

ORDINANCE NO. 2017-09

AN ORDINANCE OF THE CITY OF JURUPA VALLEY, CALIFORNIA, ESTABLISHING BUSINESS PARK AND COMMERCIAL NEIGHBORHOOD ZONES, AMENDING REQUIREMENTS FOR NONCONFORMING STRUCTURES AND USES, AMENDING CHAPTER 9.10, AMENDMENTS TO THE COUNTY ZONING ORDINANCE, OF TITLE 9, PLANNING AND ZONING, OF THE JURUPA VALLEY MUNICIPAL CODE TO AMEND AND SUPERSEDE CERTAIN PROVISIONS OF RIVERSIDE COUNTY ORDINANCE NO. 348, APPROVING AN AMENDMENT TO RIVERSIDE COUNTY ZONING MAP NO. 15 (JURUPA AREA PLAN), AND MAKING FINDINGS PURSUANT TO CEQA

THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY DOES ORDAIN AS FOLLOWS:

Section 1. City of Jurupa Valley Land Use Regulatory Authority. The City Council of the City of Jurupa Valley does hereby find, determine and declare that:

(a) The City of Jurupa Valley incorporated on July 1, 2011.

(b) On July 1, 2011, the City Council adopted Ordinance No. 2011-01. This Ordinance provides that pursuant to the provisions of Government Code Section 57376, all ordinances of the County of Riverside which have been applicable within the territory now incorporated as the City of Jurupa Valley, to the extent that they applied before incorporation, shall remain in full force and effect as ordinances of the City of Jurupa Valley, including the Riverside County General Plan. Additionally, Ordinance No. 2011-01 provides that the resolutions, rules and regulations of the County of Riverside which have been applicable in the implementation of the aforesaid ordinances and State laws (including, but not limited to, the California Environmental Quality Act and regulations pertaining to traffic) to the extent that they applied before incorporation shall remain in full force and effect as resolutions, rules and regulations, respectively, of the City of Jurupa Valley. On September 15, 2011, the City Council adopted Ordinance No. 2011-10, effective October 15, 2011, continuing in effect all ordinances of the County of Riverside that have been applicable within the territory now incorporated as the City of Jurupa Valley, to the extent that they applied before incorporation. These ordinances and resolutions as well as the Jurupa Valley Municipal Code shall be known as "Jurupa Valley Ordinances."

(c) On September 15, 2011, the City Council also adopted Ordinance No. 2011-09, effective October 15, 2011, adopting Chapter 2.35 of the Jurupa Valley Municipal Code establishing the Planning Commission for the City of Jurupa Valley. Chapter 2.35 provides that the Planning Commission shall perform the planning agency functions described in Government Code Section 65100 *et seq.*, and shall fulfill the functions delegated to the Planning Commission for the County of Riverside under the relevant ordinances and resolutions, which

the City has adopted as required upon incorporation. Chapter 2.35 further provides that the Planning Commission shall perform the functions of any and all planning, zoning or code enforcement appeals board created by the relevant County of Riverside ordinances and resolutions, which the City has adopted by reference as required by law.

Section 2. Project Procedural Findings. The City Council of the City of Jurupa Valley does hereby find, determine and declare that:

(a) The City has initiated General Plan Amendment No. 1406 to adopt the Jurupa Valley General Plan update (known as the “2017 General Plan”) and change the land use designations for certain parcels within the City, and has initiated Zoning Code and Map Amendments and Zone changes for consistency with General Plan Amendment No. 1406 (collectively, the “Project”). The Zoning Code and Map Amendments are the subject of this Ordinance.

(b) Section 17.280.010 (“Amendments”) of Chapter 17.280 (“Amendments and Change of Zone”) of Title 17 (“Zoning”) of the Riverside County Code, as adopted by the City of Jurupa Valley pursuant to Chapter 1.35 of the Jurupa Valley Municipal Code, provides that amendments to Title 17 shall be made in accordance with the procedure set forth in Chapter 4 of the Planning and Zoning Law, (California Government Code, Section 65800, *et seq.*) as now enacted or hereafter amended, and with the requirements of Title 17.

(c) Section 17.280.030 (“Adoption of Amendments”) of Chapter 17.280 (“Amendments and Change of Zone”) of Title 17 (“Zoning”) of the Riverside County Code, as adopted by the City of Jurupa Valley pursuant to Chapter 1.35 of the Jurupa Valley Municipal Code, provides that amendments to Title 17 that propose to regulate the use of buildings, structures and land as between industry, business, residents and other purposes, shall be adopted in the manner set forth in Section 17.280.040.

(d) At the August 7, 2014 regular City Council meeting, the City Council initiated an amendment to the Riverside County Zoning Ordinance No. 348, as adopted by the City of Jurupa Valley pursuant to Chapter 1.35 of the Jurupa Valley Municipal Code, and the Jurupa Valley Zoning Map for consistency with the proposed 2017 General Plan and requested that the Planning Commission study and report on the proposed Code Amendment.

(e) Section 17.280.040.A. of Chapter 17.280 (“Amendments and Change of Zone”) of Title 17 (“Zoning”) of the Riverside County Code, as adopted by the City of Jurupa Valley pursuant to Chapter 1.35 of the Jurupa Valley Municipal Code, provides that the Planning Commission shall hold a public hearing on the proposed amendment.

(f) Section 17.280.040.C. of Chapter 17.280 (“Amendments and Change of Zone”) of Title 17 (“Zoning”) of the Riverside County Code, provides that after closing the public hearing the Planning Commission shall render its decision within a reasonable time and transmit it to the City Council in the form of a written recommendation, which shall contain the reasons for the recommendation. If the Planning Commission does not reach a decision due to a tie vote, that fact shall be reported to the City Council and the failure to reach a decision shall be deemed a recommendation against the proposed amendment.

