out, where food or beverage are served, on private property, and where there is not a roof and walls on all sides. (See Commercial Accessory Use.)

Sit-down. A food service establishment engaged in the business of selling food and beverages, including alcoholic beverages, prepared on site for primarily on-site consumption. Food and beverages are served to the customer at a fixed location (i.e., booth, counter, or table). Food and beverages are ordered from individual menus. Customers typically pay for food and beverages after service and/or consumption. The sale or service of sandwiches, whether prepared in the kitchen or made elsewhere and heated up on the premises, or snack foods, shall not constitute a sit-down restaurant.

Restaurant – Sit-down (no late hours). A sit-down restaurant as defined above, that does not provide late-night hour services. See “Late-Night Hour Services.”

Restaurant – Sit-down (with late hours). A sit-down restaurant as defined above, that does provide late-night hour services. See “Late-Night Hour Services.”

Take-Out Service. A food service establishment that offers a limited variety of food or beverages. Transactions are sales for off-site consumption. Customers are served either at a counter or service window. Incidental seating (less than 250 sq. ft. of seating area) may be provided for limited on-site consumption of food or beverages. Typical uses include bakeries, coffee stores, ice cream and frozen dessert stores, delivery-only pizza establishments, small delicatessens, and similar establishments.

Retail Sales related to an Institution. See Accessory Uses.”

Retail Sales. Stores and shops selling goods or merchandise, not specifically listed under another land use, to the general public for personal or household consumption and rendering services incidental to the sale of goods.

Bulk Merchandise. Retail establishments engaged in selling goods or merchandise to the general public as well as to other retailers, contractors, or businesses, and rendering services incidental to the sale of the goods. Bulk retail is differentiated from general retail by either of the following characteristics:

- A high volume of sales of related or unrelated products in a warehouse setting (i.e., “big box” retail).
- The sale of goods or merchandise that require a large amount of floor space and that are warehoused and retailed at the same location. Examples of items for sale include:
 - Computers and computer equipment
 - Electrical and heating fixtures and supplies
 - Furniture
 - Groceries
 - Home appliances (refrigerators, stoves, etc.)
 - Home furnishings (draperies, floor coverings, lawn/outdoor furniture, movable spas/hot tubs, etc.)
 - Home products
 - Home sound systems
 - Interior decorating materials and services
 - Large musical instruments
 - Lumber
 - Nursery stock
 - Office furniture
 - Personal care products
 - Televisions

Does not include warehousing, wholesaling, or distribution or vehicle sales.

Retail stores, general merchandise. Retail establishments, completely enclosed within structures, engaged in selling goods or merchandise to the general public for profit. Examples of these establishments and lines of merchandise include:

- antiques
- appliances (small)
- artwork
- artists' supplies
- automotive/vehicle parts and accessories (no installation or repair)
- bakeries (retail only)
- bicycle sales and rentals
- book stores
- bridal shops
- candle shops
- candy shops
- carpeting and floor covering
- china and glassware shops
- clothing and accessories
- collectibles (cards, coins, comics, stamps, etc.)
- computer and video stores
- decorating shops
- discount stores
- drug stores
- electrical supplies
- electronic equipment
- fabrics and sewing supplies
- florists and houseplant stores (indoor sales only)
- gift shops
- handcrafted items
- hardware
- hobby materials
- jewelry
- kitchen utensils
- luggage and leather goods
- medical supplies and equipment
- mirrors
- musical instruments, parts and accessories
- newsstands
- office equipment and supplies
- orthopedic supplies
- paint and wallpaper
- photography and film supplies
- picture frames
- posters
- religious goods
- shoe stores
- signs
- small wares
- specialty shops
- sporting goods and equipment
- stationery
- telephone and communications
- toys and games
- trophy stores
- video and DVD stores

Does not include adult businesses; stores that sell furniture or other items requiring large amounts of floor space; medical marijuana dispensaries; secondhand stores; or stand-alone tobacco stores.

Retail Sales Center (30,000 sf or less). Retail establishments as defined above, containing 30,000 square feet or less of gross floor area.