(g) Government Code Section 63853 provides that when the legislative body has requested the planning commission to study and report upon an amendment to the zoning ordinance and the planning commission fails to act upon such request within a reasonable time, the legislative body may, by written notice, require the planning commission to render its report within 40 days. Upon receipt of the written notice, the planning commission, if it has not done so, shall conduct the public hearing as required by Section 65854. Failure to so report to the legislative body within the above time period shall be deemed to be approval of the proposed amendment to the zoning ordinance.

(h) Government Code Section 65854 provides that the planning commission shall hold a public hearing on the proposed amendment to a zoning ordinance. Notice of the hearing shall be given pursuant to Government Code Section 65090.

(i) Government Code Section 65855 provides that after the hearing, the planning commission shall render its decision in the form of a written recommendation to the legislative body. Such recommendation shall include the reasons for the recommendation, the relationship of the proposed amendment to the general plan, and shall be transmitted to the legislative body in such form and manner as may be specified by the legislative body.

(j) Section 17.280.040.D. of Chapter 17.280 (“Amendments and Change of Zone”) of Title 17 (“Zoning”) of the Riverside County Code, provides that upon receipt of the recommendation of the Planning Commission for approval of an amendment to change property from one zone to another, the City Clerk shall set the matter of public hearing before the City Council at the earliest convenient day, and shall give notice of the time and place of the hearing in the same manner as notice was given of the hearing before the Planning Commission. If the Planning Commission has recommended denial, the Planning Commission’s recommendation shall be filed with the City Clerk, who shall place the decision on the next agenda of the City Council held five (5) or more days after the City Clerk receives the decision. The decision of the Planning Commission is considered final and no action by the City Council is required unless the City Council orders the matter set for public hearing. If the City Council so orders, the City Clerk shall set the matter for public hearing before the City Council at the earliest convenient day and shall give notice of the time and place of the hearing in the same manner as is provided for giving notice of the hearing before the Planning Commission.

(k) Section 17.280.040.E. of Chapter 17.280 (“Amendments and Change of Zone”) of Title 17 (“Zoning”) of the Riverside County Code, provides that after closing the public hearing the City Council shall render its decision within a reasonable time and may approve, modify or disapprove the recommendation of the Planning Commission; provided, however, that any proposed modification of the Planning Commission’s recommendation not previously considered by the Planning Commission shall first be referred back to the Planning Commission for a report and recommendation.

(l) The Project was processed including, but not limited to a public notice, in the time and manner prescribed by State law and Jurupa Valley Ordinances.

(m) On April 26, 2017, the Planning Commission of the City of Jurupa Valley held a public hearing on General Plan Amendment No. 1406 and the proposed Zoning Code

Amendments, at which time all persons interested in these matters had the opportunity and did address the Planning Commission. Following the receipt of public testimony the Planning Commission closed the public adopted Resolution No. 2017-04-26-01 by a 5-0-0 vote, recommending that the City Council of the City of Jurupa Valley certify an Environmental Impact Report and adopt a Statement of Overriding Considerations and a Mitigation Monitoring And Reporting Program for the proposed 2017 General Plan, adopt the proposed 2017 General Plan (General Plan Amendment No. 1406), adopt amendments to the Jurupa Valley General Plan land use map, as modified by the Commission, and adopt amendments to Title 9 (“Planning and Zoning”) of the Jurupa Valley Municipal Code. Additionally, the Planning Commission continued the Commission’s discussion only with respect to the proposed 2017 General Plan and proposed LUA-15C to the Planning Commission’s regular meeting date on May 10, 2017.

(n) On May 10, 2017, the Planning Commission of the City of Jurupa Valley had a continued discussion on the proposed 2017 General Plan and proposed LUA-15C and held a public hearing on the proposed Zoning Map Amendments and Zone changes, at which time all persons interested in these matters had the opportunity and did address the Planning Commission. Following the receipt of public testimony the Planning Commission closed the public hearing, adopted Resolution No. 2017-05-10-02 by a 5-0-0 vote, recommending that the City Council of the City of Jurupa Valley adopt amendments to the Jurupa Valley General Plan land use map, amendments to the Jurupa Valley Zoning Map, and Zone changes.

(o) On May 18, 2017, the City Council of the City of Jurupa Valley held a public hearing on the Project, at which time all persons interested in the Project had the opportunity and did address the City Council on these matters. Following the receipt of public testimony the City Council continued the item and the public hearing to the City Council regular meeting date of June 1, 2017.

(p) On June 1, 2017, the City Council of the City of Jurupa Valley held a continued public hearing on the Project, at which time all persons interested in the Project had the opportunity and did address the City Council on these matters. Following the receipt of public testimony the City Council closed the public hearing.

(q) All legal preconditions to the adoption of this Ordinance have occurred.

Section 3. California Environmental Quality Act Findings. The City Council hereby makes the following environmental findings and determinations in connection with the approval of the Project:

(a) Pursuant to the California Environmental Quality Act (“CEQA”) (Cal. Pub. Res. Code §21000 *et seq.*) and the State Guidelines (the “Guidelines”) (14 Cal. Code Regs. §15000 *et seq.*), City staff prepared an Initial Study of the potential environmental effects of the approval of the Project. Based upon the findings contained in that Study, a Notice of Preparation (“NOP”) was distributed by the City of Jurupa Valley to responsible, trustee and local agencies for review and comment on February 3, 2016. The NOP was issued to the following: California Office of Planning & Research, California Department of Fish & Wildlife, South Coast Air Quality Management District, Western Riverside Council of Governments, and other

organizations and persons considered likely to be interested in the Project and its potential impacts.

(b) A Draft Environmental Impact Report (the “DEIR”) was prepared for the Project between February 2016 and January 2017. In accordance with the California Environmental Quality Act (“CEQA”) (Cal. Pub. Res. Code §21000 *et seq.*) and the State Guidelines (the “Guidelines”) (14 Cal. Code Regs. §15000 *et seq.*) promulgated with respect thereto, the City analyzed the Project’s potential impacts on the environment.

(c) Consistent with Guidelines Section 15105, the City circulated the DEIR (including appendices) for the Project to the public and other interested parties for a 45-day comment period, from February 17, 2017, to April 3, 2017.

(d) The City prepared written responses to all comments received on the DEIR during the comment period and those responses to comments are incorporated into the Final Environmental Impact Report (“Final EIR”), which Final EIR was prepared in accordance with CEQA and is on file with the City Planning Department. The responses to public agency comments were delivered to each public agency commenter on or about May 4, 2017, which is more than 10 days prior to any certification of the Final EIR.

(e) The Final EIR is on file with in the Office of the City Clerk. The FEIR is comprised of the DEIR dated February 14, 2017, and all appendices thereto, the Comments and Response to Comments on the DEIR, addenda and errata to the DEIR, which are contained in a separate volume, and the Mitigation Monitoring and Reporting Program for the Project.

(f) On April 26, 2017, the Planning Commission conducted a duly noticed public hearing to consider the Project and the Final EIR, reviewed the staff report, accepted and considered public testimony. After due consideration, the Planning Commission found that agencies and interested members of the public were afforded ample notice and opportunity to comment on the EIR and the Project and approved Resolution No. 2017-04-26-01 recommending that City Council certify the Final EIR, adopt findings of fact pursuant to the California Environmental Quality Act, and adopt a mitigation monitoring and reporting program for the Project.

(g) On May 18, 2017, June 1, 2017, July 20, 2017, August 17, 2017, and September 7, 2017 the City Council conducted duly noticed public hearings to consider the Project and the Final EIR, reviewed the staff report, accepted and considered public testimony. Based upon the evidence presented at the hearing, including the staff report and oral testimony, the City Council, by separate Resolution No. 2017-14, certified the Final EIR, adopted findings pursuant to the California Environmental Quality Act for the Project as set forth in Exhibit “B” to Resolution No. 2017-14, adopted a Mitigation Monitoring and Reporting Program for the Project as set forth in Exhibit “D” to Resolution No. 2017-14, and adopted a Statement of Overriding Considerations for the Project as set forth in Exhibit “C” to Resolution No. 2017-14.

(h) All actions taken by City have been duly taken in accordance with all applicable legal requirements, including CEQA, and all other requirements for notice, public hearings, findings, votes and other procedural matters.

(i) The custodian of records for the Final EIR, the MMRP, the Statement of Overriding Considerations, and all other materials that constitute the record of proceedings upon which the City Council's decision was based, including, without limitation, the staff reports for Master Application No. 1406, all of the materials that comprise and support the Final EIR and all of the materials that support the staff reports for Master Application No. 1406, is Thomas G. Merrell, with the City of Jurupa Valley Planning Department. Those documents are available for public examination during normal business hours at the City of Jurupa Valley, 8930 Limonite Avenue, Jurupa Valley, California 92509.

Section 4. Project Findings. The City Council hereby makes the following findings as required by the Jurupa Valley Ordinances and applicable state law:

(a) The Zoning Code and Map Amendments are consistent with the proposed 2017 General Plan, including the Vision and Values of the City.

(b) The Zoning Code and Map Amendments will reduce incompatibilities between industrial and residential uses and provide for increased residential, commercial, and open space uses.

(c) The Zoning Code and Map Amendments include a provision to ensure that land uses legally existing at the time of adoption of the proposed 2017 General Plan will be allowed to continue as legal conforming uses.

Section 5. Amendment of Chapter 9.10. Section 9.10.150 ("B-P Zone (Business Park)") is hereby added to Chapter 9.10 ("Amendments to the County Zoning Ordinance") of Title 9 ("Planning and Zoning") of the Jurupa Valley Municipal Code to read as follows:

"Chapter 9.10

Amendments to the County Zoning Ordinance

Sections

9.10.150 B-P Zone (Business Park)

A. Article IXf ("B-P Zone (Business Park)") is hereby added to Riverside County Zoning Ordinance No. 348, as adopted by the City of Jurupa Valley by Chapter 1.31 of the Jurupa Valley Municipal Code, to read as follows:

ARTICLE

IXf

B-P ZONE (BUSINESS PARK)

SECTION 9.91. PURPOSE AND APPLICATION. The B-P Zone is intended to provide for research and development, light manufacturing, business sales and services and other business-supporting commercial uses. It is not intended to include general warehousing, shipping, or logistics. The B-P Zone implements and is consistent with the Business Park land use category of the General Plan.