Retail Sales Center (30,001 sf or greater). Retail establishments as defined above, containing 30,001 square feet or greater of gross floor area.

“S” Definitions

Schools – Private. A private institution that offers instruction in several branches of learning and study. Includes elementary, middle, junior high, and high schools serving kindergarten through 12th grade students. Does not include preschools and child day care.

Secondhand Stores. Retail establishments that sell used merchandise.

Senior Housing. A structure serving as a residence for a group of senior citizens with available centralized services, where the emphasis of the facility remains residential.

Shopping center. A group of commercial establishments, planned, generally constructed, and managed as a total entity with employee and customer parking provided on site under common control or shared under a reciprocal agreement. Shopping centers are further defined as regional (50 or more acres), community (15-49 acres), and neighborhood (up to 14 acres). For signs, commercial developments shall be classified as shopping centers rather than business centers when comprised of at least 10 businesses and contain a minimum floor area of 25,000 square feet.

Structures Incidental and Accessory to Allowed uses. See “Accessory Structures and Uses.”

“T” Definitions

Temporary Uses. A use established for a limited and prescribed period of time, typically less than 12 months, with the intent to discontinue the use at the end of the time period. Examples of temporary uses include: art shows, car washes, charitable functions, seasonal sales lots.

“U” Definitions

Universities and Colleges. A post-secondary institution for higher learning that grants associate or bachelor degrees and may also have research facilities or professional schools that grant master and doctoral degrees. This may also include community colleges that grant associate or bachelor degrees or certificates of completion in business or technical fields. These institutions require at least a high school diploma or equivalent general academic training for admission. Includes community colleges, public colleges, universities, and technical schools

Unimproved Open Space. Undeveloped land(s) that is protected from development by Federal, State, or local regulations or by conditions imposed on a development project.

“V” Definitions

Vehicle Parts Sales (including stereos/alarms, but no installation). The retail sale of new motor vehicle or motorcycle parts, tires, and accessories within an enclosed structure. Does not include establishments that provide installation and repair services (see "Vehicle Services"); or businesses dealing exclusively in used parts.

Vehicle Sales – New. Sale of new automobiles, motorcycles, recreational vehicles, trucks, and similar motor vehicles and equipment, including display, storage, maintenance, repair, and incidental rental of the vehicles and equipment. May also include the sale of used motor vehicles, but only when conducted as part of a new motor vehicle sales facility. May include the sale, installation, and servicing of related equipment and parts.

Vehicle Sales – Used. Sale of used automobiles, motorcycles, recreational vehicles, trucks, and similar motor vehicles and equipment, including display, storage, maintenance, repair, and incidental rental of the vehicles and equipment. May include the sale, installation, and servicing of related equipment and parts

Vehicle Services. The repair, servicing, alteration, restoration, towing, painting, cleaning, or finishing of automobiles, light duty trucks, recreational vehicles, boats, golf carts, and other motor vehicles as a primary use, including the incidental wholesale and retail sale of vehicle parts as an accessory use. This use includes the following categories:

Motor Vehicle Repair – Major. Major repair of automobiles, motorcycles, recreational vehicles, or trucks including light-duty trucks (i.e., gross vehicle weights of less than 10,000 pounds) and heavy-duty trucks (i.e., gross vehicle weights of more than 10,000 pounds). Examples of uses

include full-service motor vehicle repair garages; body and fender shops; brake shops; machine shops; paint shops; tire sales and installation shops; towing services; transmission shops; and salvage tire recapping. Does not include vehicle dismantling.

Motor Vehicle Repair – Minor. Minor repair of golf carts, automobiles, motorcycles, recreational vehicles, or light duty trucks, vans or similar size motor vehicles (i.e., vehicles that have gross vehicle weights less than 10,000 pounds) including detailing services; installation of electronic equipment (e.g., alarms, stereos, etc.); servicing of cooling, electrical, fuel and exhaust systems; brake adjustments, relining and repairs; oil and lube shops; tire and battery sales and installation (not including recapping); and wheel alignment and balancing. Does not include any type of car washing service (“Motor Vehicle Washing/Detailing”).