SECTION 9.92. USES PERMITTED.

a. The following uses are permitted:

- (1) Bakery – Wholesale.
- (2) Banks, financial services, ATMs.
- (3) Business support services.
- (4) Catering services.
- (5) Copying and quick printer services.
- (6) Laboratory – Medical, analytical, research, testing.
- (7) Manufacturing – Light.
- (8) Media production – Broadcast studio.
- (9).Printing and publishing.
- (10) Offices, professional sales and services, including business, law, medical, dental, chiropractic, architectural and engineering, public utilities.
- (11) Restaurant.
- (12) School – College, university, vocational, specialized training.
- (13) Social service organization.
- (14) Transit stop, station or terminal.
- (15) Veterinary clinic/hospital, boarding (indoor).

b. The following uses are permitted provided approval of a site development permit shall first have been obtained pursuant to the provisions of Section 18.30 of this ordinance:

- (1) Ambulance, taxi, and/or limousine dispatch facility.
- (2) Antennas and telecommunications facilities.
- (3) Automobile service stations, not including the concurrent sale of beer and wine for off- premises consumption.
- (4) Commercial recreation facility – Indoor.
- (5) Conference facilities.
- (6) Convenience market.
- (7) Equipment sales and rental.
- (8) Fitness/health facility.
- (9) Maintenance services.
- (10) Medical services – clinic, urgent care.

- (11) Microbrewery – Brewpub, craft brewery.
- (12) Office-supporting retail.
- (13) Parking lots and structures.
- (14) Personal services – nails, beauty salon, barber.
- (15) Repair services – Electronic equipment, large appliances, etc.
- (16) Warehouse stores – 45,000 sq. ft. or less gross floor area.
- (17) Work/Live units.
- (18) Vehicle services – Repair and Maintenance.
- (19) Studio – Art, dance, martial arts, music, etc.

c. The following uses are permitted provided a conditional use permit has been granted pursuant to Section 18.28 of this ordinance:

- (1) Auto, truck, motorcycle, boat and RV sales, rental and repair.
- (2) Bar/tavern.
- (3) Furniture and fixtures manufacturing, cabinet shop.
- (4) Hotel, motel, extended stay hotel.
- (5) Heliports.
- (6) Hospital.
- (7) Mortuary, funeral home.
- (8) Public safety facilities (police, fire, EMT, etc).
- (9) Warehouse stores – greater than 45,000 sq. ft. gross floor area.

d. Uses Not Listed. Any use that is not specifically listed in Subsections a., b., and c. may be considered a permitted or conditionally permitted use provided that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such a use is subject to the permit process which governs the category in which it falls.

e. Legally Established Uses. It is the intent of the City Council that a legally established pre-existing land use of an occupied property shall not assume a nonconforming status as a result of the adoption of the 2017 General Plan and the concurrent or subsequent adoption of a change of zone for consistency with the 2017 General Plan. Any pre-existing use certified pursuant to Section 18.8.m. of this ordinance that is not specifically listed in subsections a., b., and c. shall be considered a permitted or conditionally permitted use the same as provided for such use under the zoning classification of the subject property prior to the adoption of the new zoning classification concurrent with, or subsequent to, the effective date of City Council Resolution No. 2017-14 adopting the 2017 General

Plan. The expansion of significant modification of such a pre-existing use shall be subject to the approval process and zoning requirements that had governed the category of use in which it fell under the prior zoning classification. However, nothing in this subsection shall be construed to mean that a site development permit or conditional use permit is required to continue such pre-existing use.

SECTION 9.93. DEVELOPMENT STANDARDS. The following shall be the standards of development in the B-P Zone:

- a. Lot Size. The minimum lot size shall be 0.5 acre (21,780) square feet with a minimum average lot width of 100 feet, minimum average lot depth of 100 feet and minimum lot frontage width of 50 feet.
- b. Height. The maximum height of all structures, including buildings, shall be 35 feet at the yard setback line. Any portion of a structure that exceeds 35 feet in height shall be set back from each yard setback line not less than 2 feet for each 1 foot in height that is in excess of 35 feet. All buildings and structures shall not exceed 50 feet in height.
- c. Landscaping. A minimum 15 percent of the net area of the site (exclusive of right-of-way) shall be landscaped and maintained, and automatic irrigation shall be installed.
- d. Street Setbacks. A minimum 25 foot setback shall be required on any street. A minimum 10 foot strip adjacent to the street line shall be appropriately landscaped and maintained, except for designated pedestrian and vehicular accessways. The remainder of the setback may be used for off-street automobile parking, driveways, or landscaping.
- e. Side yard Setbacks. The minimum side yard setback shall equal not less than 10 feet for the two side lot areas combined.
- f. Rear yard Setback. The minimum rear yard setback shall be 15 feet.
- g. Other Setbacks. A minimum 100 foot setback shall be required on any boundary where the business park property abuts a residential or commercially zoned property. A minimum of 20 feet of the setback shall be landscaped. The Other setback area may also be used for trails, bicycle, motorcycle and automobile parking, trash/recycling enclosure, driveways or landscaping. Block walls or other fencing may be required. Barbed wire or concertina wire shall not be allowed.
- h. Screening. Parking, loading, trash and service areas shall be screened by structures or landscaping. They shall be located in such a manner as to minimize noise or odor nuisance. Block walls or other fencing may be required.

- i. Outside Storage. Outside storage shall be screened with structures or landscaping. Landscaping shall be placed in a manner adjacent to the exterior boundaries of the area so that materials stored are screened from view. If a non-screened exhibit of products is proposed, it shall be part of the industrial park site development permit approved pursuant to Section 10.3 of this ordinance, and shall be set back at least 10 feet from the street line.
- j. Parking. Parking shall be provided as required by Section 18.12 of this ordinance.
- k. Utilities. All new utilities shall be underground.
- l. Roof-Mounted Equipment. All roof mounted mechanical equipment shall be screened from the ground elevation view to a minimum sight distance of 1,320 feet.
- m. Signs. All signs shall be in conformance with Article XIX of this ordinance.
- n. Site Lighting. All lighting, including spotlights, floodlights, electrical reflectors, and other means of illumination for signs, structures, landscaping, parking, loading, unloading, and similar areas shall be focused, directed, and arranged to prevent glare or direct illumination on streets or adjoining property.”

Section 6. Amendment of Chapter 9.10. Section 9.10.160 (“C-N Zone (Commercial-Neighborhood)”) is hereby added to Chapter 9.10 (“Amendments to the County Zoning Ordinance”) of Title 9 (“Planning and Zoning”) of the Jurupa Valley Municipal Code to read as follows:

“Chapter 9.10

Amendments to the County Zoning Ordinance

Sections

9.10.160 C-N Zone (Commercial-Neighborhood)

A. Article IXg (“C-N Zone (Commercial-Neighborhood)”) is hereby added to Riverside County Zoning Ordinance No. 348, as adopted by the City of Jurupa Valley by Chapter 1.31 of the Jurupa Valley Municipal Code, to read as follows:

ARTICLE

IXg

C-N ZONE (COMMERCIAL-NEIGHBORHOOD)

SECTION 9.101. PURPOSE AND APPLICATION. The C-N Zone is intended to provide for retail sales and services primarily for the convenience of

surrounding residential areas in small-scale, pedestrian-oriented developments. Individual, small-scale retail establishments should provide several types of merchandise (as opposed to businesses offering a wide selection of a single type of merchandise). The C-N Zone also accommodates limited types of housing, including caretaker's quarters and live-work housing. The C-N Zone implements and is consistent with the Neighborhood Commercial land use category of the General Plan.

SECTION 9.102. USES PERMITTED.

a. The following uses are permitted:

- (1) Bakery – retail.
- (2) Banks, financial services, ATMs.
- (3) Building and landscape materials (indoor).
- (4) Convenience store.
- (5) Copying and quick printer services.
- (6) Day care – Day care center (child, adult).
- (7) Dry cleaners, Laundry (including self service).
- (8) Florist.
- (9) Groceries, liquor, specialty foods (see note in Section 9.2(f), g.).
- (10) General retail – 2,500 sq. ft. or less gross floor area.
- (11) Park, playground.
- (12) Personal services – nails, beauty salon, barber.
- (13) Produce stand, Farmer's market.
- (14) Restaurant, cybercafé (no drive-thru).

b. The following uses are permitted provided approval of a site development permit shall first have been obtained pursuant to the provisions of Section 18.30 of this ordinance:

- (1) Automobile service stations, not including the concurrent sale of beer and wine for off-premises consumption.
- (2) Car wash, self-service (no automated or drive thru).
- (3) Caretaker's residence.
- (4) Farm supply and feed store.
- (5) Fitness/health facility.
- (6) General retail – More than 2,500 sq. ft. up to 15,000 sq. ft. gross floor area.

- (7) Grocery, liquor and specialty foods retail – 3,000 sq. ft. to 5,000 sq. ft. gross floor area.
 - (8) Library, branch facility.
 - (9) Medical services – clinic, urgent care.
 - (10) Religious facility – church, temple, stake, etc.
 - (11) Repair services – Home electronic equipment, small appliances.
 - (12) Work/Live units.
 - (13) Automobile services – Repair and maintenance.
 - (14) Veterinary clinic/hospital/boarding (indoor), small animals.
 - (15) Studio – Art, dance, martial arts, music, etc.
- c. The following uses are permitted provided a conditional use permit has been granted pursuant to Section 18.28 of this ordinance:
- (1) Bar/tavern.
 - (2) Club, lodge, private meeting hall.
 - (3) Grocery, liquor and specialty foods retail – 5,000 sq. ft. to 20,000 sq. ft. gross floor area.
 - (4) Public assembly facility.
 - (5) Public safety facilities (police, fire, EMT, etc.).
 - (6) Schools – private, religious, specialty.
 - (7) Social service or charitable organization.
 - (8) Theatre, museum or cultural center.
- d. Uses Not Listed. Any use that is not specifically listed in Subsections a., b., and c. may be considered a permitted or conditionally permitted use provided that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such a use is subject to the permit process which governs the category in which it falls.
- e. Legally Established Uses. It is the intent of the City Council that a legally established pre-existing land use of an occupied property shall not assume a nonconforming status as a result of the adoption of the 2017 General Plan and the concurrent or subsequent adoption of a change of zone for consistency with the 2017 General Plan. Any pre-existing use certified pursuant to Section 18.8.m. of this ordinance that is not specifically listed in subsections a., b. and c. shall be considered a permitted or conditionally permitted use the same as provided for such use under the zoning classification of the subject property prior to the adoption of the new zoning classification concurrent

with, or subsequent to, the effective date of City Council Resolution No. 2017-14 adopting the 2017 General Plan. The expansion of significant modification of such a pre-existing use shall be subject to the approval process and zoning requirements that had governed the category of use in which it fell under the prior zoning classification. However, nothing in this subsection shall be construed to mean that a site development permit or conditional use permit is required to continue such pre-existing use.