Motor Vehicle Service Stations. A commercial facility that sells gasoline, diesel, or alternative fuel for the on-site fueling of individual motor vehicles. May include incidental "minor" maintenance and repair (i.e., battery charging and tire changing and repair) of automobiles and light duty trucks, vans, or similar size motor vehicles (i.e., vehicles that have gross vehicle weights less than 10,000 pounds). May also include a convenience store operated by the service station owner.

Motor Vehicle Washing/Detailing.

Motor Vehicle Washing, Automated. A commercial facility for washing automobiles, light duty trucks, and vans where the customer washes the vehicle using on-site equipment by driving through an automated car washing and drying facility.

Motor Vehicle Washing, Full Service. A commercial facility for washing automobiles, light duty trucks, and vans where facility employees wash and dry the vehicles.

Motor Vehicle Washing, Self-Service. A commercial facility for washing automobiles, light-duty trucks, and vans where the customer washes the vehicle using on-site equipment.

Truck Repair. See “Motor Vehicle Repair – Major.”

Vending Machines. Reach-in/walk-in automated mechanical devices containing/dispensing a range of products for purchase, including beverage, ice, and food products.

Veterinary Facilities. Commercial office and medical treatment facilities used by veterinarians where animals receive medical and surgical treatment, including large and small animal veterinary clinics, and animal hospitals. Grooming and temporary (short-time) boarding of animals or pets for up to 30 days is included, if incidental to the hospital use.

Vocational Schools. A post-secondary educational institution designed to provide vocational education or technical skills required to perform the tasks of a particular job. Also referred to as a trade school or vocational college. Vocational schools are traditionally distinguished from four-year colleges by their focus on job-specific training to students who are typically bound for one of the skilled trades, rather than providing academic training for students pursuing careers in a professional discipline.

“W” Definitions

Warehousing/Wholesaling.

Warehousing. Facilities for the storage of furniture, household goods, or other commercial goods of any nature. Includes cold storage. Does not include: warehouse, storage or personal, self, or mini-storage facilities offered for rent or lease to the general public; warehouse facilities in which

the primary purpose of storage is for wholesaling and distribution (see “Wholesaling and Distribution”); or terminal facilities for handling freight.

Wholesaling and Distribution. Establishments engaged in selling merchandise to retailers; to industrial, commercial, institutional, farm, or professional business users; to other wholesalers; or acting as agents or brokers in buying merchandise for or selling merchandise to these persons or companies. Includes the following establishments:

- agents, merchandise or commodity brokers, and commission merchants
- assemblers, buyers and associations engaged in the cooperative marketing of farm products
- merchant wholesalers
- stores primarily selling electrical, plumbing, heating and air conditioning supplies and equipment.

Also includes storage, processing, packaging, and shipping facilities for mail order and e-commerce retail establishments.

Wholesaling and Distribution - Up to 50,000 sf. Wholesaling and distribution establishments as defined above, containing 50,000 square feet or less of gross floor area.

Wholesaling and Distribution - Greater than 50,001 sf. Wholesaling and distribution establishments as defined above, containing 50,001 square feet or greater of gross floor area.

Water Resource Management Facilities. The activity of planning, developing, distributing and managing the optimum use of water resources. Examples of related uses include, but are not limited, to the following: groundwater recharge basins, percolation, water wells, reservoirs, tanks, dams, treatment plants, gauging stations, and pumping stations.

Wildlife Preserves and Sanctuaries. A nature reserve (natural reserve, bioserve, [natural/nature] preserve or [national/nature] conserve) is a protected area of importance for wildlife, flora, fauna, or features of geological or other special interest, which is reserved and managed for conservation and to provide special opportunities for study or research. These preserves may be designated by government institutions in some areas, or by private landowners (i.e., charities and research institutions).

Wireless Telecommunications Facilities. Public, commercial, and private electromagnetic and photoelectrical transmission, broadcast, repeater, and receiving stations for radio, television, telegraph, telephone, cellular telephone, and data networks communications; including commercial earth stations for satellite-based communications as may be described in the Communications Act of 1934, as amended by the Telecommunications Act of 1996, or as otherwise authorized by the Federal Communications Commission. Includes antennas, towers, commercial satellite dish antennas, and equipment structures. Does not include telephone, telegraph, and cable television transmission facilities utilizing hard-wired or direct cable connections.