SECTION 9.103. DEVELOPMENT STANDARDS. The following shall be the standards of development in the C-N Zone:

- a. Lot Size. The minimum lot size shall be 6,000 square feet with a minimum average lot width of 60 feet, minimum average lot depth of 90 feet and minimum lot frontage width of 40 feet.
- b. Height. The maximum height of all structures, including buildings, shall be 35 feet. The maximum lot coverage shall be 75 percent of gross lot area. The maximum Floor Area Ratio (FAR) shall not exceed 1.5. For properties with residential units, the maximum density shall be 8 dwelling units per acre (du/A).
- c. Landscaping. A minimum 15 percent of the site shall be landscaped and maintained, and automatic irrigation shall be installed.
- d. Street Setback. A minimum 25 foot setback shall be required on any street. A minimum 10 foot strip adjacent to the street line shall be appropriately landscaped and maintained, except for designated pedestrian and vehicular accessways. The remainder of the setback may be used for off-street automobile parking, driveways or landscaping.
- e. Side yard Setback. The minimum side yard setback shall equal not less than 10 feet for the 2 side lot areas combined.
- f. Rear yard Setback. The minimum rear yard setback shall be 15 feet.
- g. Grocery, Liquor and Specialty Foods. In the C-N Zone, grocery liquor and specialty food stores under 3,000 square feet are allowed.
- h. Screening. Parking, loading, trash and service areas shall be screened by structures or landscaping. They shall be located in such a manner as to minimize noise or odor nuisance. Block walls or other fencing may be required. Barbed wire or concertina wire shall not be allowed.
- i. Outside Storage. Outside storage shall be screened with structures or landscaping. Landscaping shall be placed in a manner adjacent to the exterior boundaries of the area so that materials stored are screened from view. If a non-screened exhibit of products is proposed, it shall be part

of the industrial park site development permit approved pursuant to Section 10.3 of this ordinance, and shall be set back at least 10 feet from the street line.

- j. Parking. Parking shall be provided as required by Section 18.12 of this ordinance.
- k. Utilities. All new utilities shall be underground.
- l. Roof-Mounted Equipment. All roof mounted mechanical equipment shall be screened from the ground elevation view to a minimum sight distance of 1,320 feet.
- m. Signs. All signs shall be in conformance with Article XIX of this ordinance.
- n. Site Lighting. All lighting, including spotlights, floodlights, electrical reflectors, and other means of illumination for signs, structures, landscaping, parking, loading, unloading, and similar areas shall be focused, directed, and arranged to prevent glare or direct illumination on streets or adjoining property.”

Section 7. Amendment of Chapter 9.10. Section 9.10.170 (“I-P, M-SC, M-M and M-H Zones – Warehousing and Shipping Uses Prohibited”) is hereby added to Chapter 9.10 (“Amendments to the County Zoning Ordinance”) of Title 9 (“Planning and Zoning”) of the Jurupa Valley Municipal Code to read as follows:

“Chapter 9.10

Amendments to the County Zoning Ordinance

Sections

9.10.170 I-P, M-SC, M-M and M-H Zones – Warehousing and Shipping Uses Prohibited

A. Subsection e. is hereby added to Section 10.1 (“Uses Permitted”) of Article X (“I-P Zone (Industrial Park)”) of Riverside County Zoning Ordinance No. 348, as adopted by the City of Jurupa Valley by Chapter 1.31 of the Jurupa Valley Municipal Code, to read as follows:

e. Warehousing and shipping uses are prohibited as primary uses where they conflict with the Mira Loma Warehouse policy identified as Planning Department Policy Directive 12-01.

B. Subsection h. is hereby added to Section 11.2 (“Uses Permitted”) of Article XI (“M-SC Zone (Manufacturing – Service Commercial)”) of Riverside County Zoning Ordinance No. 348, as adopted by the City of Jurupa Valley by Chapter 1.31 of the Jurupa Valley Municipal Code, to read as follows:

h. Warehousing and shipping uses are prohibited as primary uses where they conflict with the Mira Loma Warehouse policy identified as Planning Department Policy Directive 12-01.

C. Subsection h. is hereby added to Section 11.26 (“Uses Permitted”) of Article XIa (“M-M Zone (Manufacturing – Medium)”) of Riverside County Zoning Ordinance No. 348, as adopted by the City of Jurupa Valley by Chapter 1.31 of the Jurupa Valley Municipal Code, to read as follows:

h. Warehousing and shipping uses are prohibited as primary uses where they conflict with the Mira Loma Warehouse policy identified as Planning Department Policy Directive 12-01.

D. Subsection i. is hereby added to Section 12.2 (“Uses Permitted”) of Article XII (“M-H Zone (Manufacturing – Heavy)”) of Riverside County Zoning Ordinance No. 348, as adopted by the City of Jurupa Valley by Chapter 1.31 of the Jurupa Valley Municipal Code, to read as follows:

i. Warehousing and shipping uses are prohibited as primary uses where they conflict with the Mira Loma Warehouse policy identified as Planning Department Policy Directive 12-01.”

Section 8. Amendment of Chapter 9.10. Section 9.10.180 (“Nonconforming Structures and Uses”) is hereby added to Chapter 9.10 (“Amendments to the County Zoning Ordinance”) of Title 9 (“Planning and Zoning”) of the Jurupa Valley Municipal Code to read as follows:

“Chapter 9.10

Amendments to the County Zoning Ordinance

Sections

9.10.180 Nonconforming Structures and Uses

A. Subsection h. is hereby added to Section 9.1 (Uses Permitted) of Article IX (“C-1 Zone / C-P Zone (General Commercial)”) of Riverside County Zoning Ordinance No. 348, as adopted by the City of Jurupa Valley by Chapter 1.31 of the Jurupa Valley Municipal Code, to read as follows:

h. It is the intent of the City Council that a legally established pre-existing land use of an occupied property shall not assume a nonconforming status as a result of the adoption of the 2017 General Plan and the concurrent or subsequent adoption of a change of zone for consistency with the 2017 General Plan. Any pre-existing use certified pursuant to Section 18.8.m. of this ordinance that is not specifically listed in subsections a., b., and d. shall be considered a permitted or conditionally permitted use the same as provided for such use under the zoning classification of the subject property prior to the adoption of the new zoning classification concurrent with, or subsequent to, the effective date of City Council Resolution

No. 2017-14 adopting the 2017 General Plan. The expansion of significant modification of such a pre-existing use shall be subject to the approval process and zoning requirements that had governed the category of use in which it fell under the prior zoning classification. However, nothing in this subsection shall be construed to mean that a site development permit or conditional use permit is required to continue such pre-existing use.

B. Subsection d. is hereby added to Section 9.25 (Uses Permitted) of Article IXa (“C-T Zone (Tourist Commercial)”) of Riverside County Zoning Ordinance No. 348, as adopted by the City of Jurupa Valley by Chapter 1.31 of the Jurupa Valley Municipal Code, to read as follows:

d. It is the intent of the City Council that a legally established pre-existing land use of an occupied property shall not assume a nonconforming status as a result of the adoption of the 2017 General Plan and the concurrent or subsequent adoption of a change of zone for consistency with the 2017 General Plan. Any pre-existing use certified pursuant to Section 18.8.m. of this ordinance that is not specifically listed in subsection a. shall be considered a permitted or conditionally permitted use the same as provided for such use under the zoning classification of the subject property prior to the adoption of the new zoning classification concurrent with, or subsequent to, the effective date of City Council Resolution No. 2017-14 adopting the 2017 General Plan. The expansion of significant modification of such a pre-existing use shall be subject to the approval process and zoning requirements that had governed the category of use in which it fell under the prior zoning classification. However, nothing in this subsection shall be construed to mean that a site development permit or conditional use permit is required to continue such pre-existing use.

C. Subsection f. is hereby added to Section 9.50 (Uses Permitted) of Article IXb (“C-P-S Zone (Scenic Highway Commercial)”) of Riverside County Zoning Ordinance No. 348, as adopted by the City of Jurupa Valley by Chapter 1.31 of the Jurupa Valley Municipal Code, to read as follows:

f. It is the intent of the City Council that a legally established pre-existing land use of an occupied property shall not assume a nonconforming status as a result of the adoption of the 2017 General Plan and the concurrent or subsequent adoption of a change of zone for consistency with the 2017 General Plan. Any pre-existing use certified pursuant to Section 18.8.m. of this ordinance that is not specifically listed in subsections a. and b. shall be considered a permitted or conditionally permitted use the same as provided for such use under the zoning classification of the subject property prior to the adoption of the new zoning classification concurrent with, or subsequent to, the effective date of City Council Resolution No. 2017-14 adopting the 2017 General Plan. The expansion of significant modification of such a pre-existing use shall be subject to the approval process and zoning requirements that had governed the category of use in which it fell under the prior zoning classification. However, nothing in this subsection shall be

construed to mean that a site development permit or conditional use permit is required to continue such pre-existing use.

D. Subsection e. is hereby added to Section 9.62 (Uses Permitted) of Article IXc (“C-R Zone (Rural Commercial)”) of Riverside County Zoning Ordinance No. 348, as adopted by the City of Jurupa Valley by Chapter 1.31 of the Jurupa Valley Municipal Code, to read as follows:

e. It is the intent of the City Council that a legally established pre-existing land use of an occupied property shall not assume a nonconforming status as a result of the adoption of the 2017 General Plan and the concurrent or subsequent adoption of a change of zone for consistency with the 2017 General Plan. Any pre-existing use certified pursuant to Section 18.8.m. of this ordinance that is not specifically listed in subsections a. and b. shall be considered a permitted or conditionally permitted use the same as provided for such use under the zoning classification of the subject property prior to the adoption of the new zoning classification concurrent with, or subsequent to, the effective date of City Council Resolution No. 2017-14 adopting the 2017 General Plan. The expansion of significant modification of such a pre-existing use shall be subject to the approval process and zoning requirements that had governed the category of use in which it fell under the prior zoning classification. However, nothing in this subsection shall be construed to mean that a site development permit or conditional use permit is required to continue such pre-existing use.

E. Subsection e. is hereby added to Section 9.72 (Uses Permitted) of Article IXd (“C-O Zone (Commercial-Office Zone)”) of Riverside County Zoning Ordinance No. 348, as adopted by the City of Jurupa Valley by Chapter 1.31 of the Jurupa Valley Municipal Code, to read as follows:

e. It is the intent of the City Council that a legally established pre-existing land use of an occupied property shall not assume a nonconforming status as a result of the adoption of the 2017 General Plan and the concurrent or subsequent adoption of a change of zone for consistency with the 2017 General Plan. Any pre-existing use certified pursuant to Section 18.8.m. of this ordinance that is not specifically listed in subsections a. and b. shall be considered a permitted or conditionally permitted use the same as provided for such use under the zoning classification of the subject property prior to the adoption of the new zoning classification concurrent with, or subsequent to, the effective date of City Council Resolution No. 2017-14 adopting the 2017 General Plan. The expansion of significant modification of such a pre-existing use shall be subject to the approval process and zoning requirements that had governed the category of use in which it fell under the prior zoning classification. However, nothing in this subsection shall be construed to mean that a site development permit or conditional use permit is required to continue such pre-existing use.