“X” Definitions

“Y” Definitions

“Z” Definitions

Zone. A specifically delineated area or district within a municipality in which regulations and requirements uniformly govern the use, placement, spacing, and size of land and structures. Also known as a zone or zoning district.

Zoning Map. The map(s) which are a part of this Development Code and delineate the boundaries of the individual zones or zoning districts.

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City of Loma Linda Community Development Department

Planning Commission Staff Report

PLANNING COMMISSION MEETING OF NOVEMBER 2, 2016

Approved/Continued/Denied By Planning Commission Date: _____
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TO: Planning Commission

FROM: Konrad Bolowich, Assistant City Manager

SUBJECT: Development Code Amendment (DCA) 16-137 - City of Loma Linda initiated ordinance to amend Title 17 "Zoning", Chapter 17.30 "Administration" of the Loma Linda Municipal Code and to establish provisions for a Conditional Use Permit and Minor Use Permit.

RECOMMENDATION

Staff recommends that the Planning Commission:

1. **RECOMMEND THAT THE CITY COUNCIL APPROVE** the Development Code Amendment (DCA) No. 16-137 to amend Chapter 17.30 and establish new provisions for a Conditional Use Permit and Minor Use Permit application.

BACKGROUND

Certain types of land uses require special consideration in a particular zone or in the City as a whole because they possess unique characteristics or present special problems that make automatic inclusion as allowed uses either impractical or undesirable. The purpose of a Conditional Use Permit or Minor Use Permit is to provide sufficient flexibility in the use regulations in order to further the objective of this Development Code. A Conditional Use Permit or Minor Use Permit provides a process for reviewing uses and activities that may be appropriate in the applicable zone, but whose effects on a specific site and surroundings cannot be determined before being proposed for the specific site.

ANALYSIS

A Conditional Use Permit or Minor Use Permit is required to authorize proposed land uses as being allowable in the applicable zone. Approval of this portion of the development code will create a process for review and implementation of both the Conditional Use and Minor Use. This process will provide consistency and clarity from application to implementation of such uses.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) STATUS

This ordinance is categorically exempt from environmental review pursuant to Sections 15060(c)(2) and 15061(b)(3) of the California Environmental Quality Act (“CEQA”). Adding and amending sections of the existing Land Use Code will not result in direct or reasonably foreseeable indirect adverse physical changes in the environment. Furthermore, the enactment or amendment of a zoning ordinance undertaken by a public agency is not considered a project under Section 15378 (a)(1) of CEQA. A Notice of Exemption will be filed upon adoption of the Development Code Amendment.

PUBLIC COMMENTS

Public notice for this project was posted in the San Bernardino’s “The Sun” newspaper on Sunday, October 23, 2016. As of the date on this report, there have been no written or oral comments received in opposition or in favor of Development Code Amendment No. 16-137.

CONCLUSION

Staff recommends approval of Development Code Amendment (DCA) No. 16-137 to amend Chapter 17.30 and establish new provisions for a Conditional Use Permit and Minor Use Permit application. The provisions will allow for Minor Use Permit discretionary review. The amendment to the Municipal Code is consistent with the intent and purpose of the General Plan (May 26, 2009) to manage the community’s future and continually improve the quality of life in Loma Linda.

Report prepared by:

Konrad Bolowich
Assistant City Manager

EXHIBITS

A. Draft of Development Code Amendment DCA No. 16-137 (Draft One)

Conditional Use Permit and Minor Use Permit Chapter

Chapter 17.68 — Conditional Use Permits and Minor Use Permits

Sections:

- 17.68.010 — Purpose
- 17.68.020 — Applicability
- 17.68.030 — Review Authority
- 17.68.040 — Application Requirements
- 17.68.050 — Project Review, Notice, and Hearing
- 17.68.060 — Findings and Decision
- 17.68.070 — Conditions of Approval
- 17.68.080 — Use of Property before Final Action
- 17.68.090 — Modification of Permit
- 17.68.100 — Periodic Review
- 17.68.110 — Permit to Run with the Land
- 17.68.120 — Post Decision Procedures

17.68.010 — Purpose

- A. Purpose.** The purpose of a Conditional Use Permit or Minor Use Permit is to provide sufficient flexibility in the use regulations in order to further the objective of this Development Code.
- B. Process for reviewing uses.** A Conditional Use Permit or Minor Use Permit provides a process for reviewing uses and activities that may be appropriate in the applicable zone, but whose effects on a specific site and surroundings cannot be determined before being proposed for the specific site.
- C. Special consideration.** Certain types of land uses require special consideration in a particular zone or in the City as a whole because they possess unique characteristics or present special problems that make automatic inclusion as allowed uses either impractical or undesirable.

17.68.020 — Applicability

A Conditional Use Permit or Minor Use Permit is required to authorize proposed land uses identified by Article 2 (Zones, Allowable Land Uses, and Zone Specific Standards) as being allowable in the applicable zone subject to the approval of a Conditional Use Permit or Minor Use Permit.

17.68.030 — Review Authority

A. Conditional Use Permits. Conditional Use Permits shall be approved or denied by the Commission.

B. Minor Use Permits.

1. Minor Use Permits shall be approved or denied by the Director.
2. The Director may choose to refer any Minor Use Permit application to the Commission for review and final decision.

17.68.040 — Application Requirements

An application for a Conditional Use Permit and/or Minor Use Permit shall be filed and processed in compliance with Chapter 17.xx (Permit Application Filing and Processing). The application shall include the information and materials specified in the most up-to-date Department handout for Conditional Use Permit and Minor Use Permit applications, together with the required fee in compliance with the City's Planning Fee Schedule. It is the responsibility of the applicant to provide evidence in support of the findings required by Section 17.68.060 (Findings and Decision), below.

17.68.050 — Project Review, Notice, and Hearing

Each application shall be reviewed by the Director to ensure that the proposal complies with all applicable requirements of this Development Code.

A. Conditional Use Permits.

1. The Commission shall conduct a public hearing on an application for a Conditional Use Permit before a decision on the application.
2. Notice of the hearing shall be provided, and the hearing shall be conducted in compliance with Chapter 17.xx (Public Hearings).

B. Minor Use Permits. Before a decision on a Minor Use Permit, the City shall provide notice in compliance with Chapter 17.xx (Public Hearings), and as follows.

1. Notice.

- a. The notice shall state that the Director will decide whether to approve or deny the Minor Use Permit application on a date specified in the notice, and that a public hearing will be held only if requested in writing by any interested person at least five days before the specified date for the decision.
- b. The written request for a hearing shall be based on issues of significance directly related to the application (e.g., provision of evidence that the request cannot meet one or more of the findings identified in Section 17.68.060 [Findings and Decision], below).
- c. If the Director determines that the evidence has merit and can be properly addressed by a condition(s) added to the Minor Use Permit

approval, the Director may consider the permit in compliance with Subparagraph 3. (If no hearing is requested), below.

2. **If hearing is requested.** If a public hearing is requested, and the provisions of Subparagraph B. 1. c., above do not apply the Director shall schedule the hearing that shall be noticed and conducted in compliance with Chapter 17.xx (Public Hearings).
3. **If no hearing is requested.** If no public hearing is requested, the Director shall render a decision on the date specified in the notice referred to in Subparagraph B. 1. a., above.
4. **Appeals.** The Director's decision is appealable to the Commission in compliance with Chapter 17.xx (Appeals).