F. Subsection f. is hereby added to Section 9.82 (Uses Permitted) of Article IXe (“R-VC Zone (Rubidoux-Village Commercial)”) of Riverside County Zoning

Ordinance No. 348, as adopted by the City of Jurupa Valley by Chapter 1.31 of the Jurupa Valley Municipal Code, to read as follows:

f. It is the intent of the City Council that a legally established pre-existing land use of an occupied property shall not assume a nonconforming status as a result of the adoption of the 2017 General Plan and the concurrent or subsequent adoption of a change of zone for consistency with the 2017 General Plan. Any pre-existing use certified pursuant to Section 18.8.m. of this ordinance that is not specifically listed in subsections a., b., and c. shall be considered a permitted or conditionally permitted use the same as provided for such use under the zoning classification of the subject property prior to the adoption of the new zoning classification concurrent with, or subsequent to, the effective date of City Council Resolution No. 2017-14 adopting the 2017 General Plan. The expansion of significant modification of such a pre-existing use shall be subject to the approval process and zoning requirements that had governed the category of use in which it fell under the prior zoning classification. However, nothing in this subsection shall be construed to mean that a site development permit or conditional use permit is required to continue such pre-existing use.

G. Subsection f. is hereby added to Section 10.1 (“Uses Permitted”) of Article X (“I-P Zone (Industrial Park)”) of Riverside County Zoning Ordinance No. 348, as adopted by the City of Jurupa Valley by Chapter 1.31 of the Jurupa Valley Municipal Code, to read as follows:

f. It is the intent of the City Council that a legally established pre-existing land use of an occupied property shall not assume a nonconforming status as a result of the adoption of the 2017 General Plan and the concurrent or subsequent adoption of a change of zone for consistency with the 2017 General Plan. Any pre-existing use certified pursuant to Section 18.8.m. of this ordinance that is not specifically listed in subsections a. and b. shall be considered a permitted or conditionally permitted use the same as provided for such use under the zoning classification of the subject property prior to the adoption of the new zoning classification concurrent with, or subsequent to, the effective date of City Council Resolution No. 2017-14 adopting the 2017 General Plan. The expansion of significant modification of such a pre-existing use shall be subject to the approval process and zoning requirements that had governed the category of use in which it fell under the prior zoning classification. However, nothing in this subsection shall be construed to mean that a site development permit or conditional use permit is required to continue such pre-existing use.

H. Subsection l. and m. are hereby added to Section 18.8 (“Nonconforming Structures and Uses”) of Article XVIII (“General Provisions”) of Riverside County Zoning Ordinance No. 348, as adopted by the City of Jurupa Valley by Chapter 1.31 of the Jurupa Valley Municipal Code, to read as follows:

l. EXCEPTIONS FOR THE 2017 GENERAL PLAN. Concurrently with, or subsequent to, the effective date of City Council Resolution No. 2017-14 adopting

the 2017 General Plan, the City shall adopt a change of zone for each property for which the existing zoning classification is not consistent with the Land Use Element or City's official land use map. No pre-existing use of land that was legally established on a legal parcel shall be made nonconforming by such change of zone. Any such pre-existing use that is not listed under the new zoning classification applicable to such property, either as permitted or as permitted subject to a conditional use permit, shall be considered a conforming permitted or conditionally permitted use only with respect to the subject property so affected, and only until such time as the use is: (1) discontinued for longer than one year, or (2) converted to another use that is permitted or conditionally permitted under the new zoning classification or any other subsequent change of zone applicable to the subject property. For purposes of this subsection, the status of a preexisting use as a permitted and conforming use shall attach to the subject property and apply to any tenant, owner or occupant of the subject property for the conduct of the pre-existing use, which pre-existing use shall be certified pursuant to subsection m. of this section.

m. **CERTIFICATION OF CONFORMANCE.** Each owner of property occupied by a preexisting use considered to be permitted and conforming pursuant to subsection l. of this section shall receive a certification from the Planning Department that such pre-existing use is a permitted and conforming use under the new zoning classification adopted for the subject property for consistency with the adopted 2017 General Plan. The certification shall be in a form that will permit recordation by the Assessor-County Clerk-Recorder for Riverside County."

Section 9. Severability. If any sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining provisions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each sentence, clause or phrase thereof irrespective of the fact that any one or more sentences, clauses or phrases be declared unconstitutional or otherwise invalid.

Section 10. Effect of Ordinance. This Ordinance is intended to supersede any ordinance or resolution of the County of Riverside adopted by reference by the City of Jurupa Valley in conflict with the terms of this Ordinance.

Section 11. Certification. The City Clerk of the City of Jurupa Valley shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted in the manner required by law.

Section 12. Zoning Map Amendment. The City Council of the City of Jurupa Valley hereby directs the City Manager to revise the official Riverside County Zoning Map No. 15 for the Jurupa Area as depicted in Exhibit "A."

Section 13. Effective Date. This Ordinance shall take effect on the date provided in Government Code Section 36937.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Jurupa Valley on this 21st day of September, 2017.

Verne Lauritzen
Mayor

ATTEST:

Victoria Wasko, CMC
City Clerk

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF JURUPA VALLEY)

I, Victoria Wasko, CMC, City Clerk of the City of Jurupa Valley, do hereby certify that the foregoing Ordinance No. 2017-09 was regularly introduced at a regular meeting of the City Council held on the 7th day of September, 2017 and thereafter at a regular meeting held on the 21st day of September, 2017, it was duly passed and adopted by the following vote of the City Council:

AYES: BERKSON, GOODLAND, KELLY, LAURITZEN, ROUGHTON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Jurupa Valley, California, this 21st day of September, 2017.

Victoria Wasko, CMC
City Clerk

EXHIBIT “A”

Riverside County Zoning Map No. 15