17.68.060 — Findings and Decision

- A. **Review authority's action.** An application for a Conditional Use Permit or Minor Use Permit may be approved subject to conditions, or denied by the review authority.
- B. **Required findings.** The review authority may approve a Conditional Use Permit or Minor Use Permit only if it first makes all of the following findings:
 1. The proposed use is consistent with the General Plan and any applicable specific plan;
 2. The proposed use is allowed within the applicable zone and complies with all other applicable provisions of this Development Code and the Municipal Code;
 3. The design, location, size, and operating characteristics of the proposed activity will be compatible with the existing and future land uses in the vicinity;
 4. The site is physically suitable in terms of:
 - a. Its design, location, shape, size, and operating characteristics of the proposed use;
 - b. The provision of public and emergency vehicle (e.g., fire and medical) access;
 - c. Public protection services (e.g., fire protection, police protection, etc.); and
 - d. The provision of utilities (e.g., potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.).
 5. The measure of site suitability shall be required to ensure that the type, density, and intensity of use being proposed will not adversely affect the public convenience, health, interest, safety, or general welfare, constitute a

nuisance, or be materially injurious to the improvements, persons, property, or uses in the vicinity and zone in which the property is located.

6. The applicant agrees in writing to comply with any and all of the conditions imposed by the review authority in the approval of the Conditional Use Permit or Minor Use Permit.

17.68.070 — Conditions of Approval

In approving a Conditional Use Permit or Minor Use Permit, the review authority may impose any conditions deemed reasonable and necessary to ensure that the approval will comply with the findings required by Section 17.68.060 (Findings and Decision), above.

17.68.080 — Use of Property before Final Action

No permits or approvals shall be issued for any use involved in an application for a Conditional Use Permit or Minor Use Permit until and unless the same shall have become final, in compliance with Section 17.xx (Effective Date of Permits).

17.68.090 — Modification of Permit

An approved Conditional Use Permit or Minor Use Permit may be modified in compliance with Section 17.xx (Changes to an Approved Project).

17.68.100 — Periodic Review

The City may conduct a periodic review of the permit to ensure proper compliance with this Development Code and any developmental or operational conditions imposed by the review authority.

17.68.110 — Permit to Run with the Land

A Conditional Use Permit or Minor Use Permit approved in compliance with the provisions of this Chapter shall continue to be valid upon a change of ownership of the business, parcel, service, structure, or use that was the subject of the permit application in the same area, configuration, and manner as it was originally approved in compliance with this Chapter.

17.68.120 — Post Decision Procedures

The procedures and requirements in Chapter 17.xx (Permit Implementation, Time Limits, and Extensions), and those related to appeals, public notices and hearings, revocation, and enforcement in Chapter 17.xx (Development Code Administration) shall apply following the decision on a Conditional Use Permit or Minor Use Permit application.

Planning Commission

Regular Meeting of July 6, 2016

A regular meeting of the Planning Commission was called to order by Chairman Nichols at 5:00 p.m., Wednesday, July 6, 2016 in the City Council Chambers, 25541 Barton Road, Loma Linda, California.

Commissioners Present: John Nichols, Chairman
 Doree Morgan
 Jay Nelson
 Ryan Gallant
 Carlos Prieto

Staff Present: Konrad Bolowich, Assistant City Manager
 Richard Holdaway, City Attorney
 Lorena Matarrita, Associate Planner
 Nataly Alvizar, Administrative Specialist

City Survey tour, the Commission visited the following sites;

1. Veteran's Association Medical Clinic – 26001 Redlands Blvd
2. Shell Gas Station (2 new restaurants) 10342 Mountain View Avenue
3. California Street Development –Citrus Lane, Citrus Trails, Orchard Heights
4. Parking Structure 3 – Corner of Campus Drive and Barton Road
5. Medical Office Building – Vacant Land site 25915 Barton Road

Commission and staff returned to Council Chambers at 6:53pm. Chairman Nichols led the Pledge of Allegiance. No items were added or deleted; no public participation comments were offered upon invitation of the Chairman.

ACM Bolowich moved agenda item MSA 16-052 first to be heard, went on to introduce new Associate Planner Lorena Matarrita to the Commission.

1. MASTER SIGN PROGRAM APPLICATION (MSA16-052) AND VARIANCE APPLICATION (V16-053) FOR THE VETERANS AFFAIR AMBULATORY CARE CENTER LOCATED AT 26001 REDLANDS BOULEVARD.

Associate Planner Mataritta presented the staff report into evidence and informed the Commission that the applicant was present in case of any questions.

Chairman Nichols opened the public hearing and invited public comment.

Chairman Nichols asked the applicant if there was a process in place to keep the signs in good shape. His concern was the colors and condition of the sign deteriorating quickly.

Vice-Chairman Gallant asked if the applicant planned on adding any graphics (seal) on the signs.

Applicant responded that they are not allowed to have any seal or graphics on the exterior of the building.

Chairman Nichols closed the public hearing.

Motion by Morgan, seconded by Gallant and unanimously carried to approve the Master Sign Application MSA 16-052 and Variance Application V16-053 based on the analysis and original project Findings and Conditions of Approval.

DEVELOPMENT CODE AMENDMENT (DCA) 14-133 – DEVELOPMENT CODE UPDATE – AFFECTING TITLE 17, ARTICLE 2 – ZONES, ALLOWABLE USES AND DEVELOPMENT STANDARDS- Continued from the June 15, 2016 Planning Commission meeting.

ACM Bolowich continued, reviewing Title 17 of the Loma Linda Municipal Code which included Hillside Residential Zones (HR- C, HR-LD HR-MD and HR-SD. Special Purpose Zones (I-HC, OS, PC, and PF) and Combining/Overlay Zones (FP, GH, HM, and PD).

Discussion ensued with staff and commissioners regarding:

- Requiring a Conditional Use Permit (CUP) application for modular/Manufactured home on Hillside Residential zones.
- Ridgeline Setbacks
- General Considerations for Hillside Control Measurements.
- Preservation of Natural scenic vistas and shed areas.
- Setting limits of proximity in efforts to help with Fire prevention

Motion by Gallant, seconded by Nelson and unanimously carried to continue item Development Code Amendment – (DCA 14-133) to the August 3, 2016 Planning Commission meeting, in order to provide the commission a completed draft with all requested changes.

CERTIFICATE OF APPROPRIATENESS – SMALL PROJECT APPLICATION (SPA 16-051 TO EXTERIOR OF THE STRUCTURE (INSTALLING (9) 2’-8” x 8 NEW FIXED WINDOWS AT 11057 HILL DR.

Staff recommended that the item be continued to the August 3, 2016 Planning Commission meeting.

Motion by Gallant, seconded by Morgan and unanimously carried to continue item Certificate of Appropriateness – Small Project Application (SPA 16-051) to the August 3, 2016 Planning Commission meeting.

REPORTS OF PLANNING COMMISSIONERS

Chairman Nichols requested a workshop in order to review the Medical Office Building (PPD 14-154) in efforts to come up with a possible solution for the development.

ACM Bolowich stated that the workshop depended on the applicant availability.

City Attorney explained that since the commission had taken an action on this item, they had given up the jurisdiction. The item should not be a discussion of topic for this agenda. The next step is for the applicant to appeal to the City Council.

REPORTS OF COMMUNITY DEVELOPMENT DIRECTOR - No reports.

The meeting was adjourned at 8:01 p.m.



Nataly Alvizar
Administrative Specialist I

Planning Commission

Regular Meeting of August 3, 2016

A regular meeting of the Planning Commission was called to order by Chairman Nichols at 7:00 p.m., Wednesday, August 3, 2016 in the City Council Chambers, 25541 Barton Road, Loma Linda, California.

Commissioners Present: Ryan Gallant (Vice-Chairman)
Doree Morgan
Carlos Prieto

Commissioners Absent: John Nichols (Chairman)
Jay Nelson

Staff Present: Konrad Bolowich, Assistant City Manager
Richard Holdaway, City Attorney
Lorena Matarrita, Associate Planner
Nataly Alvizar, Administrative Specialist

Vice - Chairman Gallant led the Pledge of Allegiance. No items were added or deleted; no public participation comments were offered upon invitation of the Chairman.

ACM Bolowich clarified that agenda item (3) will be moved from a recommendation by the Commission to an advisory subject. Proceeded to explain that Small Project Applications are approved by Administrative Hearing at the city. Being that this is a major land mark, staff feels it is important to share with the Planning Commission and get advisory feedback.

GENERAL PLAN AMENDMENT (GPA 15-044), PRE-ZONE (ZMA 15-045), ANNEXATION (ANX 15-043) AND TENTATIVE TRACT MAP 15-046 (TTM 19963) Located East of California Street, South and West of the Mission Zanja Creek, West of Nevada Street and North of Barton Road..

Consultant - Mrs. Natalie Patty (Lilburn Corp) presented the staff report into evidence.

Vice-Chairman Gallant opened the public hearing and invited public comment.

Mr. Ed Bonadiman – Attorney for Resident Laura Ramirez addressed the Commission regarding a request for a zone change to (C2) General Business for the approximate 4.5 acres Mrs. Ramirez owns neighboring the development.

ACM Bolowich stated that staff supports the request. Stated that re-zoning that corner area to (C2) would blend well with neighboring commercial development.

Commissioner Morgan and Vice-Chairman Gallant agreed.

Resident D. Wiley expressed his concern with traffic congestion on California Street and Nevada Street.

Discussion ensued with staff and the Commission regarding;

- Traffic concerns with the increase in residential homes.

Consultant - Mrs. Natalie Patty (Lilburn Corp) stated that the current Initial study with LAFCO, allowed for 5 acres of commercial property. Supporting Mrs. Laura Ramirez request would create total of (10) acres of Commercial zoned property. Based on this, a new evaluation would need to be made as well as an

amendment to the Initial Study with LAFCO. The CEQA documents and project description would need to be revised to be consistent.

Consultant - Mrs. Patty (Lilburn Corp) explained the correspondence from The San Manuel Mission Band of Indians. The city has general mitigations that ensure an archeological monitor is on site in case any cultural resources are found. Should any potential Native American resources be found the City would inform the most likely descendent. The tribes request this to be made a Condition of Approval to ensure that their cultural resources are preserved.

Vice- Chairman Gallant closed the public hearing.

Motion by Gallant, seconded by Morgan and unanimously carried to recommend that City Council approve the General Plan Amendment (GPA) 15-044, Pre-Zone (ZMA) 15-045, Annexation (ANX) 15-043, and Tentative Tract Map (TTM) 19963 with the conditions that APN 0292-152-10 be pre-zoned C-2 General Business and that staff work with appropriate recommendation from the San Manuel Band of Mission Indians and incorporate the original project Findings and Conditions of Approval.

DEVELOPMENT CODE AMENDMENT (DCA) 14-133 – DEVELOPMENT CODE UPDATE – Affecting Title 17, Article 2- Zones Allowable Uses and Development Standards - Continued from the July 6, 2016 Planning Commission meeting.

ACM Bolowich continued, reviewing Title 17 of the Loma Linda Municipal Code revisions from previous drafts. Revisions included;

- Allowing Drive-Thru restaurants in the commercial zone.
- Development standards in Planned Community- Width (65) and Depth (100)
- No set back changes to the R-1 Zone

Motion by Morgan, seconded by Prieto and unanimously carried to recommend that the City Council approve the Development Code Amendment (DCA)14-133 affecting Title 17, Article 2- Zones, Allowable Used and Development Standards with the conditions that drive-thru restaurants be allowed in C-1 and C-2 zones and incorporating R-1 standards in Planned Community zones and original project findings.

CERTIFICATE OF APPROPRIATENESS – SMALL PROJECT APPLICATION (SPA 16-051 to exterior of the structure (installing (9) 2'-8" x8" new fixed windows at 111057 Hill Drive.

ACM Bolowich informed the Commission that this item is for informational purposes only. He presented the proposed project to the Commission; Campus Hill Church is proposing to change out (9) fixed windows. Historical Commission supported the design and approved the Certificate of Appropriateness with the revised design.

-No motion required-

APPROVAL OF MINUTES

Motion by Morgan seconded by Gallant and carried unanimously to approve the minutes of June 1, 2016 as presented.

REPORTS OF COMMUNITY DEVELOPMENT DIRECTOR - No reports.

The meeting was adjourned at 8:07 p.m.



Nataly Alvizar
Administrative Specialist I